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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 (Ms. CLARKE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 26, 2008.

I hereby appoint the Honorable YVETTE D. CLARKE 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 Arizona (Mr. FLAKE) for 5 minutes.

FREEDOM FOR CUBA IS A WORTHY GOAL

Mr. FLAKE. Madam Speaker, just 2 days ago, we witnessed a transition of power in Cuba. It is no surprise that the new government in Cuba looks a lot like the old. It's time for a get-tough policy on Cuba. It's time to end the isolation that has been both a friend and an enabler to decades of oppression. This isolation has given the Cuban Government a convenient scapegoat for the failure of socialism. We should not give Raul Castro the same benefits that we gave his brother Fidel. We cannot continue to be the Goliath to their David.

For too long, U.S. policy toward Cuba has missed the island by about 90 miles. Our Cuba policy, under both Republican and Democratic administrations, has been more about Florida than about Cuba, more about securing votes in Miami than securing the right to vote in Havana.

Madam Speaker, we are too great a country than to deny Cuban American families the right to visit family members in Cuba. We are too great a country than to deny our own citizens the right to travel to the island and to give aid and comfort to those who have endured decades of oppression.

Freedom in Cuba is a worthy goal, a goal that would perhaps be more easily achieved if we practice a little more of it ourselves.

SUPPORT FOR PRESIDENT KARZAI

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Pennsylvania (Mr. PITTS) is recognized during morning-hour debate for 1 minute.

Mr. PITTS. Madam Speaker, recently there have been a number of stories in the Western media bashing Afghanistan President Karzai. One in the Washington Post even raised doubts about his anti-Taliban activities before he became President. This is deeply disturbing.

President Karzai has a proven track record of being a very strong ally of the United States and a courageous and visionary leader for his own country. His record of activities against the Taliban are well-known and well-documented. He testified before the Senate Foreign Relations Committee in the year 2000. And in a policymakers' forum, right here in this Capitol building in 1999, he warned us of the dangers of neglecting Afghanistan and the threat the cruel and brutal Taliban posed to the stability and security of Afghanistan and the region and, indeed, the world.

This rash of articles is perplexing. Karzai is a leader who clearly holds the best chance of leading his country towards lasting peace, unity and democracy. The international community and the United States must continue to support President Karzai.

STEROIDS IN SPORTS

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

Mr. STEARNS. Madam Speaker, like many of my colleagues, I'm a big sports fan. I have had the opportunity to play sports in high school and in an industrial league. I played it in the Boys Club back in 90-pound football. And I think, like most of us, we understand that the vast majority of stars today were a testament to true hard work. They were determined to succeed and often times under difficult situations. Their performances, victories, records and careers seemed to capture the straightforwardness of honesty, hard work and integrity that is based upon the heart of sports today, at least in the past, the ideal that sports allow success based upon merit, whether it be on the court, the field or the track.

Unfortunately, Madam Speaker, the scourge of steroids and performance-enhancing drugs is not simply a footnote in the history of sports in America. Steroid use goes much deeper, to the basic integrity of sports and all of athletics. At the most fundamental level, steroid use is just plain cheating. And furthermore, it is illegal.

Steroids are classified as a Schedule III controlled substance under the Controlled Substance Act. Those caught in illegal possession of steroids without a

prescription face arrest and prosecution. Dealers face a Federal felony charge and up to 5 years in prison.

Furthermore, steroid use involves significant health risks for all athletes who use them. Studies suggest that use of steroids can lead to stunted growth in adolescents, increased risk of heart and liver disease, as well as cancer and hormonal problems for both men and women. And that is why these and other factors demand that our elite athletic organizations, both professional and amateur, establish uniform, world-class drug testing standards that are consistent and robust, just as our criminal laws are today.

However, the most worrisome development is that steroids are not only infiltrating their professional and elite amateur leagues, they are finding their way into middle schools and high school sports programs. In fact, according to the most recent Monitoring for the Future survey, funded by the National Institute on Drug Abuse, 3½ percent of high school seniors have used steroids with similar percentages for grades 8–10.

These are alarming numbers that represent just a part of the susceptible youth population that is out there. These estimates suggest that the high school steroid problem is just as great, if not greater, than it is in the professional leagues.

As any parent knows, high school is a trying time for many kids, let alone student athletes. These exceptional kids now face yet another hazard all the way to adulthood, that is trying to claim the safe haven of sports as its next growth market.

We must take an aggressive stand against this plague before these pressures lead young student athletes to use steroids, its destructive effects on honesty and fair play and ultimately, their very health and well-being.

And here and before the Commerce Trade and Consumer Protection Subcommittee last year, which I chaired in the last Congress, we heard testimony from a parent of a young man who tragically took his own life when that pressure to succeed, coupled with steroids, became too much. Unfortunately, these tragic stories are all too common.

Richard Pound, the founder and chair of the World Anti-Doping Agency says, ''Do we want our children to be forced to become drug addicts in order to be successful in sports? Like it or not, sports stars are heroes and idols to our kids. Our kids copy their heroes' behavior. That's why we have to encourage the stars to be good role models both on and off the field.'' Congress must continue to look into the use of illegal steroid and performance enhancing drug use.

Professional leagues have an obligation to be the gold standard with regard to education, detection and sanctions for the illicit use of steroids and other performance-enhancing drugs. The recent scandals in baseball, the Olympics, professional wrestling and in other professional amateur sports have served to highlight the significance of the steroids problem.

Now, sometimes I'm asked back in the district why I care about drugs in sports. Shouldn't the athletes perhaps do whatever they want? They are only hurting themselves, is the reply. The use of steroids and performance-enhancing drugs by athletes today goes beyond just the integrity of the sport. By using illegal drugs, athletes are, in effect, telling our children that the only way to be successful and compete at the highest level is to cheat. That is not the message I want our children to hear.

RECESS

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

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

□ 1200

AFTER RECESS

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

PRAYER

The Reverend Dr. Adolphus C. Lacey, Mount Olivet Baptist Church, Peekskill, New York, offered the following prayer:

Eternal and all wise God, creator of life and light, we bless You on this day that You have let life and light dwell in each of us. We thank You, O God, for another opportunity to get it right. We pray now for Your discernment for these Representatives as they deliberate on the course of this great Nation. May their thoughts be on the common good and their actions help form a more perfect Union. We pray for strength in the continued sacrifices that each son and daughter, husband and wife make as they send a piece of themselves to serve all of us. May their sacrifices be not in vain. Grant now to each Representative purpose, clarity of mind, determination and commitment, not only for this day, but also in the continuing days of this 110th Congress. Hear our prayer, O God, and grant to each of us Your peace.

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.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

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

Mr. SMITH of Texas 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.

WELCOMING REV. DR. ADOLPHUS C. LACEY

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. HALL) is recognized for 1 minute.

There was no objection.

Mr. HALL of New York. Mr. Speaker, I am honored to be able to stand here today and thank the Reverend Dr. Adolphus C. Lacey for leading the House of Representatives in prayer today. I am hopeful that his presence and prayer here today will help us in the House to display the same leadership and sense of community that he exhibits every day in the Hudson Valley.

Rev. Lacey came to Mount Olivet Baptist Church in Peekskill, New York, in 2005 to serve as its 14th pastor and has been a leader in the community ever since. He is also president of the Peekskill/Cortlandt area Pastors Association and has been a strong voice in the public sphere for the values that are guided by his faith.

In addition to serving as a religious and community leader, Rev. Lacey is also a family man. He is the husband of Cheryl Mathews Lacey and the father of Cameryn Alexandra and Adolphus Matthew.

I have had the honor of addressing his congregation and been able to see his leadership where his counsel is often sought. I thank him again for leading us in prayer today.

DEMOCRATS FIGHT TO END SUBSIDIES FOR BIG OIL AND INSTEAD SUPPORT RENEWABLE ENERGY

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

Mr. MORAN of Virginia. Mr. Speaker, this week the House Democrats will

build upon our economic stimulus package by passing an energy bill that is designed to lower prices at the gas pump, which are currently over $3 a gallon. The price of oil is hovering around $100 a barrel and many predict that if we don't act now, it's going much higher.

The Renewable Energy and Energy Conservation Tax Act extends and expands tax incentives for renewable energies including renewable electricity and fuel, hybrid cars and energy-efficient homes and appliances.

By investing in renewable energy, we can take another critical step in reducing our Nation's dependence on foreign oil. And at a time when our economy is struggling to produce new high-paying jobs, this legislation will help create hundreds of thousands of new green jobs in renewable energy that will help us provide a cleaner environment for the next generation.

Mr. Speaker, our legislation is also fully paid for by repealing $18 billion in tax subsidies that big oil companies continue to receive despite record earnings. It's time Congress modernizes our Nation's energy policy by passing this important bill regardless of President Bush's opposition.

CUBAN PEOPLE DESERVE FREEDOM

(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, Fidel Castro has stepped down as President and dictator of Cuba and handed over his communist rule to his brother Raul. The news of Castro's resignation was met with cautious optimism by many who see this as an opportunity for the Cuban people to build a new and free society. However, it appears that for now the Castro family elite will continue to reign in a communist state and stifle the voices of reform.

Today, political prisoners remain housed in inhumane conditions. The current Cuban legal system that authorizes the arrest of people for the crime of pre-criminal activity must be drastically reformed. The Cuban people deserve to live in a democratic society based on the rule of law that recognizes the rights of its citizens to the freedoms of speech, religion, and association.

I am inspired by the phenomenally successful and patriotic Cuban American business leaders in the community I represent, such as Louis and Nena Gonda, who have always kept alive the ideals of a free Cuba to provide opportunity for the people of Cuba.

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

WISCONSIN NEEDS FEDERAL HELP WITH SNOWFALL EMERGENCY

(Ms. MOORE of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, as I speak, more snow is blanketing Milwaukee and southern Wisconsin, the latest in an unending series of snowfall that has overwhelmed municipalities in Wisconsin this winter. By mid-February, Milwaukee had received over 75 inches of snow compared to 33 inches at this time last year. Madison, our State capital, has already broken its record for the snowiest winter.

A few weeks ago, one storm dumped at least a foot of snow in southern Wisconsin, including 17 inches in downtown Milwaukee. Just outside of Madison, some 2,000 cars were stranded on a highway for up to 12 hours. Last week, Wisconsin's Governor, Jim Doyle, requested Federal assistance to help Wisconsin deal with snow removal and other emergency costs.

Yesterday, the entire Wisconsin delegation sent a letter urging the President to approve this request. Mr. Speaker, Wisconsinites are proud of our ability to handle snow; but in this case, Federal help is sorely needed and should be swiftly approved and provided.

PASS THE SENATE INTELLIGENCE BILL

(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, the Democratic majority's decision to ignore the requests of our intelligence community has endangered our national security. Why do House Democrats refuse to give the intelligence community the tools they need to protect American lives?

A strong bipartisan bill passed the Senate by a vote of 68–29. The bill also was supported by the administration, the intelligence community, as well as the majority of Members of the House. Yet the Democrats' leaders refused to bring the bill up for a vote.

Congress has no greater responsibility than to ensure that our intelligence-gathering laws are strong and our Nation is safe from future attacks. Let's hope, for the sake of our country, the Democratic leaders will decide before it's too late to pass the bipartisan Senate bill.

HONORING ESSIE MAE REED DURING BLACK HISTORY MONTH

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

Ms. CASTOR. Mr. Speaker, here on Black History Month, I'm very pleased to salute Essie Mae Reed from Tampa, Florida, a true community hero. Essie Mae Reed has been an outspoken voice for the poor and struggling families in Tampa for decades. As a resident of the Central Park Village housing project in 1967, she created the first tenants association and ultimately advocated on behalf of thousands of families in Tampa.

Essie Mae Reed established the Boys and Girls Club. She ensured children could go to the community college for enrichment programs. She publicized unsanitary conditions. She ensured children will receive lunch in schools. She fought to have hot water heaters installed in public housing. She forced a change in public housing policy that barred single mothers from public housing.

Essie Mae Reed was the first African American woman to run for the Tampa City Council; and when they charged her a substantial qualifying fee, she challenged it, and the Federal district court threw it out and ruled it unconstitutional.

Essie Mae Reed is a Tampa and American treasure. She stood up for so many that didn't have a voice and improved lives throughout our community.

DEPUTY CRAIG MILLER—ANOTHER CASUALTY OF A WEAK U.S. IMMIGRATION POLICY

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

Mr. POE. Mr. Speaker, the people of Houston, Texas, are in mourning today because they have lost another brave protector of our community. While working undercover surveillance on February 21, Harris County sheriff deputy Craig Miller was killed when an 18-wheeler darted onto I–10 in Houston and recklessly drove across three lanes of the freeway crashing into Miller's SUV. Miller's vehicle became airborne, and he was fatally injured in the crash.

Narcotics Officer Miller was 43 years of age, married to Michelle and has two young children. Friends described him as a comedian that could have been a regular on Saturday Night Live. Deputy Miller grew up in Houston and attended Stratford High School. He enjoyed protecting and serving the people of the Houston area.

So as peace officers wear the black band of sacrifice across their badges in honor of Deputy Craig Miller, we remember that lawmen are all that separate civilization from the uncivilized.

The driver of the 18-wheeler was charged with negligent homicide. He is a foreign national and his legal status is undetermined. Deputy Miller is yet another recent death in a series of Houston area lawmen that have been killed by foreign nationals. Deputy Miller is a casualty of a weak, chaotic, and inconsistent and overbroad immigration policy this country has.

And that's just the way it is.

FISA IS STILL IN FULL EFFECT

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

Ms. SHEA-PORTER. Mr. Speaker, the President and his followers are telling the American public that the fight about the Foreign Intelligence Surveillance Act, known as FISA, is endangering America; but the reality is that FISA is still fully in effect and administration officials have acknowledged that.

What this fight is really about is the President wants to give telecom companies retroactive immunity for turning over private information about Americans to the executive branch without a court order. Now, some companies refuse to go along, so obviously there could be a problem here. We should not and cannot give immunity until we know what we are giving immunity for. This is like a defendant coming into court saying to a judge, I may or may not have done something wrong. I don't want to tell you about it, but I want you to say that I am not liable, and then the judge agrees.

We would not accept that for an individual, and we must not accept it for corporations or for the government either. As John Adams said, we are a government of laws, not men, and we must honor the Constitution.

□ 1215

ENERGY TAX HIKE MEANS HIGHER GAS PRICES

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

Mr. SMITH of Nebraska. Mr. Speaker, this week the House will, for the third time, debate an energy bill which actually raises gas prices for the American people, sends manufacturing jobs overseas, and increases our reliance on foreign energy. This energy tax hike will raise taxes on domestic energy producers, in essence making it more difficult and expensive to produce American energy for American consumers.

As you know, oil has reached and broken the previously untouched benchmark of $100 a barrel, and the average national price of gasoline has gone up 16 cents in just 13 days. In my State of Nebraska, gas prices are hitting $3.14 in Grand Island, and in Scottsbluff they're hitting $3.08.

The American public is deeply worried about the rising cost of energy, yet we stand on the verge of making it worse by stubbornly going forward with this legislation. It's simple, really; raising taxes on American energy leads to higher gas prices and a greater dependency on foreign sources of energy.

POLITICS OF FEAR IS BACK

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

Mr. WALZ of Minnesota. Mr. Speaker, after a brief reprieve, the politics of fear is back in full force. The White House and my colleagues on the other side of the aisle are saying that the expiration of the Protect America Act has made this Nation more vulnerable. That is simply false. The Washington Post did a nice job of refuting this claim in saying Mr. Bush's pass-it-now-or-the-terrorists-will-win rhetoric is overheated fearmongering.

Before the Presidents Day recess, I encouraged my colleagues to stay in Washington and forge a bipartisan long-term solution. I regret that we didn't do that, but I'm not afraid of the expiration of the Protect America Act. I voted for that piece of legislation.

As a 24-year veteran of the Army National Guard, I know the importance of having the tools to fight the terrorists. However, I'm committed to working with my colleagues on both sides of the aisle to find a long-term bipartisan solution that strengthens national security, protects our civil liberties, and does so without providing blanket immunity to companies that may have broken our laws.

I hope that we can end the fearmongering and the political rhetoric that have characterized this debate and get down to America's business. And I think it needs to be pointed very clearly to this Nation's enemies, this Nation is protected, this Nation stands united on the issue of protecting us, and no amount of rhetoric will change that.

ENERGY

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

Ms. FALLIN. Mr. Speaker, the energy problems facing our Nation are obvious: Our economy suffers from out-of-control gasoline prices while national security remains at risk from an overreliance on foreign oil. Immediately increasing the amount of energy produced on U.S. soil is the first step to addressing both of these issues.

Rather than pursue a commonsense solution, the House Democrats are once again proposing billions of dollars in punitive tax increases on American oil companies. Heavily taxing oil and gas will discourage exploration and production, and that is exactly what we don't need to do. It will drive up the cost at pumps for consumers and further reduce the incentives for domestic production of oil and gas.

This week marks the third time this year that House Democrats have tried to enact an energy policy that would hurt American families and businesses, increase our reliance on foreign energy sources, and put the long-term energy needs of the United States at risk.

FISA

(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, as a recipient of the nastiest attack ad in the last election cycle, I was sad to see this past weekend that it's already started. Yes, the Swift Boat crews were out and at it again, this time trying to convince the American people that because some Members of Congress felt it was better for our security to extend the FISA bill for 21 days rather than let it expire, that somehow they don't care about America's security. Well, that's not only untrue, it's downright insulting.

And the rationale: We should just trust the President's judgment on this matter and rubber-stamp his decisions. This is the same President who assured us that there were weapons of mass destruction in Iraq. Well, I want the cowards who crafted these intentionally deceiving messages to know that I was not sent to Congress to be a rubber stamp for this President or anyone else. I will continue to voice my opposition to the President whenever it is necessary to ensure the rights guaranteed under the Constitution are protected.

QUIT HIDING BEHIND BLAMING GEORGE BUSH

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

Mr. SESSIONS. Mr. Speaker, my good friends on the other side of the aisle are hiding behind a cloak that I believe is unfair. They're blaming the President of the United States for protecting this country. They're blaming the President of the United States for something that he is doing to protect this country to make sure that we have the flexibility to make sure that we can listen to enemies who are trying to do us harm. The President, as well as intelligence officials, have fought for the last 3 years to make sure that we can hear those things that were intercepts on the battlefield and turn them around to protect our troops.

Make no mistake about it, my good friends the Democrats today are here on the floor of the House of Representatives saying that they don't want to be a rubber stamp for protecting this country. I want to be a person that says that every single person should understand that today the lawful use of the ability to be effective and efficient in protecting not only our troops but this country has been taken away. Yes, we can still listen, but it's got to go through another process, back through FISA, that takes a month's worth of work through a bunch of judges that help protect this country. We need to get this done. Quit hiding behind some bit of blaming George Bush.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

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

Ms. WATSON. Mr. Speaker, Washington Republicans are throwing the facts out the window and are trying to scare the American public into believing that our Nation is less safe today than it was under the administration's supposed Protect America Act.

The Bush administration was wrong when it said the intelligence community would go dark, outrageous, when the act expired earlier this month.

Kenneth Wainstein, the Assistant Attorney General for National Security, said that even after the President's law expired, ''intelligence officials would still be able to continue eavesdropping on already-approved targets for another year.'' And Kate Martin, the Director of the Center for National Security Studies, said our government could immediately listen in on any new individual plotting a terrorist attack without a court order under existing FISA emergency authority.

Clearly, our intelligence community is not going dark. And I would hope that congressional Republicans would stop this scare tactic.

EXTEND PRODUCTION AND INVESTMENT TAX CREDIT

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

Mr. MCNERNEY. Mr. Speaker, tomorrow the House will vote on commonsense legislation to extend the production tax credit and investment tax credit and pay for it by reducing wasteful subsidies to big oil companies.

As an expert in renewable energy, I am confident that this legislation will ease the pain at the pump and allow our economy to create family wage jobs and make America less dependent on foreign oil.

The bill we will vote on comes just after the big five oil companies report record profits. Our bill will channel unnecessary funding that goes to oil companies back to the renewable industry where it's greatly needed. I cannot overstate the urgency of extending the production tax credit and the investment tax credit as soon as possible.

As with any other form of electrical generation, renewable energy products must adhere to development timelines. And if the schedule of a project is delayed due to uncertainty about the tax credits, a year-long construction cycle will be lost, setting our country further behind foreign competition.

Mr. Speaker, I urge all my colleagues to see the importance of this legislation and join us tomorrow in passing it.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

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

Mr. YARMUTH. Mr. Speaker, the politics of fear are alive and well in the Republican Party. Despite the fact that the House and Senate are actively working to craft a strong new FISA bill, Republicans and the White House refuse to attend the negotiations. Instead, they're insisting that this House simply rubber-stamp a bill that was recently passed by the Senate.

The decision to boycott these negotiations shows that Republicans prefer a political issue rather than a strong new FISA bill.

Democrats are hopeful that Republicans will consider their decision to sit on the sidelines and will instead join us in crafting a bill that protects our country while respecting the fundamental rights of American citizens.

Mr. Speaker, House Democrats passed a bill in November that meets both of these criteria. Then, earlier this month, the Senate passed its own version. As is common procedure here on Capitol Hill, we are now in the process of negotiating the differences between the two bills in order to come up with the strongest bill possible. I would hope Republicans would want to remain relevant and would join us in passing the strongest FISA bill we can.

FISA: PRESIDENT AND REPUBLICANS PLAY POLITICS WITH NATIONAL SECURITY

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

Mr. PALLONE. Mr. Speaker, President Bush and congressional Republicans are playing politics with our national security. They're falsely claiming that the expiration of a temporary provision of the Foreign Intelligence Surveillance Act is endangering America and compromising our national security. If that is indeed the case, why did the President threaten to veto any extension of his own law? And why did every House Republican vote against a 21-day extension of the law earlier this month?

If the expiration of this law would, indeed, endanger the American public as Republicans suggest, wouldn't House Republicans do everything in their power to actually keep the law in place? And despite all this fearmongering, House Republicans know that all of our electronic surveillance capabilities are still in place.

Mr. Speaker, while the White House and congressional Republicans play games with our national security, congressional Democrats will continue to work to pass a final FISA bill that will give our intelligence community the tool it needs to protect our Nation while we also protect our citizens' civil liberties.

PROVIDING FOR CONSIDERATION OF H.R. 3521, PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 974 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 974

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. 3521) to improve the Operating Fund for public housing of the Department of Housing and Urban Development. 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 Financial Services. 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 Financial Services 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. 3521 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.

SEC. 3. House Resolution 955 is laid upon the table.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Texas, Representative SESSIONS. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. Mr. Speaker, I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

□ 1230

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 974 provides a structured rule for consideration of H.R. 3521, the Public Housing Asset Management Improvement Act of 2007. The rule provides 1 hour of general debate controlled by the Committee on Financial Services. The rule makes in order two amendments printed in the Rules Committee report accompanying this resolution. The rule also provides one motion to recommit, with or without instructions.

Mr. Speaker, I am especially pleased that the rule makes in order an amendment offered by my colleague from Florida, Representative KENDRICK MEEK. His amendment ensures that in extreme cases where HUD is forced to take over control of a housing authority, it must honor any and all existing agreements between the local housing authority and tenant associations. This amendment is needed in south Florida and throughout the country, and I urge my colleagues to support it.

Mr. Speaker, the skyrocketing number of foreclosures and the lack of affordable housing are some of the greatest financial problems our Nation faces today. In Broward County, the county in which I live in Florida, foreclosure rates tripled in 2007 alone. It is obvious this situation has grown beyond a crisis and extends into our entire economy.

One group of service providers that is suffering significantly from this economic crisis is our public housing authorities. For this reason I support this rule and underlying legislation that will provide flexibility to public housing authorities during our Nation's housing crisis so that they are able to sufficiently meet the needs of our constituents.

There are approximately 3,300 individual public housing authorities in the United States serving 1.2 million households. Low- and middle-income individuals and families making between 50 percent and 80 percent of the median income level in their community are eligible for Federal assistance. Without this assistance, literally millions of people would be homeless or in some cases even worse. Despite this known reality, HUD recently issued a ruling which will result in funding cuts for over 800 housing authorities throughout the country. If the House does not act, then 26 percent of the housing authorities in the United States will lose significant funding because of HUD's decision. To make up for the anticipated funding shortfalls, the underlying legislation gives housing authorities the flexibility to transfer funds from their capital to operational accounts. This move will ensure that housing authorities will not be forced to close down existing public housing units because of HUD's shortsightedness.

Finally and importantly, the legislation also reaffirms the role that tenants play in determining where they live and how those communities are governed.

Mr. Speaker, unfortunately, the problems addressed in this legislation are not the only obstacles public housing authorities have been forced to deal with over the last 7 years. As my colleagues know, the current administration has a long record of failing to meet America's low- and middle-income housing needs. For example, funding shortfalls have become regular staples in the President's public housing budgets, while the administration continues to neglect the more than $18 billion backlog in deferred maintenance for public housing units, allowing the deterioration of public housing units to the point that many of them are completely uninhabitable. This is simply unacceptable.

In my district some housing units are literally falling apart. Roofs are leaking and in some instances even caving in. Appliances are broken and decades, not years, old. Units are deteriorating, unattractive, and lacking in some of the most basic amenities. Even more is that security in many of the public housing communities has been consistently disappearing. Residents in some public housing units in my congressional district alone are literally afraid to leave their homes.

Yes, we are working to address these and other public housing issues. But we will not be able to fully address these issues if the underlying legislation does not pass.

Mr. Speaker, this housing bill was reported out favorably by the Financial Services Committee, the whole committee, by voice vote. The minority members of the committee did not offer any amendments during markup, and not one Republican amendment was submitted to the Rules Committee.

It is my sincere hope that the House will pass this rule and underlying bill with that same overwhelming bipartisan support. I urge my colleagues to support this rule and the Public Housing Asset Management Improvement Act of 2007 as we work to improve public housing throughout America.

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

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Florida for yielding me this time, and I yield myself such time as I may consume.

This bill is real simple. It's real simple. For several years there was a negotiation with HUD to look at the best practices across this country from people who are in the housing industry to determine best how to go about and manage assets of housing units. This bill is all about taking away the best practices that exist for nongovernment housing, the rest of the industry, because it will take money away from people who don't engage in best practices. Of course it will take money away from them. But what this is all about is to try to take a negotiation that has happened for about 7 years from what the previous Congresses have passed to say we think that public housing needs to raise its standards to where we do have proper public housing, public housing that works, public housing that can pass the smell test of asset management.

Now my good friends, led by our Speaker, NANCY PELOSI, want to say forget the standards. Forget the standards of the industry. If they have to live up to those standards of proper management, of best practices, do you realize what that would mean to us? We couldn't pass those audits; so we will lose our money. So this rule and this new change that we are having here that's called the Public Housing Asset Management Improvement Act of 2007 is all about trying to say forget trying to do something that's better. Forget following standards that have been established in the public sector. We don't want those to apply. So now we're going to pass a rule and a law that says you don't have to do that because if you did, you would lose money.

Mr. Speaker, I rise in opposition. I rise in opposition not only to the rule, which I believe is unnecessarily restrictive, but also to the provisions in this bill and the underlying legislation that unilaterally and at the last minute seeks to abuse the Congress's power and to undo specific parts of a process that have previously been carefully negotiated over years with the private sector best practices and brokered over the last decade to make public housing more accountable for its spending and more accountable to the public housing units that we don't want to go into disrepair in the United States of America.

In 1998 Congress passed the Quality Housing and Work Responsibility Act, which among other things required a deliberate and negotiated rule-making process to bring asset management at our Nation's public housing administrations up to a reasonable standard. What we are here to do today is to say we don't want that standard.

And you're right. The gentleman from Florida is right. Public housing units that cannot meet the standards would lose money. That's why we talk about waste, fraud, and abuse. People that do not use the money that has been given them by this Congress, by the taxpayer to work in the best interests, we thought, I think, as we vote to spend money, of people who are in public housing, who, through some sometimes no fault of their own, have to end

up in public housing and find out they are in a rat-infested, bad housing project because asset management standards aren't followed. Amazing.

By adopting widespread private sector common practices such as project-based budgeting and accounting to ensure that costs are known, managed, and maintained at a reasonable level, which is what the current bill is about, which is what we're going to undo, Congress wisely gave public housing administrations the tools they needed, and just like private sector tools, to manage their own finances better, bringing them into line with every other operator of subsidized housing in this country and ensuring that spending moneys to support their tenant and tenants remain the highest priority. We are going to do away with that today. That's what we are going to do away with, and we call that new and approved. I call that a sham and disrespectful of the residents whom we are trying to help.

Today's legislation would overturn these longstanding negotiations and turn back the clock for public housing administrations nationwide by eliminating any restrictions on the amount of management fees they could charge, promoting inefficiency, reducing the level of funding available to tenants, and decreasing oversight and accountability. In other words, making sure that these public housing agencies stay on the watch list for waste, fraud, and abuse rather than using private sector standards of best practices to make them better.

Mr. Speaker, I cannot understand why this self-proclaimed most honest, ethical, and open Congress in history would use this time today to bring this legislation to the floor to make financial management of mid-sized public housing administrations less transparent, less responsive, and not even following the standards established by the private sector and by unilaterally overturning a lengthy and fairly negotiated rule-making process. But here we are.

In fact, if Speaker PELOSI really wanted to demonstrate her commitment to honest, open, and ethical government, she could be using this time instead to take up a resolution that I and over 150 of my Republican colleagues have cosponsored, authored by my good friend, Representative JACK KINGSTON from Georgia, which is a continuation of House Republicans' long-term commitment to reform the earmark process. Congressman KINGSTON's bill would create a Joint Committee on Earmark Reform to conduct a full study of the earmark practices of the House, the Senate, and executive branch. Upon completion of this study, the joint committee would file a report of its findings and its recommendations. Most importantly, until this report is filed, the House would put in place an immediate moratorium on the consideration of all earmarks.

By the way, that's the people's money. That's the people's money that people really back home are worried about.

Instead, Mr. Speaker, this House, which recently tied the record as the most closed Congress in history, with 49 closed rules so far in the 110th Congress, will consider this legislation that will impede the successful transition to, and implementation of, asset management by overturning a long negotiated process that is consistent with proper standards of the private sector.

□ 1245

I know that other bills like the bipartisan Senate legislation to give our Nation's intelligence services tools that they need to protect Americans against terrorists is also trying to be taken up by the House. But, instead, this Democrat leadership has chosen to miss yet another opportunity to provide Americans with greater security by instead allowing the Protect America Act to expire. If there is any question as to why the public holds Congress in such low regard, with only about one in five Americans approving the job that this House is doing, one need not look any further than the congressional calendar this week, again, this week, and examine what both the Democrat leadership and the House are doing and what we are neglecting to do.

Mr. Speaker, at this time I would like to insert in the RECORD a Statement of Administrative Policy explaining their strong opposition to H.R. 3521's passage.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, February 12, 2008.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3521—PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT

The Administration is strongly committed to the successful transition to and implementation of asset management for Public Housing Agencies (PHAs). Asset management will adopt widespread private sector practices, including project-based budgeting and accounting, to assure costs are known, managed, and maintained at reasonable levels—ensuring public housing tenants are the first priority. However, the Administration is deeply concerned that H.R. 3521, as reported by the House Financial Services Committee, would severely undermine PHAs' long-awaited conversion to asset management and the adoption of conventional business practices. For the reasons that follow, the Administration strongly opposes House passage of H.R. 3521.

H.R. 3521 would exempt 88 percent of PHAs, those which own or operate fewer than 500 public housing units, from the requirement to convert to asset management. The increase of the threshold for exemption from asset management, from 250 to 500 public housing units, would directly contradict a fundamental element of the Operating Fund negotiated rulemaking process.

The bill also would eliminate any restriction or limitation on the amount of management and related fees that a PHA could charge through January 2011. This change would promote program inefficiency, likely reduce funds available to directly assist tenants, and erode effective program oversight and accountability. Moreover, the Department of Housing and Urban Development (HUD) has already provided the PHAs with the flexibility to phase-in management fees through 2011, provided they include reasonable documentation in their Annual Plan.

PHAs would be allowed to spend as much as 20 percent of their Capital Fund grant on central office costs related to the operation of public housing. The extra 20 percent is above and beyond the 10 percent of the Capital Fund grant that the PHA earns as a management fee, and on top of the normal management fees that a PHA earns for operating each project. The Administration strongly opposes this provision because it could lead to excessive Capital Fund diversions and expenditures on administrative costs, and because HUD has already allowed PHAs until 2011 to abide by the new management fee guidelines, with supporting documentation. Beyond that date, PHAs should abide by the new management fee guidelines so that Capital Fund amounts are spent, to the maximum extent possible, on capital works projects, not on central overhead costs.

Under the bill, HUD is directed to ensure that PHAs encourage the reasonable efforts of resident tenant organizations to represent their members, and to issue guidance encouraging resident participation in the implementation of asset management. Although these provisions are well-intended, HUD's regulations already encourage resident and tenant participation, especially in the adoption of Annual Plans. Moreover, the provisions in H.R. 3521 giving wide latitude to a PHA's determination and use of management fees are directly contrary to the interests of public housing residents. Such provisions encourage PHAs to direct valuable resources away from the direct operation of public housing projects in favor of central overhead.

The Administration looks forward to working with the Congress to ensure that the long-awaited conversion of PHAs to asset management occurs smoothly and under the guidance of conventional business practices. However, H.R. 3521 moves in the wrong direction and would undermine these efforts.

I urge all my colleagues to vote against the previous question and this rule so that today the House can actually take up legislation that will move America in a positive direction.

Mr. Speaker, I think it is bad policy when you stand up and try and pass a law that takes away more accountability, more opportunity for sunlight, but most of all a standard that exists everywhere else. The people we are really robbing, hurting, harming, and continuing to harm are the people that live in public housing. We believe transparency is important. But we believe in responsibility. We believe that people who are in public housing are entitled to know that where they live that someone is responsible, looking at the dollars wisely, and prepared with the investments that had been made on their behalf. To be worried about leaving where they are, I do understand. As the gentleman from Florida has said, people are concerned that they even leave where they are, concerned that something will happen. Well, that's right. That's right.

And today, what this House wants to do is to lower the standards even lower. I am disappointed. But I remain optimistic, because we have got a vote in just a few minutes and we can change that pathway.

Mr. Speaker, the tragic events of September 11 taught us many lessons, and one of the most basic lessons was that our Nation must remain aggressive, nimble, proactive, and adaptable in our fight against international terrorism. To accomplish this commonsense goal, and a goal that I think we, as Members of Congress, when we raise our hand to say we will support and defend our country, Congress must give our intelligence agencies the tools that they need to stay one step ahead of terrorists who wish to harm Americans.

Telecommunications technology has changed greatly since 1978 when FISA was first written, and the modernization of foreign intelligence surveillance to adapt to the realities of the 21st century should be a critical national security priority. I am pleased that several of my colleagues on the other side of the aisle also agree.

On January 28, 21 members of the Blue Dog coalition sent a letter to Speaker PELOSI in support of the Rockefeller-Bond FISA legislation in the United States Senate. The letter states, ''The Rockefeller-Bond FISA legislation creates satisfactory language addressing all of these issues which we fully support that would measure and should reach the House floor without substantial change. We believe these components will ensure a strong security apparatus that can thwart terrorism across the globe and save American lives here in our country.''

Mr. Speaker, at this time, I will insert into the RECORD the letter by the Blue Dogs to Speaker PELOSI.

DEAR MADAM SPEAKER: Legislation reforming the Foreign Intelligence Surveillance Act (FISA) is currently being considered by the Senate. Following the Senate's passage of a FISA bill, it will be necessary for the House to quickly consider FISA legislation to get a bill to the President before the Protect America Act expires in February.

It is our belief that such legislation should include the following provisions: Require individualized warrants for surveillance of U.S. citizens living or traveling abroad; Clarify that no court order is required to conduct surveillance of foreign-to-foreign communications that are routed through the United States; Provide enhanced oversight by Congress of surveillance laws and procedures; Compel compliance by private sector partners; Review by FISA Court of minimization procedures; Targeted immunity for carriers that participated in anti-terrorism surveillance programs.

The Rockefeller-Bond FISA legislation contains satisfactory language addressing all these issues and we would fully support that measure should it reach the House floor without substantial change. We believe these components will ensure a strong national security apparatus that can thwart terrorism across the globe and save American lives here in our country.

It is also critical that we update the FISA laws in a timely manner. To pass a long-term extension of the Protect America Act, as some may suggest, would leave in place a limited, stopgap measure that does not fully address critical surveillance issues. We have it within our ability to replace the expiring Protect America Act by passing strong, bipartisan FISA modernization legislation that can be signed into law and we should do so—the consequences of not passing such a measure could place our national security at undue risk.

Sincerely,

Leonard L. Boswell, Marion Berry, Mike Ross, Bud Cramer, Heath Shuler, Allen Boyd, Dan Boren, Jim Matheson, Lincoln Davis, Tim Holden, Dennis Moore, Christopher Carney, Earl Pomeroy, Melissa L. Bean, John Barrow, Joe Baca, John Tanner, Jim Cooper, Brad Ellsworth, Charlie Melancon, Zack Space.

It is unfortunate that House Democrat leaders chose to allow the Protect America Act to expire instead of bringing to the House floor the bipartisan measure that passed the United States Senate by a vote of 68–29. To make our country safer, Congress needs to act immediately. Today, I will once again give all the Members of the House an opportunity to vote on a bipartisan long-term modernization of FISA. I will call on all my colleagues, including members of the Blue Dog coalition that signed the letter to Speaker PELOSI, to join me in defeating the previous question so that we can immediately move to concur in the Senate amendment and send the bill to the President to be signed into law quickly.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted in the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. I urge my colleagues to vote ''no'' on the previous question and in favor of a bipartisan permanent solution that closes the terrorist loophole.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am hard put to move hurriedly, so I will yield myself such time as I may consume. I am also hard put, Mr. Speaker, to restrain myself and not get involved with the ongoing discussion and the numerous ads that I saw during the previous recess that were very much in error concerning the House of Representatives' actions on the FISA legislation.

Mr. Speaker, I served for 7 years on the House Select Committee on Intelligence. I find it hard to believe that my colleagues on the other side of the aisle, or that anyone, would believe that the distinguished Chair of the Intelligence Committee, SILVESTRE REYES, the distinguished Chair of the Judiciary Committee, JOHN CONYERS, the distinguished Chair of the Homeland Security Committee, BENNIE THOMPSON, their counterparts in the United States Senate, all combined would want to put this Nation in jeopardy in any way.

Enough of the fearmongering. Enough of making people think that something is going to happen that is not going to happen. The simple truth is that there will be legislation that will be legislation fashioned by the House and by the United States Senate and not by the United States Senate and not by this administration without those of us who have actual concerns about the United States Constitution having our say in that regard.

Civil liberties and civil rights are critical to America, and the foundational aspects of our country allow full airing before conclusions are made by people that have oriented the most secretive administration that I know of in the history of this country.

I won't go much further on that score on the previous question, Mr. Speaker. I return now to what we have heard about why we must pass this rule and the Public Housing Asset Management Improvement Act, which we are here about today. It is nice to have the nuances. It is nice to have the process. It is nice to have the procedural opportunities that the minority takes, and correctly they can bring up those matters which are not on the agenda today. I can assure my friends on the other side that the Speaker of the House of Representatives and those in this body, including the Blue Dogs, will address FISA legislation, and it will be appropriately undertaken to protect every American, every American's civil liberties and civil rights, and more important, to protect the Constitution of the United States of America.

Mr. Speaker, the American people deserve an opportunity to improve their lives. Transitional public housing opportunities have served this purpose for decades, nurturing families and yielding such leaders as some of us who serve in this Congress. Public housing authorities must be empowered to effectively and flexibly manage their assets with appropriate tenant oversight. My colleague on the other side mentioned private sector tools. I am fascinated by the notion that the private sector, which all of us respect, has been so careful with all of their management. If their management has been so successful, why is it, then, that there is a housing crisis in this Nation with reference to foreclosure?

This morning, Mr. Speaker, and I take the liberty of doing this because occasionally we come to the floor and talk about different matters, but a distant cousin of mine in Fort Worth, Texas, called me. Her name is Sharon Samuels. And Sharon shared her story with me about her involvement with her mortgage company, Countrywide. She has been in her home since 1993, she said, and in addition, thereto, had never taken out any of her equity out of her home. She has three children, all of them that she has managed to educate. And she was pursued by Countrywide to enter into a mortgage set of circumstances that has now led from her mortgage rising from $1,100 to $2,200 and foreclosure proceedings going forward without any forbearance or opportunity for her to do anything

other than lose all of her assets that she had developed during the years since 1993. I mention that because that is the private sector that has put an individual in a home, in a position of being in need of this kind of stuff that we are talking about here today. Hardworking Americans families should not suffer as a result of HUD's failed policies.

I applaud my colleagues for joining together in this effort that will benefit the low-income families, the elderly and the disabled Americans who live in public housing. This bill has been endorsed by all the groups that represent not only public housing administrators and agencies but also tenant advocacy groups. The bill is supported by the Council of Large Public Housing Authorities, the Public Housing Authorities Directors Association, the National Association of Housing and Development Officials, National Housing Law Project, and the National Training and Information Center.

But guess who doesn't support it? Some people on the other side of the aisle who had an opportunity in the Financial Services Committee to offer amendments if they so choose, and they chose not to do so, and yet they will come here today and say that we are lacking on our side of the aisle in providing the necessary standards and providing the necessary tools for people to live in public housing.

Mr. Speaker, 15 years ago, I ran for the United States Congress, and among the things that I said was I would try to improve public housing in my congressional district and throughout this Nation. I don't feel that I have succeeded. Twelve of those years have been spent under Republic administrations that were controlled by Republicans, 12 years in the House, 8 years just now, ending soon, happily, in November so that these $18 billion backlogs and so that housing won't collapse and fall down around people.

This is the same administration that didn't answer in New Orleans. But what have we done? In the limited time that we are here, and I continue to hear criticism about what we have not done. What we have done in the House, we passed the section 8 voucher reform program that increases the number of families, veterans, and seniors that are able to afford safe homes by adding 20,000 new vouchers. We did expand the Homeownership Act of 2007 that allows the population of borrowers to have access to the Federal Housing Administration. In this House we have passed the National Affordable Housing Trust Fund Act of 2007, which creates a fund to use and build more affordable housing for low-income families and families who have lost their homes to foreclosure.

□ 1300

They keep saying that the agenda isn't good. We passed the Housing Finance Reform Act and expanded the size of loans that can be issued by Freddie Mac and Fannie Mae. We passed the Mortgage Reform and Anti-Predatory Lending Act that increases transparency and heightens standards to keep brokers from practicing predatory lending. Save us from these people who argue that asset management is a landmark program change now several years in the making? You bet it is.

What I don't understand is why is it poor people are always the ones that have to take it right on the chin every time this Nation gets itself in a crisis. The National Training and Information Center sponsored by La Raza; the Center for Community Change; the Chicago Rehab Network; Cleveland Housing Tenant Association; Fall River Housing Joint Tenants Council; Legal Aid Justice Center; Miami Workers Center, all sorts of organizations. I will include all of the letters of all of the organizations I have for the RECORD.

NATIONAL TRAINING
AND INFORMATION CENTER,
Chicago, IL, February 7, 2008.

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

DEAR MADAM SPEAKER, The undersigned 150 democratic grassroots resident organizing groups and allies would like to convey our strong support for protecting the rights of public housing residents to organize, as delineated in H.R. 3521, the Public Housing Asset Management Improvement Act of 2007. As the transition to a system of asset management is one of the most significant shifts facing the administration of public housing in many years, it is more important than ever that public housing residents are involved in the decisionmaking processes at the local and national levels.

In April of 2007, the National Training & Information Center (NTIC) submitted a letter to Congress endorsed by local, statewide, and national organizations in protest of recent attempts to undermine the efforts of resident and community organizations to participate in the decisions around public housing that impact their communities and their lives. One of those attempts was a notice by HUD on March 1, 2007 to streamline the process to waive 24 CFR 964, which outlines the rights of residents to organize, for PHAs transitioning to asset management. Section 4 of H.R. 3521 is critical in order to ensure that the congressionally sanctioned rights to organize for public housing residents are protected.

The NTIC network is of the perspective that residents must be central to the discourse around policies that impact them—both at the local and national level. Section 4 of this bill will ensure that the voices of public housing residents are not lost in the implementation of asset management. Over the past year, NTIC has brought together public housing residents and allies from 38 cities to identify the most pressing areas for reform of public housing policy. The right to organize and meaningful resident participation are among the highest priorities for residents across the country. In order to make asset management work for everyone, it is critical that residents are involved in decisions around its implementation.

The undersigned 150 local, statewide, and national organizations would like to convey our support for the principles outlined in Section 4 of H.R. 3521. Namely, we feel strongly that residents should have a right to organize in public housing and should be meaningfully and substantively involved in the decisions that impact their lives—both at the local and national level. Specifically, it is critical that the rights bestowed by 24 CFR 964 not be undermined by the transition to asset management. We hope that we can rely on your support for these principles.

Access Living—Chicago, IL.
Annapolis Tenant Task Force—Boston, MA.
Beacon Glen Resident Association—Cincinnati, OH.
Bethel New Life—Chicago, IL.
Bethune Village Resident Council—Daytona Beach, FL.
Border Fair Housing & Economic Justice Center—El Paso, Texas
Bowen Homes Resident Association—Atlanta, GA.
Cabrini Green Rowhouse Council—Chicago, IL.
California Coalition for Rural Housing—California State
Center for Community Change—National
Central Advisory Council—Chicago, IL.
Central Illinois Organizing Project—Central Illinois
Chicago Coalition for the Homeless—Chicago, IL.
Chicago Rehab Network—Chicago, IL.
Cleveland Housing Resident Association—Cleveland, TN.
Clinton Springs Resident Association—Cincinnati, OH.
Coalition to Protect Public Housing—Chicago, IL.
Communities United for Action—Cincinnati, OH.
Community Voices Heard—New York, NY.
Connecticut Legal Services—Connecticut State
Consumer Action—National
Crossroads Urban Center—Salt Lake City, UT.
Detroit United Organizing for Power—Detroit, MI.
District of Columbia Grassroots Empowerment Project—Washington, DC.
Empower DC—Washington, DC.
Empowering & Strengthening Ohio's People—Cleveland, OH.
Erie Tenant Council—Erie, PA.
Everywhere & Now Public Housing Residents Organizing Nationally Together—National
Fall River Housing Joint Tenants Council Inc.—Fall River, MA.
Families United for Racial and Economic Equality—New York, NY
Faneuil Tenant Task Force—Boston, MA.
Findlater Gardens Resident Association—Cincinnati, OH.
Fuerza Laboral/Power of Workers—Providence, RI.
Good Old Lower East Side—New York, NY.
Grass Roots Organizing—Mexico, MO.
Guste Homes Resident Management Corporation—New Orleans, LA
Hartford Organizing for Power & Equality—Hartford, CT.
Homeline—Minnesota State
Horizon Hills Resident Association—Cincinnati, OH.
Housing Action Illinois—Illinois State
Housing Choices Coalition—Santa Cruz, CA.
Housing Rights Committee of San Francisco—San Francisco, CA.
Housing Trust Fund Project—National
Illinois Network of Centers for Independent Living—Illinois State
Imagine Supported Living—Santa Cruz, CA.
Iowa Citizens for Community Improvement—Iowa State
Jane Addams Senior Caucus—Chicago, IL.
Janie Poe Residents Council—Sarasota, FL.
Jurisdiction-Wide Resident Advisory Board—Cincinnati, OH.

Just Cause Oakland—Oakland, CA.
Kalamazoo Homeless Action Network—Kalamazoo, MI.
Lafayette Resident Advisory Board—Lafayette, WI.
Lake City House Council—Seattle, WA.
Lake County Center for Independent Living—Lake County, IL.
Lake Park East Tenant Association—Chicago, IL.
Lakeview Action Coalition—Chicago, IL.
La Playa Resident Council—San Diego, CA.
La Raza Centro Legal—San Francisco, CA.
Lawyers' Committee for Better Housing—Chicago, IL.
Lebanon Tenants Association—Lebanon, PA.
Le Claire Court Community Development Corporation—Chicago, IL.
Legacy of Equality, Leadership and Organizing—Seattle, WA.
Legal Aid Justice Center—Charlottesville, VA.
Legal Aid Justice Center—Richmond, VA.
Legal Assistance Resource Center of Connecticut—Connecticut State.
Liberty Apartments Resident Association—Cincinnati, OH.
Livermore Tenants and Neighbors—Livermore, CA.
Logan Square Neighborhood Association—Chicago, IL.
Los Angeles Coalition to End Hunger and Homelessness—Los Angeles, CA.
Lowden Homes Local Advisory Council—Chicago, IL.
Low Income Families Fighting Together—Miami, FL.
Madera Action Coalition—Madera, CA.
Maine Association of Interdependent Neighborhoods—Maine State.
Maine Equal Justice Partners—Maine State
Mar Vista Gardens Resident Advisory Committee—Los Angeles, CA.
Massachusetts Alliance of HUD Tenants—Massachusetts State
Massachusetts Union of Public Housing Tenants—Massachusetts State.
Mennonite Central Committee—National.
Metro Atlanta Task Force on Housing & Homelessness—Atlanta, GA.
Metropolitan Tenants Organization—Chicago, IL.
Miami Workers Center—Miami, FL.
Millvale Resident Association—Cincinnati, OH.
Mineral Manor Resident Council—Reno, NV.
Minneapolis High Rise Council—Minneapolis, MN.
Mission Terrace Residents Association—San Jose, CA.
Mississippi Coalition for Citizens with Disabilities—Mississippi State.
Mobilizing and Organizing for Victory and Empowerment—Minneapolis, MN.
Mothers on the Move—New York, NY.
Myra Birch Manor Resident Council—Reno, NV.
National Alliance of HUD Tenants—National.
National Association for the Advancement of Colored People—Richmond, VA.
National Association of Consumer Advocates—National.
National Association of Resident Management Corporations—National.
National Economic and Social Rights Initiative—National.
National People's Action—National.
National Training & Information Center—National.
New Direction for Change—Chicago, IL.
New Orleans Women's Health Clinic—New Orleans, LA.
New Orleans Women's Health & Justice Initiative—New Orleans, LA.
Neill Resident Association—St. Paul, MN.
North Valley Community Cooperative—North Valley, NM.
North West Bronx Community & Clergy Coalition—New York, NY.
North West Side Housing Center—Chicago, IL.
New York City AIDS Housing Network—New York, NY.
New York City Public Housing Residents Alliance—New York, NY.
Oahu Housing Task Force—Oahu, HI.
Old Colony Tenant Task Force—Boston, MA.
Organization of the North East—Chicago, IL.
Organizing Neighborhood Equity DC—Washington, D.C.
Peabody-Englewood Tenant Task Force—Boston, MA.
People for Community Recovery—Chicago, IL.
People Organized for Westside Renewal—Los Angeles, CA.
People Organized to Win Employment Rights—San Francisco, CA.
People Organizing to Demand Environmental & Economic Rights—San Francisco, CA.
People United to Secure Housing—Kalamazoo, MI.
Pittsburg Community Reinvestment Corporation—Pittsburg, PA.
Portland Tenants Union—Portland, ME.
Praxis Project—National.
Public Housing Association of Residents—Charlottesville, VA.
Public Housing Residents of the Lower East Side—New York, NY.
Public Housing Residents of Trumbull Park Homes—Chicago, IL.
Resident Owned Business, Inc.—Gary, IN.
Residents of Salem United—Salem, OH.
Rhode Island HUD Tenant Project—Rhode Island State
Richland Resident Council—Richland County, MT.
Rogers Park Section 8 Tenants Council—Chicago, IL.
Rose Garden Apartment Association of Residents—Las Vegas, NV.
Safe Streets/Strong Communities—New Orleans, LA.
Senior Action Council—Phoenix, AZ.
Seventy St. Botolph Street Tenant Taskforce—Boston, MA.
Single Mothers on the Move—Hartford, CT.
South Austin Coalition Community Council—Chicago, IL.
Southside Together Organizing for Power—Chicago, IL.
Sunflower Community Action—Kansas State
Survivors Village—New Orleans, LA.
Sutter View Resident Council—Cincinnati, OH.
Syracuse United Neighbors—Syracuse, NY.
Tenants Union of Washington State—Washington State
Tenants Rallying In Unity to Maintain Public Housing—New York, NY.
Transadvocacy Coalition—Hartford, CT.
Tri-City Resident Council—Southeastern Kentucky
Union de Vecinos—Los Angeles, CA.
United Community Housing Coalition—Hartland, VT.
United Residents for Housing Rights—Jackson, OH.
Upland Residents Association—Upland, CA.
West Broadway Tenant Task Force—Boston, MA.
Whittier Street Tenant Task Force—Boston, MA.
Winton Terrace Resident Association—Cincinnati, OH.

NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS,
Washington DC, February 1, 2008.

Hon. ALBIO SIRES,
House of Representatives,
Washington DC.

DEAR REPRESENTATIVE SIRES: On behalf of the more than 22,000 members of the National Association of Housing and Redevelopment Officials (NAHRO), I am pleased to join with our industry colleagues the Public Housing Authority Directors Association (PHADA) and the Council of Large Public Housing Agencies (CLPHA) in formally expressing our strong support for House passage of H.R. 3521, ''The Public Housing Asset Management and Improvement Act.''

We believe H.R. 3521 contains provisions that will help ensure a responsible and practicable transition to asset management. The bill would establish a reasoned process for defining and determining management and related fees and a suitable transition period for implementing them. The bill also addresses concerns expressed by NAHRO and our industry colleagues with regard to the practicality and cost-effectiveness of asset management for local housing agencies with fewer than 500 public housing units. We believe H.R. 3521 correctly makes the transition to asset management optional for agencies with portfolios of this size. The legislation also confirms current law enabling the use of capital fund dollars used for operating purposes as permitted for central office costs.

Finally the legislation reaffirms current statute with respect to the right of residents to provide input and participate in the development of local agency policies.

NAHRO maintains that the provisions contained in H.R. 3521 are necessary and would, upon final enactment, resolve some of the more difficult and problematic concerns expressed by our members with regard to the transition to asset management as defined by recent HUD policies and directives. NAHRO has and will continue to work with the Department to ensure a smooth transition to public housing asset management, but strongly feels that congressional action providing clarity and certainty with respect to the items noted above is necessary and warranted.

We thank you for your leadership on this issue and stand ready to be of further assistance as appropriate.

Respectfully,

SAUL N. RAMIREZ, Jr.

COUNCIL OF LARGE PUBLIC HOUSING AUTHORITIES,
Washington, DC, January 30, 2008.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK: On behalf of the Council of Large Public Housing Authorities (CLPHA), I am writing in support of H.R. 3521, the Public Housing Asset Management Improvement Act of 2007, and to urge passage of this sensible legislation by the U.S. House of Representatives.

Asset management is landmark program change now several years in the making. CLPHA members have made the commitment to transition to a flexible asset management system, a shift involving sweeping management and accounting changes.

Provisions in the legislation of most concern to our members are those relating to management and related fees and the prohibition on restriction of fungibility of capital fund amounts. The legislation allows:

Housing agencies and HUD to have an expanded formal process by April 1, 2009, the basis of which is already established in the Public Housing Operating Fund Final Rule,

enabling the negotiation of appropriate property management, bookkeeping and asset management fees. Once arrived upon, execution of those fees would commence in 2011; and

Housing agencies to use a portion of their Capital Fund grant towards eligible operating expenses. This provision was first established by Congress in 1996 and reinforced in the 2008 HUD appropriations bill in recognition of housing agencies' need for funding flexibility—a need which has only increased over time.

We thank you for your leadership and support of public housing and look forward to working with you on passage of this legislation.

Sincerely,

SUNIA ZATERMAN,
Executive Director.

NATIONAL HOUSING LAW PROJECT,
Oakland, CA, February 25, 2008.

Hon. ALBIO SIRES,
Committee on Banking, Housing and Urban Affairs, Longworth Office Building, Washington, DC.

DEAR CONGRESSMAN SIRES: We are writing to convey our support for H.R. 3521, the Public Housing Asset Management Improvement Act. The focus of our support is based upon the resident participation provision.

The National Housing Law Project (NHLP) is a 40 year old national housing law and advocacy center whose mission is to advance housing justice for poor people. NHLP's goals are to increase and preserve the supply of decent affordable housing, improve housing conditions for very low-income persons and households, expand and enforce low-income tenants' and homeowners' rights and increase housing opportunities for racial and ethnic minorities. In pursuit of these goals, NHLP provides support through written materials, training, legislative and administrative advocacy, litigation, and technical assistance on housing issues affecting very low income families. NHLP works with numerous legal services organizations around the country.

HUD and public housing agencies (PHAs) are currently engaged in the very substantial effort of transitioning to and implementing asset management. This effort is having a substantial impact at the local level. PHAs that never applied for operating subsidies are now doing so. Other PHAs are experiencing cuts in operating subsidies due to asset management and the new funding formula. All PHAs are making new staffing and program determinations because of the requirements of project-based management and project-based budgets, all of which affect current residents. Simultaneously most PHAs are experiencing a cut in operating subsidies because of the low level of funding for such subsidies. In this environment of change, it is vital that the Secretary of HUD issue guidance supporting resident participation in the implementation of asset management and the development of local policies that arise from that effort.

It is also critical that Congress recognize the rights of public housing residents to organized and represent their members. Previously, Congress recognize these rights for residents of other federally assisted but privately owned housing. See 12 U.S.C. §1715z–1b(4). It is important that Congress also recognize the same rights for the approximately 1.2 million public housing families.

Sincerely,

CATHERINE M. BISHOP,
Staff attorney.

PUBLIC HOUSING AUTHORITIES DIRECTORS ASSOCIATION,
Washington, DC, January 31, 2008.

Hon. ALBIO SIRES,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SIRES: On behalf of its members. PHADA thanks you for your support of the public housing program and for your efforts to ensure the workability of public housing asset management. Asset management is a landmark program change now several years in the making. During this time, PHADA has advocated for a cost-effective and practicable transition to asset management; a transition that would also enable smaller housing agencies (for whom the transition to individual project based management is neither cost effective nor practical) to be exempt from the process altogether.

The Public Housing Asset Management Improvement Act of 2008 (H.R. 3521) would authorize in statute recommendations long advocated for and broadly supported by PHADA's membership; recommendations that would accomplish this overall objective. PHADA is pleased to express its strong support for the passage of this important and necessary legislation.

H.R. 3521 will make possible the following:

1. In 2009, housing agencies and HUD will have an expanded formal process, the basis of which is already established in the Public Housing Operating Fund Final Rule, enabling the negotiation of appropriate property management, bookkeeping and asset management fees. Further, once arrived upon, execution of those fees would commence in 2011.
2. Small housing authorities that own and manage between 250 to 500 public housing units, 12 percent of all agencies, will gain regulatory relief in that the transition to asset management will be optional for them.
3. The legislation upholds current statute by which public housing residents may organize and participate in the development of policies at public housing agencies.

PHADA believes these simple provisions will mitigate implementation impediments broadly identified by its members and would provide flexibility critical to housing agencies' survival in a time of dwindling resources.

PHADA views these items as being essential to the fair, efficient and effective implementation of asset management as currently defined by HUD. It welcomes the opportunity to continue to work with the Department and Members of Congress to ensure that the administration of asset management is handled in a responsible manner going forward. Thank you for the opportunity to express these views.

Respectfully,

TIMOTHY G. KAISER,
Executive Director.

Mr. Speaker, I am prepared to yield back the balance of my time, but not before saying that I urge a ''yes'' vote on the previous question and the rule and remind people that this passed the Financial Services Committee by voice vote.

Oh, no, we are not here about FISA. We are not here about earmarks. We are here about public housing for poor people in a country that has dumped on them over and over and over again. We will get to earmarks. We will get to FISA.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 974

OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 4. ''That upon adoption of this resolution, before consideration of any order of business other than one motion that the House adjourn, the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, with Senate amendment thereto, shall be considered to have been taken from the Speaker's table. A motion that the House concur in the Senate amendment shall be considered as pending in the House without intervention of any point of order. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.''

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

On approving the Journal, by the yeas and nays;

On ordering the previous question on H. Res. 974, by the yeas and nays;

On adopting the resolution, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 226, nays 183, answered ''present'' 1, not voting 18, as follows:

[Roll No. 72]

YEAS—226

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

NAYS—183

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Goode
Goodlatte
Gordon
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas
Mack
Mahoney (FL)
Manzullo
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Sanchez, Loretta
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Stupak
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—18

Allen
Gohmert
Gonzalez
Graves
Gutierrez
Hulshof
Jones (OH)
Keller
Lungren, Daniel E.
Marchant
Mollohan
Pryce (OH)
Reynolds
Rush
Ryan (OH)
Sutton
Wexler
Woolsey

□ 1328

Mr. SHADEGG and Mrs. MYRICK changed their vote from ''yea'' to ''nay.''

Mr. JOHNSON of Georgia and Ms. SLAUGHTER changed their vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 3521, PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 974, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 212, nays 198, not voting 18, as follows:

[Roll No. 73]

YEAS—212

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
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
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
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
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—198

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
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
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Allen
Graves
Gutierrez
Hinojosa
Hulshof
Jones (OH)
Keller
Lungren, Daniel E.
Marchant
Mollohan
Pryce (OH)
Rangel
Reynolds
Rush
Ryan (OH)
Sutton
Wexler
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1335

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 190, not voting 20, as follows:

[Roll No. 74]

AYES—218

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

NOES—190

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
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
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad

Regula	Sessions	Turner
Rehberg	Shadegg	Upton
Reichert	Shays	Walberg
Renzi	Shimkus	Walden (OR)
Rogers (AL)	Shuster	Walsh (NY)
Rogers (KY)	Simpson	Wamp
Rogers (MI)	Smith (NE)	Weldon (FL)
Rohrabacher	Smith (NJ)	Weller
Ros-Lehtinen	Souder	Westmoreland
Roskam	Stearns	Whitfield (KY)
Royce	Sullivan	Wilson (NM)
Ryan (WI)	Tancredo	Wilson (SC)
Sali	Terry	Wittman (VA)
Saxton	Thornberry	Wolf
Schmidt	Tiahrt	Young (AK)
Sensenbrenner	Tiberi	Young (FL)

NOT VOTING—20

Allen	Keller	Reynolds
Boswell	Lungren, Daniel E.	Rush
Graves	Marchant	Ryan (OH)
Gutierrez	Mollohan	Smith (TX)
Hinojosa	Moore (WI)	Sutton
Hulshof	Pryce (OH)	Wexler
Jones (OH)		Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1342

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MOORE of Wisconsin. Mr. Speaker, on rollcall No. 74, had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall Nos. 73 and 74, had I been present, I would have voted "yea" on No. 73 and "aye" on No. 74.

The SPEAKER pro tempore. Pursuant to House Resolution 974, House Resolution 955 is laid on the table.

RESIGNATION AS MEMBER OF COMMITTEES ON AGRICULTURE AND SCIENCE AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committees on Agriculture and Science and Technology:

FEBRUARY 21, 2008.

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

DEAR MADAM SPEAKER: Thank you for your service and for your leadership. I appreciate all your hard work and commitment to upholding the proud traditions of the House of Representatives.

Due to my impending appointment to the Committee on Appropriations, I hereby respectfully submit my resignation from the Committee on Agriculture and the Committee on Science and Technology, effective Monday, February 25, 2008.

I appreciate your consideration and I look forward to working with you in the future. Please do not hesitate to contact me if I can ever be of assistance.

With kind regards, I am,

Sincerely,

JO BONNER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTING MINORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. PUTNAM. Mr. Speaker, by direction of the House Republic Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 998

Resolved, That the following Members are, and are hereby, elected to the following standing committees:

(1) COMMITTEE ON APPROPRIATIONS.—Mr. Bonner of Alabama;

(2) COMMITTEE ON THE BUDGET.—Mr. Jordan of Ohio;

(3) COMMITTEE ON FINANCIAL SERVICES.—Mr. Heller of Nevada;

(4) COMMITTEE ON NATURAL RESOURCES.—Mr. Smith of Nebraska, and Mr. Wittman of Virginia; and,

(5) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Latta.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. SIRES. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 999

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON FOREIGN AFFAIRS.—Ms. Lee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SIRES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3521, and to insert extraneous material thereon.

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

There was no objection.

□ 1345

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 21, 2008.

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

MADAM SPEAKER: This letter serves as my intent to resign from the Committee on Small Business, effective Monday, February 25, 2008. It has been my honor and pleasure to serve on the committee and I look forward to the work ahead for the remainder of the 110th Congress.

Sincerely,

JIM JORDAN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEES ON NATURAL RESOURCES, EDUCATION AND LABOR, AND SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committees on Natural Resources, Education and Labor, and Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 2008.

Speaker NANCY PELOSI,
The Capitol,
Washington, DC.

Minority Leader JOHN BOEHNER,
The Capitol,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER: This letter serves as my intent to resign from the House Natural Resources Committee, Education and Labor Committee, and Small Business Committee, effective Monday, February 25th, 2008. If you have any questions regarding this matter, please feel free to contact me. Thank you.

Sincerely,

DEAN HELLER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 974 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. 3521.

□ 1348

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. 3521) to improve the Operating Fund for public housing of the Department of Housing and Urban Development, with Mr. SERRANO 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 New Jersey (Mr. SIRES) and the gentleman from Illinois (Mr. ROSKAM) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SIRES. Mr. Chairman, I am very happy to be here debating this bill to help public housing authorities across

this Nation. Let me start by thanking Chairman BARNEY FRANK for his support on this bill and his leadership in the committee.

Let me start by explaining why I introduced this bill. Shortly after I was sworn in, I received a letter from the Jersey City Housing Authority in my district. They told me they had laid off 34 employees because of asset management. When I looked into this, I learned that Jersey City was not unique. Over 800 public housing authorities had their operating budgets cut because of the way asset management was implemented by the U.S. Department of Housing and Urban Development. At the same time, the Department limited the amount of flexibility given to public housing authorities to make ends meet.

I knew something had to be done. With the support of Chairman FRANK, Chairwoman WATERS, and others, I introduced H.R. 3521, the Public Housing Asset Management Improvement Act of 2007. You will note that the title indicates that the bill improves asset management. It does not, and I repeat, it does not put an end to asset management. That is because I feel strongly that the goals of the asset management are worthwhile. By making public housing authorities run more efficiently, asset management has the potential to improve the lives of all those who live in public housing in this country.

My bill simply makes four improvements to the asset management rule. First, it requires renewed negotiations over the management fee. A little background in this is probably helpful. In 1998, Congress passed the Quality Housing and Work Responsibility Act of 1998, which called on the Department to replace the old funding system with a new, more efficient system. In 2004, a negotiated rulemaking committee gathered to decide how to implement this new system known as asset management. One key piece was the management fee, and Congress required that the fee be reasonable. The negotiators never discussed the management fee, and industry groups have argued that it was set arbitrarily by the Department in its final rule because it lacked input from the negotiated rulemaking committee. My bill requires new negotiations to establish a reasonable fee and allows public housing authorities to revert back to their old funding mechanism until final implementation of asset management on January 1, 2011.

Second, my bill reaffirms current law by allowing public housing authorities to transfer funds between their operating fund and their capital fund. This provision prevents the Department from prohibiting such transfers. This flexibility is vital to agencies, particularly since the public housing program is underfunded. Housing authorities know best where they need funding, not Washington. There is wide agreement on this provision. In fact, this provision was included in the Consolidated Appropriations Act for Fiscal Year 2008. That provision, however, is only valid for 1 year. My bill would make the change permanent.

Third, my bill increases the exemption threshold from small to medium-sized public housing authorities. The Department recognized that small authorities with fewer than 250 units of housing would not benefit from the efficiencies of asset management. The final rule exempts public housing authorities with fewer than 250 units of housing from implementing asset management. My bill simply raises this threshold to 500 units. Again, there is little disagreement on raising the threshold. The Consolidated Appropriations Act for Fiscal Year 2008 raised the exemption threshold to 400. My bill goes a little further to 500 units. The impact of this change will only affect 441 public housing authorities, some of whom may not opt out of asset management because they think it makes good sense. Even with this change, over two-thirds of all public housing units still will be covered by asset management rules.

Finally, my bill restates current law in terms of tenant participation. It simply says that tenants should be allowed to participate in the decisions affecting their homes. It prohibits the Department from altering tenant participation rights, and it encourages public housing authorities to include tenants in discussion about asset management that directly affects their home.

Let me end by talking about who supports this bill. We have received letters of support from the Council of Large Public Housing Authorities, the Public Housing Authorities Directors Association, the National Association of Housing and Redevelopment Officials, and the National Training and Information Center.

I submit these letters for the RECORD.

NATIONAL TRAINING
AND INFORMATION CENTER,
Chicago, IL, February 7, 2008.

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

DEAR MADAM SPEAKER: The undersigned 150 democratic grassroots resident organizing groups and allies would like to convey our strong support for protecting the rights of public housing residents to organize, as delineated in H.R. 3521, the Public Housing Asset Management Improvement Act of 2007. As the transition to a system of asset management is one of the most significant shifts facing the administration of public housing in many years, it is more important than ever that public housing residents are involved in the decision-making processes at the local and national levels.

In April of 2007, the National Training & Information Center (NTIC) submitted a letter to Congress endorsed by local, statewide, and national organizations in protest of recent attempts to undermine the efforts of resident and community organizations to participate in the decisions around public housing that impact their communities and their lives, One of those attempts was a notice by HUD on March 1, 2007 to streamline the process to waive 24 CFR 964, which outlines the rights of residents to organize, for PHAs transitioning to asset management. Section 4 of H.R. 3521 is critical in order to ensure that the congressionally sanctioned rights to organize for public housing residents are protected.

The NTIC network is of the perspective that residents must be central to the discourse around policies that impact them—both at the local and national level. Section 4 of this bill will ensure that the voices of public housing residents are not lost in the implementation of asset management. Over the past year, NTIC has brought together public housing residents and allies from 38 cities to identify the most pressing areas for reform of public housing policy. The right to organize and meaningful resident participation are among the highest priorities for residents across the country. In order to make asset management work for everyone, it is critical that residents are involved in decisions around its implementation.

The undersigned 150 local, statewide, and national organizations would like to convey our support for the principles outlined in Section 4 of H.R. 3521. Namely, we feel strongly that residents should have a right to organize in public housing and should be meaningfully and substantively involved in the decisions that impact their lives—both at the local and national level. Specifically, it is critical that the rights bestowed by 24 CFR 964 not be undermined by the transition to asset management. We hope that we can rely on your support for these principles.

Thank you for listening to the voices of the people!

Signed,

Access Living—Chicago, IL.
Annapolis Tenant Task Force—Boston, MA.
Beacon Glen Resident Association—Cincinnati, OH.
Bethel New Life—Chicago, IL.
Bethune Village Resident Council—Daytona Beach, FL.
Border Fair Housing & Economic Justice Center—El Paso, TX.
Bowen Homes Resident Association—Atlanta, GA.
Cabrini Green Rowhouse Council—Chicago, IL.
California Coalition for Rural Housing—California State
Center for Community Change—National
Central Advisory Council—Chicago, IL.
Central Illinois Organizing Project—Central Illinois
Chicago Coalition for the Homeless—Chicago, IL.
Chicago Rehab Network—Chicago, IL.
Cleveland Housing Resident Association—Cleveland, TN.
Clinton Springs Resident Association—Cincinnati, OH.
Coalition to Protect Public Housing—Chicago, IL.
Communities United for Action—Cincinnati, OH.
Community Voices Heard—New York, NY.
Connecticut Legal Services—Connecticut State
Consumer Action—National
Crossroads Urban Center—Salt Lake City, UT.
Detroit United Organizing for Power—Detroit, MI.
District of Columbia Grassroots Empowerment Project—Washington, DC.
Empower DC—Washington, DC.
Empowering & Strengthening Ohio's People—Cleveland, OH.
Erie Tenant Council—Erie, PA.
Everywhere & Now Public Housing Residents Organizing Nationally Together—National

Fall River Housing Joint Tenants Council Inc.—Fall River, MA.
Families United for Racial and Economic Equality—New York, NY.
Faneuil Tenant Task Force—Boston, MA.
Findlater Gardens Resident Association—Cincinnati, OH.
Fuerza Laboral/Power of Workers—Providence, RI.
Good Old Lower East Side—New York, NY.
Grass Roots Organizing—Mexico, MO.
Guste Homes Resident Management Corporation—New Orleans, LA.
Hartford Organizing for Power & Equality—Hartford, CT.
Homeline—Minnesota State
Horizon Hills Resident Association—Cincinnati, OH.
Housing Action Illinois—Illinois State
Housing Choices Coalition—Santa Cruz, CA.
Housing Rights Committee of San Francisco—San Francisco, CA.
Housing Trust Fund Project—National
Illinois Network of Centers for Independent Living—Illinois State
Imagine Supported Living—Santa Cruz, CA.
Iowa Citizens for Community Improvement—Iowa State
Jane Addams Senior Caucus—Chicago, IL.
Janie Poe Residents Council—Sarasota, FL.
Jurisdiction-Wide Resident Advisory Board—Cincinnati, OH.
Just Cause Oakland—Oakland, CA.
Kalamazoo Homeless Action Network—Kalamazoo, MI.
Lafayette Resident Advisory Board—Lafayette, WI.
Lake City House Council—Seattle, WA.
Lake County Center for Independent Living—Lake County, IL.
Lake Park East Tenant Association—Chicago, IL.
Lakeview Action Coalition—Chicago, IL.
La Playa Resident Council—San Diego, CA.
La Raza Centro Legal—San Francisco, CA.
Lawyers' Committee for Better Housing—Chicago, IL.
Lebanon Tenants Association—Lebanon, PA.
Le Claire Court Community Development Corporation—Chicago, IL.
Legacy of Equality, Leadership and Organizing—Seattle, WA.
Legal Aid Justice Center—Charlottesville, VA.
Legal Aid Justice Center—Richmond, VA.
Legal Assistance Resource Center of Connecticut—Connecticut State
Liberty Apartments Resident Association—Cincinnati, OH.
Livermore Tenants and Neighbors—Livermore, CA.
Logan Square Neighborhood Association—Chicago, IL.
Los Angeles Coalition to End Hunger and Homelessness—Los Angeles, CA.
Lowden Homes Local Advisory Council—Chicago, IL.
Low Income Families Fighting Together—Miami, FL.
Madera Action Coalition—Madera, CA.
Maine Association of Interdependent Neighborhoods—Maine State
Maine Equal Justice Partners—Maine State
Mar Vista Gardens Resident Advisory Committee—Los Angeles, CA.
Massachusetts Alliance of HUD Tenants—Massachusetts State
Massachusetts Union of Public Housing Tenants—Massachusetts State
Mennonite Central Committee—National.
Metro Atlanta Task Force on Housing & Homelessness—Atlanta, GA.
Metropolitan Tenants Organization—Chicago, IL.
Miami Workers Center—Miami, FL.
Millvale Resident Association—Cincinnati, OH.
Mineral Manor Resident Council—Reno, NV.
Minneapolis High Rise Council—Minneapolis, MN.
Mission Terrace Residents Association—San Jose, CA.
Mississippi Coalition for Citizens with Disabilities—Mississippi State
Mobilizing and Organizing for Victory and Empowerment—Minneapolis, MN.
Mothers on the Move—New York, NY.
Myra Birch Manor Resident Council—Reno, NV.
National Alliance of HUD Tenants—National
National Association for the Advancement of Colored People—Richmond, VA.
National Association of Consumer Advocates—National
National Association of Resident Management Corporations—National
National Economic and Social Rights Initiative—National
National People's Action—National
National Training & Information Center—National
New Direction for Change—Chicago, IL.
New Orleans Women's Health Clinic—New Orleans, LA.
New Orleans Women's Health & Justice Initiative—New Orleans, LA.
Neill Resident Association—St. Paul, MN.
North Valley Community Cooperative—North Valley, NM.
North West Bronx Community & Clergy Coalition—New York, NY.
North West Side Housing Center—Chicago, IL.
New York City AIDS Housing Network—New York, NY.
New York City Public Housing Residents Alliance—New York, NY.
Oahu Housing Task Force—Oahu, HI.
Old Colony Tenant Task Force—Boston, MA.
Organization of the North East—Chicago, IL.
Organizing Neighborhood Equity DC—Washington, D.C.
Peabody-Englewood Tenant Task Force—Boston, MA.
People for Community Recovery—Chicago, IL.
People Organized for Westside Renewal—Los Angeles, CA.
People Organized to Win Employment Rights—San Francisco, CA.
People Organizing to Demand Environmental & Economic Rights—San Francisco, CA.
People United to Secure Housing—Kalamazoo, MI.
Pittsburg Community Reinvestment Corporation—Pittsburg, PA.
Portland Tenants Union—Portland, ME.
Praxis Project—National
Public Housing Association of Residents—Charlottesville, VA.
Public Housing Residents of the Lower East Side—New York, NY.
Public Housing Residents of Trumbull Park Homes—Chicago, IL.
Resident Owned Business, Inc.—Gary, IN.
Residents of Salem United—Salem, OH.
Rhode Island HUD Tenant Project—Rhode Island State
Richland Resident Council—Richland County, MT.
Rogers Park Section 8 Tenants Council—Chicago, IL.
Rose Garden Apartment Association of Residents—Las Vegas, NV.
Safe Streets/Strong Communities—New Orleans, LA.
Senior Action Council—Phoenix, AZ.
Seventy St. Botolph Street Tenant Taskforce—Boston, MA.
Single Mothers on the Move—Hartford, CT.
South Austin Coalition Community Council—Chicago, IL.
Southside Together Organizing for Power—Chicago, IL.
Sunflower Community Action—Kansas State
Survivors Village—New Orleans, LA.
Sutter View Resident Council—Cincinnati, OH.
Syracuse United Neighbors—Syracuse, NY.
Tenants Union of Washington State—Washington State
Tenants Rallying In Unity to Maintain Public Housing—New York, NY.
Transadvocacy Coalition—Hartford, CT.
Tri-City Resident Council—Southeastern Kentucky
Union de Vecinos—Los Angeles, CA.
United Community Housing Coalition—Hartland, VT.
United Residents for Housing Rights—Jackson, OH.
Upland Residents Association—Upland, CA.
West Broadway Tenant Task Force—Boston, MA.
Whittier Street Tenant Task Force—Boston, MA.
Winton Terrace Resident Association—Cincinnati, OH.

NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS,
Washington, DC, February 1, 2008.

Hon. ALBIO SIRES,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SIRES: On behalf of the more than 22,000 members of the National Association of Housing and Redevelopment Officials (NAHRO), I am pleased to join with our industry colleagues the Public Housing Authority Directors Association (PHADA) and the Council of Large Public Housing Agencies (CLPHA) in formally expressing our strong support for House passage of H.R. 3521, ''The Public Housing Asset Management and Improvement Act.''

We believe H.R. 3521 contains provisions that will help ensure a responsible and practicable transition to asset management. The bill would establish a reasoned process for defining and determining management and related fees and a suitable transition period for implementing them. The bill also addresses concerns expressed by NAHRO and our industry colleagues with regard to the practicality and cost-effectiveness of asset management for local housing agencies with fewer than 500 public housing units. We believe H.R. 3521 correctly makes the transition to asset management optional for agencies with portfolios of this size. The legislation also confirms current law enabling the use of capital fund dollars used for operating purposes as permitted for central office costs.

Finally the legislation reaffirms current statute with respect to the right of residents to provide input and participate in the development of local agency policies.

NAHRO maintains that the provisions contained in H.R. 3521 are necessary and would, upon final enactment, resolve some of the more difficult and problematic concerns expressed by our members with regard to the transition to asset management as defined by recent HUD policies and directives. NAHRO has and will continue to work with the Department to ensure a smooth transition to public housing asset management, but strongly feels that congressional action providing clarity and certainty with respect to the items noted above is necessary and warranted.

We thank you for your leadership on this issue and stand ready to be of further assistance as appropriate.

Respectfully,

SAUL N. RAMIREZ, Jr.

COUNCIL OF LARGE
PUBLIC HOUSING AUTHORITIES,
Washington, DC, January 30, 2008.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK: On behalf of the Council of Large Public Housing Authorities (CLPHA), I am writing in support of H.R. 3521, the Public Housing Asset Management Improvement Act of 2007, and to urge passage of this sensible legislation by the U.S. House of Representatives.

Asset management is landmark program change now several years in the making. CLPHA members have made the commitment to transition to a flexible asset management system, a shift involving sweeping management and accounting changes.

Provisions in the legislation of most concern to our members are those relating to management and related fees and the prohibition on restriction of fungibility of capital fund amounts. The legislation allows:

Housing agencies and HUD to have an expanded formal process by April 1, 2009, the basis of which is already established in the Public Housing Operating Fund Final Rule, enabling the negotiation of appropriate property management, bookkeeping and asset management fees. Once arrived upon, execution of those fees would commence in 2011; and

Housing agencies to use a portion of their Capital Fund grant towards eligible operating expenses. This provision was first established by Congress in 1996 and reinforced in the 2008 HUD appropriations bill in recognition of housing agencies' need for funding flexibility—a need which has only increased over time.

We thank you for your leadership and support of public housing and look forward to working with you on passage of this legislation.

Sincerely,

SUNIA ZATERMAN,
Executive Director.

NATIONAL HOUSING LAW PROJECT,
Oakland, CA, February 25, 2008.

Hon. ALBIO SIRES,
Committee on Banking, Housing and Urban Affairs, Washington, DC.

DEAR CONGRESSMAN SIRES: We are writing to convey our support for H.R. 3521, the Public Housing Asset Management Improvement Act. The focus of our support is based upon the resident participation provision.

The National Housing Law Project (NHLP) is a 40 year old national housing law and advocacy center whose mission is to advance housing justice for poor people. NHLP's goals are to increase and preserve the supply of decent affordable housing, improve housing conditions for very low-income persons and households, expand and enforce low-income tenants' and homeowners' rights and increase housing opportunities for racial and ethnic minorities. In pursuit of these goals, NHLP provides support through written materials, training, legislative and administrative advocacy, litigation and technical assistance on housing issues affecting very low income families. NHLP works with numerous legal services organizations around the country.

HUD and public housing agencies (PHAs) are currently engaged in the very substantial effort of transitioning to and implementing asset management. This effort is having a substantial impact at the local level. PHAs that never applied for operating subsidies are now doing so. Other PHAs are experiencing cuts in operating subsidies due to asset management and the new funding formula. All PHAs are making new staffing and program determinations because of the requirements of project-based management and project-based budgets, all of which affects current residents. Simultaneously most PHAs are experiencing a cut in operating subsidies because of the low level of funding for such subsidies. In this environment of change, it is vital that the Secretary of HUD issue guidance supporting resident participation in the implementation of asset management and the development of local policies that arise from that effort.

It is also critical that Congress recognize the rights of public housing residents to organized and represent their members. Previously, Congress recognized these rights for residents of other federally assisted but privately owned housing. See 12 U.S.C. 1715z–1b(4). It is important that Congress also recognized the same rights for the approximately 1.2 million public housing families.

Sincerely,

CATHERINE M. BISHOP,
Staff Attorney.

PUBLIC HOUSING AUTHORITIES
DIRECTORS ASSOCIATION,
Washington, DC, January 31, 2008.

Hon. ALBIO SIRES,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SIRES: On behalf of its members, PHADA thanks you for your support of the public housing program and for your efforts to ensure the workability of public housing asset management. Asset management is a landmark program change now several years in the making. During this time, PHADA has advocated for a cost-effective and practicable transition to asset management; a transition that would also enable smaller housing agencies (for whom the transition to individual project based management is neither cost effective nor practical) to be exempt from the process altogether.

The Public Housing Asset Management Improvement Act of 2008 (H.R. 3521) would authorize in statute recommendations long advocated for and broadly supported by PHADA's membership; recommendations that would accomplish this overall objective. PHADA is pleased to express its strong support for the passage of this important and necessary legislation.

H.R. 3521 will make possible the following:

1. In 2009, housing agencies and HUD will have an expanded formal process, the basis of which is already established in the Public Housing Operating Fund Final Rule, enabling the negotiation of appropriate property management, bookkeeping and asset management fees. Further, once arrived upon, execution of those fees would commence in 2011.

2. Small housing authorities that own and manage between 250 to 500 public housing units, 12 percent of all agencies, will gain regulatory relief in that the transition to asset management will be optional for them.

3. The legislation upholds current statute by which public housing residents may organize and participate in the development of policies at public housing agencies.

PHADA believes these simple provisions will mitigate implementation impediments broadly identified by its members and would provide flexibility critical to housing agencies' survival in a time of dwindling resources.

PHADA views these items as being essential to the fair, efficient and effective implementation of asset management as currently defined by HUD. It welcomes the opportunity to continue to work with the Department and Members of Congress to ensure that the administration of asset management is handled in a responsible manner going forward. Thank you for the opportunity to express these views.

Respectfully,

TIMOTHY G. KAISER,
Executive Director.

My office has taken calls from public housing authorities across this Nation, small, large, urban, and rural authorities supporting this bill, and I hope that Members will support this bill. Please make a difference for public housing residents and public housing authorities by easing their regulatory burden. Vote ''yes'' on H.R. 3521.

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

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

Mr. Chairman, I rise in opposition to H.R. 3521, the Public Housing Asset Management Improvement Act of 2007. The bill makes several changes to the Department of Housing and Urban Development's Public Housing Agency Asset Management Final Rule. And what I'd like to do, rather than reading a lengthy statement, is just sort of summarize some of my concerns in a nutshell.

Without question, there's been a great deal of good work and good faith that's been put in on this bill, but I think that there's a couple of key points that just fall a little bit short, and I think we can do better.

The first is, the exemption of so many public housing authorities from the asset management mandate. And that's something that's a good thing, on balance. Asset management says that if you've got unit A and unit B and unit C of public housing, then we're going to determine the cost of unit A, the cost of unit B, and the cost of unit C, and that we're not going to mix all these things up together and act as if each individual one isn't responsible for an individual cost. Asset management is a good business practice that makes all kinds of sense. And if the bill, as amended, is ultimately passed by this House, 88 percent of public housing authorities in the United States would be exempt. That's a bad idea.

The second thing that is actually a bigger concern to me, is section 2 of the bill, and it relates to management and related fees. Let me just read part of the language that this House is being asked to vote on. It says, ''The Secretary shall not impose any,'' and that's the operative word, Mr. Chairman, ''any restriction or limitation on the amount of management and related fees with respect to a public housing project if the fee is determined to be reasonable by the Public Housing Agency unless,'' and then there's a couple of limitations that have to do with timing. The Secretary shall not impose any restriction or limitation. Any restriction? Any limitation? And who is it that's going to determine whether a fee is reasonable?

Well, under this bill, as amended, under this bill, it's going to be the very entity that's going to be the beneficiary of that fee. So we're essentially saying to the fox, Why don't you guard the henhouse? Why don't you decide what your fee is going to be, and you simply send the bill to the taxpayer, and that's the bill that's going to be paid? I think that's unreasonable. I think that common sense says, no, no, no. Common sense says, there's going to be someone else that determines reasonableness of fees before a bill is going to be paid. And what this does is it says, and it's a curious thing to me. I can't figure out for the life of me why. It says that the determination of reasonableness and the renegotiation of reasonableness can't be brought up for another year. This can't even be the subject of a conversation, a substantive negotiation, until April 1 of 2009. And then, even if something is negotiated then, it can't be imposed until 2011, 3 years away. I just think that's unreasonable, and I think it is a financial control that's in place that is being put adrift, and we're not going to be able to get it back for 3 years. Costs are going to go up. Mark my words.

Finally, this allows for the diversion of capital funds, Mr. Chairman. You know, there's always a natural tension, right, between capital funds and operating funds, and we hear that all the time. There is no shortage of national attention and national conversation and national concern about the atrophying of our capital, the atrophying of our infrastructure. And what we ought not be doing is creating more fungibility, in other words, more pressure to take money and divert precious capital money from capital expenditures, which are the traditional bricks and mortars of public housing to go into the operating side. And for those reasons, I rise in opposition.

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

□ 1400

Mr. SIRES. Mr. Chairman, I yield 5 minutes to the gentlelady from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I am indeed honored to be an original cosponsor of H.R. 3521, the Public Housing Asset Management Improvement Act of 2007; and I want to thank Mr. SIRES and Chairman FRANK for their dedication and commitment to resolving this, at times, perplexing and confusing process known as asset management to which our public housing agencies have been struggling to adapt for several years now. This struggle has been made all the worse by the Department of Housing and Urban Development's overly prescriptive guidance on some issues, lack of guidance on other issues, and contradictory or insufficient guidance on everything in between.

I think we can all agree that public housing agencies can be better at managing our public housing resources and that asset management has the potential to improve how public housing is managed nationwide. However, in examining the issues behind the implementation of asset management, it has become clear that HUD's one-size-fits-all approach simply won't work. In addition, the Department's willful disregard of existing statute as a part of the implementation is eroding the trust of housing agencies' residents and some Members of this Congress.

In light of the Department's actions and the need to proceed with asset management, my friend from New Jersey who introduced this bill, H.R. 3521, maintains and respects the negotiated rulemaking agreed to by all parties, housing agencies, their industry representatives and HUD and still requires housing agencies to convert to asset management by 2011.

However, the bill settles three outstanding issues that have slowed the implementation of asset management: number one, the amount of management fees; number two, the ability of housing agencies to use a portion of their capital funds while operating expenses as allowed under statute; and number three, the kind of housing agencies that must convert to asset management. These are all critical issues that must be decided before 2011.

H.R. 3521 would require negotiated rulemaking to settle the issue of management fees. The fees that the Department is attempting to impose on housing agencies are, in many cases, insufficient and will not meet the needs of housing agencies that have been historically underfunded.

In addition, these fees appear to have been arrived at in an arbitrary manner. Negotiated rulemaking on the subject of management fees would allow the Nation's housing managers to work with HUD to determine a reasonable fee for managing public housing. Because the date for full implementation of asset management would stay the same, negotiated rulemaking would not delay or stall conversion to asset management.

On the use of capital funds for operating expenses, the statute is very clear. Housing agencies have the ability to move 20 percent of their capital funds to their operating fund. However, in its guidance, the Department has disregarded this plain-as-day statute and has limited capital fund fungibility to 10 percent. The bill simply asserts what is already in law.

Large housing agencies will benefit the most from asset management due to the economies of scale that will result from streamlining their operations. By raising the threshold for conversion from housing agencies that manage 250 units to those that manage 500 units, the bill simply ensures that only those housing agencies with the ability to benefit from asset management are required to comply with it.

Furthermore, the bill makes sure that asset management does not stifle tenant participation and resident organization. Public housing residents are very concerned about how asset management will impact their ability to participate and to organize. The bill ensures that the ability of residents to remain involved and to be represented is not impinged upon.

Mr. Chairman, this bill does not undo, reverse, or undermine the original negotiated rulemaking between housing agencies and the Department. It simply settles four outstanding issues so that asset management can move forward.

Mr. ROSKAM. Mr. Chairman, I have no other speakers, and I will reserve the balance of my time.

Mr. SIRES. Mr. Chairman, I yield 4 minutes to my friend from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise today in strong support of H.R. 3521, the Public Housing Asset Management Improvement Act of 2007.

I commend Chairman FRANK and commend Chairwoman WATERS and my colleague from New Jersey, Congressman ALBIO SIRES, for bringing to the floor this very important legislation. This is the most significant administrative transformation, Mr. Chairman, in 30 years dealing with all of the public housing authorities throughout the United States.

This bill, developed with the input of public housing agencies, administrators and tenants, is a commonsense measure that provides flexibility to the Nation's public housing authorities as they transition to asset management.

I must say to my friend from Illinois, the points that you bring up are salient, but it doesn't work here, and I will tell you why. H.R. 3521 was included as part of H.R. 2764, the Consolidated Appropriations Act of 2008, which the President signed on December 26, 2007. It's already law.

Specifically, the Consolidated Appropriations Act included the provision to allow flexible funding between the capital and operating funds. It also expanded the exemption from implementing asset management from public housing authorities with less than 250 units to public housing authorities with less than 400 units. This legislation that is before us today increases that threshold to 500 units. So what we are taking is something already in the law and expanding it.

H.R. 3521 would also be permanent whereas the Consolidated Appropriations Act would only put provisions in place for the year 2008. I ask that that be considered, and I think it is a very important part of what we are debating today.

Asset management is an efficient administrative style that allows public housing authorities to manage each individual housing development on a project-level basis as opposed to managing developments on an agency-wide basis.

While most stakeholders support the idea of asset management, they believe that HUD has implemented its inflexibility. For example, HUD has mandated that public housing authorities

demonstrate compliance. So this is not a willy-nilly situation here. This is something you have to comply to the law. New rules will be established by 2011, which the PHAs believe is too soon. You have to get these public housing authorities that have been operating, many of them for 30 years, the flexibility for compliance. And HUD is overseeing them. You act as if there is no one who is auditing the books.

We need time to issue timely and complete guidance on these new regulations causing some PHAs to lose funding and staff. I don't think any of us want that.

During this time of declining resources for public housing, when is the last time we built public housing? When is the last time we built public housing for seniors at a time when we know what is going on out there with people losing homes? When is the last time we have provided public housing?

So during this time of declining resources for public housing, it is imperative that we provide them with the flexibility they need to use their funds as they see fit. This legislation requires new negotiated rulemaking to begin in 2009 to ensure that housing authorities are funded according to an accurate funding formula and allows the public housing authorities the flexibility to move small amounts of funding from capital to operating funds.

Also, this legislation exempts small public housing authorities from asset management, as they generally will see no economic or efficiency improvements from its implementation and ensure that the PHAs involve tenants in every decision.

Mr. Chairman, this bill makes real practical changes that will truly benefit our public housing agencies as they implement asset management. I urge my colleagues to support its passage, and I commend the sponsors of this legislation.

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

I appreciate the tone of the discussion this afternoon very, very much. I just want to point out and really ask the House if you notice something, and at the beginning of my remarks, I put out, essentially as a challenge, this concern that I have of this language: the secretary shall not impose any restriction or limitation on the amount of management and related fees. Nothing: no restrictions, no authority, completely stripped so that there is nobody that has the ability that can come in and say this invoice for management, this amount of money for management, are you kidding me? That's outrageous. Nobody has the authority to do that. They do now, they do currently have that ability, but under this bill, Mr. Chairman, that authority goes away.

Now, the gentleman from New Jersey, the previous speaker, mentioned the fungibility argument. I accept that as an argument. I just don't think it is a good idea. I don't think that something that's in an appropriations bill, just because it's a bad idea, that it needs the House's imprimatur once again. That's going to expire at the end of the year, and I think we can do better.

So just in summary, what we are being asked to do today is essentially to limit down the amount of public housing authorities that would be under asset management to only 12 percent of the public housing authorities in the United States. Only 12 percent of them would be subject to asset management if this bill is enacted.

So I think those are sufficient numbers to say, you know what, I think we can do better. Those are sufficient reasons, sufficient arguments that would suggest that we can do better. This should go back to the drawing board. And I urge a ''no'' vote.

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

Mr. SIRES. Mr. Chairman, just in closing I would like to say that there is oversight, and the 20 percent that we are talking about is just increasing 10 percent because already they have the ability to move 10 percent. With all of the costs, all of the increases and the underfunding of these housing authorities, I think this is reasonable.

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 amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 3521

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 ''Public Housing Asset Management Improvement Act of 2007''.

SEC. 2. REVISIONS TO ASSET MANAGEMENT RULES AND RELATED FEES.

(a) MANAGEMENT AND RELATED FEES.—The Secretary shall not impose any restriction or limitation on the amount of management and related fees with respect to a public housing project if the fee is determined to be reasonable by the public housing agency, unless such restriction or limitation imposed by the Secretary on such fees—

(1) is determined pursuant to a negotiated rulemaking which is convened by the Secretary no earlier than April 1, 2009, and in accordance with subchapter III of chapter 5 of title 5, United States Code, with representatives from interested parties; and

(2) is effective only on or after January 1, 2011.

(b) INCREASE OF THRESHOLD FOR EXEMPTION FROM ASSET MANAGEMENT REQUIREMENTS.—Any public housing agency that owns or operates fewer than 500 public housing units under title I of the United States Housing Act of 1937 may elect to be exempt from any asset management requirement imposed by the Secretary.

SEC. 3. PROHIBITION ON RESTRICTION OF FUNGIBILITY OF CAPITAL FUND AMOUNTS.

The Secretary of Housing and Urban Development shall not impose any requirement, regulation, or guideline relating to asset management that restricts or limits in any way the use by public housing agencies of amounts for Capital Fund assistance under section 9(d) of such Act, pursuant to paragraph (1) or (2) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)), for costs of any central office of a public housing agency.

SEC. 4. TENANT PARTICIPATION.

(a) RULE OF CONSTRUCTION.—Neither the requirements of this Act, nor any other requirement, regulation, guideline, or other policy or action of the Department of Housing and Urban Development relating to public housing asset management may be construed to repeal or waive any provision of part 964 of title 24 of the Code of Federal Regulations, regarding tenant participation and tenant opportunities in public housing. The Secretary of Housing and Urban Development shall ensure that public housing agencies encourage the reasonable efforts of resident tenant organizations to represent their members or the reasonable efforts of tenants to organize.

(b) GUIDANCE.—Guidance issued by the Secretary of Housing and Urban Development shall encourage participation by residents in the implementation of asset management and the development of local policies for such purposes.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–524. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SIRES

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–524.

Mr. SIRES. Mr. Chairman, as the designee of Mr. FRANK of Massachusetts, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SIRES:

Page 2, after line 17, insert the following:

The Secretary may not consider a public housing agency as failing to comply with the asset management requirements of subpart H of part 990 of title 24 of the Code of Federal Regulations, or any successor or amended regulation containing asset management requirements, or determine that an agency fails to comply with such requirements, because of or as a result of the agency determining its fees in accordance with this subsection.

At the end of the bill add the following new section:

SEC. 5. INELIGIBILITY OF ILLEGAL IMMIGRANTS FOR ASSISTANCE.

Immigrants who are not lawfully present in the United States shall be ineligible for financial assistance under this Act, as provided and defined by section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a). Nothing in this Act shall be construed to alter the restrictions or definitions in such section 214.

The CHAIRMAN. Pursuant to House Resolution 974, the gentleman from New Jersey (Mr. SIRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1415

Mr. SIRES. This manager's amendment covers two different aspects of the bill. The first part addresses compliance with section 2 of the bill. Section 2 grants agencies that lost funding because of asset management to walk out of the funding agreement. The bill allows them to set their own reasonable management fee until a new negotiated rulemaking takes place. However, the Department recently announced that any agency compliant with this provision of the bill will be deemed as noncompliant with the Asset Management Final Rule. The manager's amendment makes it clear that these agencies are compliant.

The second part of the manager's amendment restates current law that undocumented immigrants are ineligible for financial assistance under section 214 of the Housing and Community Development Act of 1980. These changes are technical and should be adopted.

Chairman FRANK and I urge a ''yes'' vote on these amendments.

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

Mr. KANJORSKI. Mr. Chairman, I rise today in support of H.R. 3521, the Public Housing Asset Management Improvement Act. This legislation works to provide flexibility to public housing agencies as they make the transition to the new asset management system.

As we are working to enact this legislation, I am pleased that we incorporated provisions to ease the potential burdens for many smaller public housing authorities, including many in my Congressional district. I am also pleased to see that the Manager's Amendment we are considering includes language that reaffirms current Federal law and ensures that illegal immigrants do not receive public housing benefits that should only go to those who rightfully deserve them.

Mr. Chairman, in closing, I would like to express my appreciation to Mr. SIRES of New Jersey for introducing this legislation and to Chairman FRANK for working to include language in the Manager's Amendment pertaining to illegal immigration. I urge my colleagues to vote in favor of H.R. 3521, the Public Housing Asset Management Improvement Act.

Mr. ROSKAM. Mr. Chairman, we have no opposition to the amendment, and I yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SIRES).

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. MEEK OF FLORIDA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–524.

Mr. MEEK of Florida. 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. MEEK of Florida:

Page 3, line 23, after the period insert the following: ''In the case of any public housing agency in receivership, the Secretary of Housing and Urban Development or any receiver may not abrogate, waive, repeal, or modify any provision of part 964 of title 24 of the Code of Federal Regulations or any provision of a formalized housing agreement entered into pursuant to such part 964 (including pursuant to section 964.11, 964.14, 964.18(a)(6), or 964.135 of such part) before the commencement of such receivership by a resident or tenant organization and the public housing agency.''.

The CHAIRMAN. Pursuant to House Resolution 974, the gentleman from Florida (Mr. MEEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MEEK of Florida. Members, I think that this amendment is well in order. First of all, I want to thank the chairman of the committee, Mr. FRANK, and also Mr. SIRES, who has been a leader in this, my friend from New Jersey, and also Chairwoman WATERS.

Mr. Chairman, this amendment simply, on page 3, line 23, gives those individuals who find themselves in the middle of a dispute between the Department of Housing and Urban Development and a local housing authority, when that particular local housing authority falls into receivership, all agreements that have been agreed upon as it relates to tenants and that housing authority should be honored when that takes place.

Case in point: In south Florida we were awarded a HOPE VI grant, and the housing authority failed the residents in being able to implement that grant, and then the residents and housing authority came together for the better good to make sure there weren't a number of homeless individuals, and those agreements ended up going south. And I think there are other communities that will be going through this in the very near future.

I am offering this amendment, and hopefully the Members will accept this amendment in good faith and it will help us move forward as we look at these situations in the future.

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

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

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

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

Mr. MEEK of Florida. Mr. Chairman, I would like to recognize the gentleman from New Jersey (Mr. SIRES) for 1 minute.

Mr. SIRES. I would like to thank Mr. MEEK for offering this amendment.

This amendment clarifies that the Department cannot prevent public housing authorities in receivership from benefiting from this bill.

Chairman FRANK and I fully support this amendment, and we urge adoption.

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

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MEEK).

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

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

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

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110–524 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. SIRES of New Jersey.

Amendment No. 2 by Mr. MEEK of Florida.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 1 OFFERED BY MR. SIRES

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. SIRES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 415, noes 0, not voting 18, as follows:

[Roll No. 75]

AYES—415

Abercrombie	Bartlett (MD)	Blunt
Ackerman	Barton (TX)	Boehner
Aderholt	Bean	Bonner
Akin	Becerra	Bono Mack
Alexander	Berkley	Boozman
Altmire	Berman	Bordallo
Andrews	Berry	Boren
Arcuri	Biggert	Boswell
Baca	Bilbray	Boustany
Bachmann	Bilirakis	Boyd (FL)
Bachus	Bishop (GA)	Boyda (KS)
Baird	Bishop (NY)	Brady (PA)
Baldwin	Bishop (UT)	Brady (TX)
Barrett (SC)	Blackburn	Braley (IA)
Barrow	Blumenauer	Broun (GA)

Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
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
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
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
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
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
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, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
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)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Allen
Boucher
Brown-Waite, Ginny
Christensen
Fortuño
Graves
Gutierrez
Hulshof
Jones (OH)
Keller
Lungren, Daniel E.
Peterson (PA)
Pryce (OH)
Reynolds
Ryan (OH)
Sutton
Wexler
Woolsey

□ 1446

Messrs. CALVERT, PEARCE, and GINGREY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. MEEK OF FLORIDA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MEEK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 337, noes 77, not voting 19, as follows:

[Roll No. 76]

AYES—337

Abercrombie
Ackerman
Aderholt
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—77

Akin
Bachmann
Barrett (SC)
Bilirakis
Blackburn
Blunt
Brady (TX)
Broun (GA)
Burgess
Buyer
Campbell (CA)
Carter
Conaway
Cubin
Culberson

Davis, David
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Granger
Hall (TX)
Heller
Hensarling
Herger
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latta
Lewis (KY)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Myrick
Neugebauer
Pence
Peterson (PA)
Poe
Price (GA)
Radanovich
Rohrabacher
Roskam
Royce
Sali
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Stearns
Sullivan
Tancredo
Thornberry
Tiahrt
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOT VOTING—19

Allen
Boucher
Brown-Waite, Ginny
Christensen
Fortuño
Graves
Gutierrez
Hodes
Hulshof
Jones (OH)
Keller
Lewis (GA)
Lungren, Daniel E.
Pryce (OH)
Reynolds
Ryan (OH)
Sutton
Wexler
Woolsey

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain on this vote.

□ 1454

Mrs. MCMORRIS RODGERS and Mr. PENCE changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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 (Mrs. TAUSCHER) having assumed the chair, Mr. SERRANO, 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. 3521) to improve the Operating Fund for public housing of the Department of Housing and Urban Development, pursuant to House Resolution 974, 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. SMITH OF TEXAS

Mr. SMITH of Texas. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SMITH of Texas. I am in its current form.

Mr. SIRES. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SMITH of Texas moves to recommit the bill, H.R. 3521, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the text of the bill H.R. 3773 as passed by the Senate on February 12, 2008.

POINT OF ORDER

Mr. SIRES. Madam Speaker, I make a point of order that the amendment is not germane to the bill. The bill H.R. 3773 has nothing to do with the asset management bill under consideration.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. SMITH of Texas. Yes, I do, Madam Speaker.

Madam Speaker, once again, the Democratic majority is insisting on a procedural objection to block consideration of the Senate-passed FISA modernization bill. This motion to recommit adds the bipartisan bill passed 2 weeks ago by the Senate, 68–29.

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman must confine his remarks to the gentleman from New Jersey's point of order.

Mr. SMITH of Texas. Madam Speaker, there is nothing more germane to the security of the American people than to take up the Senate bill as quickly as possible.

Now I would like to reiterate my disappointment that the majority has raised a point of order against this motion to recommit.

Mr. SIRES. Madam Speaker, the gentleman is not speaking on the point of order.

The SPEAKER pro tempore. The gentleman from Texas must confine his remarks to the point of order.

Mr. SMITH of Texas. Madam Speaker, I would like to ask the gentleman to withdraw his point of order and allow for an up-or-down vote on the bipartisan Senate reform bill.

Mr. SIRES. Madam Speaker, I insist on my point of order.

The SPEAKER pro tempore. The instructions in the motion to recommit propose an amendment consisting of the text of an entirely different measure that falls outside the jurisdiction of the Committee on Financial Services. The instructions are therefore not germane. The point of order is sustained. The motion is not in order.

Mr. SMITH of Texas. Madam Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. SIRES

Mr. SIRES. Madam Speaker, I move to table the appeal.

The SPEAKER pro tempore. The question is on the motion to table.

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

RECORDED VOTE

Mr. SIRES. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 195, not voting 15, as follows:

[Roll No. 77]

AYES—218

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

NOES—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
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
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Allen
Brown-Waite, Ginny
Frank (MA)
Graves
Gutierrez
Hulshof
Jones (OH)
Keller
Lungren, Daniel E.
Peterson (MN)
Pryce (OH)
Ryan (OH)
Sutton
Wexler
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1520

Mr. SHADEGG, Mr. BOEHNER and Mr. LEWIS of California changed their vote from ''aye'' to ''no.''

Mr. ISRAEL and Mr. SMITH of Washington changed their vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this Chamber yesterday and today. I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall votes 69, 70, 71, 72, 73, 74, 75, 76, and 77.

MOTION TO RECOMMIT OFFERED BY MRS. BACHMANN

Mrs. BACHMANN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. BACHMANN. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Bachmann moves to recommit the bill H.R. 3521 to the Committee on Financial Services with instructions to report the same back to the House promptly with the following instructions:

Page 2, after line 17, insert the following:

The Secretary of Housing and Urban Development shall not accept as reasonable any fees for enforcing any provision of a dwelling lease agreement or other similar agreement that requires the registration of or prohibits the possession of any firearm that is possessed by an individual for his or her personal protection or for sport the possession of which is not prohibited, or the registration of which is not required, by existing law.

The SPEAKER pro tempore. The gentlewoman from Minnesota is recognized for 5 minutes.

Mrs. BACHMANN. Madam Speaker, our Founding Fathers wrote our Nation's fundamental values of freedom and representative government into our Constitution. This includes the people's second amendment right to keep and bear arms.

Citizens who are in compliance with the law should not have those rights taken away, including those who live in public housing. Yet, public housing authorities, including the one right here in our Nation's Capital, are telling residents that in order to be a resident of public housing, you must give up your second amendment rights. You must give up your right to own a firearm for sport or for hunting or, most importantly, to protect yourself or your family.

Let me quote from the January 2008 dwelling lease agreement for D.C.: ''Lessee and all Others are required to comply with the following use restrictions and requirements . . . To refrain from storing, maintaining, using, distributing, purchasing or selling any type of firearms or ammunition on the Leased Premises or the Development, whether registered or unregistered.''

In other words, Madam Speaker, even if you comply with all the laws of the District of Columbia related to gun ownership, you are prohibited from owning a gun if you are a resident of public housing.

We are talking about law-abiding citizens, not criminals. Criminals are already largely prohibited from residing in public housing. Residents of public housing share the same legal rights to possess lawful property and to take measures to defend their lives as do homeowners who control their estate.

The D.C. policy clearly discriminates against the poorest members of our society simply because they are residents of public housing.

Less than 2 weeks ago, 250 Members of this House of Representatives, including 65 Members of the majority, who said there shouldn't be any gun ban here in the District of Columbia signed a bipartisan amicus curiae brief in District of Columbia v. Heller, which said it is a case that currently is before the United States Supreme Court which questions the constitutionality of the D.C. gun ban. The amicus brief supports the ruling by a lower Federal appeals court which upheld the constitutional right of individual citizens to keep and bear arms.

Just to refresh my colleagues one more time, one notable line from the brief states, and I quote, ''Had Americans in 1787 been told that the Federal Government could ban the frontiersman in his log cabin, or the city merchant living above his store, from keeping firearms to provide for and protect himself and his family, it is hard to imagine that the Constitution would have been ratified.''

The D.C. public housing restriction goes even further than the D.C. gun ban in question in this case.

Madam Speaker, we must assure that Americans living in public housing have their personal right to possess firearms for hunting or self-defense.

This motion to recommit is simple. It clarifies that public housing authorities that participate in the asset management program cannot prohibit their law-abiding tenants from possessing firearms and ammunition.

Madam Speaker, I ask my colleagues to join me in supporting this motion, and I yield back the balance of my time.

Ms. WATERS. Madam Speaker, I rise to oppose the motion.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Madam Speaker, I rise almost in disbelief that my friends on the opposite side of the aisle, led by Mrs. BACHMANN, would dare bring to this floor a motion that basically would say to us that the Federal Government cannot direct this issue on Federal property.

We own these public housing authorities. The people who are here live under the rules that we develop for living in public housing. We are confronted with the problem in America, and that problem is, unfortunately, and painfully, we have poor people who are isolated, and they find their power and their strength in the gun.

There are far too many guns raging every night in America in public housing authorities, whether it is Los Angeles or New York or down south.

What you find are young jobless men in gangs who shoot throughout the

night where people are ducking under their beds, afraid to open their doors. Many of these public housing authorities are on main thoroughfares, next to shopping centers, on your way to the airport.

These bullets don't limit themselves to inside these public housing authorities. They could end up shooting people who are passing through the area.

I understand, perhaps, the argument that one would make about constitutional rights. While I disagree with that, I think it is foolhardy and foolish to talk about we don't have the authority to determine what happens on our property.

There are those in this room who would shout down public housing authorities and not give people a place to live at all, because they said there is too much violence, there is too much joblessness, there is too much violence. There are those of us who have worked for years not only to clean up these public housing authorities but to make sure that the people who live there are abiding by the law.

I am in disbelief that anyone could believe it's all right to continue what is happening in America today in many of these public housing authorities where young people are dying. Of course we don't like it. Of course we are appalled at it. We are pained with it. But give me a break. All of us are much more responsible than this motion to recommit would have us believe.

I would yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentlelady for yielding.

Would the gentlelady, the sponsor of the motion to recommit, yield for a question?

Mrs. BACHMANN. Yes.

Mr. HOYER. I thank the gentlelady.

Would the gentlelady agree to a unanimous consent request to make your amendment a forthwith amendment so that it could be voted upon? My presumption is the gentlelady wants the amendment adopted, the gentlelady believes the majority of the House is for it. Would the gentlelady agree to such a unanimous consent?

Mrs. BACHMANN. Madam Speaker, I appreciate the request from the majority leader; however, the answer would be no.

We are aware of this problem, and it's very important that we send this back to the committee so that it will be fixed.

Mr. HOYER. Reclaiming my time, so it's more important to delay it than to adopt it now?

Mrs. BACHMANN. Madam Speaker and Majority Leader, as you know, the important point is that the committee has a chance to look at this measure. They did not have a chance to do so. We want to make sure that they have the opportunity to fix the bill.

□ 1530

Mr. HOYER. Madam Speaker, I ask unanimous consent that the motion to recommit be amended by substituting the term ''promptly'' with the term ''forthwith.''

The SPEAKER pro tempore. The Chair will recognize only the proponent of the motion for such a request.

Ms. WATERS. Madam Speaker and Members, our majority leader just put before us a motion that I think we should all support. It is unreasonable for us to think that somehow we are going to not give this House the opportunity to provide leadership on crime.

There are Members on the opposite side of the aisle who would identify themselves as being law and order people, of wanting to get rid of guns and crime. Well, this is an opportunity to show where you stand. Do you stand with us to keep Americans safe? Do you stand with us to make the rules on Federal property, or are you going to vote us down?

The SPEAKER pro tempore. The gentlewoman's time has expired.

Pursuant to section 2 of House Resolution 974, further proceedings on H.R. 3521 are postponed.

HONORING ANTHONY ''TONY'' EUBANKS

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

Mr. BARRETT of South Carolina. Mr. Speaker, Anthony ''Tony'' Eubanks, professional basketball player, collegiate basketball record holder and two-time All American, during Black History Month, I would like to recognize his efforts as a mentor to our Christian youth in South Carolina.

Through his professional basketball career, Tony was able to travel to the Middle East, Europe, and Argentina. This travel led him to work with youth as a volunteer for Young Life, FCA, and other ministries.

Currently, he now serves as the chaplain of the Clemson Tigers football team and volunteers with FCA on the Clemson campus.

South Carolina is proud to have this citizen who is so truly dedicated to strengthening youth faith. Each day, he contributes to pregame chapels, coaches' Bible study and graduate assistants' Bible studies, and other ministries that continue to make a difference in the lives of athletes, coaches, and the community.

Tony is not only a leader for our youth, but also a strong role model for athletes. He is a true athlete for Christian Ministries.

PASS PROTECT AMERICA ACT NOW

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

Mrs. BLACKBURN. Mr. Speaker, the men and women in our intelligence agencies are facing uncertainty. They are telling us this, and that is posing a very real national security risk to us in our homeland.

Today I rise to encourage this House to close the terrorist loophole for good by passing a bill that would permanently update the Foreign Intelligence Surveillance Act.

The Senate passed this bipartisan bill with 68 votes. The House leadership will not bring it to the floor. They had another opportunity today, and they passed on that opportunity.

Mr. Speaker, time has run out. The Protect America Act has expired. The Democratic leadership of the House has had more than 6 months to tackle this problem. They continue to delay. Let's not delay another day. Let's bring our intelligence capabilities into the 21st century. Let's pass the Protect America Act now.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KLEIN of Florida). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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.)

REINVESTING TAXPAYER SUBSIDIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ISRAEL) is recognized for 5 minutes.

Mr. ISRAEL. Mr. Speaker, this week the House will vote to reinvest taxpayer subsidies from the most profitable oil companies in the world to the American people in the form of lower gas prices, lower home heating oil costs, and new jobs in clean, renewable technologies.

For 6 years under Republican management, we attempted a strategy to reduce our dependence on foreign oil and to lower gas prices. The strategy was to provide $14 billion in industry subsidies to the largest oil companies in the world, the most profitable oil companies in the world. So $14 billion to them, and at the same time the Bush administration submitted budgets to this Congress that actually reduced funding for renewable energies, for energy efficiency, for weatherization, for solar, for hydrogen, for other renewable technologies.

And so what was the result? The result was this: Gas prices doubled; home heating oil prices tripled; oil company profits quadrupled, but the average American was now faced with an additional $1,500 in gas prices. And at the same time as oil company profits went up and as pocketbooks got lower and lower, the wallets of the American people lost more and more value, we actually increased our dependence on foreign oil. This year we are actually importing 1.6 million barrels of oil a day more than we were before the energy policy that the prior Congress passed and that the President signed.

□ 1545

So we're actually more dependent on foreign oil, and the American people are less well off. Oil companies did very, very well. But we did nothing to reduce our dependence on foreign oil, and the American people lost $1,500 in the process.

Well, we're going to change that. We have the opportunity to change that this week. We're going to pass, I hope on a bipartisan basis, a new approach, a new strategy, a fundamental change in energy policy. And we're going to redirect those subsidies from oil companies to the pocketbooks of the American people. We're going to create as many as 3 million jobs in renewable technologies. We're going to invest those subsidies in the creation of new green jobs in solar and hydrogen and wind and geothermal. We're going to create those new jobs and regain our manufacturing capacity and capabilities.

Mr. Speaker, it troubles me that here we are, the country that defeated the most monumental threat of the 20th century in Nazi Germany and Japan, and we're now behind Germany and Japan in solar technologies. Of the top 10 wind companies on Earth, only one is American. Iceland, Denmark, now making great strides in geothermal and wind. We're not. Seven out of every 10 cars in Brazil are fuel flexible. We're not.

We can regain our capacities. We can regain our skills, we can regain our competitive edge in the world. We can regain our manufacturing strength in the world by leapfrogging ahead of them in renewable technologies. To do that, we've got to make investments in the American people, not the bottom line profits of oil companies.

When we gave those oil companies the opportunity to make those investments in the American people, what did they do? They made those investments in the oil companies' CEOs. One cashed out with about $60 million.

We believe that it's time to make those investments in the American people, in American jobs, in renewable energy. And by doing so, we can reduce our dependence on foreign oil.

We have created a paradigm, Mr. Speaker, where, with a $9 trillion debt, we are borrowing money from China to fund our defense budgets to buy oil from the Persian Gulf to fuel our military to protect us from China and the Persian Gulf. It makes no sense.

This week, we have the opportunity to take a giant leap for common sense: reinvest in the American people, reinvest in American jobs, reinvest in our defense, reinvest in our competitive edge, reinvest in our human capital, reduce our dependence on foreign oil. And that's precisely what we will do by passing this bill.

VICTIMS OF CRIME ACT

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, I want to talk about one of the novel concepts that Congress has come up with over the years. It goes back to the Reagan administration and a bipartisan bill signed by President Reagan, the VOCA Act was established. It is called the Victims of Crime Act. It's a novel idea in that convicted felons in Federal court who are assessed fees and fines must pay those fees and fines into a fund. That fund then is saved and reserved for victims of crime for restitution. It also establishes and takes care of domestic violence shelters where spouses can hide away from those abusers. It establishes rape crisis coalition centers. It promotes and sends money to the victim advocates throughout the United States who go to court with victims of crime, especially in violent crime. It does many good things. And over the years, because our Federal judges have continued to fine and assess greater penalties to criminals, that VOCA fund, as of today, is $1.7 billion, money contributed by criminals that goes to crime victims. What a wonderful idea. And let me make it clear, this is not taxpayer money. Taxpayers didn't fund this. Criminals did. Criminals paying the rent on the courthouse, paying for the system that they have created.

So what is the problem? The problem is, Mr. Speaker, that that fund, every year, that's administered by the Federal Government continues to be robbed by other bureaucrats and continues to be less money that's available for crime victims. This year we have $1.7 billion in the fund. Last year $635 million of that was used for crime victims, but this year the fund is being cut by the bureaucrats to $590 million. That's not a lot of money, but it means that victims shelters throughout the country will be closed, that these rape crisis coalition centers will be closed because they're barely keeping the lights on.

So why is that happening, Mr. Speaker? I do not know.

I do know that the Justice Department now is going to charge a surcharge on the victims fund of 5.5 percent to administer the fund. They are doing so without the approval of Congress. They have no right to take $30 million to pay for their own bureaucracy. That's not authorized by Congress.

We also know that the administration wants to take part of that money and apply it to other programs out there.

Once again, this is not taxpayer money. It's money that belongs to victims. And the Federal Government and, specifically, the Justice Department and the Federal bureaucrats need to keep their hands off that money, because it's not their money. It belongs to victims of crime.

Mr. Speaker, victims of crime do not have a lobbyist up here in Washington, DC, a high-dollar lobbyist advocating on their behalf. They expect us, Members of Congress, to be their lobbyist, and it's important that we do not let the bureaucrats, the robber barons take money out of that VOCA fund and apply it to other programs.

Find that money somewhere else. This money belongs to crime victims. It should not be robbed by the bureaucrats. It should be left alone. And, if anything, we ought to raise how much money we take out of that fund for victims of crime.

It's $1.7 billion this year. Next year it's going to be $1.9 billion criminals contribute to that fund. And yet our government continues to let less and less money be applied to victims. We have more crime victims in this country than we did last year, and we need victims assistance.

The Victims of Crime Act is a good idea. Let's leave it alone and quit robbing it to pay for other Federal programs. And if the Federal Government needs money to pay for these other programs, take money out of foreign aid or something. But leave victims alone.

Victims are a unique breed of people in our country, Mr. Speaker, and it's our responsibility to take care of them and make sure that they get the compensation they need, paid for by criminals who commit crimes against them.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION HAS FAILED DISPLACED GULF COAST RESIDENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker and Members, I rise today to share with this body the unbelievable circumstances surrounding the victims of Hurricanes Rita and Katrina.

I thought the American people had been shocked at the lack of response by our Government to the victims of these hurricanes. I thought the American people could hardly ever get over the fact that they witnessed victims of a natural disaster held up in a convention center in New Orleans for days without food, without water, begging for help.

It was unbelievable when we discovered that the head of FEMA, Mr. Brown at the time, said that he did not know that those victims were out in front of the convention center waving white flags, inside the convention center sick and even dying.

It was unbelievable to witness one of the richest, if not the richest country in the world with the lack of adequate response to its citizens at a time when we were needed most.

And so we're trying to work through this. We have been working to try and get money to the gulf coast, to New Orleans, to Mississippi. We have tried to work to save public housing so that residents could return who had been evacuated and told that the housing would be rehabilitated and they could return.

Many of us have been pushing not only on FEMA and our government, but working with the State and local government trying to correct the injustices that we have now come to know that have taken place in the gulf coast.

And now we're confronted with another unbelievable situation. How much bungling can you do? How much mismanagement can you be responsible for?

Finally, we find there's more. The Federal Emergency Management Administration, that is, FEMA, has admitted what people living in trailers have known for several years: that these trailers contain high levels of formaldehyde that pose serious health risks for residents. Almost after moving in, trailer residents started to complain about respiratory and other formaldehyde-related health problems.

The first private study on the unacceptable levels of formaldehyde in these trailers was in 2006. A few months later, the Occupational Health and Safety Administration conducted its own testing and found formaldehyde concentration as high as 5 parts per million, or 50 times higher than the level the Environmental Protection Agency considers elevated. But FEMA didn't stop the sale or deployment of trailers until July of 2007. And here it is 2008, and it still has no plan to move families out of these environmental health hazards and into safe, permanent, and affordable housing.

Mr. Speaker and Members, we've got to force FEMA to rise to the challenge of getting these 38,000 families out of these toxic trailers as soon as possible and move them into safe, permanent, and affordable housing. Unfortunately, because affordable housing creation has not been a priority of this Bush administration, I know this is going to be a difficult task.

The Bush administration has failed to ensure that the gulf coast region has an adequate supply of affordable housing for its displaced persons, including those in trailers. The administration approved redevelopment plans in Mississippi and Louisiana that provide less affordable housing than was available before Hurricane Katrina. It even allowed, believe this, the State of Mississippi to move $600 million away from housing assistance to the redevelopment of the Port of Gulfport.

Now, mind you, there are still people who are out of State who want to come home. There are still people living in trailers. There are still people doubled up with family members. And this administration, this Housing Secretary said to the State of Mississippi, go ahead and take $600 million from housing assistance and you can go ahead and use it for the redevelopment of the port.

In New Orleans, the administration has approved the demolition of 4,500 units of public housing, with no regard to the fact that there are 12,000 homeless persons who could have benefited from having a roof over their heads. The demolition of New Orleans' public housing during an affordable housing crisis is a prime example of this administration's shortsightedness and lack of concern for our country's lowest income renters.

Mr. Speaker and Members, I simply close by saying, here we are, FEMA again, mismanagement, lives at stake. They have no answers.

□ 1600

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, I stand once again before this body with yet another sunset memorial. It is February 26, 2008, in the land of the free, 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. That's just today, Mr. Speaker. That is more than the number of innocent Americans that we lost on September 11, only it happens every day.

It has now been exactly 12,818 days since the travesty called Roe v. Wade was handed down; and since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them cried and screamed as they died; but because it was amniotic fluid passing over the vocal cords instead of air, we could not hear them in this Chamber.

All of them had at least four things in common: first, they were each just little babies who had done nothing wrong to anyone. Second, each one of them died a nameless and lonely death and each of their mothers, whether she realizes it or not, will never be quite the same. And all of the gifts these children might have brought to humanity are now lost to us forever.

Yet even in the full glare of such tragedy, this generation clings to blind, invincible ignorance while history repeats itself in our own silent genocide which mercilessly annihilates the most helpless victims to date, those yet unborn.

Mr. Speaker, perhaps it's 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.'' 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.'' Mr. Speaker, protecting the lives of our citizens and their constitutional rights is why we are all here. It is our sworn oath.

The bedrock foundation of this Republic is that clarion 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, Mr. Speaker, another day has passed, and we in this body have failed again to honor that foundational commitment. We failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

Perhaps today, Mr. Speaker, maybe someone new who hears this sunset memorial will finally realize that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,818 days spent killing nearly 50 million unborn children is enough and that America, the same America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust, is still courageous enough, compassionate enough to find a better way than abortion on demand.

So tonight may we each remind ourselves that our own days in this Chamber and in this sunshine of life are numbered and that all too soon each one 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 yet another day to come, may that be the day when we finally hear the cries of the innocent unborn, may that be the day when we finally 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.

It is February 26, 2008, Mr. Speaker, 12,818 days since Roe v. Wade first stained the foundation of this Nation with the blood of its own children, and this is in the land of the free and the home of the brave.

The SPEAKER pro tempore (Ms. SCHAKOWSKY). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE BUDGET

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. Madam Speaker, we are looking forward to spending some time on the floor over the next several months and several weeks and spending some time talking with our colleagues and talking with the American people about the budget.

Everybody hears a lot about the budget and about this budget document that is several hundred pages thick, that it is what directs the spending, and I think that most Americans know that the House of Representatives is basically the keeper of the purse, if you will, for the American public.

Now, some of my colleagues from the Republican Study Committee and I want to make certain that we all understand how this money is spent because we fully believe that the American people have the right to know, they have the right to know and they should know, how their budget gets spent, how those tax dollars get spent because we know, Madam Speaker, this is not the Government's money; it is the taxpayers' money. And we want to shine the light on how those dollars are being spent. We want to break down this process. We want to demystify the process and invite the American people to join us and follow us.

We believe Government spends too much money. We believe that Government never gets enough of your money. They never get enough of the taxpayers' dollars and, indeed, one of my favorite analogies is from one of my favorite plays, ''Little Shop of Horrors,'' and I think we have many Americans who fully believe that the U.S. House of Representatives, the Congress, that the Federal Government, that this big enormous bureaucracy that liberals have built as a monument to themselves, the bureaucracy never gets enough of the taxpayers' money. It's like Audrey II in ''Little Shop of Horrors,'' never can get enough to eat. And what that bureaucracy wants to just chomp away on every day is your money. It is the taxpayers' money.

So we want to make certain that we spend some time going through this budget process spelling out where those dollars get spent, how the dollars get spent, actually, basically, holding a classroom for our colleagues, spending some time talking about the budget document; talking about the consequences that come with baseline budgeting; talking about what would happen if we went to zero-based budgeting; talking about performance-based budgeting; dissecting the appropriations bills; highlighting the risk of growing entitlements; and also addressing the waste that we find in earmarks.

So today as our first session, we thought it would be a good idea to review how Washington spent the taxpayers' money last year.

We have it broken down by household, and we always find that when we speak in terms of billions and trillions in Washington-speak, that we are talking about numbers that are really big. So we went in here and said how much is it per household that was spent in 2007 in the name of Government. What did we appropriate and spend of your money? Came out to be $24,106 per household. That's the highest total since World War II.

The Federal Government collected about $21,992 per household in taxes. So what did that give us? If you are spending $24,106 per household and then you are taking in $21,992 per household, Madam Speaker, think about that. That is each household's share of taxes: $21,992.

But it wasn't enough. That wasn't enough. Audrey II wanted a little bit more. The bureaucracy wanted more. The bureaucracy couldn't curb their spending. So they spent that $24,106. So that leaves the taxpayer and future generations a deficit each year that becomes a debt. And the deficit last year came out to $2,114 per household.

All of that is going to land in the laps of our children, and in my case, a grandchild that is going to arrive in May. Welcome. Because there's going to be a debt from the U.S. Government on that child's head when he arrives.

Madam Speaker, I want to yield at this time to the gentleman from California (Mr. CAMPBELL) who chairs our Republican Study Committee budget committee and is doing great work on this issue. He's going to take the lead on many of these issues; and at this time I yield to the gentleman from California.

Mr. CAMPBELL of California. Madam Speaker, I thank the gentlelady from Tennessee very much for yielding on this important issue of the budget.

Now you know in the next couple of weeks we will vote on a budget here, Madam Speaker, in this House. And that budget will undoubtedly have a deficit somewhere over $400 billion. Let me say that again: we will vote on a budget in the next few weeks with a deficit of somewhere over $400 billion.

Now as Mrs. BLACKBURN indicated, these are big numbers and they're hard to relate to. I understand that. Until I was elected to Congress, they were pretty hard for me to relate to, too. When 9/11 happened, we had a big deficit. The economy dropped off, as you recall. We spent a lot of money going after al Qaeda and so forth at that time. But since then, we've had three straight years of declining deficits. It has been coming down. And in fact, this last year it looked like finally perhaps a balanced budget was in sight.

But now this year, this year for the first time in 4 years, the deficit's going to go up, and it is not just going to go up a little; it's almost certainly going to more than double, more than double this deficit. And that's just this year. But if we look at the future, it gets even worse. If we look here at what is going to happen, and if you just look at this, this shows what will happen to the deficit, to spending in this Government over time if we don't change where we are headed.

You see, the problem we have got is not that the American people are taxed too little. It's that this Congress spends too much. There were tax cuts back in 2003 and in 2001; but since 2003, the revenue of the Federal Government has risen almost 50 percent. Let me make sure people understand that. We reduced tax rates, but because economic activity was generated by that, revenue to the Federal Government actually went up, and it went up every year. But spending keeps going up faster than that, and that's what has got to stop.

And where is it going up? It's going up in just about every category. As we pile deficits on deficits, the interest we pay goes up. Defense spending is continuing to rise; other spending is continuing to rise. But we also have Medicare, Medicaid and Social Security, three things which currently take up over 50 percent of the taxes that everyone pays, Madam Speaker.

If we leave them alone, if we don't reform them, if we don't change them, you will have to literally double tax rates on every single American in order to have Social Security, Medicare and Medicaid and keep anything else like a military, like national parks, like anything else. Nearly double tax rates. That is unsustainable.

□ 1615

What are we doing in this budget to deal with that? Nothing. Not a single thing.

Now, this isn't just me saying this or just Republicans saying this. Every single analyst, liberal, conservative, right, left, Republican, Democrat

agrees that we're headed towards these numbers, that we are headed towards a situation that's unsustainable. Either Medicare goes away, Social Security goes away, Medicaid goes away, Defense Department, all military goes away, and pick two or three or four of those or we more than double taxes on the American people.

Now, we can wait. That's what we always seem to do, we just wait, let time go on a little bit, let the next generation deal with it, let the next Congress deal with it. But the longer we wait, the worse it gets.

And we're not making this hole any smaller right now. We're more than doubling the deficit. It will be proposed to more than double the deficit in what we're about to vote on in the next couple of weeks. So, we're actually making this chart much worse.

The problem is spending. You can't tax the American people enough to spend everything that all of this is, that all of this that we're headed for, that all everybody in this Congress seems to want to spend, so we've got to control the spending.

Now, I have a suggestion for that, Madam Speaker. Because if you look, since 1960, over the last, I think it's 48 years now, I believe this is right, it may be off by one, but since 1960, I believe we've had only 4 years in which there was a surplus, only 4 years in the last 48 in which the government did not spend more money than it took in. So, that shows you that deficits aren't new. And they're not assigned, frankly, to either party. There have been deficits under Republican Congresses, Democratic Congresses, Republican Presidents, Democratic Presidents, and every combination thereof. Deficits seem to be a fundamental problem with this institution.

Our Democratic colleagues came into power last year. And when they came in, they said these deficits are terrible, this debt we're putting on our children is terrible, we're going to solve these deficits. And what did they do? They set up a few rules which they've, within a year, decided they would waive and ignore, and now they're about to propose doubling last year's deficit. You see, the spending goes on.

And there are people out there now talking about socialized medicine. They're saying, gee, we have to cover everyone with some government plan on health insurance. Where is the money going to come from? Where is it going to come from? You can't pay now for Medicare and Medicaid. The people that are currently under government function programs, you don't have enough money to pay for them for the next 20 years, where are you going to get it to pay for everybody else?

Madam Speaker, that's why one of the suggestions that the lady from Tennessee and I have, and various other people, is that we're going to need a spending limit. You know, average Americans understand, Madam Speaker, that they should save for their retirement. Well, you know, it's tough sometimes because there's things you would like to spend, things maybe you need to spend money on now, and it will eat up all the money you have if you let it. So, you set up an external discipline, like a 401(k) or something, where money comes out of your paycheck so I don't have the opportunity to spend it and I'm saving for the future.

Congress can do the same thing as American taxpayers do, which is, set up an external discipline that keeps us from spending more money than is coming in. We need a spending limit. We need something that keeps Congress from spending money faster than the American taxpayer is earning it. Because, you see, if government grows faster than the income of the average American, the only way to get that money is to take more of the average American's money. And that means you're giving the average American less of their own money to spend on their priorities so that we here in Washington can spend more of their money on ours. And that's just wrong.

Spending in this place should not be allowed to grow faster than American's incomes. And we will make some proposals to put that kind of limit on this Congress so that the limits are here and Americans have limits and restrictions removed off of them so they can earn more money and keep it, because that's what everyone wants to do.

I yield back to the lady from Tennessee.

Mrs. BLACKBURN. I thank the gentleman from California. And if he would yield for a moment of colloquy.

I want to go back to the issue of the deficit, because you mentioned that the deficit had gone down over the past few years and this year the deficit is going to more than double. And of course we know that much of that is because of increased spending. And I would like for you to go back and touch on that point one more time.

Mr. CAMPBELL of California. Sure. I appreciate the lady from Tennessee yielding for this.

Yes, we have had increased tax revenues every year. In fact, all but one year out of the last 4 years it has been double digits, in other words, 10 percent or more. That's pretty good. I think a lot of Americans out there would love to see their paycheck rise by 10 percent a year. Well, the Federal Government's paycheck has been rising by that amount over the last 4 years, but we've continued to spend money. And so now revenue is dropping off a little bit, the increases aren't quite as big as they were the last 4 years, but government spending has proposed to keep on trucking, keep on going up. And that's why you're going to see this deficit nearly double, probably more than double.

Mrs. BLACKBURN. If the gentleman will yield. What we saw from the '01 and '03 tax reductions was that the Federal Government's revenue, the money the taxpayers are sending in for us to appropriate and spend on behalf of them at the Federal level, that money has been increasing in double digits every year since we started the tax reductions, which allows our taxpayers to keep more money in their pockets. So, what we saw was we made those reductions, and then the Federal Treasury is bringing in more money from the taxpayers. But what we also saw was that Congress continued to increase the percentage and increase their spending.

Mr. CAMPBELL of California. That's absolutely right. And again, as I pointed out, the Democrats who came into power, many of them campaigned and made a big deal about, their issues were, that they would, wanted a balanced budget, wanted to move towards a balanced budget, but now we're doubling the deficit.

Mrs. BLACKBURN. And if the gentleman will yield, what we also saw was that the deficit was down, both as a percentage of the GDP and also in the amount of the deficit, the dollar amount, much of that due to the Deficit Reduction Act that we passed that was the '06 budget. And then what has happened last year and what we will see this year is that that deficit is going to double because of increased spending.

Mr. CAMPBELL of California. That increased spending, and the fact that revenue has dropped off some. I mean, the growth in revenue has, in fact, dropped off, the economy is down, and so people are not making as much money and paying as much taxes. So, there is that, too.

But that's the point of all of this is that the government can't keep on spending; when times are good, increase spending a lot, and when times are bad, increase spending a lot, too. That's what we can't do. And that's what has gotten us in this mess, that's what has gotten us this big national debt, and that's what has gotten us into these deficits. And now we're having a little drop off in revenue. It's still probably going to increase, but just not at a 10 percent rate like it has before.

And so I'm looking to see, where is the proposal on the part of the majority party here to reduce spending so that we can try and, if we don't balance the budget this year, so that at least we don't double it, at least we try to control it a little bit, try and get it back on track towards balance. But that's not what we're seeing. That's not what we're seeing.

Mrs. BLACKBURN. And if the gentleman will yield. One of the things that we have long supported is balancing the budget and making certain that we do have a balanced budget, like many of our States have and like many of our counties and cities operate under a balanced budget, but we don't. And we do have our entitlement spending with the chart in front of you.

2050. I will yield back to the gentleman from California to show where

we get to the point there at 2050 where it takes all of our tax revenue to pay our Medicare, Medicaid, and Social Security. And I yield.

Mr. CAMPBELL of California. Sure. If you look at this little red line here, that's the taxes that people pay. That's the 30-year average tax revenue. And this isn't in dollar terms; this is in terms of a percent of the economy. So it's not like this year you're paying the same dollars in taxes that you would in 2080; it's that you're going to pay the same percentage of the overall economy in taxes.

So, if you look at that, that's the tax rates. And if you see right here, 2000–2010, we've been running deficits during all this period, but you still see that this line here is the total spending, it's a little bit over. And we don't like the deficits we have now. I mean, I've talked about it, people on the other side of the aisle talked about it. You don't like the deficits you've got now. Well, look at the difference between this red line and the spending now and what happens in 2030 or 2040 or 2050. It's huge. And when you get out here to 2060, you see that you have to just about double taxes to pay for everything at that point. And if you double taxes, people can't and won't make as much money because it will all be coming here and nobody will have money to invest. And so it's really worse. This chart, it's scary, but it almost actually makes it look better than it really is.

And so we really have to tackle some of these things. We really have to take this on because we say, 2050, that's a long time, I may be dead by then. Whatever. But that's not what in this House we're supposed to be thinking. We're not supposed to be thinking about us; we're supposed to be thinking about the American people now and in the future. And if we're going to be thinking about the American people now and in the future, it's going to be a whole lot tougher to deal with this problem in 2020 than it's going to be to deal with it in 2010. And that's why, Mrs. BLACKBURN, we should be dealing with this now, in the budget now. But nope, it's just kick the can down the road; accept that doubling of the budget deficit and just kick the can down the road. And I yield back.

Mrs. BLACKBURN. Well, I appreciate that. And especially when you consider the fact that 77 million baby boomers are going to retire between now and 2029. You were just pointing to 2030. And where we are with getting to that budget in 2030, you would be able to pay for Medicare, Medicaid, Social Security, and defense when you get to the line on 2030. And I think also, as we look at our entitlements and we look at Social Security, we know that in 1960, we had a 5:1 worker ratio, five workers for every one retiree. In 2007, this past year, we've had three workers for every one retiree. And by the time we get to 2030, we're going to have two workers for every one retiree. So you're going to have a married couple with children supporting their family plus supporting a retiree, and I think that that adds to the push that we feel and the urgency that we feel.

You're exactly right. And I thank the gentleman from California for all the leadership that he brings to this issue because beginning to deal with the long-term structural issues that exist in this budget are vitally important to us. It is something that has to be dealt with, and it's something we can't kick the can down the road. And I yield.

Mr. CAMPBELL of California. And if the lady will yield for one last parting comment, as you look at this chart, if you look at this chart, because you will hear some people in the majority party talk about that the whole problem is the war in Iraq and it's defense spending. If you look at this chart over time, the width of this green defense bar doesn't change that much over time. Now, who knows what will happen, but projections are that defense spending as a percentage of the economy, which is historically not that high right now, but that it wouldn't change over time. The big problems, the ones that are small here and get really fat there, are if you take the two biggest. One is Medicare and the other is interest on the debt.

Interest on the debt gets big because we keep throwing deficit after deficit after deficit. The way to get that down is simple: Balance the budget, stop running deficits. But we haven't, as I mentioned, except for 4 years, I think over the last 40-something, we haven't had the will here to do that.

The other thing is Medicare. And what's so interesting is that that is government-paid-for medical insurance for older Americans, for seniors. But you have people out there now advocating that we should have Medicare for everyone, which you've got a problem with Medicare as it is, a huge problem in that it would almost take up all of your tax money by 2080, almost take up all your tax money all by itself.

So, I thank the lady from Tennessee very much and yield back.

Mrs. BLACKBURN. I thank the gentleman from California, and I look forward to hearing him talk a bit more as we go through the coming weeks about what we should do about entitlements, how we should address this issue, how we should make the budget process more transparent, and how we need to go about reforming these processes and changing how we spend the taxpayers' money, because we do fully believe, Madam Speaker, that the taxpayers do have the right to know and should know how this body spends their money.

□ 1630

At this time I want to yield to the gentleman from New Jersey (Mr. GARRETT), who is a member of the Budget Committee and has been an advocate for reforming budget processes and reforming the way we go through this.

And at this time I yield to the gentleman from New Jersey for his comments on how we make certain that the taxpayers know how we spend their money.

Mr. GARRETT of New Jersey. I thank the gentlewoman from Tennessee for yielding, and I also very much thank her for organizing this Special Order, to be able to have the opportunity to come to the floor tonight.

As we have said, the bottom line up front, how much we take in and how much we spend. The American public must sit home and watch this and read the papers and live in a frustrated state, realizing that so much of their hard-earned money comes to Washington, and what we have here is a Byzantine system of archaic rules and what-have-you wrapped around policy statements, what-have-you, that the American public doesn't oftentimes get a clear picture to understand just where their dollars go.

And that's what the purpose is here tonight and in subsequent weeks I believe as well, to try to remove that shroud of mystery behind the system that we have here, to shine the light of day, as we are oftentimes saying, on the budgetary process, to give the American public a clear picture of exactly where their dollars go to. And we do this with not just an educational point in mind or a goal but to also allow the American public and the voter and the taxpayer to be in a better posture to decide among themselves just where they want their Government to go in this election and future elections and of course over their lifetime as well.

It was just this past week when we were back at home in the district work period and I was able to sit at my dining room table. Around this time of year, April 15 is coming up, tax time, and my wife said now is the time to start getting the paperwork out, Scott, and begin to look at it and getting all the stuff you need to send to the accountant to do our taxes, because I had given up, quite candidly, years ago trying to figure out myself, as I imagine most Members of Congress have, to try to figure out the Byzantine Tax Code that we have created for the American public as well.

So I began the process of collecting all my documents. And, of course, some of those are some of the basic ones, like your W–2 to show you how much you've earned over the last 12 months, over the last year. And then there's one of those little boxes, I think box 8 or 9 on there, that also begins to show you just how much money has been taken out of your paycheck week after week. You don't see it so much, especially nowadays because so many people have direct deposit and it goes right into their checking account or bank account. You don't see how much is actually taken out.

But at the end of the year you sure do. At the end of the year you get that W–2 and you look at that box, and I say, oh, my gosh, that's how much

money. In payroll taxes and income taxes, you put them out all together, and it's in the five digits for a lot of middle-class Americans.

I come from the great State of New Jersey where middle-class America lives and works hard to make a paycheck and pay their bills. They would be astounded if they looked at their W–2s, as I did and maybe you should as well, to see how much taxes are taken out and sent down here to Washington.

The Government took in $21,992, almost $22,000, in household taxes. Now, mind you, those $22,000 are all household taxes. I believe that also includes payroll taxes alike. So your income taxes and payroll taxes, $22,000. The government spends $24,000 per household. So that's very easy math, and it's basically telling us that we are engaged in deficit spending. But look at that number: $22,000 taken out of the average middle-class American's paycheck.

When the average household income in some parts of the country is around 40-some-odd-thousand dollars, half of that money, figuratively speaking, is going in taxes. I know it doesn't come out of that tax rate for that particular family, but that's enough for some Americans to live on entirely in certain parts of this country with a little bit of assistance on the side. And that's how much is being paid per household in U.S. taxes.

For some of us, we think that's just too much. The numbers have been projected with a little bit of varying degree of certainty on this, but on average the American household, the American family, a middle-class American works starting on January 1, just a month or so ago, and works all the way to sometime in mid-May just to pay their Federal taxes, State and local taxes as well. And then if you want to add onto that all the burden and the costs of all the Federal regulations and everything that also is a burden on us as well, you have to work almost all the way until sometime in the summertime, the beginning of July. So think about that. You're working almost the entire half of the year just to pay your taxes and the burden of the Federal, State, and local Governments.

And where do those dollars go? Well, that's something that we're talking about here. On average, first of all, the burden falls around 18.3 percent of GDP. What does that mean? The historical average of all the revenue coming into the Federal Government from the 1960s all the way up until the present time varies up and down, some years more, some years less. But on average as a percentage of GDP, it's around 18.3 percent.

Now, what this means is that at certain times the tax rates and the burden on the American family is greater than others; sometimes it's less than others. But we're here to point out where those dollars go and what can we do to make sure that that tax burden does not continue to creep up higher and higher and higher so that the American family sees even more of their tax dollars go to that level and to purposes that they can only fathom a guess at.

If you have listened to the debate on this floor in past times, you've heard talk about earmarks and waste, fraud, and abuse. Earmarks are part of the problem, but they are only a small, small percentage of where our tax dollars go. The gentleman who was just speaking before spoke a little bit about the entitlements, Medicare and Medicaid, a much larger percentage. Let me fall someplace in between. As I sat there at my dining room table looking at the double-digit numbers as far as what my family has to pay in Federal taxes, I realize, as most Americans do, that we have an obligation to pay taxes into our Federal Government to provide for such things as national defense and homeland security, and we don't begrudge the Federal Government for any of those things. But as I also sat back, being a Member of Congress, knowing about the waste, fraud, and abuse and the unnecessary expenditures, that's when I and middle-class America begin to be concerned.

For example, nobody has to think back too far about all the dollars that we spent mistakenly in the area of Hurricane Katrina and the waste in portions of that spending. I had folks sitting in my office who did independent investigations on Katrina to see where those dollars were going to. Granted, there was a lot of necessary cost down there. But the waste, fraud, and abuse down there is telling. Fraud related to Hurricane Katrina spending is estimated to top $2 billion. One of the areas that the investigators who spoke to me were talking about was the debit cards, debit cards that were issued repeatedly to the same people. That means over and over again, even though they should have applied and qualified for one, in some cases debit cards and checks were being sent out to people regardless of need. In other cases, cards being sent out to people even though they did not live in the area, to be used for all sorts of things, from a Caribbean vacation to NFL tickets and so on and so forth.

Likewise, auditors discovered that 900,000 of the 2.5 million recipients of emergency Katrina assistance provided false or duplicate names, addresses, and Social Security numbers. And the interesting thing there, and I will make this last point on Katrina, is that even though the fraud investigators found out about this and they told FEMA about it, FEMA continued to issue those cards.

The other side of the aisle sometimes makes the case with regard to corporate welfare, and I agree with them. The Federal Government spends too much of wasteful money with regard to corporate welfare as well. According to some statistics, Washington spends $60 billion annually on corporate welfare versus $43 billion on homeland security. So note that we are spending more money on corporate welfare to some of the largest corporations in this country and the world than we are on homeland security. Likewise on corporate welfare, the Advanced Technology Program, which sounds like an admirable program, spends $150 million annually subsidizing private businesses, and 40 percent of that money goes to Fortune 500 companies.

So as middle-class America sits at home saying, where are my tax dollars going, that's some of the places where it's going.

I will yield back and maybe speak again in a moment on some other points. But let me just close on this: I have the honor and privilege of serving on the Budget Committee, the committee in which we have the opportunity to sit back and look at the entire Federal budget, the big picture overview, and I have had the opportunity to do this now for 5 years. And during that time, many of these examples come before us; and during that time we have, let's call it, partisan differences from the other side of the aisle and ours on what we should be doing about it.

But mind you, in the 5 years that I have served on this committee, the 5 years that I have served in this House, not one time do I recall anyone from the other side of the aisle suggesting that the solution to taking the burden off middle-class America is to reduce their tax rate and to do so by actually reducing tax expenditures. On the contrary, everything I have seen over the past 5 years, and as has been pointed out by the gentleman from California right now, has been in the opposite direction, an increase in Federal spending and, as we have seen now with the mother of all tax increases, an increase of the tax burden on middle-class America as well.

Those are the points that I believe the American public has got to understand. As they pay their taxes April 15, where are their tax dollars going? It's going to, if the other side has its way, increased Federal spending on programs like these and other programs as well and an increased burden on middle-class America, things that those on this side of the aisle vehemently oppose and are doing our best to rein in.

Mrs. BLACKBURN. Reclaiming my time, I thank the gentleman from New Jersey for his leadership and his guidance on so many of our budgetary issues and for his desire. Madam Speaker, it is a true desire that he has to be certain that we provide transparency to the American people and that we become good stewards of the tax dollar, that we exercise good stewardship, because these are dollars that the taxpayers send to us and entrust to us to use. As I said earlier and as the gentleman from New Jersey pointed out so well, $21,992 per household in taxes, and even that is not enough to meet the $24,106 that the Federal Government spent per household. And this is where some of that money goes:

Social Security and Medicare, $8,301 of that $21,992 went to Social Security and Medicare. Defense saw $4,951. The anti-poverty programs, which are our TANF programs, supplemental security income, things of that nature, $3,500. Interest on the Federal debt, $2,071; Federal retiree benefits, $907. This is all out of that, per family, per household. Health research and regulation, $664; veterans benefits, $627; education, $584; highways and mass transit, $418; justice administration, $392; natural resources and the environment, $305. And certainly we know much of that money is going into bureaucracy, much of it is going into wasteful spending.

At this time I want to yield to the gentleman from Pennsylvania (Mr. TIM MURPHY), who has been a leader on the Energy and Commerce Committee and on the Energy Subcommittee, to talk a little bit about energy and environment spending and some of the ways that we need to put the focus on how the taxpayers' dollars are being spent on those issues, and I yield to the gentleman from Pennsylvania.

Mr. TIM MURPHY of Pennsylvania. I thank my friend from Tennessee for yielding.

Madam Speaker, when we look at the economy that our Nation is facing and what we should be doing about it, quite frankly, in the area of energy, what we need to see is our Nation take on the issue of energy as a scientific challenge of our time. Really, it should be nothing less than the Apollo Project of our time where our resources for research and development and our educational institutions look to answer the question: How do we make our country energy secure in a way that is respectful of the environment and our public health?

I was noticing today that oil is trading at $100 a barrel. This will probably continue to climb. It will continue to climb as long as we continue to embargo our own oil resources off the Atlantic Coast, the gulf coast, the Pacific Coast, the Western States, and Alaska. And, yes, we need to do a great deal to improve the efficiency of automobiles. We need to do a great deal to improve the efficiencies of our highways, which waste massive amounts of fuel. But in terms of our economy, we cannot continue to have our families suffer the high prices that come when we say we will continue to be more and more dependent upon importation of foreign oil sources. We also are more and more dependent upon the marketplace with regard to natural gas. When we see our chemical companies shutting down plants in America and instead saying they'll build plants in the Mideast because the cost of natural gas is so much cheaper there, perhaps 25 cents to $1 per million Btus, whereas here it may fluctuate to $6 or $8 or $10 or $12, it is something that's costing jobs and costing our economy.

□ 1645

It is something that is costing jobs and costing our economy. It is difficult to see our President of the United States go and talk to Saudi leaders and ask them to increase production of oil recognizing that we are at their mercy as OPEC continues to set prices. We can change that by saying we will explore in environmentally responsible ways Americans' oil resources.

Let's look, for example, to shale oil in Colorado. Estimates are 2 trillion barrels of oil there, 2 trillion barrels of shale oil. We cut that off in our omnibus spending bill. This is forcing us to continue to import oil, some 60 percent. We limit development on natural gas. We also have situations where we are hurting our coal development. Our energy bills that we are facing this week and have faced for a while have not done much to improve our use of coal, but we have some 300 years' worth of coal.

What we ought to be doing is focusing our research and development dollars into using coal and cleaning it up so it does not have emissions, so it does not have large levels of CO_2s, so it does not pollute. That is a scientific challenge of our time. That is something we should be challenging our students as they go through school to think about how they can solve these issues, how they can create clean energy from our abundant resources of coal, how they can continue to find ways of using oil resourcefully and with environmental respect.

This is not something we are doing enough of. So what happens? It costs families more to go to work, it costs families more to feed their families. Look at what is happening with wheat prices. Yes, there are problems with wheat production in other parts of the world, but a big part of those costs has to do with the cost of transporting things. Last summer, flour was sold at about $16 per hundredweight. Now it is $40 or so, probably climbing to $60. How will we handle it if a loaf of bread doubles on top of the increased prices people have to pay driving their cars to get to the grocery store? It is too much of a burden.

If we treat our energy needs as our Apollo project of this 21st century, of this decade, we would find jobs and more jobs and more jobs come out of this. The best economic stimulus package is a job. That is where we should be focusing. What can we do to build our infrastructure there? What kind of jobs come from building energy power plants? What happens when we start to put all our laborers, carpenters, ironworkers, boilermakers and electrical workers to build these plants?

Let me tell you how big this demand is. We have 400 old coal-fired power plants with inefficient or no pollution controls on many of them. We need to replace those 400 coal power plants, and because our energy demands of this country are going to double by 2050, we have to build an additional 400. We have to replace 100 nuclear plants and build an additional 100.

What that means is, starting in 2010, a ribbon-cutting ceremony to open up a new coal-fired power plant every 2 weeks and a new nuclear plant every 2½ months. These are massive jobs for America. We should be making those investments so we have those jobs. And the best thing we can be doing is finding ways to clean up our resources. Why, the Pittsburgh coal seam alone, as my friend from Tennessee knows, overlaps my State of Pennsylvania, Ohio, West Virginia, Tennessee, Kentucky, and Alabama. And that is just one of our vast resources.

Let's focus our energy on doing what is right for the long-term for America, for America's jobs and America's economy, and stop saying ''no'' to energy security.

Mrs. BLACKBURN. I thank the gentleman from Pennsylvania for continuing the conversation about how we should be good stewards with the taxpayers' dollars and looking at how we spend those environment dollars, $305 per family, spent on environment and energy programs last year. Unemployment benefits, as he said, the best economic stimulus is a job, unemployment benefits, $299 per family. As you talk about developing energy resources, community and regional development, $282 per family. But his point is it is imperative that regardless of what the sector, regardless what we are talking about, whether it is Social Security, defense, antipoverty programs, community development, or unemployment, it is imperative that we exercise good judgment and we use wisdom as we make these decisions, because the taxpayers do need to know how we are spending their money and how it relates to each and every family and what their share of that pie is.

Really, the leading expert on the family budget in the House is the gentleman from Texas (Mr. HENSARLING) who is chairman of the Republican Study Committee which is embarking on this project to demystify the budget and to make certain that our constituents and our colleagues all understand how we bring the budget together.

At this time I would like to yield to the gentleman from Texas for his comments.

Mr. HENSARLING. Well, I thank the gentlewoman for yielding, and I certainly appreciate her leadership in helping illuminate for families all across America exactly how this process of the Federal budget works. It is very important, Madam Speaker, that people pay attention to this Federal budget because at the end of the day, it is the family budget that pays for the Federal budget. Unfortunately, there is no free lunch. Somebody has to pay for this. And all of government will be paid for, and it is paid for out of the family budget.

It is especially important today, Madam Speaker, as families all across America are struggling to fill up their gas tanks. They are struggling to pay their health care premiums. They are struggling to send their kids to college. And every single dollar that is used to

plus up a Federal budget has to come out of some family budget. If you are going to plus up the Federal budget, you are going to decrease the family budget. And so it is important that families pay attention to how their money is spent.

So I applaud the gentlewoman from Tennessee for organizing a series of Special Orders on the floor of the United States House in order to help educate and enlighten the American people about this budget.

The first thing that the American people need to know about the budget is that, contrary to almost every single thing we do in this body, the budget doesn't even have the force of law. That's right, Madam Speaker. At best, it is a mere suggestion. Now, it takes an act of Congress to change the name of a post office, but somehow, the United States budget, the United States budget doesn't bear the force of law. It is a suggestion.

Now, many Republicans have come to this floor to try to say, at a bare minimum, the budget ought to be honest. And when we set a budget, it's supposed to be a ceiling on how much money we take away from American families, how much bread we take off of their table, how many opportunities we take away from them to give to government. There at least, at some point, has to be a ceiling where we say no more, we are not going to take any more away from American families. But instead, it is just a suggestion.

And so if we look in our rearview mirror, Madam Speaker, we unfortunately discover, just look for the last 5 years, 10 years, every time there has been a Federal budget, ultimately, Congress spent more money than what that budget provided. And so legislation has been brought by members of the Republican Study Committee, the Conservative Caucus of the House, to change that. But unfortunately we have yet to meet with success. But we will continue to ensure that there is a limit to how much money is taken away from American families.

Well, today how much money is taken? Over $24,000 per family is what the Federal Government is spending. Now, whether it is paid for by cash or credit card, ultimately all government will be paid for. And this is, Madam Speaker, only the first time since World War II that the Federal Government has spent so much of the people's money. And that is an inflation adjusted number. Over $24,000.

Madam Speaker, I just wonder how many people who are listening to this debate this afternoon really think they are getting their $24,000 worth out of the Federal Government. Now, clearly there are many good things that the Federal Government does. But there has been an explosion of government, an explosion of government that, again, ultimately has to be paid for by the family budget.

Over the last 10 years, Madam Speaker, the Federal budget has grown by 66 percent; yet the family budget, as measured by median family income, has only grown 30.2 percent, less than half that. So families who have to pay for it are having to take a bigger bite out of their paycheck in order to write out that IRS check. Well, Madam Speaker, how long can this go on? How long can the Federal budget exceed the spending of the family budget? American families need to know that. And that is why it is important that these Special Orders have been organized by the Republican Study Committee to let the American people know just how much money is being spent of theirs and how that money is being spent.

Now, some will say, and we often hear it, this budget is being cut and that budget is being cut. I wish for once it were true. But there is this thing in Washington, and it is a little bit of inside baseball, called ''baseline budgeting,'' which as this series continues we will speak about more, Madam Speaker, but baseline budgeting is an accounting concept that would make an Enron accountant blush. It automatically inflates all the numbers of the Federal budget.

Now, people all across America believe that if you spend the same amount of money on something next year as you did this year, but that is not a cut, but under the concept known as ''baseline budgeting'' and something called the ''current services budget,'' government automatically inflates all of these government accounts. And then say, for example, if you don't increase the Housing and Urban Development budget by 2.7 percent, say you only increase it 2 percent, that is a cut. That is what ''baseline budgeting'' means. Again, Republicans representing the Republican Study Committee have come to the House floor to try to introduce honest accounting and transparency on this House floor.

Unfortunately, we have not had any cooperation by our friends on the other side of the aisle who want to continue with this thing called ''baseline budgeting'' that inflates the government budget at the expense of the family budget.

And just listen to some of these budgets, Madam Speaker. Over the last 10 years, the international affairs budget has grown 128 percent. The energy budget, what we call budget function number 270, has grown 229 percent. The transportation budget, Federal transportation budget has grown 88 percent. Community and regional development, 132 percent. And the list goes on and on. And again, over the last 10 years, the family budget, which has to pay for it, has only grown a little over 30 percent.

So government, the Federal budget, is growing at a huge multiple over the family budget, and yet the family budget has to pay for it. And it is that family budget, that family paycheck that is getting stressed. And so it is another reason why the American people need to pay very close attention.

Now, how is all of this government paid for? We have the single largest budget that is about to be proposed by the Democrats in the history of America. It is going to weigh in at over $3 trillion, continuing the exponential growth of government at the expense of the family budget. Well, how is it paid for? Well, two different ways: cash and credit. And the cash is taxes.

Now, my friends and I on the other side of the aisle will say, well, all we need to do to balance the budget is raise taxes. Well, they hadn't balanced it yet. But they certainly, certainly have done an excellent job of raising taxes. Already, Madam Speaker, it is very important that the American people know this, but there are huge automatic tax increases that are scheduled, courtesy of our friends on the other side of the aisle, the Democrats. Right now, the single largest tax increase in American history is due to be imposed upon the American people over the next 3 years. This is written into law.

The American people need to know what kind of bite is going to come out of their paycheck to inflate the Federal budget at the expense of the family budget. Already, with these scheduled Democrat tax increases due to take place over the next 3 years, the average family in America is going to be socked with an additional tax burden of over $3,000 per family. That's right, Madam Speaker, over $3,000 per American family courtesy of our friends on the other side of the aisle.

What is going to happen? Well, at the bracket, ordinary income, the top bracket will go from 35 percent to 39.6 percent, which is an increase of 13 percent. Now, some say, well, that is the wealthy. Let's go tax the wealthy. Well, Madam Speaker, how many people in America when they hear that really believe it?

□ 1700

Anytime you hear that phrase, it is time for middle-income people to grab their wallets, because it means that Washington is going to go on another money grab.

Also, Madam Speaker, it is important to note that approximately over 70 percent of those people who file at that rate are small businesses, the backbone of the American economy. We on this side of the aisle want to help ensure paychecks. Paychecks are more important than welfare checks.

So here it is: The Democrat party is getting ready in their budget to once again increase taxes on small business. The capital gains tax, the ''capital'' of capitalism, the fuel of free enterprise, that tax is due to increase 33.3 percent over the next 3 years.

Dividends are due to increase, a 164 percent tax increase on dividends, courtesy of our friends on the other side of the aisle, the Democrats.

The death tax. You have already paid taxes on the income once; but yet under the death tax, American people, Madam Speaker, are compelled to visit

both the undertaker and the IRS on the very same day. That is just an outrage. That tax is due to go from zero to up to 55 percent. People in the Fifth District of Texas, Madam Speaker, can work their entire lives trying to build a ranch, trying to build a farm, trying to build a small business, having the American Dream of thinking maybe one day I can leave that to my children or my grandchildren, only to see Uncle Sam come in and take 55 percent.

The Democrats' budget proposals will gut the American Dream. They will just take away any opportunity to leave that farm, that ranch, that small business. I talked to a rancher in my district who said, Congressman, once Uncle Sam takes his piece, there is not enough left for the family. That shouldn't happen in America.

I would be happy to yield back to the gentlelady from Tennessee.

Mrs. BLACKBURN. I thank the gentleman from Texas. I want to go back to a point that you made. The tax burden on the average family, already they are turning over $21,992. The Federal Government is spending $24,106. So they have got this debt, this deficit in there, that is being passed on to their children and grandchildren. But you said that tax burden is getting ready to go up $3,000?

Mr. HENSARLING. That is right. If the gentlewoman will yield, over the next 3 years, on average, the average American family will see their tax burden increase by $3,000 per family to pay for the spending spree of Big Government by our friends on the other side of the aisle, the Democrats.

Mrs. BLACKBURN. I thank the gentleman for that. So we have got the $21,992 that the average household paid in 2007, and then they had on top of that the $2,100 deficit for the year, and the Federal Government spending $24,106. But what you are saying is the current budget policies are going to push that up even another $3,000 per family over the next 3 years.

I just highlight to my colleagues that we have talked a good bit today about the overall budget process and why we think the taxpayer has the right to know how this body spends your money. The taxpayer has the right to know what is going to be there in the form of a deficit and a debt that their children are going to have to pick up the burden on and carry that burden.

The taxpayer has the right to know what is looming with Medicare and Medicaid and Social Security and the entitlements that are there that are put on automatic pilot. They have the right to know what the budget processes are, what is the difference in baseline budgeting and zero-base budgeting and performance-based budgeting; what are the benefits that would be derived by transparency.

They have the right to know how the Budget Committee goes through the process of setting the parameters on this budget. And certainly they have the right to know what takes place in the appropriations process. They have the right to know what is wasteful spending and what are earmarks and what is in front of us with this entire document.

Madam Speaker, I thank you for the time that you have yielded to us. We are going to be back next week. We are going to continue to talk about this issue. I hope that people will follow this with us at House.Gov/Hensarling/RSC. We would hope that we hear from them and that we bring an element of transparency and therefore accountability to the budgeting process.

ADMINISTRATION NOT COOPERATING WITH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Madam Speaker, I come to the floor tonight with a heavy heart. The nature of the allegations I make speaks poorly of this administration. In my heart of hearts, I have always wanted this administration to succeed, but the issue at hand is of such magnitude that the American people need to know what is being done and what precedents are being set.

In my tenure as a senior member of the House Foreign Affairs Committee, both as chairman and ranking member of an investigative subcommittee, I have witnessed firsthand behavior by the Bush administration which I find deeply troubling.

The disdain and uncooperative nature that this administration has shown toward Congress, including Republican Members, is so egregious that I can no longer assume that it is simply bureaucratic incompetence or isolated mistakes. Rather, I have come to the sad conclusion that this administration has intentionally obstructed Congress' rightful and constitutional duties.

Tonight I will discuss some serious examples of this administration's contemptuous disregard for the authority delegated to Congress by the Constitution. This bad attitude has consistently manifested itself in a sophomoric resentment toward Congress' constitutional role as an equal branch of government. The result has been an executive branch too insecure to let Congress do its job, an executive branch that sees Congress, even when Republicans held the majority, as a rival and a spoiler, rather than as elected representatives of the American people playing a rightful role in establishing policy for our great country.

Unfortunately, when the President of the United States rejects the legitimacy of congressional prerogatives, there are serious consequences. Tonight, I will provide examples of how this administration for the past 7 years has undercut congressional investigators, has lied to Members of Congress, and has forged ahead with secret deals in spite of efforts and pleas by Congress to be informed, if not involved.

In the last Congress, I was chairman of the Oversight and Investigations Subcommittee of the House Foreign Affairs Committee. In that capacity, I learned that in the time immediately leading up to the bombing of the Federal Building in Oklahoma City, convicted Oklahoma City bomber and murderer Terry Nichols had been in Cebu City in the Philippines. His stay in Cebu City coincided with another visitor to that city, al Qaeda's terrorist leader Ramsey Yousef. Interestingly, both Nichols and Yousef used similar bombs and methods just 2 years apart to blow up two American targets. Yousef was the mastermind of the first attack on the World Trade Center in 1993. Nichols was a coconspirator in the bombing of the Oklahoma City Federal Building in 1995.

By the way, I would like to acknowledge that today happens to be the 15-year anniversary of that first devastating attack on the World Trade Center.

These individuals, one American and one Arab, were responsible for planning two of the most lethal terrorist attacks on our countrymen in our history. We are to believe that by coincidence they ended up in an off-the-beaten-track city in the Southern Philippines? One doesn't have to be a conspiracy nut to understand that this coincidence is certainly worth looking into.

I started an official congressional investigation sanctioned by Henry Hyde, then the chairman of the International Relations Committee, to see whether Terry Nichols or his accomplice, Timothy McVeigh, had foreign help in their murderous terrorist bombing of the Alfred Murrah Building in Oklahoma City.

In light of the fact that Terry Nichols and Ramsey Yousef were both in Cebu City at the same time prior to hauntingly similar terrorist attacks, it was no stretch for a congressional investigative committee to be looking into this matter. However, the Bush administration felt quite differently. To those I had to deal with, it was ''case closed, don't bother us.'' They had looked into the matter, and Congress should simply and blindly accept their conclusion that there was no Nichols-Yousef connection. ''Don't bother us.'' This was at times bureaucratic laziness, and at other times it was clearly based on a disdain for congressional investigations and authority.

During my investigation, I secured Ramsey Yousef's cell phone records. The records were part of the phone calls that he made when he was in that New York City area in the months just prior to the bombing of the World Trade Center in 1993.

The phone records show that Ramsey Yousef made at least two phone calls to a row house in Queens, New York.

That row house was occupied by the cousin of Terry Nichols' Filipina wife. Let me repeat that. The terrorist bomber of the first World Trade Center attack, the nephew of al Qaeda 9/11 mastermind Khalid Sheikh Mohammad, made phone calls to the same row house that was occupied by Terry Nichols' cousins-in-law just 2 months before he exploded the bomb in the garage of the World Trade Center 15 years ago. Another coincidence?

I gave this information to the Department of Justice and since that time have repeatedly sought their help in investigating this matter. Time after time, my requests have gone unanswered or have just been flatly denied.

I also asked the Department of Justice on numerous occasions to help me investigate the name Samir Khahil. This name is on a list of unindicted coconspirators of the 1993 World Trade Center bombing, again in connection with Ramsey Yousef.

It also is the name, by the way, of an Iraqi man in Oklahoma City who at the time of the Oklahoma City bombing employed an Arab immigrant who fits the description originally made by numerous witnesses as to John Doe II.

This Oklahoma-based Iraqi lied, meaning the John Doe II look-alike, lied to the investigators about his whereabouts at the time of the Oklahoma City bombing, yet there was little if any follow-up on this John Doe II look-alike. In fact, the FBI simply declared that John Doe II never existed. The existence of John Doe II, let it be remembered, was based on a sketch and sketches derived from witnesses on the scene of the Oklahoma City bombing and the truck rental company in which that bomb was placed on a truck from that truck rental company. Those witnesses described a man who, as I say, looked very much like Samir Khahil's employee.

Now, I have repeatedly asked the Department of Justice to tell me if the Samir Khahil on the unindicted coconspirators list of the 1993 World Trade Center bombing is the same Samir Khahil who employed a man originally identified as John Doe II, the bomber, the number two bomber in the Oklahoma City bombing. The Justice Department's answer: ''It would be too burdensome to find out if it was the same man.''

Further, we asked help in finding the Arab immigrant who looked like John Doe II and the man who was employed by Samir Khahil. We traced him to Boston, but we have had no support or cooperation in finding this very possible terrorist, or at least terrorist suspect. He may well have been working at Boston's Logan Airport on 9/11/01, the day that a plane took off from that airport and was hijacked and crashed into the World Trade Center. Another weird coincidence to the Oklahoma City bombing. Another coincidence, yes.

You don't have to be a conspiracy nut to believe that these things should be investigated. Instead, there has been no follow-through, no interest. The case is closed, forget it, both in terms of Samir Khahil and his Iraqi employer and employee; and both of these people, of course, reside in the United States right now.

That is just a small taste of the deplorable lack of cooperation for a legitimate congressional investigation. And it was no fluke. I didn't just happen to snag some uncooperative Federal employee. No, this is the level of non-cooperation Congress has learned to expect from this administration.

Yes, Departments and agencies do have limited resources, and I understand that. I used to work in the executive branch. So, yes, there may be some better uses for and some good uses for those limited resources and better uses for their time and investigators, rather than just following up on leads that are provided by Members of Congress.

□ 1715

You can hear someone explaining that. But the lack of cooperation that we have had goes far beyond the fact that they are not going to give their limited resources or even use some of their investigators to track down what most of us would consider a very worthwhile lead, especially considering that the terrorist that we are asking to look into currently resides in the United States and may well have had something to do with the bombing of the World Trade Center and the bombing of the Oklahoma City building there.

But, again, a lot of my requests don't require a lot of time and effort on the part of the executive branch, and I still have been stonewalled. For the past year, for example, I have repeatedly requested to interview the imprisoned terrorist Ramzi Yousef. He is in Colorado and in strict lockup. He has been there for 10 years.

This would have taken no time and no resources from any executive branch or Federal employee. None. This request is well within my committee's jurisdiction as ranking member of the Investigative Subcommittee of the House Foreign Affairs Committee.

This request has been supported by the chairman of the Investigative Subcommittee, the chairman of the full Foreign Affairs Committee, the chairman of the Judiciary Committee, and the chairman of the Intelligence Committee.

Such attention by Congress should be welcomed by this administration and every administration. The legislative branch can help bring new information to light and inform the public.

Nevertheless, the Department of Justice, consistent with its treatment of congressional inquiries during the tenure of this President, has dismissed this valid request. This request has been treated with what can only be described as contempt and condescension.

The point is, unfortunately, that this rejectionist attitude is typical. It is not that they don't have enough resources to help out, to look into an easy matter to look into. It is just that they do not want to cooperate with Congress, even when it's a Republican in Congress, even when the Congress was controlled by a Republican majority.

So, why would this administration obstruct congressional inquiries such as this? Remember, Ramzi Yousef was the mastermind behind several devastating terrorist attacks and plots against America. He led the first murderous attack on the World Trade Center in 1993, as I say.

After fleeing to the Philippines, he and two other terrorists plotted to kill thousands of Americans by blowing up 12 commercial airliners over the Pacific at the same time. It was known as the Bojinka plot. It was within 2 weeks of being executed when it was discovered and thwarted by Philippine police.

Interestingly, the terrorist operation, the Bojinka plot, was to take place about the same time as the Oklahoma City Federal building bombing, perhaps on the same day. We don't know. Perhaps we should know. Perhaps we should ask Ramzi Yousef about that.

Ramzi Yousef has been in Federal prison for over a decade. He is a prisoner with a unique understanding of the al Qaeda terrorist structure. He is the nephew of Khalid Sheik Mohammed, the mastermind of the 9/11 attack on the World Trade Center.

In 2006, when I was the chairman of the House Oversight Investigations Subcommittee on the Foreign Affairs Committee, I was investigating Yousef's movements and activities not only in the United States but in the Philippines. I even traveled to the Philippines to question authorities who had captured Yousef's roommate and coconspirator in the Bojinka plot.

In spite of that fact and in spite of the fact that I was looking into Yousef's terrorist activities and in spite of the fact that I had obtained new information about Yousef's phone calls right here in the United States and new information about his associates while he was in the United States, the Department of Justice still dismisses the effort and, more than that, they are obstructing a legitimate congressional investigation, refusing to permit this elected Member of Congress, a ranking member of a congressional investigating committee, to interview a Federal prisoner. They refused access to Yousef claiming that there is a ''ongoing investigation.''

This prisoner has been in jail for over 10 years. It is more likely that what we have here is an ongoing coverup and not an ongoing investigation. In fact, I have been told recently by a former member of the Justice Department that they were told routinely simply to give answers that there is an ongoing investigation even if no ongoing investigation was underway, but simply using it as a phrase to dismiss a request from Congress.

Well, this is outrageous, but it's typical of this administration. This is a lot more than just a hurtful pride on my part of being turned down.

This administration is setting a terrible precedent. What people have to understand, when I am turned down like this, is when there is a liberal Democrat in the White House, the President will have set that Members of Congress can simply be dismissed, and that when they are trying to do a congressional investigation need not be cooperated with, in fact, can be obstructed. Is that the type of President that we want? Is that acceptable? It shouldn't be acceptable to Democrats and it shouldn't be acceptable to Republicans.

Doesn't Congress have a right to talk to Federal prisoners. Are these the rules of engagement? Is it really the rules of engagement that we want for our government that Members of Congress and the legislative branch don't have a right to talk to Federal prisoners?

Well, that's apparently what the Bush administration is trying to establish as the executive authority, as executive authority, the right to deny congressional investigators access to Federal prisoners. The danger of this should be easy to understand, both on my side of the aisle, the Republican side, and the Democratic side of the aisle.

Again, the attitude, apparent in the treatment of this request, is not an aberration or is it some sort of situation where this is not really a representative way the President has acted with his authority. No, I am afraid that's not the case.

This request was first made and denied when the Republicans controlled the Congress and I was the chairman of the Investigative Subcommittee.

Now Congress has a Democrat majority. In my position as ranking member of the International Organizations, Human Rights, and Oversight Subcommittee of the House Foreign Affairs Committee, I have seen it time and time again.

Our subcommittee chairman, BILL DELAHUNT from Massachusetts, read in the newspaper that our President is negotiating a security agreement with the Iraqi Prime Minister that will govern the future relationship of our countries.

Now let me say that again. The chairman of the Oversight Subcommittee on Foreign Affairs Committee is getting the information about a hugely important foreign bilateral security agreement by reading the newspaper. So, Chairman DELAHUNT conducted a hearing about the status of such an agreement and invited the administration to send a witness to testify before Congress.

How did the administration respond? They ignored the request. So the hearing was held with a private panel of witnesses, and, yes, the public has a right and an obligation to fully understand such commitments that are being made by the President in our name.

In a democratic society, policy is made after having an open dialogue. George Bush was elected President, not king.

In another attempt last month, our subcommittee held another hearing on the Iraqi security agreement and, again, our panel invited and pleaded with the administration to provide a witness. Their response? Silence.

Our subcommittee held another, a third hearing on this topic. Again, our subcommittee invited the administration to attend and explain to Congress what kind of commitment our government has agreed to with the government of Iraq. Even our full committee chairman wrote letters asking for the administration to participate in the subcommittee hearing. All the requests to the administration by our committee and by the superiors in the full committee were ignored, except for one, and, in one instance, where the contact was made, and I am sad to say that once again this administration was less than honest on a matter of national importance, Chairman DELAHUNT's subcommittee was told by a White House staffer that the administration's unwillingness to participate in hearings was because ''There is nothing to talk about because we haven't put pen to paper'' on security, because they haven't put the pen to paper on the security agreement, supposedly.

Well, when confronted with the fact that the New York Times had written a story saying that a 17-page agreement was being passed around, this White House staffer backtracked and quibbled.

This is unacceptable, it's dishonest, and it's typical. It's like saying there is an ongoing investigation; don't discuss anything anymore with me. There is nothing going on here.

Now, there is something going on, just as, instead of talking and trying to negotiate about what type of spokesman we could have at a hearing, instead, what we get is an undermining of the congressional right to oversee for the foreign policy decisions of this administration.

This stonewalling prevailed until a few weeks ago, when Condoleezza Rice, Secretary of State Condoleezza Rice, a person and a leader who I deeply admire, testified at a hearing of the full International Relations Committee.

When asked about this issue, about witnesses not showing up from the State Department and this administration to explain to us in public and to discuss in public these very important agreements that are being negotiated with Iraq, she pledged at that time that there would be future witnesses dealing with this Iraqi agreement.

At least Condoleezza Rice, the Secretary of State, feels secure enough in this administration to do what's right and to talk directly to Congress and to send her people over to talk to us.

Unfortunately, we had to go all the way to the Secretary of State before we could get anybody in this administration to participate. Let me note, I am a supporter of the President's Iraqi policies. I have been a supporter since day one. I supported the surge, and I am not in favor of some of the propositions made by my friends on the other side of the aisle, which I consider would be a precipitous leaving of Iraq and would cause damage, I believe.

But that's not the point. The point is, Congress has a legitimate oversight responsibility and that the President of the United States should be discussing in public so that the public could understand why policy is being made rather than trying to secretly arrange a policy agreement and then surprise everybody, you know, as a done deal. Sadly, this administration's antipathy to the constitutional responsibilities of the legislative branch of government does not stop and end with my efforts and those of my subcommittee on investigations.

In October of last year, 22 of my colleagues and I wrote to the Acting Attorney General, Peter Keisler, regarding the pending lie detector test for former National Security Advisor Sandy Berger.

Madam Speaker, I submit for the RECORD, a copy of a letter concerning making that request of Acting Attorney General Peter Keisler.

Washington, DC, October 10, 2007.

Mr. PETER D. KEISLER,
Acting Attorney General, Department of Justice, Washington, DC.

DEAR ACTING ATTORNEY GENERAL KEISLER: In 2005, former Clinton National Security Advisor Sandy Berger pled guilty to the mishandling and destruction of classified documents.

He admitted to entering the National Archives and unlawfully removing, then subsequently destroying, classified documents dealing with terrorist related issues. He removed the documents by stuffing them down his pants and in his suit jacket, presumably with the intention of getting rid of any damning evidence showing his involvement in the failure of our intelligence and law enforcement communities to prevent the Sept. 11th attacks prior to his testimony before the 911 Commission. These documents have never been recovered.

As part of a plea deal, Mr. Berger agreed to take a polygraph test to be administered by the Department of Justice. It has been two years since that agreement and Mr. Berger has yet to fulfill his obligation.

We are writing to officially request that as Attorney General you direct the Department of Justice without any further delay to administer a lie detector test to Mr. Berger and determine what documents were stolen and how our National Security was compromised.

The Congress, and the American people, deserve to know the facts of this crime and what Mr. Berger was covering up. Therefore we respectfully request a directive be issued by your office ordering Mr. Berger to surrender to the Justice Department immediately and that a polygraph test be administered forthwith.

Sincerely,

DANA ROHRABACHER,
Member of Congress.

In 2005, Sandy Berger pled guilty to the mishandling and destruction of

classified documents. He admitted that he unlawfully removed and subsequently destroyed classified documents from the National Archives. These documents dealt with the failure of our intelligence agencies during the Clinton administration to prevent the horrendous attacks on 9/11.

As part of his plea, Mr. Berger agreed to a lie detector test which was given by the Department of Justice. This would determine what documents had been stolen by Mr. Berger. We are still waiting for that test to be administered.

As a member, as a senior member of the House Foreign Affairs Committee, I was and still am rightfully concerned about the length of time between his crime and the administration of his lie detector test.

So on October 10, 2007, I sent a letter, that letter signed by 22 of my colleagues, asking the Department of Justice why the test had not been administered.

On October 22, 2007, my office received a form letter acknowledging the DOJ's receipt of our inquiry. It was signed with an illegible signature. We have no idea who signed it. All we know is that he or she penned it ''for'' next to a printed name Brian Benczkowski.

Principally, he is the principal Deputy Assistant Secretary General.

□ 1730

We were also given a tracking number so we could track any future correspondence. In spite of that fact, we received a computer-generated response and a tracking number to an official congressional inquiry, okay, signed by 23 Members of Congress. We had hoped that we would actually have an answer to our request and that there would actually be a human being rather than a tracking number that we could look to.

Well, we got our wish and we got a letter back. On January 24, 2008, 94 days after the letter, we received a response, and I submit the response for the RECORD.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, January 24, 2008.

Hon. DANA ROHRBACHER,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ROHRBACHER: This is in response to your letter, dated October 10, 2007, in which you requested that the Department of Justice administer a polygraph examination to Mr. Samuel Berger, who pleaded guilty in April 2005, to violations of federal law relating to the removal of copies of classified documents from the National Archives.

We appreciate your interest and have enclosed a copy of our letter, dated February 16, 2007, to the Honorable Henry A. Waxman, Chairman of the Committee on Oversight and Government Reform, advising him of our views regarding the Minority Staff Report that was issued regarding this matter. As stated in our response to Chairman Waxman, we believe that there are no facts that would justify a polygraph of Mr. Berger at this time.

We are sending an identical response to the other Members who joined in your letter to us. Please do not hesitate to contact this office if you would like additional assistance regarding this or any other matter.

Sincerely,

BRIAN A. BENCZKOWSKI,
Principal Deputy Assistant Attorney General.

The letter was dismissive and said that the DOJ found no reason to issue a polygraph test to Sandy Berger, and attached was an old letter the DOJ had sent to Chairman WAXMAN of the House Oversight and Government Reform Committee almost a year before our correspondence. The letter this time was signed by Brian Benczkowski.

Madam Speaker, I have been a Member of Congress for 19 years. I have never seen such a pattern of blatant disregard and outright disdain for Members of Congress. If Sandy Berger is not to be polygraphed to verify the documents that were stolen from the Archives, we need to know why such verification is not being done. This administration wouldn't even give a respectable answer to the rightful inquiry of Members of Congress of why we are not verifying through a polygraph test what documents were stolen from the National Archives by the former National Security Adviser.

On the one hand, this President believes he has a right to make demands on us. The President said in his State of the Union address that Congress must act on certain issues. We must do as he wishes. We must pass legislation he deems necessary. Yet while 23 Members of Congress write his Justice Department a serious letter of inquiry about a national security issue, we get a computer-generated form letter and a copy of an old response to a different inquiry. The bad attitude I am detailing is pervasive.

The handling of a proposed totalization agreement with Mexico is again yet another example. The totalization agreements, and totalization agreements are not necessarily a bad thing, they can serve a useful function. Large corporations both in the United States and abroad often assign people to work in an overseas office for several years. During these years, employers are double taxed. They pay both Social Security and the equivalent tax in their native countries. Allowing the Social Security Administration and foreign agencies to give credit under one system towards retirement makes sense if there are a limited number of people involved and the people who are involved in this are working here legally and temporarily. The concept itself is not alarming.

However, this is emphatically not the case with Mexico. We have millions of Mexican citizens living illegally in the United States. This is not a limited number of Swedish or Japanese executives who will only work here for a number of years and then go home. Not only are Mexicans not going to return to Mexico; the Mexican Government encourages them to stay in the United States. After all, if the U.S. is going to pay for their health care, their education and now their retirement, why should Mexico be bothered.

Knowing the volatility of the American people on both the Social Security and illegal immigration issues, the totalization negotiations with Mexico were kept totally under wraps. Now remember, these negotiations with Mexico started in 2002 with a Republican-controlled Congress. One would think that a Republican administration would at the very least advise Congress, perhaps giving a status report, concerning such diplomatic efforts as the totalization negotiations with Mexico.

Well, Congress did not know the details until it hit the press. Worse, these press releases on the agreement, put out by the administration, were misleading and it appears that Congress was being misled as to just what the administration had agreed to concerning Social Security benefits for Mexican nationals illegally working in the United States.

Now, I have proposed legislation to ensure that no work done while someone is in this country illegally should be counted towards a Social Security benefit. The administration apparently agreed in the totalization agreement negotiations that illegal aliens from Mexico will be eligible for the same treatment under Social Security as U.S. citizens without ever becoming a legal resident or citizen. It took a long, drawn-out legal battle in the form of a Freedom of Information lawsuit to get the details of this agreement from the administration. Again, stonewalling and concealment, whether it deals with Iraq or whether it deals with a totalization agreement dealing with Social Security rights for the people from Mexico who come to our country illegally.

In both cases, regardless of how you feel about the Iraq policies or Social Security for illegal immigrants into our country, the point is we should not be keeping this debate secret. Congress has a right to oversee such agreements, and we should have a public dialogue about these types of decisions.

This administration has, as I am pointing out, a history of concealment and in some cases of distorting and actually not telling us the truth about what is going on with these negotiations and agreements that are happening behind closed doors.

Once Congress and the public found out about the agreement in the totalization agreement, a fire storm broke out not just about giving illegals Social Security but about keeping it secret from Congress. Yes, as I said, Congress, as well as America's seniors, have every right to know if the President of the United States is in the process of signing an agreement to give Social Security benefits to illegal immigrants. It is something we should discuss. It is not something where the

President should try to make an agreement behind closed doors. In this case the administration is undermining the public's right to know and the Congress is being left in the dark.

And please remember, the danger from this agreement is not past. Due to the public outrage, it has been put on the back burner, but the President at any time can submit this agreement to Congress even if he has not detailed it for us now so we can discuss it.

What I am describing is a pattern of arrogance and contempt, and that is especially true not just with Social Security but with broader issues relating to illegal immigration and on issues dealing with Mexico.

The tragic case of wrongly imprisoned Border Patrol agents Ignacio Ramos and Jose Compean exemplifies the worst aspects of this administration's attitude problem, and will forever leave a black mark on this administration.

President Bush has himself made decisions that directly led to the ongoing tragedy which sees these two Border Patrol agents languishing in solitary confinement; and that's where they are today, in solitary confinement, being treated worse than we treat the terrorists in Guantanamo. That is where we are now. That is what they have had to endure in that solitary confinement for over a year.

Now, this is clearly a questionable case, but President Bush has deliberately dug in his heels to protect his good friend and young protege, the prosecutor, U.S. Attorney Johnny Sutton. Rather than entertain the probability that a terrible injustice was in progress and instruct the Justice Department and the Department of Homeland Security to cooperate so Congress could get to the bottom of this nightmare, this President has thumbed his nose at the congressional concerns and initiated a policy of obstruction and denial in terms of Ramos and Compean.

Since the Ramos and Compean case was brought to my attention in September 2006, I have written over a dozen letters to this administration requesting various documents regarding the harsh prosecution of Ramos and Compean. I have been joined by several other Members of Congress in this effort, including Congressmen POE, CULBERSON, and MCCAUL. These three Members of Congress, in fact, attended a briefing on Ramos and Compean's prosecution by the Department of Homeland Security Inspector General's Office on September 26, 2006.

In that briefing, serious questions were raised by these three Members about the fundamental justification for this prosecution to begin with. The President and his lap-dog prosecutors would like us to believe that they have no discretion, but these Members of Congress who have long histories in the law and in prosecution, they know. They could see there was something wrong because we know that the actual charges being brought against Ramos and Compean, and they were fully aware of this because these Members of Congress, as I said, have a big background in law, they knew that what charges were being brought were totally at the discretion of the prosecutors. The prosecution's hands were not tied.

What were the grounds for charging these men with crimes like attempted murder, assault with a deadly weapon, the unlawful discharge of a firearm during a crime of violence, and a Federal civil rights violation? These charges that could have put Ramos and Compean in prison for 10–20 years were totally at the discretion of the prosecution. Did this fit the crime? If there was any crime at all that was committed, why would they be charged with this overwhelming attack by the prosecution knowing that by making these charges these men are going to end up being put away for one or two decades of their life.

These two Border Patrol agents had wounded a fleeing illegal alien drug smuggler who was escaping after assaulting one of the officers who had intercepted the drug dealer during an attempt to bring $1 million worth of drugs into this country. Although they were never intended by Congress to be applied in this way, the gun laws which were applied by the prosecution, the gun law of mandatory prison sentence, was applied to the law enforcement officers in this case, and these law enforcement officers had made a split-second decision to discharge their weapons. Is that right? Isn't there some question about that, considering they threw the book at these guys?

The prosecutors knew that it was not the intent of Congress that they should be charging law enforcement officers with split-second decisions in the discharge of a weapon; but they threw the book at the agents, including the charges that required tens of years of mandatory imprisonment. Again, it was at their discretion that they made these charges.

When Congressmen POE, CULBERSON, and MCCAUL asked why the most serious charges that could be leveled at the Border Patrol agents were initiated by the prosecutors, and why the prosecutors took the word of the drug dealer that he had no weapon rather than the word of the law enforcement officers, the DHS officials, briefing these Congressmen, assured them that this was a legitimate and righteous prosecution. These were, according to the DHS briefing given to these Members of Congress, these were rogue cops. Ramos and Compean were rogue cops, and the Congressmen were told they actually confessed that they knew that the drug smuggler was unarmed and that the agents didn't really feel threatened.

And the biggest lie of all, the Department of Homeland Security briefer insisted that Ramos and Compean had told fellow officers the day of the incident that they ''wanted to shoot a Mexican'' that day. That charge raised eyebrows considering that the accused, Ignacio Ramos and Jose Compean, are themselves Mexican Americans married to Mexican American wives with Mexican American children. Sure, they just go out and intentionally shoot some Mexicans that day. Sure.

This is what Members of Congress were told in an official briefing. Asking for proof, the three Congressmen who were being briefed were told that the charges were documented in the reports of the investigative officers. The Department of Homeland Security briefer promised to provide this proof that Ramos and Compean had actually intended that day to go out and ''kill a Mexican.'' Of course, the proof never came.

The Congressmen kept asking. Calls weren't returned. The Department of Homeland Security stalled for 5 months. Members asked for copies of the completed report of investigation which should have backed up the alleged facts that were told to Members during the September 26 briefing to the Members of Congress.

Months passed, and nothing more. Just months passed. Nothing from the Department of Homeland Security. Several letters and public pressure arose, and the Department of Homeland Security finally released a redacted version of the official report of investigation in February 2007. And surprise, surprise, the alleged confession of Ramos and Compean was nowhere to be found in that document. The documentation of the charge that they had brazenly proclaimed their intent to kill a Mexican was not there. But that charge was repeated over and over again.

How could this be? How could the Department of Homeland Security officials, how could they assure Members this was a solid prosecution and that evidence existed that Ramos and Compean were guilty and they wanted to shoot a Mexican? These were flat out lies told to Members of Congress who were being officially briefed by this administration.

During a Department of Homeland Security subcommittee hearing on February 6, 2007, DHS Inspector General Richard Skinner was questioned by Congressman CULBERSON about this issue. Under oath Skinner acknowledged the information given to the Texas Congressman was in fact false, but he smugly justified his blatant and willful lying by calling it ''mischaracterization unfortunately repeated at the briefing.''

□ 1745

No, Mr. Skinner, it was a lie, no matter how colorful the euphemism.

Ollie North was prosecuted on a charge far less egregious than what we're talking about now. Ollie North gave, or so it was alleged, misinformation to congressional staffers who were not part of an official briefing of Members of Congress; yet, he was prosecuted.

This administration ends up lying in a briefing to Congress and shrugs it off. To this day, absolutely nothing has been done about this crime. And yes, lying to Congress, especially about an issue of this magnitude, is a crime.

Administration officials deliberately misled Members of Congress in order to discourage them from pursuing the Ramos and Compean case, and no one has been held accountable for this crime. The Ramos and Compean case has stunk since day one. The President, instead of looking into the matter, which he should have done, has dug in his heels, permitting his appointees to slander these two agents.

Even worse, the President has personally made decisions that have resulted in these two agents languishing in solitary confinement. They are in solitary confinement because of decisions made directly by the President of the United States. U.S. Attorney Johnny Sutton publicly labeled Ramos and Compean as corrupt; yet, again, when asked for some sort of justification on this, what corruption charges were brought against these people, there were no charges of corruption.

To say that this is a mean-spirited and vindictive prosecution is to put it mildly. This case demonstrates why hearings are an integral part of the check-and-balance system created by our Founding Fathers. It is in this venue that the executive branch is held accountable for their actions. Under oath, it was only when an administration official was under oath that the lies about Ramos and Compean were admitted. But this administration has decided to thumb its nose at that obligation and has decided not to make its case under oath at a public hearing and, instead, has actually said things, as I say, calling Ramos and Compean corrupt in radio interviews and such.

Chairman WILLIAM DELAHUNT graciously approved my request to hold hearings on the Ramos and Compean case. In doing so, an official subcommittee investigation into the case in preparation for the hearing was authorized. During the course of this investigation, the resistance from the Department of Justice, Homeland Security, and State was consistent with the arrogance and obfuscation that flows through this administration from the top down. Our hearing had to be postponed for months because of the administration's refusal to provide documents or to send the necessary witnesses to testify before the subcommittee, citing that the committee did not have proper jurisdiction; therefore, the U.S. Attorney Johnny Sutton, the Department of Homeland Security Inspector General Skinner, or any of his other investigators need not appear. That decision was clearly made by the White House.

Our Government provided a flawed immunity agreement, free health care, unconditional border crossing cards to an illegal alien criminal drug smuggler in exchange for his testimony that sent Border Patrol Agents Ramos and Compean to prison.

Our Government kept secrets from the jury that the drug dealer intercepted by Ramos and Compean had hauled another shipment of drugs across the border, this, while on a Government-issued border crossing pass.

Clearly, this is well within the jurisdiction of an oversight investigative committee responsible for overseeing relations with other countries, including Mexico, and including international drug smuggling. Clearly, the public has a right to know about these things.

This administration apparently believes there is no obligation to answer questions in public and under oath about the actions or policies of the administration. And in preparation for that hearing, we made a request, and request after request, countless phone calls, and even a freedom of information lawsuit by a watchdog group, Judicial Watch, and the administration still refuses to release copies of the border crossing cards that were issued to the drug smuggler in this case. Of course, they are claiming, when we make this request about these cards issued to the drug smuggler that permitted him to freely go across the border, they say that the drug smuggler is protected under, get this, ''the privacy act.'' This is what the Justice Department tells us.

I was instructed by the Justice Department to obtain a privacy waiver in order that that information be released, a privacy waiver for an illegal alien criminal. This is absurd and just another example of the condescending and dismissive attitude. This type of obstructionism, however, is the rule, not the exception, of this administration.

By the way, due to a bureaucratic fluke, the border crossing cards, we actually got a hold of them, and this is how we have learned that this person that was involved with the Ramos and Compean event actually took a second shipment of drugs.

I submit for the RECORD the letters and copies of these exchanges with the administration.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 12, 2006.

Attorney General ALBERTO GONZALES,
Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL GONZALES: We are writing to you as members of Congress with deep concern over the Justice Department's wrongheaded prosecution of two U.S. Border Patrol agents who were simply doing their jobs to protect our homeland.

Agents Ignacio Ramos and Jose Alonso Compean should have been commended by our government for their actions last year in attempting to apprehend a Mexican drug smuggler who brought 743 pounds of marijuana across our border. But because of an incomprehensible prosecution by the U.S. Attorney's Office—including granting full immunity to the smuggler so he could testify against our agents—these men may soon receive 20–year prison sentences for firing shots at the fleeing smuggler, who they believed carried a gun. The smuggler—who received complete medical care at William Beaumont Army Medical Center in El Paso, Texas—is now suing the Border Patrol for $5 million for violating his civil rights!

The Justice Department's unjust prosecution does nothing but tie the hands of our Border Patrol and prevent them from securing America against a flood of illegal immigrants, drugs, counterfeit goods and quite possibly, terrorists. This demoralizing prosecution puts the rights of illegal alien drug smugglers ahead of our homeland security and undermines the critical mission of better enforcing our immigration laws. The convictions against these agents demand oversight.

Due to significant concerns over the circumstances surrounding the prosecution of Agents Ramos and Compean, the House Judiciary Committee has already recognized the need for a thorough review of this case by calling for Congressional hearings and an investigation of the Department of Homeland Security, Office of the Inspector General, U.S. Customs and Border Patrol and the U.S. Attorney's Office.

Mr. Gonzales, we strongly urge the Department of Justice to postpone the sentencing of Agents Ramos and Compean, and to reopen their case for a fuller investigation of the facts.

Sincerely,

Walter B. Jones, Tom Tancredo, Ted Poe, Charlie Norwood, Ernest Istook, Dana Rohrabacher, Sue Myrick, Virginia Foxx, John Duncan, Barbara Cubin, Jim Ryun, Virgil Goode, Ginny Brown-Waite, Gary G. Miller, Kenny Marchant, Ed Whitfield, Ed Rover, Dan Burton, Robin Hayes, Henry Brown, John Campbell, Michael Bilirakis, Members of Congress.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, February 16, 2007.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR CHAIRMAN WAXMAN: This letter responds to concerns expressed in the January 9, 2006, Minority Staff Report, ''Sandy Berger's Theft of Classified Documents: Unanswered Questions'' (''the Report''). The Report alleges failures in the Department's handling of the Berger investigation. We have reviewed the Report and respectfully disagree with its characterization of the Department's investigation.

The Department's investigation began when we were first advised of Berger's actions by the National Archives and Records Administration Inspector General (IG) on October 15, 2003, almost two weeks after Archives staff and agents of the IG had begun their own investigation of the incident. The Department and the Federal Bureau of Investigation (FBI) devoted significant resources to the task, including prosecutors and FBI Special Agents trained in the investigation of national security cases. The FBI conducted over 50 interviews, made inspections of the Archives facilities, and reviewed thousands of pages of documents, in addition to other law enforcement efforts. We examined Mr. Berger's conduct during all four of his visits to the Archives.

The Report suggests that the Department did not inquire about Mr. Berger's first two visits to the Archives, citing the IG's recollection that the Department had informed the IG in April 2004 that the Department had not questioned Mr. Berger about his May 2002 and July 2003 visits. This suggestion appears to be based on a misunderstanding of the sequence of the Department's investigation. As of April 2004, the Department had

not yet asked Mr. Berger any questions, as he had not yet agreed to an interview. When the Department did subsequently interview Mr. Berger, the Department questioned him regarding all of his visits. Furthermore, the Department questioned every witness with knowledge of Mr. Berger's visits about all of his visits. Neither Mr. Berger nor any other witness provided the Department with evidence that Mr. Berger had taken any documents beyond the five referenced in the plea agreement.

In this, as in all criminal investigations, the Department's obligation was to gather the available testimonial and documentary evidence and then rigorously put that evidence to the test—often pitting the memory of witnesses against the written record supplied by the documents—in order to determine as accurate a picture as possible of what transpired. In this case, as in others, some of the initial allegations did not withstand further analysis.

For example, the Report suggests that the Department did not give sufficient weight to the accounts of Mr. Berger's activities provided by Archives staff, most notably the e-mail sent on September 2, 2003, from Official A to Senior Official 1. In this e-mail, Official A described an encounter with Mr. Berger that day in which he saw Mr. Berger ''fiddling with something white which looked to be a piece of paper or multiple pieces of paper'' down by his ankle. The Department was fully aware of this e-mail, and knew that Berger had in fact removed his notes and a document on the visit of September 2, 2003. The e-mail was a significant piece of information that the Department appropriately investigated.

The account described in the e-mail was evaluated in conjunction with Official A's interview with the IG's agents on October 15, 2003, conducted before the Department was involved in the case. The recording and transcript of the interview with the IG's Agents were reviewed in full in the course of our investigation. According to the IG's recorded interview, Official A repeatedly stated that the interaction was ''very quick'' and he could not be certain what he saw. Further, Official A told the IG's Agents, ''I could not, um, you know, swear that what I saw was documents, but it certainly unnerved me enough.'' Later, Official A was asked by the IG's agents how he was feeling and he responded, ''very unsettled. I mean, it's, it's unsettled but at the same time I mean, not, not unsettled in the way that I'm a hundred percent sure of what I've seen and, and I'm sick, just like, did I see what, what I, you know possibly could . . . There was a certain grey area in my mind and whether this was actually a document, a piece of paper.''

When Official A was interviewed later by the FBI on October 17, 2003, he once again expressed uncertainty about what he saw, diminishing further the probative value of his e-mail. The e-mail, and Official A's interviews with the IG's agents and the FBI, had to be further weighed against the evidence that after the e-mail was sent and after Official A discussed with Senior Official 1 what he saw, Senior Official 1 contacted a supervisor, but the Archives staff did not confront Mr. Berger, did not search him, and did not contact any security or law enforcement officials. In light of these additional facts, the Report's suggestion that the Department somehow failed to consider the full import of the e-mail and related information is unfounded.

The Department's analysis of the other documentary and testimonial evidence in this case was similarly thorough. And at the conclusion of its extensive investigation, the Department secured a guilty plea from Mr. Berger, pursuant to which he admitted to ''conceal[ing] and remov[ing]'' five copies of classified documents from the Archives, concealing them at his office, and ''cut[ting] three of the documents into small pieces and discard[ing] them''—all in violation of 18 U.S.C. §1924. April 1, 2005 Factual Basis for Plea at 2. The Department stands by its investigation and believes that this resolution was the best one possible in light of the available evidence,

The Report also suggests that, as a result of Mr. Berger's conduct, the 9–11 Commission may have been deprived of the information necessary to render its final report. The Department, however, has no evidence indicating that this suggestion is accurate. In the course of its investigation, the Department interviewed numerous witnesses who might have had knowledge of any missing items. None of these witnesses, however, provided the Department with evidence that Mr. Berger's conduct deprived the 9–11 Commission of information or documents. Nor has the IG ever advised us—either at the time of our investigation or at any time since—of any evidence that Mr. Berger had taken any documents other than the five referenced in the plea agreement.

Thus, not the Department, the FBI, or the Archives IG has found any evidence that Mr. Berger took any documents other than the five referenced in the plea agreement. The Department's public statements made after Mr. Berger's April 1, 2005, guilty plea reflected the results of its extensive investigation into this matter, and were based solely on the evidence gathered in that investigation and contained in the detailed factual statement—the contents of which Mr. Berger admitted as a condition of his plea agreement.

Under the terms of his plea agreement, Mr. Berger must cooperate with the Archives IG and make himself available for any cooperation with the government. Indeed, on July 8, 2005, after the plea and prior to sentencing, the IG, along with Department attorneys and FBI agents, also questioned Mr. Berger. At this meeting, Mr. Berger was again questioned about all of his visits to the Archives, including those that occurred in May 2002 and July 2003. Again, Mr. Berger's answers in this session were evaluated and compared to his previous answers and the vast amount of evidence collected in the investigation.

In light of Mr. Berger's disclosures during an extensive interview in March 2005 and his acceptance, as part of his guilty plea, of a detailed factual basis for the charges against him, the judgment of the Department and the FBI was not to administer a polygraph examination to Mr. Berger. The Department is aware of no new facts regarding the law enforcement aspects of this investigation to suggest that it should revisit that judgment.

In closing, I would like to emphasize that the Department's silence with respect to certain other factual assertions and conclusions in the Report should not be mistaken for agreement. Indeed, to cite but one additional example, the Department disagrees with both the manner in which certain of its employees were interviewed and the manner in which their statements to Committee staff were presented in the Report. We nevertheless hope that this letter provides you assurance that the Department takes investigations regarding the mishandling of classified information and documents very seriously, and vigorously investigates and prosecutes those who endanger our national security. We appreciate your attention to this matter.

Sincerely,

RICHARD A. HEATING,
Acting Assistant Attorney General.

This is plea after plea from Members of Congress, I might add that even a majority of Members of Congress have voted for and supported on both sides of the aisle. Chairman DELAHUNT of our Investigative Subcommittee knows that there's something wrong with this case. As I say, it stinks and has stunk from the beginning.

We have asked for the President to intervene on behalf of Ramos and Compean personally, either by pardoning or commuting their sentences. These requests have been ignored over and over again. And last year, I personally reached out to the President to take the pressure and confrontation out of this issue. I suggested that the President direct the Department of Justice to request that Ramos and Compean be permitted to remain free on bond pending their appeal. Even common criminals in our society are able to stay out pending appeal of a decision.

And what was the response? The White House released a press release the next day, it was issued the very next day, proclaiming that the administration opposes letting Ramos and Compean out pending appeal and that no special consideration would be granted to anyone.

Now, that's a lot of holier than thou rhetoric, okay? So no special consideration was going to be given to anyone, much less these two Border Patrol agents. Now, that sounds righteous, a position of not making any exceptions, except, of course, for the fact that a short time later, White House Aide Scooter Libby had his sentence commuted by the President in a heartbeat.

For the record, I found out, and let me just note, I believe that commuting Scooter Libby's sentence was justified. But it's totally inconsistent with what we had been told of why Ramos and Compean couldn't even be considered to let them out, even waiting, pending appeal.

Yeah, Scooter Libby got a raw deal. But the fact is that what's happening, what we see is only members of the President's personal clique get such consideration. It's clear, that's evident, and it's disgraceful.

It is truly with a heavy heart, Madam Speaker, that I stand here reciting example after example of the maliciousness and condescending attitude exhibited by this administration. It is a problem that's flowing from the top.

When I hear my friends on the other side of the aisle accusing this administration of stonewalling, of coverups, or thwarting investigations, I sadly must concur with them. Even though I may disagree with what the policy issue of the day is, I have to agree that Congress is not being treated with respect and that the President is engaged in obfuscating and in stonewalling of rightful requests by this body.

This White House exemplifies needless hostility, turf jealousy, and obstructionism. The American people should know it and should know that these charges come not from a partisan

Democrat, but from a lifelong conservative Republican. I have worked in the White House. I worked for 7 years as a special assistant to President Ronald Reagan.

Ronald Reagan, as much as people can disagree or agree with the policies that he espoused, was a person who never acted arrogantly towards others. He never, when he was giving State of the Union messages, never used the word ''must,'' never made demands. And I think that President Reagan would not feel comfortable with the type of attitude that is exemplified in this administration. He, instead, wanted to reach out to people and cooperate.

This administration seems to want to just bulldoze whoever gets in their way and does not have the human concern for other people, especially for people like Ramos and Compean, the little guys, that we saw in Ronald Reagan, which made him so popular and successful.

I would ask that the rest of my remarks be put into the RECORD. Thank you very much for permitting me this hour.

And to the American people, I say, carefully consider who our leaders are going to be and carefully consider the issue of the day. We have a wonderful democratic society. There's a balance of power here set up by our Founding Fathers. And it's important, whether you're Republican or Democrat, that we maintain this balance of an authority, the legislative, executive, and judicial in this country, and we should not be setting precedents that the President of the United States has the lion's share of the power in this great democracy of ours. The power is rested in these three branches and in the people themselves.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TOMORROW

Ms. SLAUGHTER (during the Special Order of Mr. ROHRABACHER). Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with tomorrow.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5351, RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2008

Ms. SLAUGHTER (during the Special Order of Mr. ROHRABACHER), from the Committee on Rules, submitted a privileged report (Rept. No. 110–530) on the resolution (H. Res. 1001) providing for consideration of the bill (H.R. 5351) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, which was referred to the House Calendar and ordered to be printed.

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. WATERS) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, March 4.

Mr. BURTON of Indiana, for 5 minutes, today, February 27 and 28.

ADJOURNMENT

Mr. ROHRABACHER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 27, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5475. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Docket No. AMS-FV-0114; FV07-966-2 IFR] received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5476. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate [Docket No. AMS-FV-07-0104; FV07-987-1 FIR] received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5477. A letter from the Principal Deputy Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's report on the Critical Skills Retention Bonus (CSRB) program for FY 2007, pursuant to 37 U.S.C. 323 (h) Public Law 106-398, section 633 (a); to the Committee on Armed Services.

5478. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Colonel James M. Holmes, United States Air Force, to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5479. A letter from the Assistant Secretry for Installations and Environment, Department of the Navy, Department of Defense, transmitting notification of the decision to conduct a streamlined A-76 competition of aircraft maintenance, administration, and corrosion control functions performed by military personnel in various locations; to the Committee on Armed Services.

5480. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5481. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research--Disability and Rehabilitation Research Projects and Centers Program--Disability Rehabilitation Research Projects (DRRPs), Rehabilitation Research and Training Centers (RRTCs), and Rehabilitation Engineering Research Centers (RERCs) — received February 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5482. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Measuring Educational Gain in the National Reporting System for Adult Education (RIN: 1830-ZA06) received February 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5483. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Exceptions of Alternatives to Labeling Requirements for Products Held by the Strategic National Stockpile [Docket No. 2006N-0466] received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5484. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the enclosed correspondance from the Prime Minister of Kosovo Hashim Thaci and the Speaker of the Parliament of Albania Jozefina Topalli expressing their condolences on the passing of Chairman Tom Lantos; to the Committee on Foreign Affairs.

5485. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(a) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement for the export of technical data, defense services, and defense articles to the Government of the United Arab Emirates (Transmittal No. DDTC 001-08); to the Committee on Foreign Affairs.

5486. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Governments of Russia, Ukraine and Norway (Transmittal No. DDTC 023-08); to the Committee on Foreign Affairs.

5487. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 025-08); to the Committee on Foreign Affairs.

5488. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Governments of

Russia and Kazakhstan (Transmittal No. DDTC 024-08); to the Committee on Foreign Affairs.

5489. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5490. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5491. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5492. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5493. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5494. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5495. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5496. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5497. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5498. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5499. A letter from the Chairman, National Transportation Safety Board, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Board's Report to Congress on the Fiscal Year (FY) 2007 Competitive Sourcing Efforts; to the Committee on Oversight and Government Reform.

5500. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Career and Career-Conditional Employment and Adverse Actions (RIN: 3206-AL30) received February 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5501. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2007; to the Committee on Oversight and Government Reform.

5502. A letter from the Director of Human Resources, Railroad Retirement Board, transmitting the Board's report on the use of the Category Rating System during fiscal year 2007, pursuant to 5 U.S.C. 3319(d); to the Committee on Oversight and Government Reform.

5503. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; Western Pacific Crustacean Fisheries; 2008 Harvest Guidelines (RIN: 0648-XF19) received February 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5504. 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 Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2008 Gulf of Alaska Pacific Cod Total Allowable Catch Amount [Docket No. 070213032-7032-01] (RIN: 0648-XE80) received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5505. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No. 061109296-7009-02] (RIN: 0648-XE43) received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5506. 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 Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XF14) received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5507. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Landowner Defenses to Liability Under the Oil Pollution Act of 1990: Standards and Practices for Conducting All Appropriate Inquiries [Docket No. USCG-2006-25708] (RIN: 1625-AB09) received February 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5508. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac and Anacostia Rivers, Washington, DC and Arlington and Fairfax Counties, VA [USCG-2008-0005] (RIN: 1625-AA87) received February 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5509. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30581; Amdt. No. 3246] received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5510. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30582; Amdt. No. 471] received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5511. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30584; Amdt. No. 3248] received February 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5512. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Time and Manner for Electing Capital Asset Treatment for Certain Self-Created Musical Works [TD 9379] (RIN: 1545-BG35) received February 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5513. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — GO Zone Bonus Depreciation Recapture [Notice 2008-25] received February 12, 2008, 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:

Ms. MATSUI: Committee on Rules. House Resolution 1001. Resolution providing for the consideration of the bill (H.R. 5351) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation. (Rept. 110–530). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. WATERS (for herself, Ms. LEE, and Ms. WOOLSEY):

H.R. 5488. A bill to provide for the recovery and stability of Iraq, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WITTMAN of Virginia (for himself, Mr. CANTOR, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. GOODE, Mr. SCOTT of Virginia, Mr. WOLF, Mr. BOUCHER, Mrs. DRAKE, Mr. FORBES, and Mr. GOODLATTE):

H.R. 5489. A bill to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office''; to the Committee on Oversight and Government Reform.

By Mr. CHABOT:

H.R. 5490. A bill to reform the program for rental assistance under section 8 of the United States Housing Act of 1937, and for other purposes; to the Committee on Financial Services.

By Mr. LATOURETTE (for himself, Mr. LYNCH, and Mr. BURTON of Indiana):

H.R. 5491. A bill o amend the Public Health Service Act to authorize grants to States to establish and implement programs for registering pharmaceutical technicians; to the Committee on Energy and Commerce.

By Ms. MATSUI (for herself, Mr. BECERRA, and Mr. SAM JOHNSON of Texas):

H.R. 5492. A bill to authorize the Board of Regents of the Smithsonian Institution to construct a greenhouse facility at its museum support facility in Suitland, Maryland, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Pennsylvania:

H.R. 5493. A bill to provide that the usual day for paying salaries in or under the House of Representatives may be established by regulations of the Committee on House Administration; to the Committee on House Administration.

By Mr. BURTON of Indiana:

H.R. 5494. A bill to amend title 11 of the United States Code to make nondischargeable debts for personal injuries that result in permanent disability; to the Committee on the Judiciary.

By Mr. GERLACH:

H.R. 5495. A bill to extend for one year the exemption of returning workers from the numerical limitations for H-2B temporary workers; to the Committee on the Judiciary.

By Ms. MATSUI:

H.R. 5496. A bill to amend the Public Health Service Act to establish various programs for the recruitment and retention of public health workers and to eliminate critical public health workforce shortages in Federal, State, local, and tribal public health agencies; to the Committee on Energy and Commerce.

By Mr. MURTHA:

H.R. 5497. A bill to amend the Internal Revenue Code of 1986 to provide for tax preferred savings accounts for individuals under age 26, and for other purposes; to the Committee on Ways and Means.

By Mr. POE (for himself, Mr. COSTA, Mr. WEINER, Mr. BRALEY of Iowa, and Mr. REICHERT):

H.R. 5498. A bill to increase the cap on the obligation of receipts for the Crime Victims Fund; to the Committee on the Judiciary.

By Ms. TSONGAS:

H.R. 5499. A bill to provide for a timetable for the redeployment of the United States Armed Forces from Iraq and to seek political and diplomatic solutions for the security and stability of the Republic of Iraq; to the Committee on Financial Services, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WYNN:

H.R. 5500. A bill to amend the Fair Credit Reporting Act to provide forbearance from foreclosures of subprime mortgages in the determination of a consumer credit score, and for other purposes; to the Committee on Financial Services.

By Mr. PUTNAM:

H. Res. 998. A resolution electing Minority Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. EMANUEL:

H. Res. 999. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. DOYLE (for himself, Mr. ALTMIRE, and Mr. TIM MURPHY of Pennsylvania):

H. Res. 1000. A resolution to commemorate the 250th Anniversary of the Naming of Pittsburgh as the culmination of the Forbes Campaign across Pennsylvania and the significance this event played in the making of America, in the settlement of the Continent, and in spreading the ideals of freedom and democracy throughout the world; to the Committee on Oversight and Government Reform.

By Mr. BLUMENAUER (for himself, Mr. BOUCHER, Mr. CAPUANO, Mr. CHANDLER, Mr. CLEAVER, Mr. COHEN, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DICKS, Mr. DOYLE, Ms. ESHOO, Mr. HINCHEY, Mr. HOLDEN, Mr. HONDA, Mr. JOHNSON of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. LAHOOD, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCINTYRE, Mr. MICHAUD, Ms. NORTON, Mr. OBERSTAR, Mr. PAYNE, Mr. REYES, Mr. ROSS, Mr. SPRATT, Mrs. TAUSCHER, Mr. WALDEN of Oregon, and Mr. WU):

H. Res. 1002. A resolution expressing support for designation of April 2008 as ''Public Radio Recognition Month''; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 78: Mrs. MYRICK.
H.R. 136: Mr. GOHMERT.
H.R. 223: Mr. LAMBORN.
H.R. 279: Mr. ROGERS of Alabama.
H.R. 549: Mr. ROGERS of Michigan.
H.R. 592: Mr. MCCOTTER and Mr. GALLEGLY.
H.R. 631: Mr. HERGER.
H.R. 718: Mr. LOEBSACK.
H.R. 728: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 850: Mr. GOHMERT.
H.R. 861: Mr. CAMPBELL of California.
H.R. 1029: Mr. WALBERG.
H.R. 1076: Mr. MCHUGH.
H.R. 1108: Mr. CLEAVER.
H.R. 1237: Mr. KUHL of New York.
H.R. 1264: Mr. WALBERG and Mr. TIM MURPHY of Pennsylvania.
H.R. 1295: Mr. ROSS, Mr. INGLIS of South Carolina, Mr. WITTMAN of Virginia, and Mr. HAYES.
H.R. 1320: Mr. ANDREWS.
H.R. 1336: Mr. MATHESON.
H.R. 1426: Mrs. DRAKE.
H.R. 1431: Mr. FILNER, Mr. ROSS, and Mr. AL GREEN of Texas.
H.R. 1497: Mr. INGLIS of South Carolina and Mr. SESTAK.
H.R. 1524: Mr. FRANK of Massachusetts.
H.R. 1553: Mrs. BLACKBURN.
H.R. 1565: Ms. SHEA-PORTER.
H.R. 1576: Mr. HASTINGS of Florida, Mr. WELCH of Vermont, and Mr. HILL.
H.R. 1589: Mr. MICA, Ms. FOXX, and Mr. JONES of North Carolina.
H.R. 1609: Mr. MCINTYRE.
H.R. 1663: Mr. PRICE of North Carolina.
H.R. 1707: Mr. BRADY of Pennsylvania.
H.R. 1726: Mrs. TAUSCHER, Ms. LEE, Mr. GRIJALVA, Mrs. CAPPS, Mr. TOWNS, Mr. COHEN, and Mr. RANGEL.
H.R. 1732: Mr. CARTER and Mr. MILLER of Florida.
H.R. 1840: Mr. LIPINSKI.
H.R. 1843: Mrs. LOWEY and Mr. FEENEY.
H.R. 1884: Mr. GEORGE MILLER of California and Ms. HERSETH SANDLIN.
H.R. 1889: Ms. MCCOLLUM of Minnesota.
H.R. 2040: Mr. YOUNG of Alaska, Mr. WEINER, Mr. FALEOMAVAEGA, Mr. MILLER of North Carolina, Mr. DEFAZIO, Ms. NORTON, Ms. TSONGAS, Mr. EDWARDS, Mr. LOEBSACK, Ms. LINDA T. SÁNCHEZ of California, Ms. ESHOO, Ms. RICHARDSON, Mr. ACKERMAN, Ms. DEGETTE, Mr. DINGELL, Mr. DAVIS of Illinois, Mr. PRICE of North Carolina, Mr. MCNULTY, Ms. ZOE LOFGREN of California, Mr. REYES, Mr. PASTOR, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. UDALL of Colorado, Mr. SARBANES, Mr. LYNCH, Mr. FILNER, Mr. HALL of New York, Mr. SMITH of Washington, Mr. ABERCROMBIE, Mr. KIND, Mr. SERRANO, Mr. MOLLOHAN, and Mr. RAHALL.
H.R. 2122: Mr. ANDREWS.
H.R. 2158: Ms. FOXX and Mr. HELLER.
H.R. 2266: Mr. KENNEDY and Mrs. MCCARTHY of New York.
H.R. 2303: Mr. GALLEGLY, Mr. WALZ of Minnesota, Mr. BURTON of Indiana, Mr. BISHOP of Utah, Mr. SIMPSON, Ms. SLAUGHTER, Mr. MICHAUD, Mr. GINGREY, Mr. LINDER, Mr. KAGEN, and Mr. PERLMUTTER.
H.R. 2370: Mr. TOWNS and Ms. SHEA-PORTER.
H.R. 2452: Ms. WOOLSEY.
H.R. 2464: Mr. WELCH of Vermont and Mr. WYNN.
H.R. 2507: Mr. MILLER of Florida.
H.R. 2508: Mr. HELLER.
H.R. 2511: Mr. TOWNS.
H.R. 2668: Ms. SUTTON.
H.R. 2711: Mr. TOWNS.
H.R. 2744: Mr. PETERSON of Minnesota, Ms. WASSERMAN SCHULTZ, Mr. REICHERT, Mr. ENGEL, and Mr. PLATTS.
H.R. 2762: Mr. STUPAK, Mr. HOEKSTRA, Mr. TANCREDO, Mr. KIND, and Mr. WALBERG.
H.R. 2922: Mr. PAUL.
H.R. 2941: Ms. SHEA-PORTER.
H.R. 3010: Mr. SHERMAN, Ms. LEE, and Mr. JACKSON of Illinois.
H.R. 3021: Ms. HOOLEY.
H.R. 3042: Ms. SCHAKOWSKY.
H.R. 3109: Mr. HELLER, Mr. WALBERG, Mr. PITTS, and Mr. HASTINGS of Washington.
H.R. 3140: Mr. WITTMAN of Virginia and Mr. GRIJALVA.
H.R. 3145: Mr. HELLER.
H.R. 3175: Ms. ZOE LOFGREN of California and Mr. HINCHEY.
H.R. 3192: Mr. JEFFERSON.
H.R. 3359: Mr. CRENSHAW.
H.R. 3457: Mr. BOEHNER and Mr. TIBERI.
H.R. 3598: Ms. SHEA-PORTER.
H.R. 3609: Mr. SHAYS.
H.R. 3643: Mr. TOWNS, Ms. BALDWIN, Mr. SESTAK, Mr. ENGEL, Mr. ROTHMAN, Mrs. CAPPS, Mr. GENE GREEN of Texas, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. WAXMAN, and Ms. DEGETTE.
H.R. 3646: Mr. MILLER of North Carolina.
H.R. 3769: Mr. TANCREDO and Mr. LAMBORN.
H.R. 3820: Mr. LIPINSKI and Mr. GONZALEZ.
H.R. 3852: Mr. JEFFERSON.
H.R. 3916: Mr. MCNERNEY.
H.R. 3934: Mr. SHAYS and Mr. KELLER.
H.R. 4061: Mr. DEAL of Georgia and Mr. WALBERG.
H.R. 4088: Mr. HELLER.
H.R. 4093: Mr. COHEN.
H.R. 4133: Mrs. BACHMANN.
H.R. 4188: Mr. PAYNE.
H.R. 4236: Mr. FRANK of Massachusetts.
H.R. 4244: Mr. GRIJALVA.
H.R. 4247: Mr. GORDON.
H.R. 4544: Mr. PORTER.
H.R. 4775: Mr. GRIJALVA.
H.R. 4790: Mr. RUSH.
H.R. 4930: Mr. PLATTS, Mr. ROGERS of Alabama, Mr. HONDA, Mr. PORTER, and Mr. BACHUS.
H.R. 5057: Mr. SHIMKUS and Ms. HERSETH SANDLIN.
H.R. 5087: Mr. ELLSWORTH.
H.R. 5109: Mr. CONAWAY and Mr. SMITH of Texas.
H.R. 5110: Mr. SHULER, Mr. DOGGETT, and Mr. SKELTON.
H.R. 5126: Mr. SOUDER.
H.R. 5131: Mr. PLATTS, Mr. JONES of North Carolina, Mr. STEARNS, Mr. ROHRABACHER, and Mr. MCCOTTER.
H.R. 5157: Mr. FATTAH.
H.R. 5160: Mr. ALLEN.
H.R. 5161: Ms. MATSUI.
H.R. 5167: Mr. MCGOVERN.
H.R. 5173: Mrs. GILLIBRAND and Mr. MCHUGH.
H.R. 5229: Ms. DEGETTE.
H.R. 5241: Mr. SALAZAR.
H.R. 5267: Mr. JONES of North Carolina, Mr. AKIN, Mr. DAVID DAVIS of Tennessee, and Mr WEINER.
H.R. 5351: Mr. LIPINSKI.
H.R. 5425: Mr. PAUL, Mr. FOSSELLA, Mr. ORTIZ, Mr. BISHOP of New York, Mrs. DRAKE, and Mr. KING of New York.
H.R. 5440: Mr. WOLF and Mr. BOUSTANY.
H.R. 5445, Mr. SESSIONS.
H.R. 5449: Ms. SHEA-PORTER and Mr. NADLER.
H.R. 5452: Mr. GILCHREST and Mr. WAXMAN.
H.R. 5454: Mr. KUHL of New York, Mr. PAUL, Mr. MCINTYRE, and Mr. ENGLISH of Pennsylvania.
H.R. 5461: Ms. DEGETTE, Ms. JACKSON-LEE of Texas, Mr. HARE, and Mr. MCGOVERN.
H.J. Res. 12: Mr. WALBERG.
H. Con. Res. 195: Mr. WOLF.
H. Con. Res. 255: Mr. ELLSWORTH and Mr. FORTUÑO.
H. Res. 111: Ms. JACKSON-LEE of Texas.
H. Res. 248: Ms. DEGETTE and Mr. GERLACH.
H. Res. 282: Mrs. EMERSON.
H. Res. 356: Mr. THOMPSON of California.
H. Res. 638: Mr. PENCE and Mr. SHAYS.

H. Res. 784: Mr. JONES of North Carolina.

H. Res. 820: Ms. JACKSON-LEE of Texas.

H. Res. 829: Mr. MORAN of Kansas.

H. Res. 892: Mr. RANGEL, Ms. HOOLEY, Mr. HOLDEN, Mr. YOUNG of Alaska, Mr. WALBERG, and Mr. CLAY.

H. Res. 911: Mr. BLUMENAUER, Mr. HINOJOSA, Mr. COHEN, and Mr. ALLEN.

H. Res. 924: Mr. DAVIS of Illinois.

H. Res. 935: Ms. DELAURO.

H. Res. 936: Ms. DELAURO.

H. Res. 948: Mr. CLEAVER.

H. Res. 951: Mr. HASTINGS of Washington, Ms. SCHWARTZ, Ms. CASTOR, Mr. MARSHALL, Ms. BEAN, Mr. BACHUS, Mr. SMITH of Nebraska, Mr. WEINER, and Mr. STUPAK.

H. Res. 953: Mrs. CAPITO, Mr. ANDREWS, Mr. SESTAK, Mr. JONES of North Carolina, Mr. DAVIS of Kentucky, Mr. MCKEON, and Mr. MARSHALL.

H. Res. 958: Mr. GARY G. MILLER of California and Mr. JONES of North Carolina.

H. Res. 985: Mr. KING of New York, Mr. BRADY of Pennsylvania, and Mr. FERGUSON.

H. Res. 988: Mrs. MYRICK, Ms. SCHAKOWSKY, and Mr. COOPER.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, TUESDAY, FEBRUARY 26, 2008 No. 31

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.

O God of perfect goodness, give us today a vision of You that we might be renewed by Your forgiving love and challenged by Your righteousness.

Inspire the Members of this body with Your presence. Give them such confidence in Your providential leading that they will find rest from their burdens. Let peace reign in their hearts, thoughts, and conversations, as You order their steps and direct their paths.

Sovereign God, You know better than we what is best for us and our world; so use us today for Your glory. We pray in the Redeemer's Name. 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, February 26, 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.

MEASURES PLACED ON THE CALENDAR—S. 2663, S. 2664, AND S. 2665

Mr. REID. Mr. President, I believe there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2663) to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

A bill (S. 2664) to extend the provisions of the Protect America Act of 2007.

A bill (S. 2665) to extend the provisions of the Protect America Act of 2007 until July 1, 2009.

Mr. REID. I object, Mr. President, to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of my colleague, Senator MCCONNELL, the Senate will resume consideration of S. 1200, the Indian Health Care Improvement Act. We will have a series of probably only four votes, and those votes should start momentarily.

Following our caucus luncheons, there are three cloture votes with which we have to deal. I am going to talk to the distinguished Republican leader, Senator MCCONNELL, as to time limits.

I was thinking to myself, Mr. President, as the prayer was being offered by our wonderful Chaplain, Admiral Black, that one thing I could use a little help on is this scheduling. I mean, it is really not funny, even though it is kind of funny. One Senator has to leave at a certain time, one has to be back at a certain time, and another doesn't want us to do anything. So it is hard to make everyone happy, and that is one of my jobs: to try to make everyone happy. Sometimes it is impossible. So I would maybe alert the Chaplain that maybe he should start praying for a little scheduling ease sometime in the near future.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FEINGOLD AMENDMENTS

Mr. MCCONNELL. Mr. President, this afternoon we will indulge in a little bit of nostalgia with another vote on the Feingold bill to cut off funds for our troops in Iraq. I don't know what our friends on the other side expect to accomplish, but if past experience is any guide, we already know the outcome.

Last May, 67 of us voted against the proposal to cut off funds for our troops in the field. Mr. President, 4 months later, 70 Senators—3 more—voted against it the second time. Two weeks after that, 68 Senators voted against it for a third time. And in December, 71 of us—more than three-fourths of the Senate—voted no once again to cutting off funds for troops in the field.

So the outcome of the final vote on the Feingold bill is obvious: The Senate is on record not once but four times

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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that it will not cut off funds while our troops are in the field.

All the more so will we oppose it when the fight in Iraq, by all accounts, is showing clear-cut tactical progress, and now, at last, some important political progress is also apparent over in Iraq.

This bill does give us an opportunity—an opportunity to step back and highlight the remarkable progress that has been made in Iraq since the first time our friends proposed cutting off funds last May. It gives us a chance to highlight why we were wise to reject it even when the outcome in Iraq was unclear, much less now when progress is clearly being made.

Two months ahead of another visit by General Petraeus and Ambassador Crocker, we should acknowledge the heroic sacrifices of our men and women in uniform and the important turnaround they have achieved in Iraq on behalf of the American people. The brave Iraqis who have stood with them also deserve our praise. All of this is in our Nation's long-term security interests.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I will make a statement prior to the Iraq votes, and I will be happy to lay out why we are doing this. We are doing this because the majority of the American people recognize this war in Iraq is costing huge amounts of money. Some are saying now as much as $15 billion a month.

But let's say it is not that much. Let's say it is only the lower figure of $10 billion to $12 billion a month. I met yesterday with the Speaker and all the 28 Democratic Governors, and they are desperate for money to do what their States need in dealing with health care, infrastructure, and fighting crime. They are desperate. Where is the money they need? It is going to Iraq in the sum of about $400 million a day.

So we are going to continue to debate this because the American people know what is taking place, and I will discuss this more fully right before the votes on the two cloture motions that have been filed on the Iraq situation.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate resumes consideration of S. 1200, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 1200) to amend the Indian Health Care Improvement Act to review and extend that act.

Pending:

Vitter amendment No. 3896 (to amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service.

Dorgan amendment No. 3899, in the nature of a substitute.

Smith amendment No. 3897 (to amendment No. 3899), to modify a provision relating to development of innovative approaches.

Murkowski (for DeMint) amendment No. 4015 (to amendment No. 3899), to authorize the Secretary of Health and Human Services to establish an Indian health savings account demonstration project.

Murkowski (for DeMint) amendment No. 4066 (to amendment No. 3899), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

AMENDMENT NO. 3896

Mr. DORGAN. Mr. President, I believe by previous unanimous consent the Senate will now consider the Vitter amendment.

The ACTING PRESIDENT pro tempore. The Senator is correct. There are 2 minutes of debate equally divided.

The Senator from Louisiana.

Mr. VITTER. Mr. President, I strongly urge all of my colleagues to support this mainstream amendment. The Vitter amendment codifies the Hyde amendment and simply says in Indian health care no taxpayer funds will be used to support abortions, with the normal exceptions of the Hyde amendment.

Up to now, this has been the practice and the law, but only because the Indian health care law points to whatever the current appropriations language is on the subject in Labor, Health, and Education. And so it is a very tenuous policy that is subject to change and a vote and a change in policy every year.

This amendment will solidify that policy. It will put the Hyde amendment in permanent Federal authorization law with regard to the Indian health care act, just as was done decades ago in the Defense authorization bill. It is a solid mainstream amendment, and I urge support from both sides of the aisle.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, this is not a debate about whether Federal dollars should be used for abortion services. Current law already prohibits that. I oppose Federal funding for abortions, and I have supported the Hyde provision. But the Vitter amendment is completely unnecessary.

First of all, we have a provision in the underlying bill that relates to the Hyde provision that applies to all other appropriations bills. But I do want to say this: This is not a mainstream amendment that everybody is clear about. In fact, there is a provision in this amendment on page 2, section B. I don't know what it means, and I don't think Senator VITTER knows what it means. There have been no hearings, no discussion, yet onward through the fog on amendments like this.

The fact is, we ought to have a hearing, but there has been no hearing. I don't understand what section B means, nor does the author, I believe.

Having said all that, again, this is not a debate about whether Federal dollars should be used for abortion services. Current law already prohibits the use of Federal funds for abortion services, and the underlying bill contains a provision that relates to current law and continues the same policy.

The ACTING PRESIDENT pro tempore. All time has expired. The Senator from Louisiana.

Mr. VITTER. I ask unanimous consent for 30 additional seconds.

Mr. DORGAN. I will agree, provided I am allowed 30 additional seconds following Senator VITTER.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I do this to ask the distinguished Senator about the provision he is talking about. Maybe we can have a discussion about it rather than him vaguely alluding to it without pointing out the language and claiming nobody knows what it means.

Mr. DORGAN. Well, Mr. President, the appropriate place for that kind of discussion would have been a congressional hearing. That is where you discuss what provisions mean and how they are written.

The provision reads: As to provide or pay any administrative cost of any health benefits coverage that includes coverage of an abortion.

I don't understand what that means with respect to facilities or other issues. There are a series of issues that relate to that. And that is not, incidentally, just codifying the Hyde amendment, as the Senator alleges. This provision doesn't exist with the Hyde amendment. This is something the Senator conceived of and added.

My point is, it ought to be the subject of a hearing. We don't disagree on the issue of Federal funding for abortion. We agree on that. But the Senator has mischaracterized his amendment.

Mr. VITTER. Reclaiming my remaining time, that was language I pointed out to the distinguished Senator 3 weeks ago when I introduced my amendment and we discussed it. So I think it is a little disingenuous to bring it up at this point.

Mr. DORGAN. And, Mr. President, he indicated when he pointed it out to me that this is why it was different than the Hyde amendment, which doesn't point to what he claims today.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. VITTER. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—52

Alexander	DeMint	McConnell
Allard	Dole	Murkowski
Barrasso	Domenici	Nelson (NE)
Bayh	Ensign	Pryor
Bennett	Enzi	Reid
Bond	Graham	Roberts
Brownback	Grassley	Salazar
Bunning	Gregg	Sessions
Burr	Hagel	Shelby
Byrd	Hatch	Smith
Casey	Hutchison	Stevens
Chambliss	Inhofe	Sununu
Coburn	Isakson	Thune
Cochran	Johnson	Vitter
Coleman	Kyl	Voinovich
Corker	Landrieu	Wicker
Craig	Lugar	
Crapo	Martinez	

NAYS—42

Akaka	Feinstein	Mikulski
Baucus	Harkin	Murray
Biden	Inouye	Nelson (FL)
Bingaman	Kennedy	Reed
Boxer	Kerry	Rockefeller
Brown	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Lautenberg	Snowe
Carper	Leahy	Specter
Collins	Levin	Stabenow
Conrad	Lieberman	Tester
Dorgan	Lincoln	Webb
Durbin	McCaskill	Whitehouse
Feingold	Menendez	Wyden

NOT VOTING—6

Clinton	Dodd	Obama
Cornyn	McCain	Warner

The amendment (No. 3896) was agreed to.

Mr. DORGAN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3897

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate equally divided in relation to amendment No. 3897.

The Senator from Oregon.

Mr. SMITH. Mr. President, 8 years ago, Congress asked the Indian Health Service and the tribes to revise a failed system for allocating facilities funding. The compromise they reached may amount to nothing without this amendment. That is why I feel so strongly about it. It is not only about one region or group of regions; this amendment is about holding true the government-to-government relationship the United States holds with all tribes. I ask my colleagues to support the amendment to ensure that all Native Americans receive the health care they need and deserve.

Members should know it is unlikely that Native Americans in their States are receiving construction funding for Indian Health Service facilities. All this does is say to the Indian Health Service: Come up with a formula that is fair. Otherwise, your State, the tribes you represent, will receive nothing.

Mr. BINGAMAN. Mr. President, I rise in opposition to Senator SMITH's amendment, No. 3897, to the Indian Health Care Improvement Act, S. 1200, and urge my fellow Senators to vote against this amendment.

This amendment would expressly authorize the Secretary of Health and Human Services, HHS, to utilize a new ''area distribution fund'' methodology to allocate Indian Health Service, IHS, health care facilities construction, HCFC, funding.

This approach could result in critical projects that are on the current IHS HCFC priority list from receiving funding. These projects have been waiting for many years, and in some cases decades, to receive funding. Furthermore, section 301 of the underlying bill, which the Smith amendment would amend, represents the results of hours of bipartisan negotiations on this issue throughout the last 2 years. While I understand Senator SMITH's desire to provide a possible avenue for his tribes to receive funding, this amendment would undo the very delicate compromise that was reached in the underlying bill.

According to the IHS staff briefings, the entire concept of an area distribution fund does not guarantee that all IHS service areas receive HCFC funding; instead, it creates a new criterion that must be used to determine IHS HCFC funding priorities. The current criteria utilized by IHS are focused on directing funding to the IHS areas in most need, where IHS patients are most isolated and least likely to have access to care. This geographic criterion does not represent good policy but simply an attempt to spread the very paltry funding provided for IHS HCFC projects even more thinly based on location instead of need. Instead of playing games with the distribution formula, we in Congress should be working to ensure that there is adequate funding for IHS HCFC projects so that the current backlog is addressed and new projects from throughout the country may be added.

I note that Navajo Nation also strongly opposes this amendment. The following discussion provides a summary of their concerns.

I. CONGRESS SHOULD LEAVE THE CURRENT LANGUAGE OF SECTION 301 AS CONTAINED WITHIN H.R. 1328 AND S. 1200 UNCHANGED

The current language of section 301 ''grandfathers'' in those health facility projects that have completed phase one and two of the current health care facilities construction priority system, and places them on the construction priority list upon enactment of the Indian Health Care Improvement Act.

The following projects have completed phase one and two of the current health facilities construction funding process: Winslow Dilkon, AZ, Pueblo Pintado, NM, Bodaway-Coppermine, AZ, Gallup Indian Medical Center, NM, Alamo, NM, Albuquerque, NM, Ft. Yuma, AZ, Rapid City, SD, Sells, AZ, Crown Point, NM, and Shiprock, NM. These projects should not be penalized for following the rules by eliminating the old process and instituting a new ill-defined funding system.

II. A LACK OF CONGRESSIONAL FUNDING CREATED CONTROVERSY OVER DISBURSEMENT OF HEALTH FACILITIES CONSTRUCTION DOLLARS

According to the Conference Report for H.R. 2466, the fiscal year 2000 Interior appropriations bill, the managers recognized the need for a ''base funding amount'' for facilities: ''Given the extreme need for new and replacement hospitals and clinics, there should be a base funding amount, which serves as a minimum annual amount in the budget request.'' Unfortunately, the managers' intent was never fulfilled, and funding levels have dropped consistently for several years. Congressional funding for health care facilities construction has decreased from a high of $134,300,000 in fiscal year 1993 to $13 million in fiscal year 2007.

Given the limited amount of funding, tribes are now competing over an ever-decreasing pool of money for tribal health facilities.

III. THE CURRENT SYSTEM RIGHTLY HONORS FUNDING FACILITIES BASED UPON A VOLUME OF SERVICES

Most of the health facility projects on the current priority list have been in the planning process for 20 to 30 years. These projects have done all that is asked of them including adapting to any new requirements imposed on them midway through the planning process.

The current health facilities construction priority system prioritizes projects based on several relevant factors such as volume of services provided; square footage needs; size; age; condition of existing facilities; demographics; population density; isolation; and distance to inpatient, outpatient, and alternative facilities.

The current priority system favors providing health facility construction dollars to those facilities that will provide a large volume of services over 10 years. For example, if a facility will serve 90,000 patient visits a year, calculated over 10 years, then this amount would total 900,000 patient visits in a 10 year period. The current system favors providing a volume of services that provides the most access to health care by the largest pool of people and need.

On the other hand, any system that distributes funding based upon equal distribution among the Indian health care regions could not provide a sufficient volume of services because some regions have larger native populations with less access to health care than others. In other words, fewer people would be provided health care by more facilities.

Keeping the current priority system would provide certainty and reinforce the work put into developing existing health facility projects.

IV. DO NOT AUTHORIZE A VAGUE CONCEPT

There is currently no consensus as to the meaning or impact of an area distribution fund. In fact, the Federal Appropriation Advisory Board, the workgroup created by the IHS to evaluate various facilities construction funding schemes, did not define the area

distribution fund. It is at best only a concept without a set methodology, structure, or any idea of what effects such a change may have on the current funding system. Randall Gardner, Acting Director of the IHS Office of Environmental Health and Engineering, OHE, has referred to the area distribution fund as only a concept in need of further evaluation. It would be the height of irresponsibility for Congress to replace a known system with the uncertainty of a concept without further investigation.

V. THE ISSUE IS ABOUT ACCESS TO HEALTH CARE AND NOT WHETHER TO BUILD ANOTHER HOSPITAL

Some groups have argued that their IHS service areas have not received much needed health facility funding. However, the statistics, when weighed against isolated areas like Sells and the Navajo Nation, do not support the need for another hospital in, for example, the Portland, California, Bemidji, or Nashville service areas. According to the IHS, the Portland area has 218 hospitals providing health services to 157,000 tribal members.

The California, Bemidji, and Nashville areas are similarly situated with respect to health care. In fiscal year 2001, California tribal health programs had 119,362 registered users with 69,238 active users served by 438 hospitals. The Bemidji area comprising Wisconsin, Minnesota, and Michigan, is made up of 34 tribes with 90,000 individual patients served by 494 hospitals. Finally, the Nashville area, which is the largest service area, has a native population of 45,000 Indian people with access to over 1,000 hospitals.

However, the Navajo Nation area, which is as large as West Virginia, has 238,515 users living on, or near, the reservation with access to only 6 hospitals. That is 1 hospital for every 39,753 users. The need for more health care facilities within the Navajo Nation area is clear.

Further, IHS statistics show that while the Portland, California, Bemidji, or Nashville service areas have not received any health facility construction dollars, the native people in these areas have always had access to superior health care. All Native Americans living within IHS areas also do not receive health facility dollars receive contract health care dollars that cover expenses incurred at non-IHS facilities.

The current priority system rewards basic health care access over building redundant hospitals in areas with many non-IHS facilities that can provide much needed health care services. Building another hospital in the Portland, California, Bemidji, or Nashville service areas when the Navajo Nation and other IHS area have significant unmet needs is redundant and inefficient use of federal funds.

VI. CONCLUSION

The current HCFC system now provides funding to ensure that large populations without access to nearby hospitals receive health care facilities funding. The area distribution fund concept has yet to be established with any certainty as to its meaning or impact. A new ill-defined system should not replace the existing priority system without some study. Authorizing such a concept without investigating thoroughly the overall effect of such a dramatic change to how IHS health care facilities funded would be irresponsible.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I share the frustration of the Senator from Oregon, but I must oppose the amendment. We have a backlog of $3 billion in facilities. If the Secretary chooses to establish what is an area distribution fund, moneys would be taken from the priority list. Many of the tribes on that list have waited a long time for funding for facilities. If the Secretary begins to take money from that priority list and does an area-wide distribution, it would be a serious problem. I want to work with the Senator from Oregon. We desperately need new and improved facilities. We need more money addressed to that. He is raising the right question. I happen to believe it is the wrong answer. I regretfully will vote against it.

Mr. SMITH. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 3897. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—56

Akaka	Ensign	Murray
Alexander	Feingold	Pryor
Bennett	Feinstein	Reed
Biden	Gregg	Reid
Bond	Hatch	Roberts
Boxer	Hutchison	Schumer
Brownback	Isakson	Shelby
Byrd	Kennedy	Smith
Cantwell	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Levin	Vitter
Corker	Lincoln	Voinovich
Craig	Lugar	Whitehouse
Crapo	McConnell	Wicker
Dole	Menendez	Wyden
Durbin	Murkowski	

NAYS—38

Allard	Domenici	Martinez
Barrasso	Dorgan	McCaskill
Baucus	Enzi	Mikulski
Bayh	Graham	Nelson (FL)
Bingaman	Grassley	Nelson (NE)
Brown	Hagel	Rockefeller
Bunning	Harkin	Salazar
Burr	Inhofe	Sanders
Cardin	Inouye	Sessions
Carper	Johnson	Tester
Coburn	Kyl	Thune
Conrad	Leahy	Webb
DeMint	Lieberman	

NOT VOTING—6

Clinton	Dodd	Obama
Cornyn	McCain	Warner

The amendment (No. 3897) was agreed to.

Mr. DORGAN. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4015 WITHDRAWN

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate in regard to amendment No. 4015.

Mr. DORGAN. Mr. President, we have reached agreement, and I ask unanimous consent that amendment No. 4015 be withdrawn.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 4066

Mr. DORGAN. Mr. President, we have also been in discussions with Senator DEMINT, and we are prepared—and I believe it has been agreed to on both sides—to accept amendment No. 4066 without debate. I ask unanimous consent that the amendment be adopted.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4066) was agreed to.

Mr. CONRAD. Mr. President, I want to join my colleagues in strong support of the Indian Health Care Improvement Act. Today has been a long time in coming. I want to particularly recognize the work of my friend Senator DORGAN, the chairman of the Indian Affairs Committee. We would not be here today without his dedication and persistence.

In 2004, the U.S. Commission on Civil Rights issued a report on the Native American health care system. One item in the report struck a very somber note with me. The report notes that as early as 1926 the adequacy of the delivery of health care to Native American was formally questioned by the government. In response, a report was issued 2 years later that sparked a host of statements by the Federal Government that the health status of Native Americans was ''intolerable.''

Unfortunately, the Commission notes that much of the 1928 report remains true today. It is indeed sad that in the 21st century Native Americans still do not have the access to and quality of health care to which they are entitled.

As my colleague from North Dakota has so poignantly illustrated time and time again, there is a health care crisis in Indian country. Native Americans are 200 percent more likely to die from diabetes, 500 percent more likely to die from tuberculosis, 550 percent more likely to die from alcoholism, and 150 percent more likely to die from accidents. Suicide is the second-leading cause of death for Native American adolescents, 2½ times the national average. Native Americans have a life expectancy nearly 6 years less than the rest of the U.S. population.

That is unacceptable. And it is why it is so important that we pass the reauthorization of the Indian Health Care Improvement Act.

More than 1.8 million Native Americans and Alaska Natives rely on the Indian Health Service for health care. Since the act was first authorized in 1976, the ways in which health care is delivered in this country have changed enormously. The bill before us helps meet the contemporary needs of Indian country.

I believe that the inability of many Indian people to receive preventive and nonemergency care is one of the reasons why there are such significant health disparities that exist between Native Americans and the rest of the U.S. population. In North Dakota, when the IHS clinic closes at 5 p.m. on the weekdays and is closed on the weekends, many go without care. I am pleased the bill before us addresses this challenge by establishing grants for demonstration projects including a convenient care services program to expand the availability of health care. It also has a renewed emphasis on disease prevention and health promotion.

The bill also takes important steps to provide training and incentives to increase the number of health care professionals in Indian country, especially Native health care professionals who understand the unique conditions facing their own communities and can provide care with greater cultural awareness. At the University of North Dakota, three programs authorized by the Indian Health Care Improvement Act—the Quentin N. Burdick Indians Into Medicine, Indians Into Nursing, and Indians Into Psychology Programs—are recruiting increasing numbers of Native Americans into medical professional programs. Graduates of these programs are making a real difference throughout Indian country, and I am pleased these successful programs are continued in the bill.

It also includes much needed provisions to address the youth suicide crisis that exists throughout Indian country by authorizing grants to deliver more counseling and suicide prevention services to tribal communities.

Finally, I am pleased my amendment to increase the use of video service delivery to assist in the outreach and enrollment of individual Indians in Medicare and Medicaid was incorporated into the managers' amendment. Remote video access to government services has all the benefits of face-to-face communication, without the costs and difficulties associated with traveling long distances from rural and remote reservations. To date, video service delivery has allowed for more than 300 completed applications for benefits, more than double what would be expected through conventional delivery methods. My amendment will allow for the expansion of this successful effort to other reservations across the country.

We have been working on reauthorization of the Indian Health Care Improvement Act for a number of years. I think Native Americans have waited long enough and it is time we deliver them this bill which begins to reverse the disparate health disparities that exist.

I do not expect that we will be able to solve all of the health care challenges that exist in Indian country with this one bill, but I expect that we will be able to make substantial progress in addressing some of the most pressing needs and creating a stronger system for the future.

Again, I want to recognize the extraordinary work of Senator DORGAN in delivering a truly bipartisan bill that meets the urgent health care needs of Native Americans in North Dakota and across the country. I urge my colleagues to support this bill.

Mr. LEVIN. Mr. President, today the Senate will pass the Indian Health Care Improvement Act of 2008. This bill would reauthorize and modernize the Indian Health Care Improvement Act which funds and authorizes health care services and programs to Native American Indians and Alaska Natives and reaffirms our commitment to ensuring that we meet our treaty and legal obligation to provide these communities with access to quality health care.

Reauthorizing the Indian Health Care Improvement Act has been long overdue. The last time the Congress reauthorized the Indian Health Care Improvement Act was in 1992, and this act has been up for reauthorization since 2001. The Indian Health Service has not been updated for far too long. As health care evolves and improves programs must be modernized to reflect new advances in the health care system. The Indian Health Care Improvement Act has not been modernized since 1992, 16 years ago, and is falling behind. We have a trust responsibility to provide health care to Native American Indians and Alaska Natives. We have not met that responsibility.

The disparities that exist between Indian communities and other Americans are overwhelming. The life expectancy for Indians is almost 6 years less than the rest of this country's population and the suicide rate is 2.5 times higher than the national average. Death due to alcoholism or tuberculosis is more than 600 percent more likely; and, Indians are 318 percent more likely to die from diabetes. These statistics are unacceptable and we need to continue to ensure that we close the gap.

The passage of this bill brings us one step closer to ensuring that the Indian Health Service is adequately funded and that programs to address the health care needs of these communities are available.

Mr. FEINGOLD. Mr. President, I am pleased to support final passage of the Indian Health Care Improvement Act Amendments of 2007. This bill is long overdue, and I hope that House works expediently to move this bill forward so that we can get this bill to the President and signed into law.

Throughout the Senate's work on this bill, I have been impressed with the bipartisan work that Senator DORGAN and the Senate Indian Affairs Committee have put into moving this bill forward. It was not any easy process, but I commend the committee for its ongoing dedication to significant consultation with Indian Country in drafting this bill and seeing it through to completion.

There are significant unmet needs in Indian Country throughout this Nation, and addressing the unmet health care needs ranks as one of the most significant problems that we must address. The Federal Government has a longstanding and well-established trust responsibility with regard to American Indian affairs, and this trust responsibility extends to providing good health care to communities throughout Indian Country.

For too long, the Federal Government has not lived up to its Federal trust responsibility commitments, but I hope that passage of this legislation will set the Federal Government on a course toward better supporting the needs of our American Indian communities, whether they be health care, education, or housing needs. While this bill is a vital step in the right direction, we need to follow through with fiscally responsible increased funding for the important programs authorized in this legislation.

This bill has the support of tribal governments throughout the United States, including the 11 tribes in my State of Wisconsin. I have heard from a number of constituents in Wisconsin about the need to pass this bill this year. The improvements that the legislation will make to various Indian Health Service programs including clinical programs on the various reservations throughout the State and urban Indian programs in Milwaukee and Green Bay are significant, and it is my hope that this bill will help improve the quality of health care provided to American Indians living throughout Wisconsin.

Health care is consistently the No. 1 issue that I hear about all over my home State of Wisconsin. When I hold my annual townhall meetings across the State, many people come to tell me about problems with our overall health care system, and data shows us that these problems are often most acutely felt in Indian Country. Lack of access to good health care is a problem that disproportionately affects American Indians throughout the United States. According to recent studies, American Indians and Alaska Natives are 200 percent more likely to die from diabetes, more than 500 percent more likely to die from alcoholism, and approximately 500 percent more likely to die from tuberculosis.

Some may doubt whether this legislation is needed or whether it will really help improve the lives of Americans. The staggering statistics that highlight the health care disparities faced by American Indians show just how imperative it is that we pass this legislation, which is long overdue. These statistics also help illustrate the vast

amount of work that remains to be done to improve the quality of health care in American Indian communities beyond passage of this legislation. Nevertheless, this bill takes an important first step toward addressing these health care disparities through the many reforms it makes to Indian health care programs. For example, modernizing Indian Health Services programs through this legislation will help to address the diabetes and suicide crises that exist on reservations—just two examples of the many health care issues that impact the daily lives of American Indians across the country.

Reauthorization of this bill will help encourage health care providers to practice at facilities in Indian Country and encourage American Indians to enter the health care profession and serve their communities. Recruiting talented and dedicated professionals to serve in IHS facilities, whether urban or rural, is a key challenge facing many tribal communities in Wisconsin and around the country. I hope these provisions will help bring additional dedicated doctors, nurses, and other health care professionals to our tribal populations.

This bill also reauthorizes programs that assist urban Indian organizations with providing health care to American Indians living in urban centers around the country. The Urban Indian Health Program represents a tiny fraction of the Indian Health Services budget, but the small amount of resources given to the urban programs provides critical health services to those Indians living in urban areas. Contrary to what some people may think, the majority of American Indians now live in urban areas around the country, including two urban areas in my State—Milwaukee and Green Bay. Throughout our Nation's history, some American Indians came to urban centers voluntarily, but many were forcibly sent to urban areas as a result of wrongheaded Federal Indian policy in the 1950s and 1960s and have since stayed in urban areas and planted roots in these communities.

As a result of this movement to urban centers, Congress created the urban Indian program in the late 1970s to address the growing urban Indian population around the country. The Federal Government's responsibility to American Indians does not end simply because some American Indians left their ancestral lands and moved to urban locations—particularly when some of them had little choice in the matter.

While this legislation takes important steps toward improving urban Indian health care programs, we need to do much more to support these urban programs, including fighting for increased appropriations. I have been disappointed that the President has proposed zeroing out the urban Indian program in past budgets, and unfortunately, the President's budget request for fiscal year 2009 is no different. As in years past, I have joined with my colleagues to urge the Senate to restore funding for urban Indian programs to the Federal budget for fiscal year 2009, and I hope this year the Senate can also provide a much-needed boost in funding for the urban Indian programs.

I voted for an amendment offered by Senators SMITH and CANTWELL that would permit, but not require, the Secretary of HHS to create an area distribution fund to allocate funding resources for IHS facilities construction to all 12 of the IHS service areas. I have heard a lot of concern from tribes in my State of Wisconsin about the way that construction facility funds are allocated and the fact that certain IHS service areas, including the Bemidji region covering Wisconsin, do not fare well under the current system. I recognize that there needs to be an overall boost in the appropriations for IHS facilities construction to help tribes currently on the construction priority list as well as those tribes that cannot even get on the current list, and I look forward to supporting fiscally responsible efforts to boost funding for various IHS programs, including this one. But in the meantime, we should explore opportunities to address innovative solutions to this problem, and this amendment takes a reasonable approach to addressing this problem. Any efforts to create an area distribution fund should involve significant consultation with tribes throughout Indian Country, and I am pleased this amendment makes clear that such consultation would be required.

I also voted for amendment 4032, offered by the Senator from Oklahoma, because it is critically important that sexual assault victims be able to find out whether they have been exposed to HIV. However, I am concerned about the way that the amendment was drafted. If there is a conference on this bill, I would urge conferees to consider making this provision consistent with the existing provision governing the testing of defendants in Federal cases, 42 U.S.C. section 14011, or at a minimum to clarify how it would relate to that law. I also would urge them to ensure that the new provision complies fully with the requirements of the fourth amendment.

Mr. President, Indian Country has made many compromises in order to move this bill forward, and passage of this bill is long overdue. The Senate's actions today mark an enormous victory for Indian Country, and I hope that the House will quickly take this bill up so that we can get this bill signed into law by the President this year.

This bill takes concrete and positive steps toward addressing some of the health care needs facing American Indian communities around the country, and I look forward to working with my colleagues to build on this legislation in the coming months and years. Challenges facing American Indians throughout the United States extend beyond health care issues into issues of improving economic development, educational opportunities, and affordable and safe housing opportunities, and I hope we can continue to work together in a bipartisan way to pass other important measures this year. Together, tribal nations throughout all our States can work closely with the Federal Government to address the vast array of these unmet needs. Passage of the Indian Health Care Improvement Act Amendments of 2007 today provides an important foundation going forward, and it is up to all of us to see that this foundation is strengthened in the coming months and years.

Mr. DORGAN. Mr. President, I wish to take a few minutes to talk about the vote we had earlier today on an amendment offered by Senator VITTER to the Indian Health Care Improvement Act. Senator VITTER described his amendment, which was adopted by the Senate, as codifying a longstanding policy that prohibits Federal funds from being used to pay for abortions.

I agree that Federal funding should not be used to pay for abortions. I have always supported the existing funding prohibition known as the Hyde amendment that has been added in the appropriations process every year since 1976.

That being said, I opposed Senator VITTER's amendment because the amendment would only codify the Hyde amendment with respect to the Indian Health Service. I think we should apply the same standard to all Federal health programs and not set up a separate standard that only applies in Indian Country.

Mr. DORGAN. Mr. President, the next vote will be a vote on final passage. I will take just 30 seconds.

I do want to say that Senator MURKOWSKI has helped get us to this point in a very significant way. As to Senators BAUCUS, GRASSLEY, KENNEDY, ENZI, KYL—and especially Senator REID, who allowed us to spend time on the floor on this bill—and the 31 cosponsors of the legislation, I thank all of them.

I thank Allison Binney, the majority staff director, and David Mullon, the minority staff director, and the really talented group of staff members who worked very hard on this legislation. I say a hearty thank-you to them.

Mr. President, I ask unanimous consent that a list of all their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Indian Affairs (Democratic staff)

Allison Binney (Staff Director), Ted Charlton, Cindy Darcy, Heidi Frechette, John Harte, Tracy Hartzler-Toon, David Holland, Jerci Powell (intern), Eamon Walsh, Rollie Wilson.

Indian Affairs (Republican staff)

David Mullon (Staff Director), Megan Alvanna-Stimpfle, Jim Hall, Rhonda Harjo, Gerald Moses, Jonathan Murphy.

Finance Committee (Senator Baucus' staff)

Catherine Dratz, Michelle Easton, Deidre Henry-Spires, Richard Litsey, David Schwartz, Russ Sullivan.

Finance Committee (Senator Grassley's staff)

Becky Schipp, Rodney Whitlock.

Democratic Policy Committee (DPC)

Kory Caro, Liz Engel, Ryan Mulvenon.

HELP Committee (Senator Kennedy's staff)

David Bowen, Caya Lewis, Lauren McFarran, Peter Romer-Friedman, Tanchia Terry, Portia Wu.

HELP Committee Staff (Senator Enzi's staff)

Greg Dean, Shana Christup, Katherine McGuire, Randy Reid (Senator Enzi's Legislative Director), Amy Shank.

Senator Reid's Leadership staff

Carolyn Gluck, Kate Leone, Darrel Thompson, Marcela Zamora.

Senator Kyl's staff

Jennifer Romans.

Mr. DORGAN. It has been 8 years now that we should have advanced this legislation to improve Indian health care, and after 8 long years we finally have it done—at least through the Senate after this final passage vote. I say thanks to all of my colleagues for their patience and also their help.

I yield the floor to Senator MURKOWSKI.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I, too, want to thank so many who have done so much to advance this legislation. Very rarely do we see an opportunity for Indian bills of any nature to receive floor time, so I want to thank all our colleagues to be able to debate this very important issue with them.

I thank especially Chairman DORGAN for his leadership on this legislation. He has mentioned so many who have participated throughout the years, including the staffs, but we also need to recognize the leadership of the former chairman, Senator Ben Nighthorse Campbell, and, of course, Senator MCCAIN, Senator DORGAN, Senator INOUYE—so many who have done so much.

I also want to acknowledge the National Tribal Steering Committee for their efforts—great tribal leaders coming together to advance this very important legislation.

I have a long list of thank-yous, but truly it has been a great effort, and we appreciate the leadership on both sides in advancing this legislation.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, the one thing both of these Senators did not mention is the wonderful work they have done. The chairman and ranking member of the Indian Affairs Committee were able to reach out to Members on both sides of the aisle. This is truly a bipartisan piece of legislation. Is it everything we wanted? Is it everything they wanted? No. But it is a good piece of legislation. For the Indians around America today, it is a really bright day. So I appreciate the good work of Senators DORGAN and MURKOWSKI, who have done very good work.

Mr. President, I am happy to yield to my friend.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, let me add my congratulations to Senator DORGAN and particularly Senator MURKOWSKI for their excellent work in putting together this very important piece of legislation. I commend them both for outstanding work.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the previous order, the Senate recess from 12:30 to 2:25 p.m. for the weekly caucus lunches; that at 2:25 p.m. the Senate begin the 20 minutes of debate prior to a vote on the motion to invoke cloture on the motion to proceed to S. 2633 as provided under the previous order, with all other provisions of the previous order remaining in effect; further, that if cloture is not invoked, the next rollcall vote on the motion to invoke cloture on the motion to proceed to S. 2634 occur at 4 p.m, with the Senate in a period of morning business until 4 p.m., with the time equally divided and Senators permitted to speak up to 10 minutes each.

So, Mr. President, because of problems that sometimes come here with scheduling, we are going to bifurcate, but it will only be for about 50 minutes. We will have about 50 minutes of morning business until the vote at 4 o'clock. I appreciate everyone's cooperation.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Under the previous order, the Dorgan substitute amendment, as amended, is agreed to.

The amendment (No. 3899), as amended, was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

Mr. DORGAN. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut (Mr. LIEBERMAN) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 10, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—83

Akaka	Dorgan	Menendez
Alexander	Durbin	Mikulski
Barrasso	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Grassley	Pryor
Bingaman	Hagel	Reed
Bond	Harkin	Reid
Boxer	Hatch	Roberts
Brown	Hutchison	Rockefeller
Brownback	Inouye	Salazar
Bunning	Isakson	Sanders
Burr	Johnson	Schumer
Byrd	Kennedy	Shelby
Cantwell	Kerry	Smith
Cardin	Klobuchar	Snowe
Carper	Kohl	Specter
Casey	Kyl	Stabenow
Chambliss	Landrieu	Stevens
Cochran	Lautenberg	Tester
Coleman	Leahy	Thune
Collins	Levin	Voinovich
Conrad	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
Dole	McCaskill	Wyden
Domenici	McConnell	

NAYS—10

Allard	Graham	Sununu
Coburn	Gregg	Vitter
Corker	Inhofe	
DeMint	Sessions	

NOT VOTING—7

Clinton	Lieberman	Warner
Cornyn	McCain	
Dodd	Obama	

The bill (S. 1200), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. DORGAN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, the Senate has taken an important step today by passing S. 1200, the Indian Health Care Improvement Act Amendments of 2007.

I am now pleased to join the other 30 cosponsors of this legislation in sending it to the House for their consideration.

When signed into law, this legislation will:

increase and improve recruitment and retention programs for Indian health professionals;

improve communicable and infectious disease monitoring and provide for more research on issues unique to those living on reservations;

improve and expand diabetes screening and treatment programs;

expand programs to prevent domestic violence, sexual abuse, and substance abuse, in Native American communities;

incorporate and encourage the use of technology in delivering health care services and

providing treatment, which is so important to our rural Indian communities;

and encourage States to increase outreach to Indians to help them to enroll in Medicaid and SCHIP programs.

This legislation is supported by a broad, bipartisan coalition, those in Indian Country, and many organizations that advocate for eliminating disparities in health care.

I would like to take this opportunity to acknowledge the support and leadership of particular Senators and their staffs.

The bill managers have been strong and articulate advocates for the bill, and shown great flexibility.

I commend Senator DORGAN and his staff, particularly Allison Binney, Cindy Darcy, Heidi Frechette and Ben Klein.

I commend Senator MURKOWSKI and her staff, including David Mullon and Nathan Bergerbest.

I commend Senator BAUCUS, and his staff, particularly David Schwartz and Richard Litsey; and Senator GRASSLEY and his staff, including Rodney Whitlock, who have insisted on improvements in the administration of Indian health programs.

I commend Senator KENNEDY and his staff, particularly Caya Lewis, and Senator MIKE ENZI and his staff, including Randi Reid, Shana Christrup, Greg Dean and Amy Shank, who helped us negotiate many difficult issues.

On my staff and part of the Democratic leadership team, I commend Kate Leone, Carolyn Gluck; Kory Vargas Caro, Elizabeth Engel, and Ryan Mulvenon.

I want to say a special word of thanks to Tracy Hartzler-Toon, who has worked tirelessly for over a year to help make today possible.

She has served me, the Indian Affairs Committee, and the Senate very well. And most importantly, she has served the residents of Indian Country exceedingly well.

I also thank my colleagues, the Republican leader, Senator MCCONNELL, and his health policy advisor, Megan Hauck, and Senator JON KYL, and particularly Jennifer Romans, for their agreement and commitment to see that this bill finally received its due consideration.

Lastly, I want to acknowledge the support of the late Senator Craig Thomas of Wyoming. Before he passed away last year, his leadership on the Indian Affairs Committee was helpful in bringing the Senate to this moment.

With the help of so many, both in the Capitol and around the country, we have taken an important step toward providing Indian Country some of the health care services that many in the rest of this Nation have enjoyed for years.

I urge the House to take quick action on H.R. 1328, the companion bill to what we passed today, so we can get this important legislation to the President's desk and make these services a reality.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I wish to say a few words about this vote, and then I am going to ask unanimous consent that Senator MURKOWSKI be recognized, then Senator ENZI, Senator FEINGOLD, and Senator BOXER. I believe Senator ENZI is going to ask for 10 minutes, Senator FEINGOLD 20 minutes, and Senator BOXER 15 minutes. I ask by unanimous consent that be the order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I will take a couple of additional minutes to say how pleased and proud I am that we have passed by a very wide margin the first improvement in Indian health care since 1992. These, after all, are the first Americans. They were here first. We signed treaties with them, we took their land, we put them on reservations, made promises, and we have a trust responsibility. We said ''we promise.'' The fact is, we have not kept those promises for a long time, especially with respect to Indian health care.

Finally, at long last, this Congress—and thanks to Senator REID and all the folks who allowed this to be on the floor of the Senate for the time that it was—we finally have made some progress, the first time since 1992 that we have reauthorized the Indian Health Care Improvement Act. This is a big deal. This will save lives. We have more steps to take. The House has a bill with which it has to deal. It will, and we will be in conference, and finally we will be able to have a bill before the President of the United States for his signature in this year.

I have spoken at length. I know people are tired of hearing me. The Presiding Officer is from Montana. He and I held a hearing on the Crow Indian Reservation in Montana. We heard an earful about Indian health. I have held listening sessions around the country in different States with Indian tribes. I cannot tell you the number of stories I have heard that had me going away from these meetings shaking my head wondering: What on Earth can we do to fix this situation? How much will it take for us to fix this situation?

I recall a grandmother on the Crow Reservation, MT, standing up with a beautiful picture of her 5-year-old granddaughter who had died. After essentially a rather lengthy story, she asked: How do you justify this, a young girl spending the last 3 months of her life in unmedicated pain because the health care system does not work for that young girl? The stories go on and on.

I am convinced we must do better, and I am determined and it was my priority when I became chairman of this committee to finish this job. I know Ben Nighthorse Campbell worked hard on it, and Senator MCCAIN, when he was chairman of the committee, worked hard on it. Finally, Senator MURKOWSKI and I made it a priority for this committee to say: We have to fix this situation. This is not some option. The promise of health care means if we do not keep this promise, people will die. I have named some of those people, some of them children.

We have to do better. And this vote today, a very significant vote in the Senate, an overwhelming vote, 90 percent of the Senate saying we agree, let's fix it, that is something I think is going to be unbelievably welcome news to American Indians all across this country today. It has been a long time coming, 16 years, but finally—finally—we made progress, and I believe this progress will save lives.

Mr. President, I thank Senator MURKOWSKI who has been an enormous partner in trying to get this bill completed. As I close, I will mention our staff director, Allison Binney, also Ted Charlton, Cindy Darcy, Heidi Frechette, John Harte, Tracy Hartzler-Toon, David Holland, Jerci Powell, Eamon Walsh, and Rollie Wilson on our side; and David Mullon, staff director on the minority side, Megan Alvanna-Stimpfle, Jim Hall, Rhonda Harjo, Gerald Moses, Jonathan Murphy, and so many others.

Those people I have named have worked a lot. They worked behind the scenes, long hours, late at night, and on weekends to help make this possible. I say a heartfelt thanks to them for their wonderful work.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I rise to recognize the passage of the Indian Health Care Improvement Act. I again thank the majority leader and minority leader for committing floor time for this bill. Rarely have Indian bills received time on the Senate floor, but this is one that is very important to the well-being of our country's Native people that the attention it has been given by the Senate is more than justified.

I thank my colleagues for their commitment in considering this legislation, addressing the issues, and supporting our efforts to improve health care services for American Indians and Alaska Natives.

As with many bills, the provisions fall under more than one committee's jurisdiction. The Committee on Indian Affairs, on which I serve as the vice chairman, has shared this bill with the Finance and HELP Committees, and both of these committees have worked in earnest to assist us in crafting a bill to carry the Indian health care system into the 21st century.

I am fortunate to have a chairman on the Indian Affairs Committee—Senator DORGAN—with whom I share a close working relationship. We both have significant populations of Native people in our States with similar issues and challenges in many areas such as health care, education, housing, economic development and transportation.

We have had numerous opportunities to work together in our committee, particularly on youth suicide prevention and treatment and telemedicine. I truly appreciate his persistence and dedication in advancing this bill.

Senators GRASSLEY and BAUCUS have also worked with us closely to advance this measure through the Finance Committee last year which reported the bill out favorably in both the 109th and 110th Congresses. I also wish to recognize their staff Rodney Whitlock, Becky Shipp, and David Schwartz, who worked so closely with the Indian Affairs staff on this bill.

Likewise, Senator ENZI, in his capacity as chairman and now as ranking member of the HELP committee—worked very diligently on this legislation to refine key pieces of the legislation during the 109th Congress and again this year. Greg Dean, Shana Christrup, Randi Reid and Amy Shank devoted countless hours of work with the Indian Affairs Committee to work out issues, which I appreciate. I especially appreciate the leadership and commitment of Senator KYL. He has one of the largest Indian populations in his State. His commitment to Indian issues was reflected by his continued involvement and that of his staff, Jennifer Romans, in working out issues to advance this bill.

We must not forget that this bill reflects the work of our dear colleague and my predecessor, the late Senator Craig Thomas, who held the reins as vice chairman last year. He eagerly pursued efforts to improve health care services for all American Indian communities, including those in his home State of Wyoming on the Wind River Indian Reservation, and it is most fitting that we will honor his work with the passage of this bill. I pointed out on the floor yesterday, in the 109th Congress, Senator MCCAIN made a great effort to reauthorize the act in his role as chairman of the Indian Affairs Committee. Before that, Senator Campbell, who also served as chairman of the Indian Affairs Committee, carried this legislation since the 106th Congress as the original sponsor, along with Senator INOUYE, until Senator Campbell's retirement in 2004.

Between Chairmen Campbell and MCCAIN in the 108th and 109th Congresses, there were 8 hearings on the reauthorization, including joint hearings with the HELP Committee and with the House Resources Committee.

Our efforts had also great help from my good friends Senators STEVENS, DOMENICI, SMITH, COCHRAN, HATCH, and THUNE. These Senators have been longtime friends of our country's Native people, and I want to acknowledge their dedication in promoting American Indian and Alaska Native health.

The Republican staff of the Senate Committee on Indian Affairs has waited a long time for this day to come. David Mullon, the Republican staff director and chief counsel, and Rhonda Harjo, the deputy chief counsel, came to the committee during Senator Ben Nighthorse Campbell's tenure.

Rhonda Harjo has been the lead Republican staff member of the committee for Indian Health Care Improvement Act reauthorization since 2003. Indian country takes pride in her devotion to the betterment of her Native people and I share that pride today.

I also wish to acknowledge the efforts of Jim Hall and Jon Murphy and two Alaskans who recently joined the committee—Gerald Moses and Megan Alvanna-Stimpfle—in preparing this bill for floor consideration.

I also acknowledge the tireless efforts over the past 8 years of the Indian tribal and health care leaders and advocates across the U.S. in helping develop the legislative proposal which served as the basis for this bill. In particular, the National Tribal Steering Committee, consisting of tribal leaders and Indian health representatives, brought together the diverse interests of over 560 tribes across the country to a consensus on this very important measure.

That is no small task and it was handled dutifully by the cochairs of the National Tribal Steering Committee, Chairman Buford Rolin of the Poarch Band of Creek Indians in Atmore, Alabama, Rachel Joseph, former Chairwoman of the Lone Pine Paiute-Shoshone Tribe, in Lone Pine, California, and staff, Kitty Marx from the National Indian Health Board.

Three key Alaska Native leaders played significant roles on the National Tribal Steering Committee: Sally Smith, the chairman of the National Indian Health Board and the Bristol Bay Area Health Corporation; Don Kashevaroff, the president of the Seldovia Village Tribe and chair of the Tribal Self-Governance Advisory Committee; and Valerie Davidson from the Alaska Native Tribal Health Consortium. I appreciate their leadership and thoughtful consideration in the development of this legislation.

A lot of good work went into this bill and our efforts should not go in vain. I look forward to working with my House colleagues and getting this bill on to the President's desk for signature.

Mr. President, we had a brief opportunity to express our thanks to those who have worked so hard on the reauthorization of the Indian Health Care Improvement Act. Again, my sincere thanks and gratitude to Chairman DORGAN for all that he has done.

This is a good day for Indian country, for Alaska Natives who are just waking up back home right now. They are going to wake up to news that they have been waiting to hear for a good decade: that finally we have advanced the Indian Health Care Improvement Act. We have taken that step. We recognize this is not the end-all and be-all in terms of providing for the health care needs of American Indians and Alaska Natives. We know we need to do more, and we are challenged to do that.

We talked about the funding issue and how we must make that next step to make sure it is not just what we put in the authorization, but we back that up with the dollars for the programs.

We have a long way to go, but I think we have made a very significant step today. I am proud of the work of my colleagues today and those who came before us on this very important issue.

''EXXON VALDEZ'' OILSPILL

Mr. President, I wish to take a few minutes this morning to talk about tomorrow because tomorrow the United States Supreme Court will hear the appeal of the ongoing litigation between ExxonMobil and commercial fishermen and other plaintiffs whose livelihoods were negatively impacted, devastated, in fact, by the 1989 *Exxon Valdez* oilspill. The *Exxon Valdez* ran aground on Bligh Reef at 12:04 a.m. on March 24, 1989. It spilled 11 million gallons of oil—this is about the same size as 125 Olympic-sized swimming pools—directly into Prince William Sound in Alaska. The oil from the spill migrated several hundred miles from Bligh Reef and polluted roughly 1,300 miles of Alaskan shoreline. There were 11,000 square miles of ocean that were ultimately affected by this spill, which is believed to be the worst oilspill worldwide with respect to environmental damage.

Regrettably, the spill area is still affected some 19 years later. In 2001, the National Oceanic and Atmospheric Administration studied the shoreline of Prince William Sound for any remaining effects of the spill. Scientists reviewed 91 sites within Prince William Sound and found that 58 percent of these locations were still polluted by oil. Again, this is 19 years after the fact. Some estimates note that beaches and streams in this area are still polluted with over 25,000 gallons of oil.

Of course, the fisheries in Prince William Sound were affected. The herring fishery in this area experienced a dramatic decrease in the years immediately after the 1989 spill. As of 2007, the herring fishery had not improved to the pre-1989 levels. Another example is what has happened with the value of the fisheries permits in this part of the State. In 1988, a fishing permit in Prince William Sound was worth $400,000. As of 2004, the value of each such permit was less than $70,000, a drop of more than 82 percent.

There was a class action jury trial held in Federal court in Anchorage, AK, in 1994. The plaintiffs at that time included over 30,000 commercial fishermen, among those whose livelihoods were gravely affected by the disaster. The jury awarded $5 billion in punitive damages to the plaintiffs. This punitive damage award has been on repeated appeal by ExxonMobil since that time. On December 22, 2006, the Ninth Circuit Court of Appeals reduced the punitive damage award to $2.5 billion. In early 2007, ExxonMobil petitioned the Ninth Circuit for a rehearing en banc. Within a few months, the Ninth Circuit denied

this petition and ExxonMobil appealed to the Supreme Court. Unfortunately, in this intervening time period, with years and years of litigation bringing delay in resolution, we have had several thousand plaintiffs pass away since this litigation began.

Due to the limitations in admiralty law with respect to the recovery of compensatory damages, many Exxon Valdez plaintiffs were not able to recover the financial losses they sustained in the aftermath of this spill. So the punitive damages that are under consideration by the Supreme Court will provide them that level of compensation.

Once the Supreme Court decided to hear this case, I joined with Senator STEVENS and Representative YOUNG in submitting an Alaska congressional delegation amicus brief to the U.S. Supreme Court. In that brief, we argue that the award of punitive damages in this case of reckless and wanton conduct by Exxon not only is permissible under the Clean Water Act, but it is supported by Federal maritime law. Only punitive damages will provide those who were harmed—and who continue to be harmed—with the justice and the fair compensation they deserve.

This litigation needs to end. Nineteen years is far too long for these plaintiffs to wait to be compensated for their loss of income. I am hopeful that the Supreme Court will rule in favor of the plaintiffs in this case, and I, along with so many Alaskans, look for a final resolution to this great tragedy that occurred to us as a State some 19 years ago.

Mr. President, I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business until 12:30 p.m., with the time equally divided and controlled between the two leaders or their designees.

The ACTING PRESIDENT pro tempore. Under the previous order of the Senate, the Senator from Wyoming is recognized for 10 minutes.

EQUALIZING THE TAX TREATMENT OF HEALTH INSURANCE

Mr. ENZI. Mr. President, I wish to congratulate the Senator from North Dakota, Mr. DORGAN, and the Senator from Alaska, Ms. MURKOWSKI, on the piece of legislation we just passed. It is extremely critical to a number of people in the United States, the Native Americans.

It was an extremely difficult piece of legislation to do because it is such a diverse group of people. There are Native Americans who are living in cities, there are Native Americans living on reservations, and there is even a difference in reservations because there are some that have a lot of land and a few people, and some have a lot of people and very little land. To come up with a one-size-fits-all is not possible. This bill takes care of all of those people wherever they are and under the circumstances they are under, and it does meet the promise that was given. It culminates 15 years of work that should have been done 15 years ago, but because of the diversity, it was extremely difficult to do. And the chairman and the ranking member, working together, were able to pull that together. So I congratulate both of them for their efforts and their capability of working with everybody in this body, with probably about 100 amendments that were thought about, though not all were offered. The solutions, the ways to solve a lot of those problems are included in the bill. I think it is a very good bill, and they deserve a lot of credit for the way they worked on it and the effort they put into it and the result they got. I am looking forward to getting it resolved on both ends of the building and the President signing it, and I congratulate both of them.

I do rise today, however, to talk about finding other solutions to our health care crisis. That is a part of it. We have extended the children's health insurance plan until March of 2009, so that part has been partly solved, but my wife Diana and I travel to different parts of Wyoming most weekends, and the No. 1 issue on people's minds is their health care. They all ask me what I am going to do to make sure they have the health care they need. I am able to tell them a lot of things I am working on, but I am not able to tell them very much about things actually getting accomplished. This troubles me because our constituents deserve our help. It is time for real action, and I hope we are able to do something on health care this year.

As the senior Republican on the Committee on Health, Education, Labor and Pensions, I spend a lot of time working on health care issues. I have spoken to this body many times about a bill that I am working on, that I have been working in conjunction with anybody in this Chamber who is interested in health care, and trying to pull together the idea so that we can do some things in health care, any one of which would help us to get closer to a solution for all Americans.

The bill I have put together is one called Ten Steps to Transform Health Care in America. That will fix many of the common complaints I hear from my constituents. Why ten steps? Well, I have discovered over the course of the years I have been in this Chamber that if you try to put together one massive comprehensive bill that solves everything, you will have one piece that 5 people don't like, another piece 8 people don't like, another 11 people don't like, and another 3 people don't like, until pretty quickly you are at 51 votes and you can't get the bill done. When you try to do something comprehensively, it often looks revolutionary. And we don't do things revolutionarily; we do them evolutionarily. So I put together 10 pieces, any one of which gets us closer to having every American insured. All 10 would get every American insured. So I hope people will take a look at it.

Today, I am just going to focus on one step; that is, the first, and that is equalizing the tax insurance treatment for all Americans, not just the ones who get health insurance at work. I encourage everyone watching to look at my Web site, enzi.senate.gov, to learn more about all the steps of the bill. Again, I emphasize that these are bipartisan ideas people have given me.

Because the chairman of the committee has been so involved in the education portion—and we are making progress on the education portion, having sent several pieces to the President already, and we are going to finish the higher education bill, and we are going to finish No Child Left Behind—I have been given the flexibility to look into this health care area. The chairman and I sat down and worked on principles of health care, and then I have sought to get ideas from both sides of the aisle and incorporated them as much as I can into 10 steps.

Before I go into the details of step 1, I wish to say a few things about the entire proposal.

If the Ten Steps bill were to become law, the end result would be an insurance card for everyone. Now, lots of people have insurance cards—Members of Congress have them, people who work for big companies have them, the kids in Wyoming who participate in the State Children's Health Insurance Program have them. Lots of people have them, and most of those people who have insurance cards are happy with the care they are getting. They do not want change. And the bill doesn't change that. If you have an insurance card now, you can keep that card and keep getting the exact same care you are getting. The problem is the 47 million or so Americans who don't have an insurance card. My bill gives all those people cards. If they can't afford the cards because they are low income, this bill helps them by giving them the money they need to purchase the insurance card. The bottom line is that everyone has a card and everyone will be able to get the care they need.

So how does the bill get everyone an insurance card, and will we bust the budget in the process of getting everyone an insurance card? The bill won't bust the budget. It won't be free, but it won't bust the budget. So how is this possible? Well, in order to understand how the bill works, it is important to review a few facts about the history of health insurance in this country.

Right now, about 60 percent of the folks under age 65 are getting their health insurance through their job. The question is why. Why are 60 percent of Americans getting their health insurance through their job? Well, the short answer to that question is, because of the way employer-sponsored

health insurance is treated for tax purposes.

Our current health insurance system is biased toward employer-based coverage due to a historical accident.

During World War II, we had wage controls. Wage controls increased competition among employers for recruiting the best employees, and health care incentivized employers by allowing them to offer health benefits instead of prohibited wage increases.

In 1954, Congress codified a provision declaring that such a contribution would not count as taxable income—an added incentive. This tax policy made it very favorable for individuals to get their health benefits through their employers and consequently has penalized individuals who get their coverage through the individual market.

We must eliminate the unfair tax treatment of health insurance, which will expand choices in coverage and give all Americans more control over their own health care.

The Joint Committee on Taxation estimated that removing this tax bias—and a few related health care tax policies—would save the Federal Government $3.6 trillion over the next 10 years. That is a lot of money—even around here, that is a lot of money—that can and should be used to expand choices and access and give individuals more control over their health care.

Ten Steps ensures that every American can benefit from this savings whether they get their health care from their employer, from the individual insurance market, or they decide they want to get off of Medicaid and switch to private insurance. So how does the bill do this? The plan gives all Americans who have at least a certain amount of health insurance a standard deduction. The national above-the-line standard deduction for health insurance would equal $15,000 for a family and $7,500 for an individual. The bill also gives low-income folks a tax credit equal to $5,000 for a family or $2,500 for an individual. The subsidy amount phases out as income gets higher, so folks won't be eligible for the subsidy at all, but everyone is eligible for the standard deduction. Because the bill takes this hybrid approach to coupling the standard deduction proposal with the tax credit proposal, no particular population is adversely affected. The Tax Code would no longer penalize folks who don't get their insurance through their job.

Let me be clear. My goal is not to erode employer-based health insurance, given that Ten Steps does not alter the way employers treat health insurance. Rather, I wanted to provide more options for individuals who don't currently have insurance through their employer. Correcting a flawed tax code would make it easier for working Americans to buy health insurance. Jobs don't need health insurance, people need health insurance. American families who aren't insured through their employers should have the same accesses to care. Everyone should be treated equally.

I hope we can move forward quickly on making these changes so that every American can get health insurance. It is time for real action. We need to do something. It isn't necessary to wait for the end of a Presidential election to solve basic problems for the American people. These 10 steps will take care of a lot of things. We can do any one of them and make a difference now and show that Congress can get things done.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

COMPREHENSIVE REPORT ON AL-QAIDA

Mr. FEINGOLD. Mr. President, the Senate will vote later today in relation to two bills I recently introduced with Majority Leader REID addressing the war in Iraq and the disastrous toll it continues to take on our top national security priority, the global fight against al-Qaida.

Many of my colleagues have expressed concern that the exhausting rate of deployments in Iraq and the resources we are committing to that country are undermining our ability to protect ourselves at home and respond to dangers abroad, including the deteriorating situation in Afghanistan and the global threat posed by al-Qaida. While we all hope that the recent decline in violence in Iraq will hold, lasting stability remains elusive and there is a serious danger that our troops will remain mired in Iraq while our ability to combat al-Qaida elsewhere and protect ourselves at home continues to deteriorate.

Senator REID and I have introduced two bills to address these problems head-on. One of these bills, S. 2633, is similar to legislation we have offered before. I am pleased that this bill is also cosponsored by Senators BOXER, BROWN, BYRD, CARDIN, CLINTON, DODD, DURBIN, HARKIN, LEAHY, MENENDEZ, OBAMA, SANDERS, SCHUMER, WHITEHOUSE, and WYDEN. It requires the President to safely redeploy U.S. combat troops from Iraq with very narrow exceptions. Effective 120 days from enactment of this bill, U.S. troops could only remain in Iraq for the following purposes: conducting targeted military operations against al-Qaida and its affiliates, providing security for U.S. personnel and infrastructure, providing limited training of Iraqi Security Forces, providing equipment and training to our own troops, and continuing to redeploy from Iraq.

Unlike previous legislation I have offered, this bill does not have an end date for redeployment. Some of my colleagues who oppose the war have expressed concern about Congress setting such a date, and in drafting this legislation we have tried to address their concerns. By not including an end date, we are trying to provide additional flexibility in how the troops are redeployed. And we are also making doubly clear that at no point will funding be denied to the troops—they will continue to be fully funded throughout their redeployment.

If there is no end date for redeployment, then (what is to stop the administration keeping troops there indefinitely? The answer is that, after 120 days, troops can only remain in Iraq for the narrowly defined purposes in the bill. Because these exceptions are so narrow, the bill removes any incentive for the President to delay or ''slow walk'' redeployment.

Now, some on the other side are arguing that this new bill is tougher than previous versions, because the funding restriction kicks in sooner, in 120 days. Of course, these are the same people who oppose any limitations on the war, so I don't take their arguments too seriously. I suspect they haven't actually read the new bill, or they would realize that the bill is quite a bit more flexible, for the reasons I just mentioned.

Right now, the administration is considering various ''drawdown'' plans, all of which would leave well over 100,000 troops in Iraq through the end of the year. That would continue to require an exhausting rate of deployments that we simply cannot afford—for our military readiness, our fiscal bottom line, and our national security.

This administration has put Iraq first for too long. In an effort to refocus our national priorities, the second bill Senator REID and I have introduced with Senators BOXER, BROWN, BYRD, CARDIN, CASEY, CLINTON, DODD, HARKIN, LAUTENBERG, LEAHY, MENENDEZ, OBAMA, SCHUMER, and WHITEHOUSE, would require the administration to come up with a strategy to wage a comprehensive, global campaign against al-Qaida, without undermining our military readiness. The legislation, S. 2634, does this by requiring a comprehensive report from the Secretaries of Defense, State and Homeland Security, working in coordination with the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence. The report will examine the threat posed by al-Qaida and affiliates around the world and recommend ways to ensure that our national security assets are properly deployed to address this threat. To be clear, I am not just talking about military assets, we also have intelligence, diplomatic and other assets that we need to use to defeat al-Qaida. We can't just rely on boots on the ground—we need to use all of the other facets of U.S. power, including aggressive public and private diplomacy, to counter al-Qaida.

Some of the information called for in this bill will probably need to be contained in a classified annex. But there is no reason the administration cannot also provide a public report identifying in broad terms the threat we face and how to respond to it. The American public should be kept as informed as

possible about how we are protecting them from the number one threat we face.

I know some of my colleagues do not want to be talking about Iraq again. I know some of them complain that we spent too much time debating Iraq last year and I know some of them have concerns about whether now is the right time to bring these bills up for a vote. But we cannot allow the focus on Iraq to fade because violence has declined in parts of Iraq. It is true violence levels are down to where they were in 2005, but Iraq is still extremely and unacceptably violent, as it was in 2005. Violence has risen in Mosul and in the south, and U.S. casualty rates in January were higher than in December. All is not calm in Iraq, as the administration would have you believe.

Moreover, the surge has not brought Iraq any closer to legitimate political reconciliation at the national level—and it may, in fact, have undermined the prospects for such reconciliation in the long term. The President's policies have empowered former insurgents and militia-infiltrated security forces with questionable loyalties. By supporting sheiks in al Anbar—and elsewhere—we may have reduced violence in the near term, but only by making it more difficult to achieve national reconciliation in the long run. The Director of National Intelligence, or DNI, testified this month that many Sunnis who participate in local security initiatives remain hostile to the Shi'ite leaders in Baghdad, and that some of those leaders see the Sunnis we are supporting as ''thinly disguised insurgents'' who are plotting against them. Mr. President, we cannot, and should not, ask our brave men and women in uniform to resolve these sectarian disputes. Military operations are not a substitute for a viable political settlement, and the American people are simply not willing to leave our troops on the front lines indefinitely in hopes that some day such a settlement will arrive.

Recent gains in Iraq are tactical successes at best, devoid of an overarching strategy to integrate local powerbrokers into a broader national framework. Our presence has only added to the complexities in Iraq as we meddle in local dynamics and contribute to internal divisions and sectarian tensions. Keeping a significant military presence in Iraq will not bring lasting stability to that country. Indeed, the Iraqi people and the Iraqi parliament continue to oppose an open-ended U.S. military presence in their country, which is something they have in common with the American people.

Keeping our troops in Iraq will not solve Iraq's problems, and it won't help us address the growing threat posed by al-Qaida around the world. It makes no sense to devote so many of our critical resources and so much of our attention to one country, rather than to the global fight against al-Qaida.

Every year, I hold town hall meetings in each of the 72 counties of Wisconsin, and over the January and February recess I held some 30 meetings in some of the most conservative parts of the state. I didn't bring up Iraq at those January meetings because I wanted to see whether it was still a major concern, particularly with these audiences. And guess what, in every single meeting, they brought it up with me. And they didn't just bring it up, they asked what we are doing to bring home the troops. But I had to tell them that, instead of getting out of Iraq, we will likely be sending one-third of the members of the Wisconsin National Guard back to Iraq next year, many of whom have served within the last 2 or 3 years.

They will be torn from their family, their jobs, their communities, to be put in harm's way, all in order to create space for a political reconciliation in Iraq that is always just over the horizon. They will not be there to protect the people of Wisconsin in the event of an emergency, nor will they be reinforcing our troops in Afghanistan, who face what one recent report described as a ''stalemate'' in fighting al-Qaida's ally, the Taliban. Like Americans all across the country, the people of Wisconsin don't think this makes sense. They want an end to our involvement in this war in Iraq, and they want to know what's stopping us from making it happen.

This administration has been so distracted by Iraq that it has neglected to address the top threats to our national security. It has allowed security conditions in Afghanistan to deteriorate tremendously, to the point where former NATO Commander General Jones recently concluded that we are in a ''strategic stalemate.'' I need hardly remind my colleagues that this is the country from which al-Qaida launched the 9/11 attacks, and where it continues to operate.

While agreeing to provide 3,200 U.S. troops to Afghanistan, Secretary Gates has also requested additional ground troops from our allies. If our allies are unwilling to provide those troops or worsening conditions require additional troops, it is far from clear that we will have the forces we need in Afghanistan without further undermining military readiness and homeland security.

Across the Afghan border, in Pakistan, things are also looking bad. The Director of National Intelligence testified recently that ''al-Qaida's central leadership based in the border area of Pakistan is al-Qaida's most dangerous component.'' The DNI also said that since the middle of 2006, there has been an influx of ''new Western recruits'' into this part of the world, an indication that al-Qaida is ''improving the last key aspect of its ability to attack the United States: the identification, training, and positioning of operatives for an attack in the homeland.'' His testimony closely echoed his warnings from almost a year ago when he noted that future attacks against our nation were likely to come from that part of the world. It is worth mentioning that this is the same exact warning we received from the July 2007 NIE, which assessed that al-Qaida has regenerated and reconstituted itself in the Pakistan-Afghanistan border region.

The administration has made matters worse by associating itself with an undemocratic, authoritarian regime in Pakistan, one that the Pakistani people, finally given the chance to make their voices heard, roundly rejected. In return for questionable anti-terrorism assistance, we have given the Musharraf regime billions of dollars, not to mention the cost to our credibility, and to our ability to build strong, sustainable partnerships in Pakistan.

Our endless presence in Iraq is distracting us from these core threats to our national security. Instead of dancing around these vital concerns, we need to address them head on and that is why we need a strategy for defeating al-Qaida and its affiliates around the globe. We need a strategy which identifies the gravest threats to our national security and makes recommendations for addressing them with both military and nonmilitary initiatives.

I know there is no silver bullet to defeat al-Qaida. But it has been made very clear to Congress, and to the American public that if we are to protect ourselves at home, there must be a dramatic shift in how we order our national priorities. We cannot continue with the current agenda. We must refocus not just so we have the capacity to respond to other contingencies abroad but also because our heavy footprint in Iraq makes us more vulnerable at home.

We need to rebuild our domestic response capability, which has been severely compromised by repeated deployments of our National Guard. As long as we keep over 100,000 troops in Iraq we will have to continue to deploy Guard units in a manner that compromises their ability to prepare for domestic incidents. Deployments to Iraq have left those responsible for protecting us at home with, on average, only 56 percent of the essential ''dual-use'' equipment needed to respond to a domestic incident.

Indeed, the National Guard Bureau estimates that it is facing a $47 billion equipment shortfall, including a $20 million shortfall in equipment needed to respond to a chemical, biological, or radiological incident at home, notwithstanding the fact that it is the stated intention of al-Qaida to pursue such weapons. The Commission on the National Guard and Reserves concluded that ''[b]ecause our nation has not adequately resourced its forces designated for response to weapons of mass destruction, it does not have sufficient trained, ready forces available.''

(Disturbance in the Visitors' Galleries).

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will restore order in the Senate.

The Senator may continue.

The Commission characterized this as an ''appalling gap.'' I wholeheartedly agree. This is unacceptable more than 6 years after 9/11, and is clear evidence that our national security priorities need to be reexamined and realigned.

Rather than giving the National Guard the $47 billion it needs, the President has asked for another $100 billion for operations in Iraq in 2008 alone, in addition to the $86 billion we have already appropriated. If we don't significantly draw down our troops in Iraq this year, we will end up spending another $170 billion in Iraq next year.

The Army Chief of Staff has stated that our current rate of deployment is unsustainable, and a recent survey of military officers found that 88 percent believe the demands of the Iraq war have ''stretched the U.S. military dangerously thin.''

There are other costs to the war in Iraq, Mr. President, and they are considerable. The war is simultaneously deepening instability throughout the Middle East, undermining the international support and cooperation we need to defeat al-Qaida, and providing al-Qaida and its allies with a rallying cry and recruiting tool.

That is why I am offering, with Majority Leader REID, legislation to redeploy our troops and refocus our national priorities. It is our job to listen to the American people, to save American lives, and to protect our Nation's security by redeploying our troops from Iraq because the President will not.

This war is exhausting our country, straining our military, and distracting us from our top national security priorities. Even with the recent decline in violence in Iraq, the American people know the war is misguided and they continue to call for its end. They know we need to do a better job of protecting ourselves at home and fighting al-Qaida abroad. I urge my colleagues to vote yes on both of these Feingold-Reid bills so we can finally heed their call to action.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, I am proud to rise in support of Senator FEINGOLD's two bills. The first bill requires that the President begin the safe redeployment of U.S. troops from Iraq within 120 days. There is no end date for redeployment. It only starts the redeployment. It includes exceptions for missions against al-Qaida, force protection, and training. The second bill requires that the administration provide to Congress a full report outlining a comprehensive global strategy to defeat al-Qaida and its affiliates.

As someone who voted to go get bin Laden after 9/11, I am dismayed that this President has turned away from that mission and put so much into an ill-fated war in Iraq. Senator FEINGOLD is proposing a policy for us that is consistent with common sense and our national security because the war in Iraq has not made us safer. It has made us vulnerable. The war in Iraq has not reduced the influence of al-Qaida. Actually, it has made al-Qaida a hero, unfortunately. It has been seen as one of the best recruiting tools of al-Qaida. I want to get al-Qaida, and that is what Senator FEINGOLD's bills will result in because we will refocus our attention on capturing bin Laden and getting al-Qaida.

We are in a quagmire in Iraq. We are told that quagmire will go on indefinitely. I believe it is undermining our national security. It is undermining our economic security. When I tell you what it is costing, it is a stunning number. It has diverted critical resources from the hunt for Osama bin Laden. He has been at large more than 6 years. And despite the administration's rhetoric, our own intelligence agencies again are telling us that the war in Iraq is proving to be a critical recruitment and fundraising tool for the terrorists we want to beat.

We see a toll on our military. We hear phrases such as a ''death spiral.'' The Washington Post reported that Army and Marine officials refer to the readiness death spiral that senior officers warn puts our Nation at risk. Why? Because we lack the strategic reserve of ground forces to be able to respond to crises throughout the world. This single-minded focus on Iraq and the ever-changing mission there is not making us stronger. It is making us weaker. We now see that suicide attempts among U.S. troops have reached a record high, a sixfold increase since 2002. And while promising junior officers are leaving the military at record rates, we hear that the services are lowering their standards to meet recruitment goals. They are recruiting convicted felons now, people convicted of sex crimes, people convicted of making a false terror threat, assault with a deadly weapon. We are taking felons into the military. This is wrong for our Nation.

Once upon a time we were told that this Iraq war was about weapons of mass destruction that Saddam Hussein was hiding, and it was about also Saddam's ties to al-Qaida. Our military did its job. They found out there weren't weapons of mass destruction, and our intelligence people did their job. They said there were no al-Qaida cells in Iraq at the time of 9/11.

Then we were told the war was about getting rid of Saddam and liberating Iraq from that brutal tyrant. Our military did that. Then we were told the war was about holding elections and promoting democracy. You remember President Bush in his flight suit with big words ''mission accomplished.'' Well, there were many missions accomplished. There were no weapons of mass destruction. There were no ties to al-Qaida. We got Saddam Hussein. We got his relatives. Three elections were held. Our military did every single thing that was asked of them to the point where the President said ''mission accomplished.'' But, no, the troops are there. They are suffering. Believe me, there is no end in sight because I personally asked our Secretary of State Condoleezza Rice how long she, at the time, thought we would be in Iraq. She said she couldn't answer. I said: How much do you think we will have to spend? She couldn't answer. What kind of administration comes forward with a war and has no way out?

RUSS FEINGOLD is saying: All right. We won't set an end date. We will change the mission to get our troops out of harm's way. Let them continue to train Iraqis. Let them go after al-Qaida. Let them protect our forces there and our personnel there. But get them out of the business of kicking down doors in Iraq. We have lost so many of these brave men and women, and so many are coming home who will never be the same.

We have this war based on shifting missions. The President said: Mission accomplished. DICK CHENEY said we are in the last throes. But it goes on and on under shifting rationales, going on 5 long years. Will it be another 5 years? They will not tell us. Will it be another 10 years? They will not tell us.

Some of this administration's supporters say it will be 50 years. Some say it will be 100 years. How many brave men and women will die in addition to those who have already died? How many will be wounded? There are no answers.

Will we spend $1 trillion? Will we spend $2 trillion, $3 trillion? No answer. The toll is too high already. Thousands dead, tens of thousands injured, $10 billion a month for Iraq.

The Nation's Governors met with the President yesterday. On a bipartisan basis they asked to see increased spending on America's crumbling roads and highways and bridges. They said it would help our struggling economy, and we can't grow economically if we don't have an infrastructure. I am chair of the Public Works Committee of the Senate. My friend, Senator INHOFE, and I do not agree on the war in Iraq, but we certainly agree that we need to have an infrastructure. The President said: No, there is no money. There is only money for Iraq, an open checkbook, $10 billion a month. We can't fix our falling bridges. The $10 billion a month is equivalent to $2.5 billion a week, $357 million a day.

For less than the cost of 3 months in Iraq, we could enroll every eligible child in America in the Head Start program for 1 long year. For the cost of 1 month in Iraq, we could provide after-school care for our kids for 4 years. For the cost of 2 weeks in Iraq, we could provide health insurance for a year to 6 million uninsured kids. Last year we asked the President to help us with children's health. He said no. He vetoed that critical investment. He just said no to the Governors on rebuilding the roads and highways. Open checkbook for Iraq; closed checkbook for America.

Do you remember when the President's then-Budget Director, Mitch Daniels, told us the war in Iraq would cost no more than $60 billion? He was wrong. Paul Wolfowitz assured us Iraqi revenue would pay for the war. No, we remember there were a couple in the administration who said the war might cost as much as $200 billion. They were ridiculed. The President's most recent supplemental request for Iraq was $200 billion in itself, bigger than the stimulus package we just passed. The President has spent more than a half trillion dollars on his failed policy, and there is literally no end in sight. I think we need to remember this is all borrowed money. The cost of interest on Iraq-related debt is $23 billion a year for fiscal year 2008 alone. The President's policy is being paid for on a credit card, and we are sticking my grandchildren and yours with the tab.

The cost of a barrel of oil has tripled since the war began, much to the benefit of countries such as Russia, Sudan, and Iran. According to the Joint Economic Committee, if you factor in the cost of the oil, the President's policy in Iraq has already cost the average family $416,500, and no end in sight.

It needs to stop. We are hemorrhaging money. The waste in this war is beyond disgraceful. We spent $32 million for a base in Iraq that was never built. We paid a contractor $72 million to build a barracks for the police academy in Baghdad and instead got a building with giant cracks snaking through newly built walls and human waste dripping from the ceiling. That is from a report. The administration loaded $9 billion in cash on to pallets and shipped it into Iraq where it promptly disappeared.

I ask you: Imagine what would happen if $9 billion disappeared from one of our cities. The people responsible would be in prison. But in Iraq, the President shrugs it off.

When the President vetoed the Water Resources Development Act, he said it lacked fiscal discipline. He said it wasn't fiscally responsible. I would ask rhetorically: Not fiscally responsible to maintain our waterways and keep our commerce moving in this, the greatest Nation in the world? This, coming from a President who inherited a budget surplus and turned it into a huge debt, with the largest budget deficits in history as well, and money for Iraq every day, every hour, every minute, no end in sight, billions missing, billions on bases that were never built. It is breathtaking. The President and his supporters shrug it off. They don't even address it. It is unbelievable. The sky is the limit. But when it comes to investing in America or extending the stimulus for seniors and disabled vets, we are told: Sorry, we need to show fiscal discipline. Thank goodness we were able to get that through above the President's objections.

Our own military leaders tell us time and time again there is no military solution. God bless our soldiers. They have given us a breathing space. Yet the Iraqi Government is just making changes around the edges.

We have trained 440,000 Iraqis militarily. Imagine, 440,000 Iraqis. Why can't they defend themselves? Countries defend themselves. We have given so much in blood, in tears, in sweat, in dollars, in commitment, in trust. After the elections last year, I thought the President would come to the table when the Democrats took over and said we wanted to end the war. We thought he would come to the table. We were wrong. He did not come to the table. He is continuing this war, no end in sight, no plan to get out.

When I asked that question to Condoleezza Rice, I was stunned. She said: I can't answer the question of how long we will be there. I can't answer the question of what it will cost—as if I didn't have a right to ask the question. That is why I am sent here.

I represent, along with Senator FEINSTEIN, 37 million people. We have taken a hit on soldiers killed. We have taken a hit on soldiers burned. We have taken a hit on soldiers permanently disabled. So you better know I am going to ask these questions.

Today, Senator FEINGOLD is saying: Let's get started. Let's start telling the Iraqis, by our actions not just our words, that they have to step up to the plate.

We have to make a choice as a nation.

Is it time for America? It is time for our families, for our soldiers, for our children, for our grandchildren?

Or is it time to continue this open-ended commitment to a war without an end, a war that has no plan of ever ending, a war that is tying our hands in this recession?

I say it is time for a change in America. It is time to vote for the Feingold bill and start bringing our troops home.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of Senator LIEBERMAN's remarks I be recognized for 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair and my friend from Oklahoma.

IRAQ

Mr. LIEBERMAN. Mr. President, I rise to speak against the measure introduced by Senator FEINGOLD.

It has been only a year since GEN David Petraeus arrived in Baghdad and took command of American forces in Iraq. But in these brief 12 months, he and the American and coalition troops under his command have brought about a tectonic shift in Iraq that has altered the course of the war there and, with it, the future of at least two great nations—Iraq and the United States of America—and the lives of hundreds of millions of people in those two nations and so many others threatened by violent jihadist terrorists in the Middle East and beyond.

When the surge first began a year ago, many doubted that the violence then raging in Iraq could be brought under control. Even as American troops began implementing this bold new counterinsurgency strategy, some opponents of the war inside and outside of Congress declared that the war in Iraq was already ''lost,'' that the surge had already been ''tried and failed,'' and that it mattered more, frankly, that we get out of Iraq than that we succeed in Iraq.

They could not have been more wrong. Thanks to the surge, the bravery and skill of American and Iraqi troops and the will of the Iraqi people to be free from terrorists, conditions on the ground in Iraq have been totally transformed from those of a year ago.

A year ago, al-Qaida in Iraq was entrenched, in control of, exercising murderous control in Anbar Province and Baghdad. Now those evil forces of Islamist extremism are facing their single greatest and most humiliating defeat since 2001.

This is not just my opinion. It is a matter of fact. In Baghdad, a fact: sectarian killings are down 95 percent in the last year; suicide bombings are down nearly 70 percent; IED attacks have been cut nearly in half.

In the face of those extraordinary improvements in Iraq—and many more I will speak of in a moment in the social and political and economic life of that great country—however, antiwar forces here in America have reacted not with sighs of relief and gratitude but, instead, by doing everything in their power to downplay or diminish our hard-won gains in Iraq.

Rather than admit the possibility that they had been wrong about the surge and about the capability of reestablishing security in Iraq, they, instead, reached for another rationale for retreat. What they argued was the lack of political progress in Iraq and, therefore, that the surge had failed.

But this argument has also now been defeated by facts on the ground in Iraq.

In the first place, the Iraqi people have taken over their local and provincial governments in a grassroots up democratic revolution. At the national level, a response is occurring. It took too long, but it is now significant. Benchmark legislation has surged forward in the Iraqi Parliament. The budget law, passed; the debaathification law, passed; the provincial powers and election law, passed; the amnesty law, passed.

Thanks to the surge, the Sunni Arabs, who once constituted the core of the insurgency, have now risen, because we stood by them, to join with us

and go ahead on their own to fight against al-Qaida and put al-Qaida—the same al-Qaida that attacked us on 9–11–01—on the run.

Thanks to the surge, the Shiites, who had turned in desperation to militias and death squads for protection from al-Qaida and Iranian-backed extremists, are now rejecting those militias, death squads, and extremists. They want a better, more peaceful life for themselves and their families. And the American-led surge has put that within their reach.

Last week, Moqtada al-Sadr announced he is extending his unilateral cease-fire. He did not do this as a favor to the United States of America or the Maliki Government in Baghdad. He did it because in Iraq today, thanks to the surge, and all that has been part of it, the rules of the game have changed. Violence and extremism are no longer the clear path to power in Iraq. In fact, they are becoming the path to political oblivion in Iraq. The people of Iraq want peace and stability and hope.

What then has been the reaction of antiwar groups here at home to these enormous achievements in Iraq? Are they now ready to admit they were wrong about the surge? Even if they were opposed to the war in Iraq in the first place, are they now ready to acknowledge that we are there, we are succeeding, and it would be wrong and hurtful to the United States for Congress to force a retreat now that would, in Churchill's terms, ''snatch defeat from the jaws of victory''?

To judge by the resolution now before us, the answer to that question is no. On the contrary, even as the facts on the ground have changed so much for the better, the resolution before us offers the same familiar prescription for retreat and surrender—ordered by Congress, not by our military leaders in the field or here at home—and it orders that, no matter what the consequences for the freedom of the Iraqi people, the future of the Islamic world, and the future national security of the United States of America.

Some claim the war in Iraq is a distraction from the ''real'' war on terror. Al-Qaida disagrees. And so do I. Al-Qaida's leadership has repeatedly made clear they consider Iraq to be the central front of their campaign against us and most of the rest of the civilized world. According to our intelligence agencies, al-Qaida in Iraq remains al-Qaida's most visible and capable affiliate worldwide and the only one known to have expressed a desire to attack the American homeland—us here at home.

I know there are some who hear these arguments, watch what is happening, and say: Oh, no. The sponsors of this legislation certainly understand exactly how much political and military progress we are making against al-Qaida and Iranian-backed extremists in Iraq and how much is riding on the line there for America and most of the rest of the civilized world faced by this threat of violent jihadist terrorism. But this argument goes that the sponsors of this kind of resolution feel compelled to offer it to show antiwar groups in the United States that they have not forgotten them.

I refuse to believe that. I refuse to believe—I do not believe it—that my colleagues would so trifle with the honor of American soldiers who have served and are serving in Iraq—too many of whom have given their lives in that service—or they would play such a political game with our national security. I respect my colleagues too much to take this legislation as anything other than what it says. It orders a retreat within 120 days.

It actually imposes so-called caveats on American forces after that 120 days, which are exactly the kind of caveats, limitations, on what they can do that we are now arguing with our European allies to stop in Afghanistan. In Afghanistan, some of our NATO allies are there, but they can only do certain things. They cannot enter into battle, et cetera. They cannot go out into the field with the Afghani National Army. We are saying you cannot fight a war that way.

Listen to what one section of this matter before us offered by the Senator from Wisconsin says. Our troops, after the 120 days, can provide training to members of the Iraqi Security Forces ''provided that such training does not involve members of the United States Armed Forces taking part in combat operations or being embedded with Iraqi forces.''

That is a caveat, a limitation, exactly what we are arguing with our European allies to stop doing in Afghanistan.

The fact is, the legislation, this measure now before this Chamber, flies in the face of the recommendations of our proud and tested commanders on the ground in Iraq. If enacted, it would unravel all the hard-won gains our troops have made in the past year. It would hand victory to the suicide bombers and fanatics who are now on the run. It would betray the millions of Iraqis who are standing with us today because they desire a better, freer life for themselves and their children. And it would endanger the lives of and hopes of hundreds of millions more who live in the Middle East and throughout the Islamic world who yearn for a life of peace and justice, not a life of extremism, death, and primitivism that al-Qaida offers them.

I wish to close, if I may, with a word directed to my colleagues on this side of the aisle, the Democratic Members of this Senate. I have thought a lot about this war, and I cannot help but wonder, in a moment such as this, what some of the political heroes of my youth, who were Democrats, would think if they were here and could see and listen to this debate and read this resolution.

I think of President Kennedy, who declared:

> We shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.

In my opinion, that is exactly what we are doing in Iraq today.

I ask my colleagues: Do these words have meaning, have significance or are these just words?

I think of President Harry Truman, who proclaimed, at the outset of the Cold War:

> It must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

Are these too just words? Isn't that exactly what is happening in Iraq today? The people of Iraq, liberated from the terrible dictatorship of Saddam Hussein, hoping to secure a better future for themselves, now, with our assistance and encouragement, ''are resisting attempted subjugation by armed minorities''—read here: al-Qaida—''or by outside pressures''—read here: Iran. Are these just words? I hope not. I do not believe they are.

There was a time when these were not just words, but they were the convictions that lay at the heart of the Democratic Party's foreign and national security policy.

The legislation now before this Chamber, if implemented, would not, in my opinion, only betray our friends in the Middle East, it would not only betray America's own vital national interests against our deadliest enemies, al-Qaida and Iran, it would also betray the best ideals of the Democratic Party that I joined decades ago.

They were strong and liberal ideals, and I use those words intentionally. Presidents Roosevelt, Truman, and Kennedy, great Democratic Senators such as Hubert Humphrey and ''Scoop'' Jackson, believed that the party stood for being liberal at home and liberal abroad. What did that mean? Liberal in the classic sense of the term ''freedom,'' which is what America is all about: the self-evident truth that we are all endowed by our Creator with the rights to life and liberty.

So I wish to appeal particularly today to my Democratic colleagues in the Senate to reject this resolution, and in that sense to return to what I believe are the strongest, proudest, most purposed moments of the history of the Democratic Party in recent decades on matters of foreign and national security policy.

In sum, a year ago, the Bush administration acknowledged its mistakes in Iraq and changed course there. It is now time for opponents of the war and the surge to do the same. It is time for them to admit that the surge has worked and that America's security and freedom are on the line in Iraq today, that we are winning there, and it would be a disastrous mistake to impose the policies ordered by this resolution, this amendment, which would deprive our brave American men and women in uniform and the brave soldiers of other countries, including Iraq,

of the victory that they are winning now for the people of Iraq, the people of America, and the cause of freedom, which is America's cause.

I implore my colleagues, vote against this resolution.

I thank the Chair and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me, first of all, commend our colleague who just spoke. Senator LIEBERMAN is very knowledgeable. It has been such an honor for me, in the years I have been in the Senate, to be serving on both the Armed Services Committee with him as well as the Environment and Public Works Committee.

I very much am opposed to Senator FEINGOLD's bills. But I wonder, in this short session, in the short time we have left—we have such things to debate: the budget, housing, energy, consumer product safety, education, farm programs—and I have to ask: Why are we wasting valuable time on these bills? And why at this time do we need another report?

The National Security Strategy was written in 2006, and another will be required 150 days after the new administration comes in. The National Military Strategy review has been completed, and the Chairman of the Joint Chiefs is conducting his own additional review. The Quadrennial Defense Review will be out later this year. And the National Defense Strategy is also mandated by law. We currently have the strategy in place to win the global war on terror.

The study prescribed by S. 2634 ties the hands of our military by telling them to outline a strategy that does not let them utilize the full extent of their resources.

Furthermore, the substance of Senator FEINGOLD's bills has been debated and defeated. On December 18, 2007, we voted against an amendment of the same nature as S. 2633 from the very same Senator, Senator FEINGOLD. It was a troop withdrawal amendment, it was No. 3875, and it was defeated 71 to 24. We have already done this. Senator MCCAIN said it best when he said that a majority had, by December 18, engaged in no less than 40 legislative attempts to achieve the misguided outcome of precipitous withdrawal. This makes Nos. 41 and 42. All of these 40-odd, time-wasting attempts have been defeated. Why? Because we are doing the right thing in Iraq.

We did away with the oppressive regime of Saddam Hussein, where mass graves, torture, and rape were normal and everyday occurrences. We did away with terrorist training camps in Samarra, Ramadi, Sargat, Salmon Pak—and incidentally, Salmon Pak, in that training camp, they had a fuselage of an old 707 there, teaching people how to hijack airplanes. I guess we will never know whether the perpetrators of 9/11 were trained there. But nonetheless, there were four training camps there. They are gone now. They are closed.

We helped the Iraqi people create a free and Democratic country, where representation and the rule of law are replacing coercion and terror. The Iraqi Parliament has passed legislation that has reformed the de-Ba'athification, enacted pension reform that allowed former Ba'athists to collect their pensions. They enacted a law defining the provincial and central government roles and responsibilities. They passed the 2008 budget—faster than we are doing it, actually—and enacted an amnesty law that could lead to the release of thousands of detainees, removing a stumbling block standing in the way of reconciliation.

We have done the right thing, and we are winning.

It is interesting. A lot of the people who were the defeatists come back now—Katie Couric is an example—who says we are actually winning. Less than half the al-Qaida leaders who were in Baghdad when the surge began are still in the city. They have either fled or were killed and captured.

In addition to the list Senator LIEBERMAN talked about and in terms of the successes, there has been a 75-percent reduction in religious and ethnic killings in the capital, they have doubled the seizure of insurgents' weapons caches, there has been a rise in the number of al-Qaida killed and captured, they have knocked out six media cells, making it harder for al-Qaida to spread their propaganda, and Anbar incidents of attacks are down from 40 a day to less than 10 a day. There has been economic growth, markets are open, and the streets are crowded.

We have been over there and we have seen it. You didn't used to be able to do that. The Iraqi Army is performing well.

The Iraqi citizens formed a grassroots movement called Concerned Citizens Leagues. This is interesting because this is allowing citizens, as we have in Washington, DC, and in Tulsa, OK—we have groups that go out there to protect ourselves, and that is what these people are doing. They are unarmed. They are going out now with paint cans and drawing circles around undetonated IEDs and unexploded ordnance.

COL Tom James, one of the commanders of the 3rd I.D. in Iraq, said last Friday, February 22:

> The current security situation is stable and I am optimistic about the future. Sunni extremists are severely disrupted. They no longer find sanctuary and support from the population.

We are winning because we are supporting our war fighters with a fundamental advantage, allowing them to command and control their forces—not doing it from here. Senator FEINGOLD's amendment serves to tie the hands of our commanders on the ground.

S. 2633 legislates defeat. There is no other way to put it. The amendment legislates defeat. Secretary Gates said: If we were to withdraw, leaving Iraq in chaos, al-Qaida most certainly would use Anbar Province . . . as another base from which to plan operations not only inside Iraq, but first of all in the neighborhood and then potentially against the United States.

I must remind Senator FEINGOLD and the cosponsors of this amendment that al-Qaida is not the only threat to America and to our ideals. Ahmadinejad said on August 28—this is very interesting. He said:

> Soon we will see a huge power vacuum in the region.

A power vacuum.

He said this expecting our defeatism—he is talking about these resolutions—he said:

> Of course, we are prepared to fill the gap.

Now here is Iran, a country which recently declared a doubling of its uranium enrichment program and has been testing ballistic missiles, talking about filling this gap, the void that would be created.

A lack of a secure and stable Iraq means instability in the Middle East and a clear avenue for terror and oppression to spread, and already has spread, into Africa.

I have had occasion to be in what we refer to as the CENTCOM and now AFRICOM and EUCOM some 27 times since 9/11. A lot of that time is down in areas such as Djibouti and in the heart of Africa, where we have our forces down there, because with this squeeze taking place in the Middle East, there is a lot of the terrorist traffic going into Africa. As for S. 2634, as the one before it, it is a thinly veiled attempt to end the war in Iraq by legislating defeat.

The bill proposes to micromanage military strategy by forcing the administration to narrowly define the future movement and employment of military personnel. It attempts to define the type of missions the military can conduct and places constraints on the length of time the military can deploy. It falsely presumes our professional warriors would be better served by limiting their deployments rather than supporting their victory over the enemy.

By the way, all these people who now talk to me about the long deployments—and I agree the deployments are too long—I wonder where they were in the 1990s when we cut down the size of our military, when we brought the number of divisions down from 18 to 10. I can remember being on the floor saying this day was going to come and that some day we were going to say: Why did we cut back so far?

Again, COL Tom James, speaking about our recent successes, said:

> It all goes back to this window of security being opened, and being able to exploit that window of opportunity through governance and economics and building the capacity of the Iraqi security forces. This has all been enabled because of the surge.

Proposing specific deployment and dwell times would limit the flexibility

of our commanders to conduct operations in the field and infringe on the President's authority as Commander in Chief.

So this is the same flexibility that allowed the Commander in Chief to surge forces and turn the tide in Iraq. I am one of those who personally observed the changes that took place in Iraq with the surge. It was about a year ago right now. I recall a report where our intelligence was actually attending all the weekly Friday mosque meetings, and at that time, my recollection is 85 percent of those messages given by the imams and the clerics were anti-American messages. That stopped in April, and they realized things are working there. There is so much talk about the political leaders, I kind of look at the religious leaders as part of the reason for the successes we have had.

So I think we have already voted on these. They have been voted down, and we don't need to waste any more time on it. I think common sense—when we sit on the Senate Armed Services Committee, as we did this morning, and we looked at the brilliant generals who were testifying before us, such as General Casey, these people spend a lifetime knowing what is going on and how to negotiate wars. We are winning. Things are good right now. I have often thought—I was honored in 1991 to be on the first freedom flight back to Kuwait. At that time, the Iraqis didn't know the war was over. They were still burning the fields. I remember going into one of the houses that actually was the Ambassador to the United States from Kuwait, a family of nobility, going into their home. They wanted to see what it looked like. Saddam Hussein had used it for one of his headquarters, and the little daughter going up to her bedroom to see what it looked like, they had used her bedroom for a torture chamber. The unimaginable things that were going on over there: Looking into the mass graves. I would think that those individuals on the other side, if nothing more—if that were all there were to it—would say we have to finish. It is our humanitarian responsibility.

We are experiencing a victory, the surge is working, and I hope we will be able to dispose of, in a very quick way, these two bills authored by Senator FEINGOLD.

I yield the floor.

RECESS

There being no objection, the Senate, at 12:40 p.m., recessed until 2:25 p.m., and reassembled when called to order by the Presiding Officer (Mr. CARPER).

PROVIDING FOR THE SAFE REDEPLOYMENT OF UNITED STATES TROOPS FROM IRAQ—MOTION TO PROCEED

The PRESIDING OFFICER. Who yields time?

Mr. REID. 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. MCCONNELL. 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. MCCONNELL. Mr. President, as we take up the issue of Iraq once again, the question that should be foremost in our minds is this: Has the situation improved since the Petraeus plan was put into place? And if so, if the terrorists who have been murdering coalition and Iraqi soldiers and civilians there for years are now seriously wounded and on the run, as we are told they are, then the obvious followup question is this: How do we ensure that the progress not only continues but actually lasts?

Our friends on the other side never seem to let the facts get in the way of their proposals for securing Iraq. When the President announced a new counterinsurgency strategy last year, many of them said it would not work. Even the plan's most vocal critics voted to confirm the general who would carry it out. The junior Senator from Illinois embodied this approach when he predicted: The President's strategy will not work, and then cast a vote confirming General Petraeus for the job. Then, when General Petraeus returned from Iraq to report that the strategy was bearing fruit, some of our friends on the other side covered their ears and questioned his integrity.

The junior Senator from New York embodied this view when she said the general's report required ''a willing suspension of disbelief,'' then voted against a resolution that condemned an ad accusing him of lies. And now, after months of positive reports on improved safety and even important political progress, some of our friends on the other side once again want to cut funding for the troops.

In the words of the first Feingold bill that we might be voting on, they want to ''promptly transition the mission.'' They want to tear up the Petraeus plan and cut off funds for the very troops who are carrying it out.

The second Feingold bill is just as odd. It would require the Bush administration, now in its final months, to set out a new global strategy for fighting terrorism even as our military fights the terrorists neighborhood by neighborhood in Iraq and even as congressional Democrats continue to block a bipartisan surveillance bill that we know would improve our ability to disrupt terrorist plots. The second Feingold bill would also require reducing the pace of deployments and an increase in overall military readiness. This would mean not only full funding for the Defense Department but also directing an even greater share of the Nation's resources to defense—something the junior Senator from Wisconsin has not been known to champion in the past.

In other words, the second Feingold bill claims to advance an effective antiterrorist program even though the first one attempts to block a counterinsurgency plan that even early critics of the war are now calling a success. It calls for a new strategy against al-Qaida even while Democrats in the House block one of the most effective tools we have in the fight against al-Qaida.

All of which leads me to wonder, what possible deduction of reason has prompted our friends on the other side to believe either of these bills is a good idea? We already know what will happen to the first bill. Last year, we overwhelmingly rejected it—not just once but four times. It never achieved more than 29 votes. And that was before the success of the Petraeus plan.

But given what has happened since then, the proposal to cut funds, to scrap the Petraeus plan, makes even less sense today. Just consider what has taken place in Iraq over the last year.

Since the implementation of the Petraeus plan, violence in Iraq has fallen dramatically. Over the past year, civilian deaths are one-sixth of what they were in November of 2006. High-profile bombings are down by two-thirds since June. The discovery and seizure of guns and other weapons caches has more than doubled nationally and tripled in Anbar. The worst kind of violence is dramatically down. Ethno-sectarian conflict—the fighting has fallen from a peak of about 1,100 incidents in December of 2006 to about 100 such incidents this past November. That is less than 1 year. Locals are energized about fighting back against terrorists, with between 70,000 and 100,000 ordinary citizens stepping forward to help local police root out terrorists. And the terrorists themselves are becoming demoralized, with even those who share their religious beliefs driving them into hiding.

This kind of progress is changing minds. One harsh early critic of the war, Anthony Cordesman, recently visited Iraq, looked at the new data, and came to a different conclusion.

Here is what Anthony Cordesman says now:

> No one can spend 10 days visiting the battlefields in Iraq without seeing major progress in every area. If the U.S. provides sustained support to the Iraqi Government, in security, governance, and development, there is now a very real chance that Iraq will emerge as a secure and stable state.

A very real chance that Iraq will emerge as a secure and stable state. These are the words of a man whose judgment our friends on the other side were appealing to just last year in arguing for withdrawal. Last July, the junior Senator from New Jersey, speaking on the Senate floor, cited the opinion of Mr. Cordesman before declaring: Mr. President, it is over; your

failed strategy, your ill-conceived war must come to an end before more damage is done.

All of this reminds me of something we saw last summer after the New York Times ran an op-ed by two early critics of the war who had begun to change their views on the Petraeus plan once those views became inconsistent with the facts on the ground. About a week after the piece appeared in print, the senior Senator from Illinois concurred with its central point, after early and outspoken opposition to the Petraeus plan.

More American troops have brought more peace to more parts of Iraq. I think that is a fact.

Yet, since those comments, violence in Iraq has gone down even more, and the kind of political progress the authors of that New York Times piece were hoping for is finally taking place.

A provincial powers law passed, with elections set to take place sometime before October. The Iraqi Parliament passed a partial amnesty law for prisoners—a sign of thawing relations between the Sunnis, who make up most of the prison population, and the majority Shias. The Iraqi Parliament has also approved a national budget that allocated Government revenue, most of it from oil, out to the provinces.

To most people, the lesson of the last year is obvious: Coalition forces are winning this fight, and they deserve our full support and our thanks. The response from most of us has been a mix of pride and new confidence, especially now that some concrete political progress is being made. For others, however, the lesson to be drawn from success is the same as it was when we faced the strongest adversity: Cut the funds, withdraw the troops, and leave Iraq to the terrorists. Fortunately, most of the Senate will reject this view when we defeat the Feingold bills, hopefully for the last time.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will use my leader time and ask unanimous consent that the vote not occur at 2:45.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, during the recess we had, I was in Nevada. People all across the State of Nevada, just like people all across this country, are committed to ending the war in Iraq.

These are the facts. We need to end the worst foreign policy blunder in our Nation's history, which started with the invasion of Iraq. What has 5 years of war brought to America, to the Middle East, to the world? It has brought thousands of deaths, almost a trillion dollars in debt, catastrophic failure of diplomacy. What has 5 years of war brought to America, to the Middle East, and the world? Debt, depression, and death.

My Republican colleagues, think what this war has done to our Nation's fiscal soundness. It has destroyed it. In less than a year borrowed money for Iraq will be $1 trillion—soon $1 trillion of borrowed money, with the likely Republican nominee for President saying we may need to be in Iraq for another 100 years. We are nearing the tragic milestone of 4,000 dead Americans, more than 30,000 wounded Americans, many gravely wounded, amputations, blindness, hearing loss, untold thousands with head trauma, making life after the war most difficult. This week brings news from the Pentagon that there will be 140,000 American troops in Iraq still in July, 8,000 more than when the surge began in January of 2007.

In Iraq a civil war rages, with the past 2 days bringing us the news of Sunni attacks on Shias while the Shias observe a religious holiday, attacks that killed at least threescore, wounded more than 100. And, of course, the Shias will reciprocate; and just in an off place that you have to search hard in the newspaper, three more dead American soldiers. These are the facts.

In Israel we find the Bush administration has been too preoccupied to be concerned with the volatility of the Palestinian-Israeli situation. Now we have a raging civil war in the Palestinian territory, Hamas versus Fatah. A government can't be formed in Lebanon where some say is also a civil war. Iran is thumbing its nose at us and the world community. Torture, Abu Ghraib, Guantanamo, warrantless spying on American citizens—all as a result of this misplaced war. These are the facts.

In an op-ed published in today's Washington Post, three noted writers and foreign policy experts said this:

Republicans will claim that after four years of disastrous mistakes, the Bush administration finally got it right with its troop ''surge.'' Yet despite the loss of nearly 1,000 American lives and the expenditure of $150 billion, the surge has failed in its stated purpose: providing the Iraqi government with the breathing space to pass the 18 legislative benchmarks the Bush administration called vital to political reconciliation.

To date it has passed only four.

And some say the four passed are for show; they have no substance.

Moreover, as part of the surge, the administration has further undermined Iraq's government by providing arms and money to Sunni insurgent groups even though they have not pledged loyalty to Baghdad.

My high school pal, my buddy, I named one of my boys after him, he named one of his boys after me. I am proud of my namesake. He is a heroic helicopter pilot, having served a very difficult tour in Afghanistan and now Iraq. We exchanged regular e-mails during his time overseas. These e-mails were wonderful. Before going to Iraq, we had the opportunity to meet in Las Vegas for dinner. He was on his way. It was a nice dinner. He proudly told me of his war stories, stories of real-life valor. Now the e-mails have stopped. I had the good fortune of meeting my friend at my home in Searchlight last week, last Monday, a week ago yesterday.

I said: Why don't I get e-mails anymore. His dad told me that his son said: They need to get us out of here. He wants to come home with the rest of our gallant, even heroic troops. These are the facts.

The mission has not been accomplished. We have not been met as liberators. After 5 years of war, we are still an occupying force. Iraq, with untold wealth because of its oil supply, must take care of its own citizens. Americans need to start taking care of Americans. We cannot spend a half billion dollars every day in Iraq. These are the facts.

We will soon vote on two amendments that will begin to change course in the bloody Iraq civil war. Our first vote is on a bill to responsibly begin to redeploy our troops so we can refocus on other threats and challenges around the world. Do we have them? General Casey testified today in a building a short distance from here that the Army is in a state of distress. We heard on the media this morning about what is going on in the Pacific. The admiral in charge there doesn't have the necessary force to do even intelligence. It has been shipped to Iraq.

We need to begin to redeploy our troops. That is what this amendment is about. We can refocus on other threats and challenges, and there are many, and limit the troops to counterterrorism, force training, and protecting our assets.

The other bill we will vote on later is also extremely important. It calls for a report from the administration on the status of the fight against al-Qaida, the fight against terrorism. As the war in Iraq rages, bin Laden remains free, and his terrorist network is gaining power worldwide. This legislation will shine the spotlight on this unmet challenge of fighting terrorism and keeping America safe—today, tomorrow, and beyond.

I urge my colleagues to seek common ground toward a new American foreign policy that strengthens our security, supports our troops, and begins to restore our Nation's ability to once again lead in the way we have in generations past.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 575, S. 2633, safe redeployment of U.S. troops.

Russell D. Feingold, Edward M. Kennedy, Patrick J. Leahy, Robert Menendez, Ron Wyden, Sherrod Brown, Richard Durbin, Bernard Sanders, Patty Murray, Frank R. Lautenberg, Christopher J. Dodd, John D. Rockefeller IV, Amy Klobuchar, Charles E. Schumer, Tom Harkin, Barbara Boxer.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2633, a bill to provide for the safe redeployment of United States troops in Iraq, shall be brought to a close.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 70, nays 24, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—70

Akaka	Durbin	Mikulski
Alexander	Ensign	Murkowski
Allard	Feingold	Murray
Bennett	Feinstein	Reid
Bond	Graham	Roberts
Boxer	Grassley	Rockefeller
Brown	Gregg	Sanders
Brownback	Harkin	Schumer
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Cantwell	Inhofe	Smith
Cardin	Inouye	Snowe
Chambliss	Isakson	Specter
Coburn	Kennedy	Stabenow
Cochran	Kerry	Stevens
Coleman	Klobuchar	Sununu
Collins	Kohl	Thune
Corker	Kyl	Vitter
Craig	Lautenberg	Voinovich
Crapo	Leahy	Whitehouse
DeMint	Lugar	Wicker
Dodd	Martinez	Wyden
Dole	McConnell	
Domenici	Menendez	

NAYS—24

Barrasso	Dorgan	McCaskill
Baucus	Enzi	Nelson (FL)
Bayh	Hagel	Nelson (NE)
Biden	Johnson	Pryor
Bingaman	Landrieu	Reed
Carper	Levin	Salazar
Casey	Lieberman	Tester
Conrad	Lincoln	Webb

NOT VOTING—6

Byrd	Cornyn	Obama
Clinton	McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 70, the nays are 24.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the motion.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 2633) to provide for the safe redeployment of United States troops from Iraq.

The Senate resumed consideration of the motion to proceed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that there be 2 hours of postcloture debate prior to the motion to proceed being agreed to, with the time equally divided and controlled between the two leaders or their designees; further, that upon disposition of this legislation, S. 2633, the Senate then proceed to a cloture vote with respect to S. 2634.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, and I will object, we now have an opportunity to discuss the issue the majority feels we ought to be talking about. I have a number of speakers lined up on my side. I assume that is the case on the other side. So it is time to debate the Feingold proposal; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I am satisfied that we got cloture on the motion to proceed to this important legislation, and I appreciate the bipartisan vote in this regard. Usually, however, when we get cloture on a motion to proceed, it means Senators are prepared to actually begin consideration of that legislation. However, I have asked consent that we do just that. My minority colleagues have objected.

The only conclusion a reasonable person could have is that they are resorting to a new variation of the old theme. Remember, in 1 year—last year—the Republican minority broke all rules in filibusters. In 1 year, we had to file cloture 68 different times. So it is obvious this is only an effort to stall, as they have done for the entire time we have been in the majority.

Now, we are happy to legislate regarding Iraq, but it is obvious to me what the game plan is. They want us to slow the Senate down from getting things done. It is interesting to note that when the 30 hours is up, we will automatically go to cloture on the piece of legislation that calls for a reporting requirement on the global war on terror. From the statements made by the distinguished Republican leader, they don't like that. So it would seem to me it is very clear that they are going to do everything they can to stop us from getting to the housing legislation, which the American people badly need. I think it is important that we do the housing legislation and that we do consumer product safety. Of course, we are going to do the budget resolution. It is obvious the Republican minority is in their usual stalling tactic.

Now, we have a few people who can speak, too, during these 30 hours, but what we should be doing is legislating on this most important legislation. Remember, the Iraq war is within a matter of days going to be starting the sixth year—the sixth year of this war. It has been reported that in less than a year, this war will cost the American taxpayer $1 trillion. Remember, Lindsey was fired because he said it would cost $100 billion. He was fired. Well, he was a little off.

We know that in a matter of a few days we are going to have a milestone, a tragic milestone. There will be 4,000 dead Americans. Our troops have fought valiantly. We all acknowledge that. But as I indicated in my statement earlier today, they want to come home. Wherever you go, that is what they tell you. The parents tell you that. The troops tell you that. A Capitol policeman came home. He has been over there for almost a year. I talked to him yesterday: When are you going back?

He said: In 2 weeks.

How has it been, Jim?

He said: It has been pretty tough.

He is a different person than he was, having been through what he has been through.

So if the Republicans want to talk about Iraq, we are happy to talk about Iraq and about how this money we have borrowed and continue to borrow—$1 trillion—is preventing us—I met with the Governors yesterday, the Democratic Governors. They know what they are not doing in their States because they have no money, whether it is infrastructure, the deterioration of roads, bridges, and dams or whether it is health care. They can't take care of some of the basic needs of the people from their States, and they know it is because of this war.

The President doesn't like to borrow money, except for this war. There is a carte blanche: Borrow as much as you need. This war is costing us now about a half a billion dollars a day—a day. So isn't it good that the American people are hearing us talk about this?

As I indicated in an earlier statement I made a few minutes ago, let's not start boasting about the surge. During the surge, we have lost about 1,000 American troops—1,000 American troops. We are glad the violence is down, but that is all a matter of degree. The Shia religious holiday they are trying to finish, in 2 days, more than 60 killed, more than 100 wounded, and this is Sunni on Shia, and you can bet whatever you have to bet, the Shias will be back to inflict equal damage against the Sunnis, and the Sunnis, to whom we have paid huge amounts of money, have not even declared loyalty to the Baghdad Government.

So we are happy to talk about Iraq. It is obvious the Republicans are doing everything they can to stop us from going forward on legislation, something dealing with the economy, of course. What would have been the right thing to do, if they were sincere about moving forward, a motion to proceed. I want everyone who is within the sound of my voice to understand that motions to proceed are routine. No one made us go forward on motions to proceed, until this Republican minority showed up, and then on virtually everything, they are doing the slow walk on everything—everything. If they

were legitimate and genuine about what they want to do, we would be on this piece of legislation that has been introduced and we would be talking about the merits of it. But, no, that can't start.

Understand that at the end of 30 hours, automatically we have a vote on the next cloture that has been filed because everything we do around here, we have to file cloture on a motion to proceed because of the big stalls taking place. So we are ready to talk as long as people want to talk on this issue. We have Democratic Senators who want to talk about this because they know what this war has done to what is taking place in our States, as indicated by the Governors whom I met with yesterday.

Mr. MCCONNELL. Mr. President, my good friend, the majority leader, seems to regret that we are having a debate on the matter he put in the queue for us to have a debate on. We would not be dealing with this issue this week but for his decision to file cloture on two motions to proceed on two Feingold bills. The first Feingold bill which is before us, we have actually essentially voted on four times already since the new majority took over in January of 2007. In fact, this will be the 35th Iraq vote we have had since the new majority has taken over.

We spent a lot of time discussing Iraq over the last year. During much of that time, the view of what was happening in Iraq was not nearly as positive or optimistic as it is now. Why we should have a truncated discussion of Iraq at a time when things are getting dramatically and measurably better strikes me as somewhat curious.

So obviously the Iraq debate of the moment has commenced. I have a number of speakers on my side who wish to talk about the success of the surge, the improvement in Iraq, the improvement on the Government side as well as the military side. So we are happy to engage in this debate. It was not our decision to schedule it. This was the decision of the majority to devote whatever time was necessary this week to a discussion of these two Feingold bills related to Iraq.

So we look forward to the discussion. I believe we have a number of people lined up who would be happy to engage in the Iraq discussion, and we will continue that until such time as there is a mutual agreement to yield back time, which may or may not occur, depending upon the situation and how many speakers we have. This is the way the Senate frequently operates. It is the way it was when our good friends on the other side were in the minority. There is nothing unusual about this at all. The one thing we know the majority leader can do is schedule, and it was his decision to schedule the two Feingold bills, and the first of which is now being talked about.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I am happy to yield to my friend from Illinois in a minute.

We are happy to debate the Iraq issue. We have always been happy to do it. Thirty-five times we have, and that is 35 times more than when the Republicans were in the majority. The war went on for years with no oversight, none whatsoever. We have at least demanded that, and I think it is important we have done that.

I would also ask my Republican colleagues, why don't they ever talk about the costs of this war? The costs in life, bodily injury, and money—money that is keeping this country from taking care of its own?

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I rise in support of S. 2633 offered by Senator FEINGOLD.

I think it is unfortunate the Republican leadership has once again put the Senate into a stall. It seems as if the Republicans feel that it takes them 30 hours to make up their mind to do anything. They want to burn off 30 hours of Senate time. I don't know why. What Senator REID offered them was a chance to move to this resolution, to debate it, and if amendments are going to be offered, they would be offered. They turned it down. They want to wait 30 hours before we even possibly reach that point. As Senator REID explained it, there may be an intervening motion that slows us down there. But that is what this is all about. This is the Republicans' slow boat for America. They want to slow everything down to a snail's pace, and it is unfortunate that they do.

They know what we want to do. We want to have a good, open debate on the policy on the war in Iraq, followed this week by emergency legislation to deal with the housing crisis in America. So their strategy is to avoid that debate on Iraq, a debate that leads to the actual bill, tie us up in procedural issues, and hope we don't get to the housing crisis by the end of the week. I guess at the end of the week the Republicans will say: Job well done. The Senate went home and didn't do anything for another week. Well, I guess that is what they think the minority is all about, to stop anything from happening. Isn't it unfortunate.

If you listen to Presidential campaigning on both sides, Republicans and Democrats talking about change, they point an accusing finger at us, saying that time and again, Senators and Congressmen dream up ways to avoid facing the important issues in America. Well, it is time for us to face those issues in a timely way, to give ample opportunity to minority and majority, to debate, to amend, to move forward. Yet the Republicans, as they did last year, are doing everything this year again to obstruct, to stall, and to stop.

Why is this important? The minority leader, Senator MCCONNELL of Kentucky, was complaining that we have had 35 votes on the war in Iraq. He is war weary of voting on Iraq. Well, I want to say to him I am war weary as well. I am weary of 3,972 U.S. service men and women killed in Iraq. I am weary of 29,000 injured, many seriously, and with permanent conditions they will struggle with for a lifetime. I am weary of a war this President won't pay for, that costs us $10 billion to $15 billion a month. I am weary of the excuses we have made for the Iraqis who have failed to lead their own Nation while we risk and give American lives in this conflict. I am weary of the missed opportunities in America that $1 trillion spent on this war could have bought us to make our Nation stronger at home—better schools, making certain our teachers are compensated for good work, the technology we need so our children can be successful in this 21st century, medical research funds that have been cut under this administration, funds for extending health care and insurance for families across America, putting infrastructure in place in America so our economy can grow and move forward with good American jobs building those roads and highways and airports and mass transit. I am weary of that too.

No apologies for the Senator from Kentucky for 35 votes on Iraq. That is hardly 1 vote for every 100 Americans who have been killed in that country. It certainly is worth our time to debate this. Even more important, it is worth our time to change this policy in Iraq.

I salute Senator FEINGOLD. He has been a lone voice. There were times I didn't agree with him. I thought he had an approach for this that we weren't ready for. But over time, I have come to understand his wisdom and his insight, and his political courage to bring this issue to the floor. If he didn't fight doggedly to make sure we didn't have this Iraq war debate, we would skate along perhaps month after month without ever facing the music. What we face is a reality.

The Republican plan is to stall and wait 11 months until President George W. Bush, on January 20, 2009, can leave the White House, give a fond adieu to Washington, DC, and say: Well, I left the war; now it is up to the others to try to solve this. Well, it is going to take quite a bit to try to undo the worst foreign policy decision in modern memory in America.

Many of us remember that night in October of 2002 when here in the Senate Chamber we voted on authorizing this President to go to war. I was a member of the Senate Intelligence Committee then. I listened behind closed doors to classified and confidential information, and I couldn't put it together. I couldn't square with the information we received in the Intelligence Committee all of the dire predictions being made by President Bush, Vice President CHENEY, Condoleezza Rice, and Donald Rumsfeld. It didn't square away.

Where in the world were the threats they were talking about—the weapons of mass destruction, the nuclear weapons, the connections with 9/11? It turned out none of them existed—not one. We found no weapons of mass destruction. We found no nuclear weapons. We found no connection between Saddam Hussein and the terrible tragedy of 9/11. All of the pretenses and reasons given by this President to engage us in this war, to risk American lives, and to drag us on for more than 5 years in this conflict turned out to be false; all of it.

There is no greater deception in a democracy than for the leader to mislead the people of a nation into a war, to ask families to offer their children and their children's lives in service to this country for reasons that turn out not to be true. No weapons of mass destruction, no nuclear weapons, no connection with 9/11, and here we are, still bogged down, mired in this conflict.

It is cold comfort to know that as we sent 20,000 or 30,000 more soldiers into Iraq last year that things got better. I am glad they did. I have been there since then. I am glad the surge brought some peace to some sections of Iraq. But that wasn't the reason for the surge. The surge was put in place so the Iraqis could finally take responsibility for their own country, so they could make hard political decisions and govern and lead and defend themselves. Here we are, almost a year later, and what do we have to show for it? An Iraqi Parliament that when we can get them to meet won't even face the serious issues. Time and again they fail to make the decisions they need to make so their Government can govern. Time and again we find excuses from them: They need a little more time. Every day they need is at the expense of American soldiers. Every month they take to finally reach a decision means that more body bags will come home to America and more wounded soldiers will return. So as they take their sweet time making their decisions, we are paying a heavy price as a Nation. And the complaint from the other side is we have had 35 votes on this; haven't we had enough? No, we haven't had enough until we change this policy, until we start bringing the troops home.

You are going to hear a lot of things said about this Feingold resolution. I certainly hope that colleagues and Members will take the time to read it. Here is what it says: It says our future role in Iraq is going to be limited. We are not going to say to the military: Do whatever you like. We are going to say to our military in Iraq: Here is your role. This is what you can do. This is what we will provide funds for.

First: Conduct targeted operations, limited in duration and scope, against members of al-Qaida and affiliated terrorist organizations.

That is certainly something we all agree on. Al-Qaida was behind 9/11, not Saddam Hussein, and we should continue to target them. They have used Iraq as a land of opportunity now to go in and sow their seeds of division and hatred, to try to kill innocent people and to kill American soldiers. Senator FEINGOLD says we will continue to fight to eliminate al-Qaida in Iraq.

Second: Provide security for personnel and infrastructure of the U.S. Government.

That should never be in question. We should make certain our Armed Forces are always there to protect our people and to protect important installations.

Third: Provide training to members of the Iraqi security forces who have not been involved in sectarian violence or in attacks upon the U.S. Armed Forces.

If the Iraqis are ever going to take over defense of their own country so that we are not in Iraq for 50 years or 100 years or even 1,000 years, as one of the Presidential candidates has said—if we are ever going to avoid that terrible outcome, the Iraqis have to stand and fight and defend their own country. Senator FEINGOLD says that is one of the legitimate reasons we can stay in Iraq. I agree with him.

Fourth: To provide training, equipment, and other materials to members of the U.S. Armed Forces to ensure, maintain, or improve their safety and security.

No argument there.

And finally: The resources to redeploy members of the U.S. Armed Forces from Iraq.

What is missing from this? What is missing is any unilateral combat operation that opens a new part of this war. For 5 years we have given the Iraqi people all they could ever ask for. We deposed their dictator, we brought the best military in the world to their country, we gave them a chance to elect their own Government, write their own Constitution, and govern and defend themselves. What more could they ask for? We have paid for it mightily, with almost 4,000 lives, the hundreds of thousands who have served, and the thousands who have come home wounded, injured.

I will tell you, for those who think we ought to look the other way for 11 months so President Bush can get out of town, they ought to go to these National Guard deployments and redeployments and look into the eyes of our guardsmen and their families, their tear-filled eyes as they send their soldiers off for yet another deployment.

We have a young man here on the Capitol Police force who works with my office. He is about to face his second deployment with the Navy Reserve. He is taking it very well, with a smile, but he is going to be gone for 8 months—8 months away from his family, making less money serving with the Navy than he makes serving as a Capitol policeman—taking a pay cut because the Federal Government is too cheap to provide what private corporations do for their activated employees—and he will be away from his family for another 8 months.

Easy for us to say: Well, it is only 11 months. There will be a new President. Maybe there will be a change. But what about those soldiers and sailors and marines, airmen, all of our military who are called to serve? That 11 months will be a lifetime away from their families, and during that 11 months some of them will give their lives. That is why this debate is important and why it is timely and why I am glad Senator FEINGOLD has brought it before us.

It is unfortunate the Republican side wants to stall this debate, stall it for 30 hours in hopes we can drag everything out so we will never quite get to the issue here on Iraq and maybe never get to the issue of the housing crisis in America. That is the Grand Old Party's brandnew strategy: Stall, try to delay, find ways to make sure we don't get to the important issues. It is little wonder that the opinion of the American people of this Congress is low.

What we should do is look to the positive side. If we change this policy in Iraq, if we tell the President on a bipartisan basis that we have had enough of this, that we want to see a change in mission, we have a chance to change this country. We can take the resources that would have been spent in Iraq and spend them in America. We can make sure we are providing health care, job training, and building schools, roads and bridges. We can create an economic stimulus in the United States instead of an economic stimulus in Iraq. I think a strong America begins at home. Wouldn't it be great if we invested our precious tax revenues in that belief?

Let me tell you what the National Intelligence Estimate said about the state of this war in Iraq. Last year, they gravely noted that:

> The Iraq conflict has become the cause celebre for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world, and cultivating supporters for the global jihadist movement.

That is a quote from the National Intelligence Estimate. What it says is that as we battle on in Iraq and lose American lives and spend American dollars, we are creating a magnet for the extremists around the world to come and kill our troops and to be inspired in their own sad and devilish ways to kill other innocent people around the world. Did anyone bargain for that when we invaded Iraq? Did anyone think it would make the war on terror more difficult to win? That is what the National Intelligence Estimate tells us.

This administration has recklessly diverted critical military intelligence and civilian assets from Afghanistan in the process. That was a war I voted for, without reservation—a unanimous vote in the Senate, just days after the attack on 9/11. We knew where that attack came from. It didn't come from Saddam Hussein and Iraq, it came from Osama bin Laden and the Taliban, and the al-Qaida forces that were running

rampant through Afghanistan. Well, the situation in Afghanistan has deteriorated because we have spent so much on human life and American dollars on Iraq. That is the reality of this administration's priorities.

The Taliban and al-Qaida, sadly, are regrouping in Afghanistan, and we know for sure Pakistan, the neighboring country, is increasingly unstable. In fact, the strongest military on Earth is apparently so overstretched at this moment, the administration can't even find a handful of transport helicopters to help the desperately needed people of Darfur with the U.N. peacekeeping force.

How long will we stand by this failed foreign policy, this disaster in Iraq, at such a high cost in human lives, dollars, reputation, and national security? We are hearing once again that we are seeing progress in Iraq. How many times have we heard this story? At least for 5 years—from the beginning, from Vice President CHENEY's rosy scenario of the troops being greeted with parades and arms laden with flowers to welcome them to Iraq, something that unfortunately did not occur—until the present time, when the so-called surge has turned everything around. And yet 150,000 American lives are still at risk this morning, this afternoon, and this evening in Iraq.

The entire point of the surge was to carve out political space for the Iraqi political leadership. They haven't used the time; they haven't used the surge for that to happen. Does anyone honestly believe we are closer to the day that the Iraqis will take responsibility for their own future? They will if this passes, because they will know our days are numbered in Iraq. We are not going to be there for 25, 50, or 1,000 years. That is not fair to our soldiers; it is not fair to America.

This administration has no strategy beyond ''stay the course'' until January 20, 2009. We in Congress have a responsibility to change direction. Our responsibility is for those soldiers and their families, it is for those guardsmen and their families, it is for everyone risking their life today in Iraq. They need to come home. And when they come home, we know that we have our hands full.

They come home with serious problems. The suicide rate among soldiers is at a record high. It is even higher among Guardsmen who are activated to serve. Post-traumatic stress disorders of years gone by intensify in the returning soldiers from Iraq and Afghanistan.

We know those who suffered serious injuries—amputations, traumatic brain injury—are going to need our help for a long time to come. This administration has shortchanged the Veterans' Administration. When we begged them to put in the billions of dollars necessary to keep our promise to these veterans and those from other wars, they said they did not need it. Then, of course, they were proven wrong.

We continued to put billions of dollars into the Veterans' Administration, and we should and we will for the future, trying to pay the long-term costs of this war, a heavy cost that future generations will carry. And those on the other side say: Well, let's just let this go for another 11 months. Let's see how this all works out, another 11 months of returning veterans, returning wounded, another 11 months of more responsibility to future generations.

Staying with the failed strategy is no strategy at all. Changing course in Iraq is long overdue. Quite simply, we cannot give this administration another blank check because we know what they are going to do with it. They are going to continue this policy as we see more and more American soldiers in harm's way. The bill before us is reasonable, it is measured, it is a thoughtful effort to put before this administration a new approach, a new policy, and a new direction in Iraq.

Starting to redeploy the majority of U.S. troops from Iraq within 120 days is a reasonable thing to do. Certainly, many of them will stay there for those specified responsibilities, but as they start to leave, the Iraqis may wake up to the reality that it is their country and their responsibility. The question is no longer whether the surge, or more accurately a significant escalation of troops, has worked. The question is how we can return our focus to the original al-Qaida threat.

Sad to say, 6 years, more than 6 years after 9/11, Osama bin Laden is still on the loose. He is still guiding in his way the al-Qaida forces that threaten us in the rest of the world. We need to help countries such as Jordan that have been overrun with Iraqi refugees. We certainly have to understand that a country that has been that friendly to the United States deserves a helping hand, and we have to start to rebuild our international image and reputation.

It is unfortunate to hear people around the world, once our friends, once our allies, once our supporters, so critical of the United States because of the colossal mistake made by the Bush administration with this invasion of Iraq. We have to turn that page, and we cannot wait until January 20, 2009, to do it.

Last year, a New York Times-CBS News poll showed that only 5 percent of Americans trust this President to successfully resolve the Iraq war; 1 out of 20 Americans trust President Bush to resolve this war. Well, I do not believe he will either. I would be with the 95 percent. But Congress has an equally important responsibility to oversee this war as it is fought, to do everything we can to protect our troops and to resolve this war so our troops can come home to the heroes, welcome they richly deserve. We need to step into the leadership void that this White House has left and change directions for our policy in Iraq.

I am going to support this bill to bring an end to this war. I was 1 of 23 who voted against it. Of all of the votes that I have ever cast in this Congress in the House and Senate, I look back with the greatest assurance that was the right vote, the right vote for America. I do not think anything that has transpired since that late October night in 2002 has ever made me waiver in my belief that it was a serious mistake for the United States to give to this President and this administration the authority to begin this war, which has cost us so much over the years.

I believe we have to be careful in our foreign policy. Of course, defend America, that is our first responsibility. But never engage in a war when we cannot understand the consequences that might follow, like this war. It is so much easier to get in a war than it is to get out of one.

Senator FEINGOLD is engaging this Senate in a debate that is long overdue for a change in policy that is long overdue. The Republicans are going to stall, try to avoid the vote, try to speechify us to death, not going to face this vote or a vote on the housing crisis. But that is nothing new. As the majority leader, Senator REID has said, last year 68 times they initiated a filibuster. That is a brandnew record in the Senate. Before that it was 61 filibusters in 2 years. That was the record. Well, they managed 68 in 1 year.

It shows you what they are up to. They just want to grind us down, slow us down, and make us avoid the issues that count in America. One of those issues is ending this war the right way, and another which will follow is the housing crisis which plagues our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I am a little confused. About an hour and a half ago the majority leader brought up a bill. He and the Senator from Wisconsin had filed this bill to leave Iraq in 120 days. And he filed cloture on that to see whether enough Senators would agree to debate the bill. So that we can start to debate it, it took 60 Senators to vote yes. The majority leader must have been surprised when we voted yes because he does not seem to want to take yes for an answer.

He filed the bill, wanted to debate it, and presumably have a vote on it. But when we agreed to debate it, he called foul and said: You are trying to stall because you did not vote no so that we can move on to the next bill and then the next bill which will be the economic stimulus package.

So I am confused. Maybe I should not be because almost half of the members of the majority voting voted against cloture; that is to say, they voted against proceeding to the bill that the majority leader had filed. Now, ordinarily members of the majority do not vote against these cloture motions that the majority leader files to take

up a bill. Ordinarily, all of the members of the party vote with their leader on these votes.

I gather that the majority leader must have thought that the bill would not get cloture; that is to say, that we would not start the debate. Then I suppose Republicans would be accused of trying to stall, of not being willing to vote on the bill that he and the Senator from Wisconsin had filed, maybe putting Republicans into a no-win situation, damned if we do and damned if we do not.

If we agree with the majority leader and take up his bill to debate it, we are stalling. And if we do not agree, then I suspect we would have been accused of not being willing to debate Iraq and not being willing to vote on the amendments or the bill that he and the Senator from Wisconsin filed.

So as I say, I am confused. All Republicans did was to say: OK, you wanted to debate the bill that you filed. We will agree to proceed with that. Now the distinguished minority whip just said Republicans are speechifying this to death. Well, Republicans have spoken about 5 minutes out of the last hour. All of the rest of the time has been taken by members of the majority party. The majority whip himself spoke, I think, a little over half an hour. I do not intend to take that long.

But I think it is hard to accuse Republicans of speechifying the bill to death when all we did was, an hour and a half ago, agree to debate, and the minority leader has spoken a total of about 5 minutes. Do you want a debate on Iraq or not? Now that the surge is working, it appears maybe that members of the majority party are not so anxious to have that debate.

But as Minority Leader MCCONNELL pointed out, Republicans are willing to have that debate. A group of Republicans were just in Iraq over the course of the last week. Several of us have been there since the first of the year and have a very positive story to report about the work that our troops are doing there and the effect of their efforts.

There is a positive report that the American people deserve to hear. So I think you will see Republicans agreeing to debate the resolution. For my purpose, I am perfectly happy to vote on it. But under the rule that the majority leader has taken advantage of, as soon as we have had 30 hours to debate this, then automatically we go to the next Feingold-Reid bill.

That is a bill that does not have us get out of Iraq, but rather says we should try to develop a strategy to deal with al-Qaida. Well, of course, the administration's first strategy, as we have discussed on this floor many times, the first, best way to deal with terrorists is to get good intelligence on them to know what they are up to. Maybe we could have prevented 9/11 had we had better intelligence. And so the FISA—this is the law that allows us to listen in on the communications of these terrorists—that bill, that law expired.

The President said: We are losing good intelligence. You need to act to reauthorize that law.

The Senate did. I think we had 68 votes, a bipartisan vote. We acted in a bipartisan way to support that. Many of our colleagues, I think it was 28 or 29, voted to oppose that. Now the leadership of the House of Representatives has said: Well, let it expire. And they went on the break 12 days ago without having acted to reauthorize the so-called FISA law.

That law needs to be reauthorized. Each day that passes that it is not reauthorized, we are losing intelligence. Now, what happens if there is another 9/11 and we later find out that one of the reasons is because for a period of several weeks we could not listen in to what those terrorists were saying? We are missing intelligence.

Frankly, we ought not to do anything else around here until we get that law reauthorized and the President can sign it into law. But the majority leader said: First, we are going to have a debate on the Feingold-Reid bill to get out of Iraq in 120 days. Then we need to have a debate on developing a new strategy for dealing with al-Qaida.

Okay. Republicans are happy to engage in that debate, as I said. But to be accused by the majority of trying to stall by simply agreeing to the debate that the majority requested, is not correct.

Moreover, nobody is trying to stall consideration of a housing bill or an economic stimulus package. We understand that the majority is going to be bringing such a package to the floor. We have not seen it. We do not know what is in it. We are certainly not stalling it. It is not here yet. The majority leader could have brought that to the floor. He could have told us what is in it. He could have filed cloture on it so that we had the vote on whether we are going to take it up, but instead he brought up the first Iraq resolution. Then that is going to be automatically followed by a second resolution dealing with al-Qaida. Then, only after that, apparently, do we get to the economic stimulus or housing package.

So it is not Republicans who are holding it up. We have not done anything to hold it up. We have not even seen it yet.

So I think this criticism of Republicans for stalling simply because we agreed with the majority leader to take up his bill and debate it is not accurate, and it is not fair to Republicans.

Now what about the surge and this Iraq resolution? I think it is interesting that the first criticism was that we had a failed policy in Iraq. So when General Petraeus developed a new policy, the surge policy, which began to work, the debate suddenly began to shift. Now that it is very clear the surge has worked it is shifting even more. It is shifting now to, well, OK, maybe the surge is working, but the Iraqi Government needs to do more.

Well, the Iraqi Government is now doing a lot more, too, as we will hear. But I suspect nothing is going to be good enough for those who want to get out of Iraq now because, as the majority whip has pointed out, we really need to improve America's image abroad. And there a lot of people who disagree with us, so that is one of the reasons we need to get out of Iraq.

But he also said—how many times—that we are doing better in Iraq. Well, I do not know how many times, but certainly since General Petraeus reported to the Congress, and every week thereafter, there has been improvement. And all we have to do is listen to our colleagues who have been there recently to see this reported progress in Iraq.

I do not know why people are so afraid of good news when you are winning in a war. Why is that not a good thing? Why are you not proud of that? Why do you not say: That is great; let's finish the job.

I suspect if you ask the majority of our troops: Now that you have got your boot right on the neck of these enemy terrorists, do you think we ought to let it up and walk away or do you think we ought to finish the job? My guess is they would all say: Let's finish the job or you all back in Washington let us finish the job. Do not pull the plug on us so that we have to leave Iraq before we finish the job.

It is interesting there is now a new argument: OK, maybe the surge is working. Maybe the Iraqi Government is going to be taking the action we asked them to do. And, in fact, they have. They are now taking action on the so-called reconciliation there on local elections and the like.

But now the argument is, well, we could actually spend this money on other things. Of course, you can always spend money on other things. When you are in a war, however, it is a little different. You cannot just pull the plug and say we would rather spend the money on housing or transportation or education than we would on the war. You do not have that option. You cannot just pick up stakes and leave because you have to consider the cost of what you leave behind.

Most of the experts who have talked about this have made it crystal clear if we decide we want to leave because we would rather spend the money on something else, the ultimate cost would be far greater than if we finished the job. Because by most estimates, the situation would deteriorate. Al-Qaida would reinfiltrate, and the other enemies of the Iraqi people would create more problems. The next thing you know, we would have to come back in and try to clean up the mess that was created because we left prematurely. The bottom line is, the cost of leaving prematurely would be far greater than the cost of finishing the job once and

for all. It is also difficult to put a price on our national security, especially because of those young men and women who have given the ultimate sacrifice. We owe it to them to ensure that what they have done, the sacrifice they have made, is not going to be wasted, is not going to be lost because we were too anxious to get out of there to spend money on something else. That is not good policy. It is not the way to win a war. It is certainly not the way to beat the terrorists.

The final point the majority whip made was we should return to the original al-Qaida threat. I get back to the point I made before. If you want to return to the original al-Qaida threat, there is no better way than, A, to finish the job in Iraq where we have al-Qaida on the run—they are essentially defeated; let's don't let them rise back up again—and B, pass the FISA legislation, the Foreign Intelligence Surveillance Act, which allows us to collect intelligence on these terrorists abroad. Again, we did that in the Senate, though many on the other side—28—voted against it.

The House of Representatives leadership has an obligation to try to get this done. Therefore, I call upon the Democratic House leadership to bring up the bill the Senate passed and see if it will pass the House of Representatives. I suspect the reason it has not been brought up is because they know it would pass. That is a bill the President would sign. Why wouldn't that be a good thing? That is the appropriate way to move forward.

Let me try to summarize. Republicans have put us into a stall, our Democratic friends say, because we agreed to debate the bill they wanted us to debate. They expected us to say no, that we wouldn't debate it. Then we would have been accused of trying to avoid debate. But we agreed. We will have the debate. It is only 30 hours. That is hardly enough time for all of my colleagues to be able to say the things they want to say, if we have half of that time, but nonetheless we will try to give the report of the truth of what is happening in Iraq. The American people will be better off for that. So I am glad we agreed with the majority leader to proceed to the debate on this bill. I suspect we will want to do the same thing on the next bill.

If and when the Democratic majority puts together an economic stimulus package, then we can take a look at that and see whether we want to debate that as well. But, again, our first priority ought to be to get the Foreign Intelligence Surveillance Act passed because every day that goes by that that law is not in effect, we jeopardize our national security. We jeopardize our ability to collect intelligence on al-Qaida and other terrorists, and we put the lives of Americans at risk. That is unacceptable.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from New Jersey.

Mr. MENENDEZ. Madam President, how much time do I have?

The PRESIDING OFFICER. Each Senator may speak up to 1 hour.

Mr. MENENDEZ. Madam President, I came to the floor to speak in support of the Feingold amendment. I came purposely to talk about that issue, but I am compelled, having heard some of the remarks made by some of our colleagues, to first preface my remarks as it relates to this debate.

Yes, we are happy to have a debate, but it doesn't take 30 hours to come to the same conclusion the American people have clearly come to in this country: that continual engagement in the war in Iraq and the course we are on is not in the national interests of the United States. They have come through the common sense Americans always show. This is overwhelmingly the conclusion of a great majority of Americans. They understand. It doesn't take us 30 hours to do that. We can have an open, honest, and intelligent debate with a few Members on each side making the case for their respective points of view, but we don't have to take 30 hours in order to get to that goal so that we can move to the other important business of the Senate.

This is important business. It deserves a thorough debate. But, by the same token, it is clear that the whole process of objecting to the majority leader's effort to limit the scope of time so that we can have a robust debate but then go on to the other business before the Senate is to extend the time, is to delay us.

We have seen through a record number of filibusters the Republican minority has used in this Chamber in a way that defies all historic proportions. It is clear that what was intended to be used as a rare occasion to protect the rights of the minority, particularly on exceptional critical issues of the time, has now been abused in such a way in which it is intended to stall the work of the Senate but, more importantly, the work of the American people. That is the framework in which we start this debate. We can have a robust debate, but we don't need 30 hours to accomplish it.

Secondly, I cannot understand how some Members can come to the floor of the Senate and rail against the fact that the foreign intelligence surveillance bill has not been passed by the House of Representatives when they refused to agree to a 21-day extension of the existing law that gives the administration everything they want to do. So if this is such a critical issue, as has been described by Members of the Republican side of the aisle, why would they not have agreed to continue while the Congress debated the opportunity to extend the law that allows you to do all those things you say are critical to the protection of the American people?

I can only come to the conclusion that either it is not as critical as they define, because fear is what we sell, it seems, on the Republican side—we have been hearing fear for quite some time; the American people have caught up to that—or, in fact, they simply want to have the proposition for a political purpose. If not, we would have had the 21-day extension. Everything the administration claims they needed, they would have had, and therefore we would have been able to move forward. Those two items need to be put in context.

Let me get to the main purpose of what I came to the floor to speak about, and that is in support of the Feingold amendment.

The Senate has an opportunity, once again, to vote to transition our troops out of Iraq with honor and refocus our efforts on defeating al-Qaida. It is long past time for us to make that decision. The administration has never told us the truth about the war in Iraq. Some people want to gloss over that. But if what is past is prologue, then we need to be worried about what we constantly hear.

The budget they submitted to Congress is the latest proof of that. The budget is terrible in a lot of ways. It leaves millions of children without full access to health care. It fails to wean us off our addiction to foreign oil. It fails to adequately address climate change. It fails to repair our education system or shrink the ballooning deficit. Basically, it fails to make a serious effort to tackle the most pressing problems average Americans face in their lives each and every day.

Beyond that, the budget is dishonest about the cost of one of the most expensive wars in our history, a war that has lasted more than America's engagement in World War II. It lists the cost of the war in Iraq for next year at $70 billion. All the other calculations in the budget, including the debt and the deficit, in some way assume that $70 billion is all the war is going to cost in the next fiscal year. We have to wonder if whoever wrote the section of the budget on Iraq found their job after leaving their old post at the accounting department of Enron because it is clearly the same type of accounting.

Recently, the Secretary of Defense took a baby step toward honesty and estimated the true cost for next year at another $170 billion of America's money. He said that was just a rough estimate, because when you have already spent more than a half trillion dollars, I guess you just round up to the nearest hundred billion. This is from an administration that over 5 years of a historical engagement in Iraq knows how many troops we have, knows the projection moving forward, and therefore knows what the consequences in terms of cost are. To send a budget to the Congress that everyone knows in the context of the cost in Iraq is a farce, this type of carelessness—if one can call it carelessness—in accounting is offensive to the American people who are funding the war.

This administration is so dead set on staying in Iraq. I know some Presidential candidates have suggested that

we will do so for 100 years, if necessary. They just don't seem to care how much tax money they spend. They don't seem to care how much money they have to borrow from the Chinese to pay the bills, because we don't pay for this in terms of how we are going to afford the war. We don't domestically decide, well, this is going to be offset by some either revenue stream or cuts in programs. No, under this administration, we just keep adding it to the next generation—more debt, more debt. They don't seem to care how much wind gets knocked out of our economy because the money could have gone to creating jobs, stimulating the production of green energy, or helping families make ends meet.

As a matter of fact, we could use that money to do something that is critically important as well—protect America here on domestic soil. Because as we look at the President's budget, what does it do? It eliminates COPS funding that put 100,000 police officers on the streets of the cities. It cuts homeland security grants to States by 70 percent. It cuts port security by half. It cuts infrastructure security by half. This at a time in which every report, including those of the administration, has al-Qaida reconstituted on the Pakistan-Afghanistan border, and reports are coming out that they have been reconstituted with the strength and the ability to perform another attack on the United States.

The terrorists have to only get lucky once. We have to be right 100 percent of the time. How can you achieve those goals when you eliminate the very essence of the funding for those who, as we learned on September 11, came to respond on that fateful day? It wasn't the Federal Government, it was local police and firefighters and emergency management and hospital personnel. That is who came. What does this budget do? It slashes the living daylights out of those very first responders who are critical to our domestic security.

What does it do about one of the gaping wounds we have in the country in terms of security? It slashes port security. Everybody who comes to the Capitol has to go through a security device, 100 percent. Everybody who goes to the White House has to go through a security device, 100 percent. But when we talk about cargo coming from all over the world, only 5 percent has to go through the scanning process. Yet we are going to cut port security by 50 percent.

Mass transit: The Congress spoke in the last session and put mass transit up there, understanding we saw what happened in Madrid and Mumbai and other places in the world. Yet the President cuts mass transit security by 56 percent.

So to those who argue we cannot talk about the consequences of our engagement in Iraq in a financial context here at home, well, in the context of security here at home, at a time of a regrouping and restrengthening of al-Qaida on the Pakistan-Afghanistan border, with the ability to ultimately commit terrorism domestically in the United States, yes, there is a real causal connection and a real consequence and we have to include that as part of the debate and part of the consequences in our continuing engagement in Iraq in an open-ended way.

Now, with what we heard the Secretary of Defense talk about with the amount of money the Secretary of Defense thinks we might spend in Iraq next year, in a different context we could have more than doubled our package to stimulate the economy this year. When Americans get rebate checks in a month or so, they should imagine them more than twice as big because that is what this year in Iraq would cost.

If we want to imagine the total financial cost of the war in Iraq over almost 5 years, if we want to imagine what $608 billion means, we could divide that up and send every American a check for $2,000.

If we want to know what the war will cost over the next decade if we continue the course we are on, that is about $2.8 trillion. Every American should picture a check for more than $9,000. That is what the war costs: more than $9,000 for every man, woman, and child living in the United States of America. If there are four people in your family, that is $36,000 that potentially could have been put in your family's economy.

When so many hard-working families are struggling to keep their homes, and so many are struggling to help keep up with the rising cost of health care and college tuition and heating oil, when so many have to care for aging parents, put food on the table, and struggle to make ends meet each month, $36,000 would go a long way. So it is a different way of looking at it.

There are many different ways of looking at the costs of the war. So here is how it all adds up. We cannot think about economic stimulus without thinking about how we can stimulate peace. We cannot heal our economy without closing the financial hemorrhage that is the war in Iraq. It seems to me that in addition to those financial contexts, there is the whole question of security—the security I talked about in a domestic capacity; the security challenges we have by overextending our troops in such a way in which all of our military leadership speaks about the challenges we would have if we had to meet another security challenge in the world; and basically an understanding that, God forbid, we had another security challenge, while we are still engaged in Iraq in the way in which we are engaged, while we have a resurgence in Afghanistan of the Taliban, with some of the latest reports talking about some very fierce fighting and the lack of response by NATO and a pumping up of our troops there; and looking at that scenario and now looking at the Afghanistan-Pakistan border, where al-Qaida has reconstituted. And that is, God forbid, if anything else happens in the world.

That is our challenge, in a security context, if we continue the course: a challenge that those who have the military prowess tell us we cannot meet if we continue in this way.

For 5 years, the administration has parroted the line that: ''We're fighting them over there so we don't have to fight them here.'' But now more than ever we realize that one of the biggest impacts of the war has been we are spending our money over there and, therefore, we cannot spend it here—money that includes billions of dollars that have been misspent, including hundreds of millions of dollars in reconstruction projects that are unaccounted for.

I came back from Iraq about a month ago. I must say, when I see schools going wanting here in America, when I see hospitals closing in my home State, when I see roads that have deteriorated, bridges that have fallen, and see reconstruction in Iraq but no construction here at home, those are real consequences of the war.

When I see us talk about the genocide in Darfur, and we are universally committed to the proposition ''never again,'' ''never again,'' what does ''never again'' mean? That we will not repeat the legacies of the past, the failures of the past: in the Holocaust, in Rwanda, in the Armenian Genocide. No, no, we will act. Yet because of our present security challenges, and the consequences of being engaged in Iraq in the way we are, we stand by and watch people in Darfur be slaughtered. So much for ''never again.''

Not long ago, about a month ago, I had the chance to make a trip to Iraq myself. First and foremost, the trip proved something I believed for a long time: We should be incredibly proud of the men and women who wear the uniform of the United States and who are serving there. They do not ask whether this is the right or wrong mission. They just serve with honor and integrity, and they risk their lives every day.

I came away extremely impressed with their commitment, and I felt honored to be able to share some time with them, including many from my home State of New Jersey who are serving there. So we need to give them a mission worthy of their sacrifice. I believe that is what Senator FEINGOLD's amendment does.

Beyond that, one other thing became very clear to me. The solutions to Iraq's problems lie in the hands of the Iraqis. We cannot achieve peace, we cannot achieve reconciliation, we cannot achieve power sharing, we cannot get Sunni, Shia, and Kurd to sit side by side at the point of a military gun.

As long as we continue to, in essence, be enablers of an Iraqi leadership that has become so dependent on the United

States and refuses to meet the challenges of the hard choices, compromises, and negotiations necessary for their Government to ultimately achieve, they will never, ever feel the urgency of now.

When the President sent 30,000 additional troops into harm's way in Iraq last year, the purpose—his purpose, his stated purpose; not my view of it, his stated purpose—his stated purpose was to allow Iraqis to have the opportunity and the space, the environment, to strengthen the Federal Government and achieve national reconciliation.

That, no matter how we try to paint it, has not been accomplished. Even our own benchmarks, that even the administration agreed to and the Iraqis agreed to, have largely not been accomplished. So to use a sports analogy, we keep changing the goalposts every time, further and further away from the obligations the Iraqi leadership has.

Not too long ago, Iraq's Parliament finally passed three laws, after months of bitter squabbling. We certainly should applaud them for that. But the Bush administration is touting this event as an end-all, be-all political breakthrough. But, as usual, they are taking a small bit of good news and trying to whitewash the bigger picture.

The agreement the Iraqi Parliament reached is basically temporary. The provincial powers arrangement is set to expire—guess what—in 1 year—what they passed has an expiration in 1 year—to hold the politicians over so they can have the same arguments all over again next year.

Iraqi politicians are still a long way from permanent agreements over fundamental issues because they do not have the pressures of the necessity to do so. The reason is, as long as we continue to insist in an open-ended presence in the lives of Americans and the national treasure of the United States, they will not make the hard choices and compromises necessary to achieve lasting stability.

When I went to Iraq and met with a lot of the Iraqi elected leadership and some of the tribal chiefs and whatnot, I was stunned that they kept telling me about what America needed to do. My response to them was: Iraq's future is in your hands, not in America's hands. You must make these decisions for your country.

I know we have heard a lot about the surge, and certainly it depends on what your measurement is. If you are talking about greater security in Baghdad, the answer is, yes, yes; no question—although Baghdad has become far more segregated as a city, so that one of the ways in which security has been achieved is that we segregate Sunnis and Shias into different parts of Baghdad's neighborhood. Maybe that is the cost.

But when I landed, I was supposed to go to Mosul. I was not able to go to Mosul because they could not guarantee my protection. We have millions of displaced Iraqis who are beginning to come back. And now they come back to neighborhoods and to homes where the person living there is—not only has their home been taken over, but they are not even from their same sect. So they feel they cannot go live there.

I asked: How are you ready to take on the displacement of several million of your country people coming back to the country? They have no real plan. We have 80,000 or so concerned local citizens, individuals who at one time fought us and have decided to join us but who are on the payroll—we pay them every week to be there—and their expectation is they are going to be integrated either into the security forces or get some type of employment. We do not have from the Iraqis a clear sense of how they are going to meet that challenge. These are 80,000 individuals who have weapons on them.

So when we hear about the surge, let's not forget what President Bush said was the purpose. It was to create the space and environment necessary for the opportunity for Iraqi leadership to make the hard choices, compromises, and negotiations, to pass the benchmarks we had passed and the Iraqis agreed to. That has failed. That has failed.

About security: Yes, we have created greater security in Baghdad. We also have created greater segregation in Baghdad. And we have pushed the challenges elsewhere in the country.

At Combat Post X-Ray outside of Baghdad, I met with troops from New Jersey serving in the Air Force. An IED had just killed one of their colleagues and wounded several others.

The hardest thing I have had to do in 33 years of public life is to call a family and give them my condolences because a loved one has been killed. It is the hardest thing I have had to do in public life. It is hard enough for a parent or a wife or a husband or a mother or a father to hear that when they believe their family member was fighting for freedom and for our security. It is incomprehensible when that death was about Iraqi politicians fighting for resources and power.

When General Petraeus was here last year and came before the Senate Foreign Relations Committee, he said in his testimony that what we have in Iraq going on is a fight over power and resources.

I do not think Americans believe that sending their sons and daughters into harm's way so Iraqis can fight over power and resources is a mission worthy of their sacrifice. There is no military solution in Iraq. Everyone, including General Petraeus, has admitted that.

The only way to pressure Iraqi politicians into making the choices necessary to move their country forward is to stop signing blank checks and to set a timetable to transition our troops back home. That is, in essence, what my colleague, Senator FEINGOLD, does. He creates a transition, effective 120 days after this law is passed and signed by the President. But that still permits us to meet critical missions, to conduct targeted operations against members of al-Qaida, the real threat to the United States, and affiliated international terrorist organizations; to provide the security for our own personnel and the infrastructure of the U.S. Government; to provide training to members of the Iraqi security forces who have not been involved in sectarian violence or in attacks upon the U.S. Armed Forces so that we can ensure that they can ultimately be able to stand up for their own country as our major focus; and to provide training, equipment, or other materiel to members of the U.S. Armed Forces to ensure, maintain, or improve their safety and security while redeploying members of the U.S. Armed Forces.

That, in my mind, is ultimately an opportunity to transition with honor; focus our mission on whom we need to—al-Qaida; strengthen the Iraqi security forces to meet their own challenge; and send a message to the Iraqi leadership that you must do what you have failed to do. The opportunity has been given to you. We cannot continue an open check in terms of national treasure or a continuing loss of American lives.

Finally, I felt truly blessed to step onto American soil after flying back from Iraq. Too many American men and women over there do not have the option right now of taking that return flight, and too many Americans have not returned, and others may not as well. I have seen firsthand how bravely our troops have served, but let's be clear about that service: American troops cannot be waiting for Iraqis forever to make the choices necessary to achieve success in their country. They cannot be asked to serve up a functional society on a platter. They cannot be expected to be the only ones serving up a functional electric grid, sewer systems, or revenue-sharing agreements about oil. As the former Chief of Staff said, we need the Iraqis to love their children more than they hate their neighbors. That is a powerful truism, but that does not come at the point of a gun.

If Iraqi politicians think they can sit back and keep looking at the menu of options and squabble over the choices no matter what, Americans will keep delivering everything they order; they will keep picking up the tab, they will never feel the pressing urgency to build a functional country for themselves. It is time for that type of service to end. It is time for every American soldier to have the most wonderful privilege we as Senators have had who have visited Iraq: the privilege of booking a return home ticket.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Madam President, I rise for just a few minutes. I know the distinguished Senator from Michigan

wants to speak, and I will not be long, but I feel compelled to come to the floor today to speak about S. 2634, to require a report back to the people of the United States and to the Congress on our country's plan to address al-Qaida and its affiliates on a worldwide basis. It is very disappointing to me that we would put something on the floor like that when, in fact, it is those who have objected to the plan we have who are causing all of the problems we are experiencing today. I wish to go through it for a moment because there is a plan.

Nine days after 9/11, when the United States of America was attacked and New York City was attacked and the world saw the evil of al-Qaida and the evil of terrorism, the President of the United States went to the floor of the U.S. House of Representatives, and he made a speech in which he declared a change in U.S. policy—a change from one of reaction to one of preemption.

So, first of all, we don't need a 60-day report back to the people of the United States on what our policy is. Our policy is one of preemption. Now, if you want to argue whether that is right or wrong, it is fine with me, but don't pretend as though we don't have a plan.

Secondly, in terms of preemption, it is a proposition where you don't want to see what happened on 9/11 happen again, so you are proactive rather than reactive. We were attacked as a country in the late 1990s and early 2000 seven different times in which we reacted after the fact. In most cases, those reactions were benign. In one case, we sent one missile into an aspirin factory, but it was too late for the diplomats who had died, for the soldiers and sailors on the *Cole* who had died, and for others who had died tragically under terrorist attack.

So, first and foremost, I would submit that we have a policy called preemption.

Thirdly, I would submit it has been a pretty good policy because since the President of the United States established it in that speech on the floor of the House in September of 2001, there has not been a single executed attack on the United States of America on our homeland. I think that is pretty good evidence that we have a plan, and a plan that is working in the interest of the safety of the American people.

Fourth, recommendations regarding the distribution and deployment of U.S. military, intelligence, diplomatic, and other assets to meet the relative regional and country-specific threats described in paragraph 1. The people who want to pass this bill are the very people who 2 weeks ago would not allow us, in the House of Representatives, to extend the Foreign Intelligence Surveillance Act. Here we are asking what our plan is going to be. Yet people are voting against the United States having the intelligence to conduct the worldwide program against al-Qaida and its affiliates. You just can't have it both ways.

I respect anybody being opposed to our deployment in Iraq. I respect anybody's opinion in this body—or any other body, for that matter—on the policy of the United States. But do not on the one hand assume we have no policy and then on the other hand vote against every meaningful contribution to the policy we do have, and the absolute prima facie evidence of that is FISA. Go look at the votes in the Senate on who voted against the extension of FISA, and you will find the same people who are supporting and furthering S. 2634. It is on its face patently unacceptable.

Lastly, it requires recommendations to ensure that the global deployment of the U.S. military of personnel and equipment best meets threats identified and described in paragraph 1; and, A, doesn't undermine the military readiness; B, requires the deployment of Reserve units more than twice, once every 4 years; and C, requires further extension of deployments of members of the U.S. Armed Forces.

Let me interpret what that means. In 60 days, they want us to report to our enemies exactly what our military deployments are going to be in the future. One thing you don't do when your sons and daughters are engaged in harm's way around the world is tell your enemy what your game plan is. Sure, you should have one, and it should be one we all listen to on the fourth floor in our secured briefing rooms, but don't require it to be advertised to the world.

We live in the greatest, freest, most liberty-loving country in the world. We fight in this body every day to protect the Bill of Rights. But we have to recognize something: The terrorists don't want what we have. They don't want us to have what we have. They don't want us to have a first amendment to protect speech or for me to be able to stand up here and express myself. They don't want a law-abiding citizen to be able to carry a firearm or own a firearm. They don't want you to be able to worship on Sunday or worship on Friday or worship on Saturday or worship five times a day if you are a Muslim. They want to be able to dictate how you worship and whom you worship. We have to remember that, as we talk about the individual liberties and freedom we protect, those are the very liberties al-Qaida and its affiliates, as this bill portends, want to take away from us. The last thing we want to do is pass legislation requiring us to give them our game plan.

I welcome debate on these issues anytime we want to come to the floor. I take pride in the accomplishments of the young men and women who stand today in Afghanistan, in Iraq, and in other places around the world furthering the interests of the United States of America and protecting us against al-Qaida and its operatives. We have a policy, and it is called preemption. We have a plan, and it is our plan, and it doesn't need to be advertised to them. Most importantly of all, we have the finest men and women in the world executing that plan today around the world on behalf of the people of the United States of America. But let's not require disclosure of our plan, and let's not pretend we don't have a way to attack al-Qaida and its affiliates. We do. It is called preemption. As of yet, they haven't hit us on our territory, in our country since the day we established that as the policy of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Madam President, will the Senator from Georgia yield for a question?

Mr. ISAKSON. Absolutely.

Mr. FEINGOLD. I wish to ask the Senator through the Chair—he indicated that our strategy vis-a-vis al-Qaida after 9/11 has to do with the doctrine of preemption. I am intrigued by that. I know that was a justification for going into Iraq, but I wonder if the Senator could explain how the doctrine of preemption is going to help us against an organization that is existing in some 80 countries in the world. Are we going to invade and preempt 80 different nations?

Mr. ISAKSON. Madam President, after seeing what al-Qaida wants to do to us and has done to us, I don't think we should minimize what the effort might be that we have to take.

I say to the Senator from Wisconsin, it is one of preemption, and the No. 1 way to preempt is to know in advance what the enemy is going to do, and the No. 1 way to do that is to be able to surveil known enemies. That is why we have the FISA bill. You can preempt when you have the knowledge. If you don't have the knowledge and you strip your intelligence agency of the business, yes, they are going to grow in 80 countries, and yes, they are going to hit us. So we have a policy of preemption. The best way to preempt is to have good intelligence, and the best way to get their attention is to let them realize we will go after them wherever they are as long as they declare war on the United States of America.

Mr. FEINGOLD. So you are not referring here to the doctrine of preemption to use as a justification for invading Iraq; you are talking about the need for intelligence, is that correct?

Mr. ISAKSON. The President of the United States—I believe it was 9 days after 9/11—announced the change of U.S. policy to be one of preemption. That is what I addressed in my remarks. The FISA reference I made was to say that I found it a little unusual for the people who were supporting the bill of the Senator from Wisconsin—whom I completely respect—to be most of the same people who voted against us having the intelligence to be able to preempt them. And then to have a bill that portends we don't have a policy? I just didn't think it made good sense.

Mr. FEINGOLD. Madam President, if the Senator will further yield for a question, I understand what he is saying in terms of the need for intelligence, but the doctrine of preemption that was announced by the President 9 days after 9/11 and through that period was not about intelligence. It had to do with the notion of where we could intervene in various nations. So I am just a little bit confused about that and trying to understand the connection.

Mr. ISAKSON. Madam President, responding through the Chair, I appreciate the clarification. My point is you can't intervene if you don't know where it is going to happen.

Let me just make a point, if I can. I live in the great State of Georgia, and I live in a suburb of Atlanta. There will be a trial in April of two students at Georgia Institute of Technology—Georgia Tech. Because of the PATRIOT Act and the FISA law, our intelligence agencies tracked communications from Islamabad, Pakistan, into Atlanta, GA, to the library at Georgia Tech to two students, Islamic students who were then communicating to Toronto, Canada, to establish a cell in Atlanta. Days before they were to activate the plan of that cell, our authorities moved in and put them under arrest, and they are going to trial. The cell was never activated. No lives were lost. That is how you preempt. You preempt through intelligence, you preempt from knowing what the enemy is going to do before they do it, and you preempt by having the strong intelligence and military forces to make it work.

Mr. FEINGOLD. Madam President, I appreciate the Senator responding to me. I will simply say that I virtually agree with that general proposition that we need to be able to have the information and we need to stop terrorist attacks, and I am glad we were able to do it in Georgia.

But the fact is, al-Qaida is operating in 80 countries around the world, and because of putting so much focus on Iraq, including so much focus of our intelligence system in Iraq, we don't have the adequate resources to preempt terrorist attacks throughout the world. That is the very problem. There are terrorist attacks going on in places such as Algeria and Morocco and Afghanistan and Southeast Asia, and because we are so consumed with Iraq, we can't pursue the very notion of preempting the terrorist attacks to which the Senator from Georgia properly refers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Madam President, first let me indicate that as my colleagues were speaking a moment ago, I think it is incredibly important to understand that, in fact, we are talking about a threat in 80 countries, and we do have a FISA law that, in fact, has worked, and no one is suggesting we do not have the need for strong intelligence and support for our intelligence operations. In fact, that is what all of us are willing to see happen. But what we are talking about in this resolution is whether we are going to continue to keep our focus on a country that is now in the middle of a civil war or whether we are going to redirect our efforts to address our real threats not only abroad but threats at home.

When we talk about the threats to our families, I would suggest that if we are now spending somewhere around $15 billion a month, some say, that when we look at what could be done here at home to address the very real threats of job loss, people losing their homes, children walking into schools that are crumbling, the lack of health care, those are also very important threats.

So we certainly want to make sure we are safe and address those threats abroad, but, more broadly, we have many threats affecting our families right now, and they expect us to use the very best judgment to keep them safe both from threats outside our country as well as from threats at home, including a huge economic cloud over many families.

Madam President, I rise today to lend my strong voice of support for the Feingold legislation to provide the safe redeployment of U.S. troops from Iraq, and to refocus us on, in fact, those things that are threats to our country and to the families of this country. Tonight, 591 members of the Michigan National Guard will bed down after a long day of working and fighting and facing danger at every turn in the harshest physical conditions imaginable. For every single one of these men and women, a family will go to sleep in Michigan tonight worried that their son or daughter, father or mother, sister or brother won't make it home.

The true cost of this war cannot be measured in dollars and cents. The real cost is measured in the sacrifices of our brave men and women and their families every day. This cost is more than just the possibility and the reality of physical danger. This cost includes the sacrifices that every single American family makes by being apart from each other time and time again. It isn't right what is happening; it isn't fair; it isn't safe. It isn't making us safer as a country, and we need to change this policy.

That is why I am so grateful that, once again, Senator REID has made it a priority for us to focus on the war in Iraq and what is happening to troops and families and people here at home, and the cost of the lost opportunity by spending upwards of $15 billion a month now in Iraq.

Tonight 591 Guard members in Iraq, with 591 families at home, 591 will have missed birthdays, missed Father's Days and Mother's Days, missed high school graduations and children's first steps or anniversaries or family funerals or holidays; 591 will have missed paychecks, sidetracked careers, with small businesses and farms put in economic danger; 591 lives that will never be the same; 591 sets of missed opportunities that will never be replaced. And these members of the Michigan National Guard make up only a fraction of the 160,000 men and women in uniform currently serving bravely and honorably in Iraq, or the countless others who have served.

In too many cases, these men and women are back in Iraq for their second, third, or fourth redeployment. In addition to the 591 who are already deployed, there are about 1,000 members of the Michigan National Guard who have been mobilized and who will deploy this year. Many of them will be doing their second, third, or fourth deployment to a combat zone. This year alone, there will be a thousand more missed paychecks, a thousand more missed birthdays and holidays and special occasions, and a thousand more lives that will never be the same.

Our fighting men and women are the greatest single resource our military has, and this Government is abusing that resource. America puts our trust in our military to defend us. When our sons and daughters join the military, they are putting their trust in us to give them the tools, the resources they need, and to treat them with the respect they have earned. The current administration policies on redeployment have violated that trust. Those policies have let our troops down. Once again, I am proud to join with my colleague from Wisconsin in saying: Enough is enough when it comes to placing our armed services in harm's way by stretching them to the breaking point with redeployment after redeployment. Enough is enough when it comes to being in the middle of a civil war. And enough is enough when it comes to this administration taking its eye off the ball on the war on terror.

We are all aware of the worsening situation in Afghanistan. However, this administration continues to focus on a civil war in Iraq. Our Armed Forces have traveled a tough road since we invaded Iraq. They have shouldered a heavy burden with pride, with confidence, and with honor. We have asked extraordinary things from them at every turn, and at every turn they have delivered. They have done us all proud. They have faced tough situations and have done their duty. Now we need to do what is right for them. It is time to face the tough situations. It is time to make the hard choices, to make them proud of us, and it is time to remove them from the civil war in Iraq, to change course, and to refocus, as this bill does, and redistribute our resources to those areas that truly address the threats facing our families and our country.

America's soldiers, sailors, airmen, and marines are always there when we call on them. The question is: Will we be there for them? What this legislation proposes is as simple as it is right. It requires our forces in Iraq to target

operations against al-Qaida and other international terrorist groups.

Why is this important? Because al-Qaida has declared war against us. We know that. The people in Iraq are in the middle of a civil war that is something they now have to address and come to terms with and bring their own resources to address. So while our troops are in Iraq, they should be targeting those who have said they wished to do harm to us.

Also, our troops in Iraq would be required to focus on providing security for U.S. personnel, of course, and that is extremely necessary in order to bring them home safely. I understand the Iraqi security forces are still developing, still learning, as I have met with them in traveling to Iraq. We have heard certainly of the continual need to train, the need for them to continue to develop, and we know we have a role in supporting that, and this bill recognizes that fact. It would allow our troops to continue to train Iraqi security forces, but only if our troops are training the Iraqis who have not been involved in the sectarian violence or attacks against our troops.

This bill will allow our troops to continue to train the Iraqi security forces, but only if that training does not result in our troops being in combat. Training, yes; but they need to step up at this point, after 5 years, and be the ones at the front line.

This bill also brings our troops home safely. It specifically allows our military to train and equip itself to ensure its safety. Most importantly, it requires that we begin to bring our troops home.

This administration said a surge was necessary; that the surge would give the Government of Iraq the time to reach the political solutions necessary to end their civil war and to end the violence. They said time was needed. Well, the Government has had time, and during this time our troops have continued to pay the price. Our troops have been caught in the middle of a civil war. They have been victims of IEDs. They have come home with post-traumatic stress disorder and other mental and physical ailments. The bottom line is, it is time for our troops to be placed first and to begin to bring them home.

That is all this bill does, and it does that while allowing our troops to continue to focus on who we all agree is the real enemy: Al-Qaida.

On October 11, 2002, I was proud to be 1 of 23 Members of this body who stood in this Chamber and said the war was the wrong choice. This administration, I believe, since that time has in fact failed our troops and the American people by committing our troops to a war without a clear reason or goal, and by squandering resources that are desperately needed here at home to rebuild America and to invest in American communities. This administration has failed our troops by not having a clear mission for our Armed Forces in Iraq, by not providing the proper equipment and body armor and logistical support for the troops, by poor planning on the invasion in Iraq and the lack of planning for how to secure the country and what would happen after the initial attack. I believe they have failed by sending our brave men and women back into harm's way over and over again without the proper rest between redeployments.

History will be a harsh judge of this administration, because I believe they have failed the American people. This administration failed because they took their eye off the ball. This legislation is about putting our eye back on the target of what we ought to be doing together.

In closing, let me reemphasize the fact that while the most important thing is to be supporting our troops, to be addressing the threats to them while they are in harm's way, to address the lives lost and the people who are coming home who will need help the rest of their lives, it is also important to look at this from the standpoint of the precious resources that have been lost at a time when so many American families are struggling. We always make decisions based on values and priorities, and it is shocking to me, as we have seen this war go forward, to see upwards of, some say $12 billion, some say now upwards of $15 billion a month—not part of the normal budget—going directly on the national deficit, the national debt, to be paid by our children and grandchildren. But let's say it is $15 billion a month. To see that continue month after month after month, and to see us work together on a bipartisan basis to pass a critically important piece of legislation to increase health care for 10 million children across this country, which costs only $7 billion a year, and yet that is vetoed—there is not a willingness to invest in American children to the tune of less than half of what it is costing per month in Iraq—these are the wrong values and wrong priorities.

We see schools being rebuilt in Iraq, and yet I can go in too many schools in Michigan where there is a bucket in the corner to catch the water dripping from the roof, or we don't have the kind of computer technology in the classroom every single child will need to know how to use in any job they get, from working at a gas station to working at a technology company. We know we have crumbling roads and bridges here in America. We know every time we invest in and rebuild in America, those are jobs that aren't going to be outsourced to another country. Those are American jobs—rebuilding American roads and American bridges and water and sewer systems in America. We are told we can't do that, that there are not the resources to invest in America, but we are spending $15 billion a month in Iraq.

We now have a whole new group of industries producing what are called green collar jobs, and I am very proud to have joined in working with many of my colleagues to focus on the new alternative energy technologies and other things we need to do—small investments with huge results for energy independence and creating more jobs and addressing global warming.

And yet we consistently hear there are not the resources for any new investments in America. There are so many areas where we are told there is no money: for doing the bold research we need to solve Alzheimer's and Parkinson's disease and to aggressively move forward on other health research; the desire not to help those who lost their jobs because of trade, to be able to go back and get the training they need to be able to move on to new kinds of jobs so that we have a middle class in this country; and that families can pay their mortgage and electric bill and heating bill and know that they have the opportunity to keep their standard of living in our country.

There is a lot at stake. And this bill, while it focuses on what we need to do to change the mission, to refocus on ways to truly keep us safe, to begin to bring our troops home from Iraq, from a civil war where we need to leave and redirect our troops to those areas where, in fact, we will be focusing on the real threat to our country, that is, on the surface, what this legislation does.

I would suggest it does more than that because this is about who we are as Americans, what our priorities are: No. 1, how to make sure we are truly smart enough to be focused on what keeps us safe; and, No. 2, understanding that we have much to do in our country.

Our families are feeling squeezed on all sides. Communities need help, and we have an opportunity to not only redirect our troops and our focus but to redirect critical dollars to be able to make sure, in fact, we are finally putting the interests of America's families first.

I urge my colleagues to support this important bill.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I think the Senator from Oklahoma will return in a moment. If it would be appropriate, I would suggest that he go. I think he will go next, followed by myself, a Democrat, then Senator SESSIONS.

I will get started. Senator COBURN, I think, has been to Iraq just a week or so ago. I look forward to hearing what he has to say about the condition on the ground as he found it.

And to my friend, Senator FEINGOLD, one thing I think all of us should agree upon is that you pushed this idea of withdrawing from Iraq for a very long time. There is no question in my mind that you are very sincere, that you believe it makes America stronger not weaker, and that if the polls were 90–10

to stay, you would be doing this, simply because that is what motivated you as a Senator.

I have nothing but the utmost respect for what makes you tick as a Senator. I know you take on some very difficult challenges, sometimes not popular, and this particular piece of legislation, I think, is ill-advised. I will speak for a while as to why it should be defeated.

But the author of the amendment is consistent, is as patriotic as anybody else who will speak, and we need more of this, not less. So what is the Senate all about? We are talking about important things. There are a million things going on in this country that need to be addressed. But I think taking some time to talk about Iraq, where we are, where we are going to go, and how we are going to get there is probably time well spent. I think most Americans are very interested in the outcome in Iraq.

Having just returned from Iraq, I think Senator COBURN can give us his view of what he found.

I yield the floor and will speak after he is through.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, first of all, I, too, want to express my respect for the Senator from Wisconsin. We have a lot of things on which we agree. This happens to be something on which we adamantly disagree. But I appreciate, as someone who pushes the limits in this body, his desire to have this debate because I think it is important.

We just heard the Senator from Michigan talk, and the statement would have been a fairly accurate reflection 2 years ago. But it has nothing to do, and it is not even anywhere close, to what is ongoing in Iraq today.

I think the case could have been made 2 years ago that Iraq was in a civil war. Nobody who has visited Iraq in the last 2 months can make that claim. It is not there. Outside of the Green Zone, I met with people whose daughters had been murdered by al-Qaida. I met with people whose father had been murdered. I met with both Sunni and Shia in the same village, in multiple villages, who had reconciled because they reject the terrorism of al-Qaida.

There is no question lots of mistakes have been made with the Iraq policy. But the claims under which we try to describe Iraq today in light of how it was 12 months ago are fictitious at best and damaging probably in terms of what the truth is.

Do we find ourselves in a very difficult situation? Absolutely. Is this an expensive war? Absolutely. Would we all like to not be where we are? I think almost everybody would agree to that. But probably the more important question for me is, where are we today compared to where we were 12 months ago, and have, in fact, the mistakes of the past been reflected in policies that have changed and bode for a greater future absent additional mistakes?

The desire of the Senator from Wisconsin to have us out in a way that limits our exposure is something that I would love to be able to see. But the practical nature of what he wants to accomplish could not be accomplished in less than 18 to 24 months. I mean, it could not happen. You go and talk to the military; it could not happen without us leaving tons of equipment.

But the point is, we should not dwell on that. The point is, did we make the necessary changes that can create an outcome that gives us an honorable exit from the situation, and does it leave a genocide behind? I firmly believe, having traveled—my trip prior to this one was 6 months before the surge. I want to tell you the difference is like night and day, everywhere I went. I duplicated places I went before.

So with the earnestness that the Senator from Wisconsin drives his position, we ought to reflect on what has been accomplished. I also find it very disingenuous to talk about the cost of this war by the person who sponsored more legislation and greater Government spending than anybody in this body in the 109th Congress, in the first session of this Congress.

The fact is, $349 billion worth of new spending was coauthored by the Senator from Michigan last year, $349 billion, the same Senator who voted to fund the bridge to nowhere.

I happen to agree we ought to be paying for the war. We ought to be paying for the war, and we could easily pay for the war by eliminating wasteful spending.

I would direct you to the Reader's Digest last month where they estimated $1 trillion we are missing in wasteful spending. That is an underestimate. So for us to make a claim of a fiscal nature, by the person who has cosponsored more spending than anybody in this body, and has voted against amendments to decrease wasteful spending, is somewhat less than genuine, I believe.

I think the other thing that needs to be said is we had a debate, and we actually funded the surge. It actually happened. We ought to be talking about what happened with that. To me, it is phenomenal, the difference. I will tell you, I am very—we lost a soldier from Ardmore, OK, a 19-year-old soldier killed by an IED.

How can it be that we can continue to do this unless we are doing it for the right reasons and the right cause? I believe if we walk away, no matter how we got there, rightly or wrongly, if we walk away, what I see happening, from my experience in Iraq in 1993 after the first gulf war and before this one, as a medical missionary, here is what I see happening: If we do what the Senator from Wisconsin wants us to do, and we effectively carry this out, I see an unstable northern Iraq. I see a war between Iran, Turkey, and Kurdistan. I see a marked civil war between Shia and Sunni, with involvement of the Sunni Triangle, Sunni crescent. I see a total destabilization of the Mideast. But beyond all of that, what I see is tremendous additional tragedy that we will have impacted onto the people of Iraq, and in the deaths of 500,000 to 1 million more people.

And the question ought to be: Do we have a moral obligation to fix what we started? The assessment of the Senator from Wisconsin is that we cannot fix it so therefore we ought to come home, we ought to get out, that it was a mistake to begin with; it does not matter what has happened in the past other than we learned from it.

The question is, what can we do about the future? I want to tell you, I do not buy everything the Pentagon says. I am pretty critical across their spending, across everything else. I accused them of lying to me on the training of Iraqi troops in 2006.

But when you see what has been transformed in the training of troops in Iraq, which is comparable to our training of our own troops over the same period of time, and what they have accomplished both in terms of synergism with both their equipment, their military leaders, and their troops, and they walk out of training as a Sunni and Shia together and you see that and you say we are going to walk away from that, we are not going to finish it, we are going to allow this thing to collapse—and it will.

So then the question is, have we made another mistake in not fulfilling an obligation in something that we started? I do not believe we can do that. If we do that, I think the blood of every Iraqi that is displaced or dies after that is on us—not on the Taliban, not on al-Qaida, not on Shia extremists, not on Sunni extremists but on us.

We can win. We will win. We can. There is political progress all across the board, locally and at the regional and at the national government level. I would remind the Members of this body how long it took us to get a functioning government, a functioning government after our independence, one that was based on a constitution, one that was based on the rule of law. It was not smooth sailing. We did not do it in a short period of time. And we did not even get it right when it came to equal rights of individuals. We did not get it right. Yet we are frustrated with that.

I see a new day in Iraq. It is not over. It is dangerous, it is still very dangerous. But the progress, the improvement, the reconciliation between Shia and Sunni is unbelievable.

In province across province, the Shia, the Sunni awaking, the sons of Iraq phenomenon, the coordination of local governments across ethnic lines is in stark contrast with what was there a year and a half ago. Do we just abandon that? Think about the message it sends if we are not going to create a stable Iraq. What immediately do they do? They immediately start going to their own intrinsic ethnic corner. We divide. We send the Kurds one way, the

Shia one way, and the Sunni one way. We create a holocaust.

I want to say publicly I have had a lot of misgivings about what our country has done in the Middle East. But I have no misgivings at all at this time about the course we are on. The leadership of General Petraeus, the leadership of Ambassador Crocker, the leadership of the people within Iraq, sheikhs within small communities risking their lives every day to stand up and say: I will join hands with a Sunni, with the Shia. I am going to reject al-Qaida and we are going to get our lives back together—that is happening. That is a dynamic that is forcefully happening because people want peace.

This will eliminate that movement. This will create insecurity. This will drive people to their corners. This will drive people to extreme positions. In fact, what we have accomplished in the last 12 months will be denuded and neutered out to the point where we will have created a worse situation rather than a better one.

To the soldiers and families who have sacrificed so much in this war, I say thank you from my family. The real problem of the administration, the mistake they made, is we should all be sacrificing for this war, not just our military families. We have refused to do that as Members of the Senate by making sure that we pay for this war, by getting rid of things that are lower priorities, getting rid of things that are duplicative. We didn't do that. We said, we will charge it to our kids. We can't ruffle any feathers and make the hard choices.

The Senator from Michigan said: We do things based on value and priorities. That is baloney. We do things based on how we get reelected, with the exception of the Senator from Wisconsin, who is one of the most honorable men in this body. He never thinks about that issue. He thinks about what he thinks is right. But the way we do things around here is what is politically expedient, not what is right. For her to claim that that is how we do things, when we can't even get rid of billions of dollars in duplicative programs, $8 billion worth of buildings that the Pentagon wants to get rid of because it might ruffle some politician's feathers somewhere—we don't do things based on priority or on value. We do it on political expediency.

Again, I thank the troops and the families who are sacrificing. I am amazed at the progress that has been made, literally amazed. I believe we ought to honestly look at that before we walk a different direction. We ought to truly reassess where we are. It is a big price. I know it is. We have paid a big price in this endeavor. It is fair to question whether we should continue it. But it is not fair to not look at what has happened over the last 12 months in a realistic and open assessment that says, is there light at the end of the tunnel? I will tell you, there is. Individually, in talking to Shia and Sunni families while over there, outside of the Green Zone, walking among them without protection, seeing the hope in their eyes that finally things are going to get back to where they can take care of their families, move ahead with their goals and their personal lives, the leadership exhibited by our military, not just in leadership roles but all the way down to the private and what they are doing and how they are doing it and how they are carrying it out in Iraq, is something we can all be proud of. I don't think we should jeopardize what they are doing by voting for this bill. It is great for us to question. Sometimes we haven't done that well enough. But to ignore the reality of what is happening today in Iraq and the trend lines and the movement lines and the economic growth lines and the power lines and the oil production lines and the agreement among Shia and Sunni at all of these regional and provincial levels, to ignore that is a grave mistake on our part.

It is my hope that we don't carry forward with this idea. It is also my hope that we will truly recognize, not be blinded, not be sold a bill of goods. I am not suggesting that. We should ask the tough questions. But to deny the marked change, the tremendous progress, the tremendous freedom, the tremendous lifting of the burden on the Iraqi people that has happened in the last 12 months and not say that means something and not say that that means we are going absolutely in the right direction—we haven't won this war, but we certainly have them on the run. We certainly have the Iraqi people enamored with us to the point where we are not despised. We are welcome now in the vast majority of Iraq. In 95 percent of Iraq we are welcome because we are a liberator of them from al-Qaida, not from Saddam but from al-Qaida, the one who cut their 8-year-old daughter's head off because she looked at them wrong, the ruthlessness of radical Islam. That is what is at stake right now. We can differ in our approach on how we might battle that, but this is the heat sink right now. Iraq is the heat sink for al-Qaida. It is where they are, where they are coming.

We are winning. The Iraqi people are winning, and the Iraqi troops are winning. Let's not destroy that.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I returned Thursday of last week from Iraq after my tenth visit. A year ago this time I quite honestly thought we were going to lose this thing—incredibly depressed, because you could see over about a 2½ to 3-year period it getting worse with each visit. Things have changed dramatically. But it is important for every Senator to put Iraq in context so their constituents and the Nation can judge what our proposals are and what makes us tick on Iraq.

I believe Iraq is the central battlefront, not the only one, in the overall struggle against radical Islamic terrorism. At the time Saddam Hussein was invaded and replaced, it wasn't to drive al-Qaida out of Iraq, absolutely not. It was a dictator who had created war and chaos in the region as long as he had been a dictator, who had defied 17 U.N. resolutions to let us inspect his weapons program. It was the Russians, the French, and every other intelligence organization in the world believing that Saddam Hussein was trying to acquire weapons of mass destruction. It was basically neutering the effectiveness of the U.N. The Oil for Food Program designed to help the Iraqi people and control the dictator was a joke. So the reason we invaded Iraq is because the dictator was defying the world. He made us want to believe he was trying to procure weapons. Because if he wasn't, he should have opened his country to inspection. He was living off the Oil for Food Program.

We had 70 something Senators vote to authorize force. The reason most of us voted that way is because all the evidence possessed by everybody in the world suggested that Saddam Hussein was not becoming the solution to the Mideast; he was still the problem.

What happened? We displaced the dictator and we got it very badly wrong after the fall of Baghdad. We had a model that was short on troops. There was a period of time when we allowed the country to become lawless. Instead of stopping looting and pillaging, we let it grow. We disbanded the Iraqi Army, and they could have been helpful, at least some of them. We made a lot of mistakes after the fall of Baghdad. For about 3 years plus, we were pursuing a strategy that was not producing results. Why? Because we didn't have enough troops. The enemy was getting stronger, not weaker.

We had a great debate last year as to whether we should change course. Everybody in the body suggested we change course, because it was clear the old strategy was not working and it was depressing to go to Iraq and hear the people in charge on the ground say things are fine, when you knew they weren't.

I am not a military commander. I am a military lawyer. But common sense would have told you a couple years ago that this thing was slipping away. So it was time to act and change course. There were two ways to do it. You could pull the plug and start pulling people out or you could add more troops to secure the Nation in a way that we should have done after the fall of Baghdad.

I will take responsibility for my point of view of not pushing harder early on to have more troops. But I can promise you this: For a couple years, along with Senator MCCAIN, we pretty much were the lone voices to add more into Iraq. As the polling numbers on Iraq changed, the desire to add more troops dramatically got more difficult for a politician. But that is what we

needed. I am here to tell you a year after the surge began that those who said the war in Iraq was lost were wrong. Those who said the surge had failed last April before it even started were wrong. Senator FEINGOLD passionately believes that the troop presence in Iraq should change, and he was suggesting withdrawal long before it was popular. There are some people who have been playing Iraq for the next election, not for the next generation or the next decade. They have made bold statements such as it is all lost, that we have lost in Iraq. They never told us who won, because wars are about winning and losing.

If you believe, as I do, that this is a battle in a greater war, could you afford to lose? What is the price to the United States to lose a battle against al-Qaida anywhere in the world? What would it cost us as a nation for al-Qaida to be able to stand on every street corner in the Middle East and tell people: We drove the Americans out of Iraq? They came to Iraq after the fall of Baghdad for the very reason we went into Iraq, except with a different result in mind. We wanted to replace the dictator and allow people in Iraq who had been oppressed for 30-something years to have a better life and ally themselves with us and be a peaceful neighbor rather than an agent for destruction in the region. We wanted to allow a woman to have a say about her children. We wanted Sunnis and Shias to be able to live together and prosper. We wanted a peaceful Iraq.

Al-Qaida saw what we were doing, and they came in droves to make sure we were not successful. The question has to be: Why does bin Laden care about Iraq? Why is he sending everybody he can get to go into Iraq? Why is he disappointed with the performance of al-Qaida in Iraq? Because he said the land of the two rivers is the great battle of our time. The land of the two rivers is Iraq. Bin Laden, no matter what you think about him, understands the consequences of us succeeding in Iraq. It is a nightmare to his way of doing business. The thought of a woman being able to run for office, hold office, have a say about her children is a nightmare. The idea that Sunni, Shias, and Kurds can live together and not be told how to worship God is an absolute affront to his way of thinking. The idea that the Iraqi people would align themselves with us for a peaceful Mideast must drive him crazy.

They came, al-Qaida, with a mission in mind. That was to drive us out and kill this effort at moderation. Thank God the President changed course with a mission in mind. We put more troops on the ground beginning last February. A year later I am here to tell my colleagues, it worked. All of those who said we had lost in Iraq and the surge had failed were absolutely wrong. Thank God we didn't listen to them. Because if we had left Iraq, al-Qaida, as sure as I am standing here, would be claiming all over the world they beat America. Iran would be the biggest winner, second only to al-Qaida. And Iraq would be a chaotic place where the Sunni-Shia fight would spill over to the region. If you think there is a problem now between Turkey and the Kurdish rebels up in the north, imagine a collapsed Iraq. What is that worth to prevent? Let me tell you what it is worth. It is worth everything we have to throw at it.

Let's talk about the troops for a minute. We all appreciate them. I don't doubt that one bit. But answer this question: Why do they reenlist after serving in Iraq and Afghanistan at higher levels than anywhere else in the military? What do they see that we don't see? Why do they keep going back the second and third and fourth time?

My opinion is: They get it. They understand their commitment and their sacrifice now will prevent their children from having to go to such a battle in the future. And they buy this idea that if we can contain extremism and defeat it in Iraq, we are safer here at home. They believe it so much they keep going and going and going.

Let me tell you something no one said yet: Well done. We should take this 30 hours and celebrate what I think is the most successful military counterinsurgency operation in the history of the world. We should take the 30 hours and go over in detail what the commanders and the troops under their command have accomplished. It is a phenomenal story that will be talked about in military history for decades to come. It has exceeded every expectation I had. Adding more troops into Iraq, I thought, was essential and would matter, but I never dreamed it would matter this much.

Let's talk about what has happened since the surge began.

Monthly attack levels have decreased 60 percent since June of 2007 and are now at the same levels as early as in 2005 and some points of 2004. In other words, we are rolling back the clock on attacks.

Civilian deaths are down approximately 75 percent since a year ago, dropping to a level not seen since the beginning of 2006.

Now, what does that mean? The better security, the more likely the Iraqi people will step up to the plate and reconcile their differences. I have always believed that was the key to stabilizing Iraq.

Now, when we try to do things such as immigration—and my good friend in the chair knows how hard that is—they run awful ads against you and say terrible things about you on the radio and make life pretty difficult for a politician to take on the hard things. Everybody likes doing the easy things. Very few of us like doing the hard things. But when you do the hard things, you get a lot of push-back. But we keep trying.

Imagine trying to sit down across the table or the aisle with someone of a different sect, and they kill your family. Now, what kind of world is that? The violence in Iraq had gotten so out of control that the idea of political reconciliation, to me, was impossible. To expect people to go to Baghdad and solve their nation's problems—because the threat of violence covered the country, I knew we would never get reconciliation. But here is what I hoped.

I hoped if we could turn this around and reduce civilian casualties and reduce the level of attacks and reduce sectarian deaths—which have decreased by 90 percent in the Baghdad security districts; listen to this: a 90-percent reduction in sectarian killings in Baghdad—I always believed if we could do that, the Iraqi people would rise to the occasion because they do want a new Iraq. That was my bet. That was my hope. And if they do not want it as much as I want it, or more than I want it, then it is never going to happen.

But here is the evidence, after a year of sacrifice, blood, and treasure—not just by us but by the Iraqi people. Their army and security forces have increased by 100,000.

Let me tell you what it is like to go to the recruiting station in Berkeley. You get pushed back because of the city council ordinance.

Let me tell you what it was like to go to the recruiting station in parts of Iraq a year ago. They were killing people who were trying to join the army and security forces. They were attacking recruiting stations. They were getting the names of those who wanted to join the army and security forces, and they were coming after their families; and they still came.

I have been to Iraq 10 times, and I can tell you, I met people the first couple visits who are now dead because the terrorists killed them. Because what the people were trying to do is create a moderate form of living that is an absolute nightmare for al-Qaida.

I have always believed, after having gone there so many times, that the Iraqi people are willing to die for their own freedom, and if they can pull this off, it makes me and my family and my country safer. So that is why we stay, that is why we fight. And we are winning.

What has happened in the last 60 to 90 days? Not only have we reduced the level of attacks by 60 percent—and civilian deaths are down by 75 percent and sectarian deaths are down by 90 percent—we have doubled the amount of weapons caches found because we are getting better information from the population. They are telling us things they did not tell us before.

Ten of the eighteen provinces have been taken over by Iraqi security forces. The Iraqi security forces grew by 100,000 in 2007 and stand now at more than half a million.

All I can tell you is the Iraqi people have taken the opportunity we provided them with the surge to stand up

for their own freedom. They are dying at 3 to 1 our rate. They have paid a heavy price. Our country has paid a heavy price. But the reason the Iraqis keep coming after somebody falls is because they want a better way.

If I had to put in a story line the most important aspect of the surge, it would be as follows: A Muslim country made up of different Islamic sects turned on al-Qaida. Listen to that. With better security and a strong commitment from the United States that we will be your ally, we will not leave you, we will not abandon you to this vicious enemy, they slowly but surely turned on al-Qaida, beginning in Anbar and now marching throughout the whole country.

What does that mean for the overall war on terror? That is something we should be on the floor celebrating because the way you win this war is not: Kill every terrorist. The way you win this war is: You stand by forces of moderation and you give them the ability and the tools to change their own destiny.

Look what has happened. Anbar Province, a year ago, was determined lost by the Marine Corps. This year, they celebrate a 5–K run through the streets of Ramadi. Why? Because the sheiks, the tribal leaders, the average citizen said no to al-Qaida, aligned themselves with us, and al-Qaida has been diminished in great measure.

To those who want to defeat al-Qaida, stay with the Iraqi people and help them defeat al-Qaida. What a message to the Mideast: Muslims turn on al-Qaida with American support. What is that worth? That is priceless. That is how we win the war.

GEN David Petraeus should have been the man or person of the year. What he has accomplished in a year absolutely is stunning, militarily. It has come at a heavy price in blood and treasure. But to all those who have served under his command, congratulations. You have made military history. You have made your country safer. You have been al-Qaida's worst nightmare. And we are not going to let the Congress undercut you.

Now, the surge was not just about killing al-Qaida. The surge was about providing better security so the Iraqi people could build capacity to defeat their own enemy, enemies within their country, and reconcile themselves.

There have been major benchmarks out there for political reconciliation for quite a while. I said in October of last year, if I do not see progress by January or February of 2008, I am going to reevaluate my position vis-a-vis the Iraqi central government. One thing I can tell you, after a year, and going into March of 2008, the Iraqi political reconciliation has astonished me.

They have passed the debaathification law, and they deserve credit for it. What does it mean? It means Sunnis who held jobs in the Government during the Saddam era are going to be allowed to get some of their jobs back. What does that mean in real terms? That means the Shias and the Kurds have looked at a former oppressive group—people who ran Saddam's government—and said: Come on back. Let's build a new Iraq.

My God, what a statement to make. How hard that must have been for people who have lived under the thumb of Saddam Hussein and the people who ran his government, to turn to that same group and say: Let's move forward. Come back and help us build a new Iraq.

A provincial powers law just passed. What does that mean? It means the central government in Iraq, where the Shias dominate, has allowed the opportunity for local elections to occur in October of this year, hopefully.

That means that the Sunnis in Anbar can actually elect their own local leadership. They can elect people to send to Baghdad to represent their interests.

That means the Shias in the south are going to have a chance to elect their equivalent of a mayor, a county councilman, a Governor.

It means the central government, dominated by Shias, has turned to every province in Iraq—Sunni, Shia, and Kurd—and said: Instead of us running your life, you elect your local leaders.

That means they bought into this idea of democracy, where people vote for whom they want to make local decisions.

Here is what I predict: that in 2008 there will be provincial elections, and there will be a huge turnout. In 2005, the Sunnis boycotted the elections in Iraq because they were not certain that democracy was for them, and they were afraid of being left out. It is the Sunnis who are pushing for local elections, and they were able to win in Baghdad.

They passed a $48 billion budget—something we cannot do. A $48 billion budget has been passed, with the blessing of all groups, that will allow money to flow from Baghdad to reconstruct the country in every corner.

The hardest thing for one politician to do for another is to reach a deal in allocating resources because you always want more for your people and less for the others. We still do that here. I love Colorado, but I like South Carolina to get its fair share; and usually that means I care more about South Carolina spending than I do Colorado. But people, such as the Presiding Officer and myself and everybody else in this body, usually were able to give and take and get a budget that helps everybody.

Can you imagine how hard that must be for a group of people who have lived under a dictator who have never had that responsibility before and who have been suffering from violence inspired by al-Qaida, sectarian in nature? They were able to overcome that hatred and that bitterness that has been inspired by al-Qaida and say to each other: Here is the money of the country. You get your share.

That is progress. That is hope. That is al-Qaida's worst nightmare.

The one that means the most to me is that the general amnesty law was recently passed. I have been a military lawyer for 25 years and a student of history to some extent. What happened in Baghdad is astonishing. The prisons are full of insurgents. People aligned themselves with the insurgency during this lawless period. Blood has been taken and shed from each group, one to the other. Most of the people in jail are Sunnis. There are more and more Shia militia, but right now it is Sunnis.

The central government in Baghdad passed a general amnesty law where a committee will be formed of all groups to go through the files of those in prison to allow them to come back home and be part of the new Iraq. That is a level of forgiveness and a desire to start over that had to be incredibly difficult because there is nothing sweeter than revenge.

The people who were on the bottom in Iraq for a long time, the Shias and the Kurds, and those in the Sunni world who were trying to basically prevent Iraq from coming together as one, have now seen it is better for them to chart a new destiny, a new course together. They have a long way to go, and they are going to be fought at every turn.

If you understand nothing else from this speech, as Senator MCCAIN would say, understand this: al-Qaida is diminished, but they are not defeated. Their goal tonight or tomorrow or the next day is to create a spectacular attack that will make headlines all over the world, and people in this body will respond to those headlines and try to change course in policy. I would argue the worst thing we could do is allow one of the most vicious movements in the history of mankind to change American foreign policy because they have the ability and the desire to commit mass murder. So beware of al-Qaida. They are diminished, but they are not yet defeated, and they know they can't win in Iraq, but they are still not sure they can't win in Washington. They are not going to win in Anbar. They are not going to win in Baghdad, they are not going to win in Fallujah, they are not going to win in Diyala, and they are not going to win in Basra. But the question is, Can they still win in Washington? I hope the answer after this debate is no. If we would take winning in Washington off the table, reconciliation in Iraq would go at a faster pace, not a slower pace.

Economic progress in the last year: Oil production in Iraq has risen by 50 percent over what it was a year ago. Oil production is up 50 percent because of better security. Oil revenues are double what they were a year ago, and the Iraqi central government has shared the resources with everybody in the country. Inflation has fallen from 66 percent to less than 5 percent in a year. What does better security buy

you? It buys you a functioning economy, political reconciliation, and better military security. Electricity demand is up more than 25 percent since last year. People are purchasing, they are buying, they are building hopeful lives. There are 21 new health clinics in Baghdad, 1,885 new schools, and 604 refurbished schools throughout Iraq.

People say: What about South Carolina? What about the schools in South Carolina? Lord knows we have our fair share of educational challenges in South Carolina and, like every other place in the country, we could use more money. But I am here to tell my constituents that the price to be paid in blood and treasure in the future losing Iraq is far greater than the price we are paying now, in my opinion. If I did not believe it, I would not say it. If the men and women in uniform didn't believe it, they wouldn't go back time and time and time again. If we can continue this model that has produced dramatic success beyond my imagination, we will win in Iraq, and everybody in this body, their families, and our Nation as a whole will be safer for the experience because it means al-Qaida lost.

Al-Qaida came to Iraq with a purpose: to undermine this effort at moderation, stability. They came for a purpose: to make sure a woman never had a say about her children. And they are losing. They have not yet lost, but they are on the road to losing, and they know it.

What is it worth for our country to align itself with a Muslim nation to turn on al-Qaida? It is worth everything to me. It is certainly worth my political future.

A year ago, when this debate was started, the polls were incredibly against the idea of sending more troops. The need for more troops existed, in my opinion. A year later, the results of more troops and better security is astonishing.

The way to get the Iraqi people to reconcile themselves is not to leave them, not to set a timetable for withdrawal that will encourage the enemy who is on the mat to get back up into the fight. The way to get them to reconcile themselves is to stand with them, to stand by them, invest in the training of their army, help them get on their feet. That is the way to beat al-Qaida. Winning is going to happen in Iraq unless we change this model here at home.

People ask me: Senator GRAHAM, what is winning? Winning, to me, is a stable, functioning government, aligned with democratic principles, at peace with its neighbors, that rejects Islamic extremism, will deny al-Qaida a safe haven, and will align itself with us in the greater war on terror, and finally, will create a system where a mother can have a say about her children. We are not there yet, but we are well on our way.

We have a model that will lead us to victory: a general who knows what he is doing and brave young men and women who are sacrificing because they understand the need to sacrifice. They are excited. They want to come home, but more than anything else, they want to win. That is why they keep going, going, going, and going. They are going to win unless we do something here at home to make it hard for them to do so.

The worst thing we could do now as a nation is to ignore the results of the last year, worry more about the next election than we do about winning this global war, and try to get an advantage over each other based on the next election cycle. I hope the Members of this body will understand that the turnaround in Iraq is not only dramatic, it makes us safer as a nation here at home, and that we now have a model that will allow us to win what I think is a war we can't afford to lose.

Let it be said, finally, that there are Muslims in this world of different sects who will come together and fight al-Qaida with us. Let it be said that there is a nation called Iraq that has lived under an oppressive dictatorship for over three decades, that is beginning to taste freedom, that they are fighting and dying for their own freedom in large measure, that they are beginning to reconcile their political differences, they are beginning to build a larger army that is combat ready, that they are beginning to create an economy that will allow them to sustain themselves, and they are beginning to create a society that will allow us to live in peace with them and be a force of moderation for the region. That, I say to my colleagues, is an outcome very beneficial to the United States.

I am glad we are having this debate. I am glad we have a little bit of time in a chaotic election year to take a breath and at least allow one Senator to say to the troops: You are winning. You should be proud. Good job. We are behind you here at home. We are behind the policy you are trying to implement. I hope they come home sooner rather than later. I believe they will. But when they come home, they are going to come home in a way that will allow them to tell their grandchildren: I did something that mattered for our country. That is why they keep reenlisting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I come to the floor today to discuss the state of our economy, the budget cuts proposed by this administration, and yes, the war in Iraq and the need to set our priorities straight in this country. Like my colleague from South Carolina, I wish to thank our troops. Like the Presiding Officer, I visited Iraq and saw firsthand the bravery of these troops everywhere I went. Of course, I was very focused on Minnesota troops. They would come up to me in cafeteria lines and airport tarmacs and never complain about a thing. They didn't complain about the heat or their equipment or their long tours of duties. Many of our Minnesota National Guard extended over and over and over again. They really only asked me to do one thing, and that was when I got home, that I call their moms and dads, their husbands and their wives, and tell them they were OK.

When I got home, I talked to their families. I think I called over 50 moms and dads, husbands and wives. I heard a little bit different story. I heard stories of families waiting and waiting and waiting, with anxiety over jobs that might be lost or never gotten back. One of the moms I talked to when I went back in March—I left a message for her. A few months later, I called her again when her son had been killed. I met her.

I have to tell my colleagues, these troops, as my friend from South Carolina said, have done their duty. They deposed an evil dictator. They guaranteed free elections in Iraq. Now it is time for us to do our duty for them.

We all know there can be no purely military solution in Iraq. This has been agreed to by so many military commanders and experts and Members of this body on both sides that it is not really worth arguing about anymore. We all recognize that true stability in Iraq will only come through political and economic compromises between Iraq's main ethnic groups and that only the Iraqis themselves can reach these agreements. Given this, I believe our strategy should be focused on transitioning to Iraqi authority and bringing in other countries and that we cannot keep doing this alone.

I was listening to my friend from South Carolina speak so eloquently, and one of the things that struck me that he said was that this was priceless, and he meant this in the best of all ways. He said it was priceless. I just can't say this war has been priceless. After 4 years, 5 years, over 3,600 American soldiers have been killed. Over 25,000 have been wounded. We have been in this war now longer than World War II. Almost $450 billion—$450 billion has been spent. We cannot wait until next year to change our strategy.

The President is intent on leaving the current situation for the next administration to resolve. Unfortunately, our soldiers in the field don't have the luxury of simply running up the clock on this administration. We owe it to them to begin bringing our combat troops home. I think we all know we can't do this overnight. We know we are going to have troops remaining to guard our embassies and to train police and to act as special forces, but I do believe that if we want to push this Government to get its act together, the Iraqi Government, we have to send a clear message that we are not staying there indefinitely. So we owe it to our troops, but we also owe it to the people of this country. We can no longer continue to give the President the blank checks he keeps asking for. We must

ensure the safety and the well-being of our troops in the field, but funding must be conditioned on a plan for responsible redeployment of U.S. combat forces from Iraq.

Now, why is this so important to our own country and to our own future and to our own children? Well, as I said, the war in Iraq has already cost over $490 billion directly, and by some estimates it has cost the American people almost $1.5 trillion when factoring in all of the costs. For each month that passes, we spend another $12 billion on the war, and we cannot separate the President's spending in Iraq from the economic and the budgetary problems we face.

One of the things that has always really bothered me on behalf of the people whom I represent is that this administration never really adequately calculated the repercussions of this war. I think the troops in the field—and I will say one thing. Despite the clear disagreements on strategy for this war, there has been bipartisan agreement that our troops need to be treated with the kind of respect they deserve. When they signed up for war, there wasn't a waiting line. When they come home and need medical care and they need mental health care, they need to get their education benefits, they shouldn't be waiting. It is this Democratic Congress that took on this issue and looked at the facts. Why are all of these men and women coming up to me out in Minnesota and saying they couldn't get health care? Look at the facts. The Pentagon underestimated the number of troops coming home from Iraq and Afghanistan by four times the amount—four times more returning troops needed health care than they estimated. We put billions of dollars into that.

We are willing to rise to the occasion and say we are not going to make the same mistake we made after Vietnam. We are going to treat our troops with the respect they deserve when they come home. But again, when the administration made its plans for this war—a war I did not support from the beginning—when they made their plans, they did not anticipate the enormous costs.

Mr. DORGAN. Mr. President, would the Senator yield for a unanimous consent request?

Ms. KLOBUCHAR. Yes.

Mr. DORGAN. I ask unanimous consent that I be recognized following the remarks of the Senator from Minnesota.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

ECONOMIC GROWTH

Ms. KLOBUCHAR. Mr. President, the administration did not anticipate the cost for our troops. The war has already cost over $490 billion, $1.5 trillion when you factor in all costs, $12 billion a month. They did not anticipate what was going on with this economy. They did not respond the way they were supposed to to the mortgage crisis. They did not anticipate. They listened to their friends in the special interest groups, and look where we are now. Look where we are now.

Two weeks ago we passed a short-term stimulus package that will help change the economic direction of this country by putting money in the hands of American families, including our seniors and our veterans. This action was a start. But today we must begin focusing on the long-term policies to spur economic growth long after the rebate checks are spent. We have to get this economy on the right track, and it means making a reckoning for that money that is spent in Iraq, to start bringing home some of our combat troops, to start being more responsible about this budget.

Today we announced our next step, which is to look at this mortgage crisis, really the crisis that I say fundamentally puts us where we are right now. Mr. President, 8.8 million families across the United States are underwater. They owe more to lenders than they have equity in their home, giving them limited or no options for refinancing.

The Foreclosure Prevention Act, which I am going to talk about later, and I hope will come to the floor this week, signifies a major step in the right direction, curbing the disastrous effect the foreclosure crisis has had on our families and our economy. The time to act is now.

We also need long-term economic policies that will encourage sustainable economic growth in every corner of this country. From the impact of the mortgage crisis and the value of homes, to the skyrocketing cost of oil that fuels cars, trucks, and heats homes, to rising prices in the grocery stores, the middle class is being squeezed from every side.

Back in January, I traveled around my State. I visited towns all the way from Worthington up to Halleck, MN. You haven't been anywhere, Mr. President, unless you visited Embarrass, MN, in the middle of January. It is always one of the coldest places in our country. We were all over our State. People are concerned. They are Minnesotans so they try to be optimistic, especially when it is January. They try to look to the future. They look at the potential with this energy revolution. But they would come out to cafes, come out to college campuses and talk about how it is getting harder and harder for them to send their kids to college, to afford health care, and to fill their cars up with gas.

To give a sense of what we are looking at in our State—and our State has always had a diverse economy; we are eighth in the country for Fortune 500 companies—the unemployment rate for Minnesota recently jumped to 4.9 percent, up from 4.4 percent the month before. Our State has lost 23,000 jobs in the last 6 months alone. Home heating prices for Minnesota families have also risen by 14.1 percent per household in the past year alone.

On the foreclosure front, the statistics in Minnesota are equally devastating. At the end of 2007, over 50,000 families in Minnesota were delinquent on their home payments. It is estimated that 30,000 will lose their homes in the next several years if something is not done.

What are these families like? They are like the Gray family in Minnesota with whom I met. They are both teaching. They were all excited to buy their new house. They got a mortgage approved, a standard mortgage. It turned out the home values were much higher, and they were not able to afford a home. So they went to someone they thought they could trust and got one of these adjustable rate mortgages. They were told a lower rate at the beginning, $1,500, and it might go up a few hundred dollars. By 2008, it was up to $3,300 a month from $1,500 a month. We know that is not the rate of inflation. We know it is not the right thing to happen.

I use that as one example of what we are seeing across this country and why this administration has its priorities messed up and why people such as the Grays, good people who are just trying to have a home for their family, have found themselves in the middle of this mess. It is where Wall Street has hit Main Street. It is where the Bush administration's priorities to spend $12 billion a month have hit people like the Grays right in their homes.

The cost of foreclosures is not limited to these families. If something is not done, Minnesotans will lose an estimated $1.6 billion in declining home values. That is because the chickens have come home to roost. When it comes to this mortgage crisis, it is not just one family, one foreclosure. It affects real estate values on an entire street, an entire neighborhood, an entire community.

We need an economy that creates stable middle-class jobs. We need infrastructure investments so we don't have bridges falling, as we did in our State, right in the middle of America. We need energy investments that will reduce our dependency on foreign oil and create good ''green collar'' jobs in the growing clean alternative energy sector of our economy.

The people we serve are asking for a new direction, a government that spends their money wisely, that represents their values, that works for American families. America wants a Washington that is going to offer new priorities and new solutions.

Last year, our Congress succeeded in a downpayment on change. It was a beginning. We were hampered by procedural rules and all these filibusters, but we moved this country. There is so much more to do. We moved, first of all, to a more responsible budget process. We gave working Americans an increase in the minimum wage. We provided greater financial aid to help their kids go to college. And we passed a new energy bill that raises fuel efficiency

standards for the first time since I was in junior high.

But there is much more that needs to be done.

Senator DORGAN and I heard about it at an economic hearing we had in my State just last week where we met with a panel of economists and experts on energy policy and what was going on in our economy in Minnesota. One economist described our current condition as ''serious, unstable, and declining.'' In our State, families sense their stability is slipping, with 67 percent of middle-class Americans having an increased sense of anxiety about their futures.

Tom Stinson, Minnesota's chief economist, discussed the frightening unemployment statistics. We haven't added any new jobs over the past year, and we are not alone. States that have historically had lower unemployment rates are now creeping toward the national average.

Unfortunately, when we look at this problem we are facing, and we know there are solutions, we know there is a way to get this economy back on track and be fiscally responsible, but President Bush's new budget proposal falls far short of what America needs to address our economic downturn and invest in meaningful recovery effort.

This new budget request does not offer new priorities or now solutions. Instead, this budget continues a familiar pattern of misplaced priorities. It continues a 7-year pattern of fiscal irresponsibility: borrowing money and leaving an ever-larger debt to our children and grandchildren.

Look at this, the wall of debt we have seen and how quickly it has risen from 2001 to 2013. This administration took a $200 billion surplus and turned it into a $300 billion budget deficit. Do you know what it means to middle-class families? When I talk to people in our States about what all these millions and billions and trillions mean, it means that 1 out of 12 Federal tax dollars goes to pay interest on that debt. That money is not going to the United States. Most of that money is going to companies in foreign countries. That is what is happening to this country.

I was listening before to my colleague from Oklahoma talking about how we have to be willing to make these sacrifices and pay for things. I find this so ironic because it is people on our side of the aisle who have been willing to talk about rolling back some of the Bush tax cuts on people making over $200,000. Think how that money can go to pay off this debt, to go into infrastructure investment we have been talking about, to move this economy in the right direction. It is people over on our side of the aisle who have been talking about oil giveaways and putting them into renewable energies so we can start investing in farmers and workers in the Midwest instead of oil cartels in the Mideast.

How about the debate we had on the middle-class tax issue, on AMT tax relief? We were willing to talk about how we wanted to pay for it. We wanted to pay for it off those hedge fund operators, but they wouldn't go for it. It is this Congress that put the pay-as-you-go back.

When I talk to people in my State, they understand we need to have a short-term stimulus package, why we need it, and why economists believed it was a good idea. But when we go forward in the long term, we cannot keep going the way we are going with this wall of debt. We are not going to end up where we want to go. We are going to be right back where we were before we put the stimulus in place, and we need to make bold changes in this country.

In just 7 years, this administration took that budget surplus, $158 billion—think of that money—and made it into a $400 billion deficit. So when we talk about this war in Iraq and when my esteemed colleague from South Carolina talks about it being priceless, it is not priceless. It is $12 billion a month.

Meanwhile, this new budget continues to neglect crucial investments that are needed to strengthen our economy and our Nation for the long term. It does not make the investments we need in our Nation's transportation infrastructure. It does not make the investments we need in developing renewable energy sources to move us toward greater energy independence and security. It does not make the investments we need to support the basic medical and scientific research that has always been a key driver of our country's innovation and growth.

I come from Minnesota, a State where we believe in science. We brought the world everything from the Post-It note to the pacemaker, and we believe this investment pays off not only in the health of our citizens but also for jobs and looking to the future and not letting other countries such as India, China, and other countries go ahead of us because we have failed in this country to have an investment strategy and put those Government policies in place that drives that investment.

Here are a few examples from my State of where the President's budget goes wrong.

Americans are struggling to lower home heating costs in any way they can. Nationwide, the average household is expected to pay 11 percent more for heating this winter compared to last year. Families who rely on home heating oil are facing record prices, 30 to 50 percent above last winter.

So what does the administration do in its budget? It cuts this funding. It ends the Department of Energy Weatherization Assistance Program. The Weatherization Assistance Program increases the energy efficiency of homes occupied by low-income Americans, directly reducing their energy costs. It cut it by 100 percent.

The funds appropriated in fiscal year 2008 for this program will enable upgrades for as many as 85,000 homes. With energy costs rising significantly and an economy poised on the brink of recession, the weatherization program and the Low-Income Home Energy Assistance Program are necessities, they are not luxuries.

Another example: Nearly 6½ years after the terrorist attacks of September 11, Americans are well aware of the need for State and local governments to be prepared as possible against future threats. I heard you talking, Mr. President, earlier this afternoon about the importance of putting that money into our own homeland security. So what does the administration do with this budget? It slashes funding for State and local first responders' efforts, cutting firefighter assistance grants from $1.2 billion to $300 million, and the State Homeland Security Grant Program from over $1 billion to $200 million, and, once again, it proposes to eliminate the cost of the COPS Program.

As a former prosecutor, I take this personally because I saw how that COPS Program worked, how it added police officers to our neighborhoods, how it brought down crime. Look at this: What is the comparison when we are looking at this budget as we are talking about priorities of the $12 billion a month on the war in Iraq? This is the amount the President would need to add to his budget to maintain this police program which puts police out in the neighborhoods at a 2008 level, plus inflation.

Personally, I would like to do more, especially in our rural areas. I think we need meth cops out there. Just to restore it to 2008 levels plus inflation would cost $596 million. What would you do if you just roll back the tax cuts for those making over $1 million in 2009? I am not talking about people making over $250,000; I am talking about people making over $1 million. What would you bring in with that? You would bring in $51 billion. Look at the comparison. Think about how many police you could buy on the streets. Think how much you could buy to help people afford their homes. Think of the benefits. Look at what you can do for $51 billion to help our veterans.

We have soldiers coming home from Iraq that just this summer in Minnesota were told: You are the longest serving unit, you Red Bulls from Minnesota, of the National Guard in Iraq. But guess what. Your paper only says 729 days. So guess what. You are not going to get your full education benefits, even though you served longer than 729 days.

Obviously, we took up this matter with General Shellito, head of our National Guard, took up this matter with the Army, and it is working to fix it. Oh, well, it saved some money to write that down as 729 days. But think about $51 billion and what we could do with that. We are talking about priorities here.

Fiscal responsibility is also about making sure down the line that these

priorities are right. Do we want a budget that offers tax giveaways to the wealthiest or a budget that provides relief to middle-class families squeezed by rising costs for health care, housing, energy, college tuition, childcare and care for aging parents?

Do we want a budget that gives lucrative special favors to the giant oil and pharmaceutical companies, or a budget that invests in our future prosperity, such as research and development on renewable energy?

Do we want a budget that continues to spend $12 billion a month in Iraq or a budget that provides our veterans with the help they need; that makes sure we have the money we need to keep our troops there for the focused purpose of guarding our embassy and training police and having them there for special forces; and money for the COPS program—that $596 million it would cost to restore that? That is about homeland security.

I want to see an administration that aims for fiscal responsibility by reversing or rolling back these tax cuts for the wealthiest Americans—people making over $200,000.

I want to see an administration that aims for fiscal responsibility by eliminating offshore tax havens for multimillionaires so people aren't hiding money in the Cayman Islands.

I want an administration that aims for fiscal responsibility by ending the tax breaks and giveaways that have been handed out year after year to the big oil companies.

I want to see an administration that aims for fiscal responsibility by allowing Medicare to negotiate for lower prices for prescription drugs for our seniors.

The President's budget does not provide the new priorities and the new solutions America needs. Instead, it continues to take us down the wrong path. This budget is only the most recent example of an administration that is putting its head in the sand and ignoring the reality of the looming economic recession.

As the housing market is crumbling, and millions of families are expected to lose their homes in the next couple of years, the administration seems to hope this problem will go away. This is why I have cosponsored the Mortgage Foreclosure Prevention Act, and I am committed to working with my Senate colleagues on a bipartisan basis to pass this bill to help keep our families in their homes and get the middle class back on their feet. Across the country, we are seeing families struggling to keep their homes. If something isn't done, over 2 million families will lose that struggle in the next 2 years.

Through a pilot project conducted by the Federal Reserve Bank in Minneapolis, we have been able to track by ZIP Code all of the outstanding subprime mortgages in our State. This data is a startling reminder that we are seeing only the beginning of this crisis if we don't do anything about it. By being able to track the reset dates of all the subprime mortgages in Minnesota, the study shows thousands of mortgages resetting to higher interest rates monthly, causing more and more families to fall behind on their payments. Congress must act quickly if we are going to curb any effects of the housing crisis.

In my home county, where I was chief prosecutor of Hennepin County, we have seen an 82-percent increase in sheriff sales of foreclosed homes. The problem extends to greater Minnesota. We have seen the foreclosures double in some of our urban areas. We have seen 3 out of 100 households—3 out of 100 households—that are in foreclosure.

Something must be done to help these families. I have met them. These are not just statistics and numbers; these are real families living in the State of Minnesota. This is why I believe we need to pass the Foreclosure Prevention Act and why I believe we need to reprioritize what is happening in this country—$12 billion a month in Iraq, with no end in sight, and some people saying we are going to stay there for 100 years, while these families are losing their homes, while our veterans are still not getting a fair shake.

This bill, the Foreclosure Prevention Act, would give $200 million to families to counsel them in ways to avoid foreclosure. I will put that chart up again showing an example of these priorities. This is for people making over $1 million a year—people making over $1 million a year. Here is our $51 billion. Think of this mortgage counseling. It is a proven way to work here. It would be only $200 million.

Our State finance agencies are in a perfect position to help families refinance loans, but their hands have been tied by ceilings on the amount of State-backed mortgage bonds they can use. This bill makes it easier for them to help find families and rework their mortgages. That is what we are trying to do. It will not work for every one of these people. Some we don't want to help. They are not deserving of this. They maybe speculated on these mortgages to begin with. But many of these families I have personally met, including the family from Ohio we saw today here in the Senate. These are hardworking families who were maybe not told the truth about their mortgage or misled about their mortgage or the whole mortgage was set up to get them in trouble down the line, and the mortgage lender goes away and sells it to someone else, who sells it to someone else, who sells it to someone else, and pretty soon it doesn't just hurt that family, it hurts the entire street, and it hurts the entire neighborhood.

This is about getting our priorities right. Yes, it is about the war in Iraq and an administration that refused to account for the cost, refused to have a plan to start bringing our troops home, that refuses to admit we are in financial straits—financial straits they got us into. Because we must remember, when they came in, we had $200 billion surpluses, and now we are where we are with this wall of Federal debt.

The American people are tired of this. They want a fair accounting of what is going on in this country. They want a fair accounting of this war and a plan to bring our troops home. That is the best thing we can do for our troops, and that is the best thing we can do for our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have been listening to the discussion this afternoon, which is a repeat of a discussion we have heard often in this Chamber: Who supports our troops; who waves the white flag of surrender. You know, in the discussion in this Chamber and out on the Presidential trail, we hear all of those terms, and who is willing to stick with it and defeat the terrorists with respect to the war on terror.

Well, let me, if I might, suggest there is a smart way and a tough way to deal with terrorists, and we are not doing it very effectively, in my judgment. I want to review for a moment, because we have people coming to the floor who forget to review where we are, and where we have been, especially.

In 2001, on September 11, terrorists attacked our country. Following the attack that killed thousands of innocent Americans—the World Trade Center, the Pentagon, and a farm field in Pennsylvania—following that attack, Osama bin Laden and the leadership of al-Qaida boasted that they engineered the attack against the American people. They boasted they engineered the attack against the American people. So the President says: We are going to have an effort to bring to justice the terrorists.

Well, it is now 2008. That was 2001. In 2008, our National Intelligence Estimate, released about 4 months ago, said the greatest terrorist threat to our country, to our homeland, is the al-Qaida organization and its leadership, who are now plotting additional attacks against our country. Our National Intelligence Estimate says the greatest terrorist threat to our country, 7 years after 9/11, is the al-Qaida leadership, because they are planning new attacks. They have reconstituted in a safe and secure hideaway in northern Pakistan. Those are the words of our National Intelligence Estimate, not my words—safe, secure. Iraq leadership, Osama bin Laden, still alive 7 years later and creating new training camps, training new terrorists.

So how effective has the war on terror been when the greatest terrorist threat to our country 7 years after the 9/11 attack, the greatest terrorist threat is now building and reconstituting in northern Pakistan? It is reasonable to ask the question: Who took their eye off the ball? Why has this country, why has our policy not been a policy to bring to justice Osama bin

Laden and his al-Qaida leadership? Instead, 7 years later, we are mired down in a war in Iraq, we have spent nearly two-thirds of $1 trillion dollars, thousands of American soldiers have died, and we have people asking us about who waves the white flag of surrender and who supports our soldiers. That is unbelievable to me.

Let me review a bit. Following 9/11, we had top secret briefings for Senators and Congressmen—top secret briefings conducted by the head of the CIA. The Vice President was involved, the head of the National Security Agency, Condoleezza Rice, was involved. We went to those top secret briefings. All of us did. We were told things in top secret, shown classified materials, about what was happening in Iraq. It turns out that was a foundation for the invasion of Iraq. In fact, it was presented at the United Nations by Secretary of State Colin Powell. It turns out most of it was false; wrong on its face.

Let me review it for a moment—the issue of mobile chemical weapons laboratories in Iraq that threatens our country. Mobile chemical weapons laboratories in Iraq. You know where that came from? We now know it came from a single source, through our intelligence organizations to the American people, to Congress, in top secret briefings, to the world at the United Nations, a single source: A fellow who used to drive a taxicab in Baghdad nicknamed ''Curveball'' and widely considered by German authorities as a drunk and a fabricator.

A single source named Curveball gave this administration the ability to, in top secret briefings, tell us that Iraq had mobile chemical weapons laboratories and gave then-Secretary of State Colin Powell the opportunity to tell the world that Iraq had mobile chemical weapons laboratories. Turns out it wasn't true.

Will Rogers once said:

> It is not what he says he knows that bothers me, it's what he says he knows for sure that just ain't so.

Curveball. One single source this administration used to tell us that mobile chemical weapons laboratories in Iraq threatened this country, and it turns out to have been false, and they should have known it. And some may have known it, as it was described to us.

The aluminum tubes. The aluminum tubes for the reconstitution of a nuclear capability in Iraq. Now, Secretary of State Condoleeza Rice, then National Security Adviser, even used the term the specter or the threat of a nuclear—or I guess she said mushroom cloud on television. The mushroom cloud. Well, it turns out her office had the information that a substantial portion of the Government didn't believe the nuclear tubes that were ordered by the Iraqis were for the purpose of reconstituting a nuclear capability. Most of that was discredited. The information in the National Security Adviser's office existed to say that there were very qualified people in this Government who didn't believe that.

It turns out none of that was true. The aluminum tube issue was not true. Those who were telling the world, and in top secret briefings telling Members of Congress about the threat of the nuclear tubes for the reconstitution of nuclear capability, had information in their possession and knew better.

Yellowcake from Niger is another big deal that made it into the President's address to the Congress in the State of the Union. It turns out that was based on falsified documents. It is unbelievable.

Maybe we should review the facts a bit. All of this information turns out to have been false—the information that represented the foundation on which the administration made the case about the need to invade Iraq. Well, this country invaded Iraq and had no plans, once the invasion was complete and the military takeover was complete, on how to deal with Iraq at that point, and it turned into a civil war.

Saddam Hussein, following that invasion, was captured and executed. He was hung by his neck until dead. He doesn't exist anymore. The Iraqi people then voted for a new constitution, and then the Iraqi people voted to constitute a new government.

So Saddam Hussein was killed, executed, a brutal dictator was executed by the Iraqi people. They got a new Constitution, they got a new Government, and then this country, in the context of spending almost two-thirds of a trillion dollars, this country spent $16 billion training 350,000 able-bodied Iraqis to be policemen and firefighters and safety personnel and soldiers. We trained an array of people in Iraq for security; $16 billion training 350,000 Iraqis, principally for security, police, and soldier duty.

Now, if the able-bodied people in Iraq who have been trained by this country are not willing and cannot and will not provide security in their country, our soldiers cannot stay there forever and do it. We cannot.

It is interesting to me, and very disappointing to me, that the President decided: we are going to invade Iraq, but we are not going to pay for it. Every single penny we are going to borrow.

So we are going to send soldiers to Iraq and send the bill to the debt. When the soldiers come back, they can pay the debt.

As I said earlier, it is two-thirds of a trillion dollars now in Iraq and Afghanistan, all of it emergency, none of it paid for. In my judgment, that is exactly the wrong thing to have done. We should have been saying: Yes, we will ask soldiers to sacrifice. If that is what we ask our soldiers to do, we will ask the American people to reach a similar sacrifice. But this President would not do that.

So we come now to a position where we have been in Iraq longer than we were engaged in the Second World War and we have folks who come to the Senate Chamber and we have folks out on the campaign trail saying: Who is going to wave the white flag of surrender?

Some say we are going to stay in Iraq forever, 100 years. Others look at a Taj Mahal that has been built in Iraq, nearly $800 million for an embassy in Iraq, the largest embassy in the world by far, and they think they know, as a result of that, how long some intend for us to stay in Iraq.

But we cannot do that. Let me mention one other addition. On top of all the things I have described—basically the false foundation of information on which this country made a decision to go to war—on top of all that, with this money we have spent, there has been the greatest amount of waste, fraud, and abuse in the history of this country and nobody seems to care very much.

Let me tell a couple stories: $85,000 trucks on the side of the road in Iraq, because they had a flat tire and no wrench to fix it, so they torched it, burned it. It does not matter, the American taxpayer is paying for it because big companies got sweetheart, no-bid, cost-plus contracts. Got a flat tire, torch the truck. Got a plugged fuel pump, it does not matter, torch the truck.

I mean, the stories are unbelievable. You got two builders to provide ice. The Haliburton Company is going to select between two bidders to provide ice. One is seven times more than the other bid. Well, pick the contract that costs seven times more than the other because the taxpayer is picking up the tab.

They buy little hand towels for the troops, because Haliburton has to do that. Well, they do not want to buy ordinary hand towels for the troops, they want their logo embroidered on the hand towels, KBR, the subsidiary, Kellogg Brown and Root. Well, that is going to increase the cost of the hand towels triple, quadruple. It does not matter; the taxpayer is going to pay the bill.

Do you want to know where there are 50,000 pounds of nails, 25 tons of nails? They are on the sands in Iraq. They ordered them. They were too short. What do you do with 50,000 pounds of nails that are too short? You throw them away because the taxpayer is going to pick it up. You just order the right size.

This is the most unbelievable story that is yet to be told about the greatest waste, fraud, and abuse in the history of this country. There is a lot to talk about.

We are going to have a hearing in the Senate Appropriations Committee. I have held 12 hearings in the policy committee on these issues. We are going to hold more. I have to run to a meeting. But I did want to come and talk a bit. I did not have the opportunity to describe who is it that is supporting America's soldiers and what is

it that does support our fighting men and women? We send them off to war.

There is going to be a Medal of Honor, by the way, awarded next Monday at 2:30 in the White House to a man who died 26 years ago, a Sioux Indian named Woody Keeble. I hope perhaps to come over tomorrow and tell the story of Woody Keeble. There are soldiers who have given so much for this country.

Woody Keeble had 85 pieces of lead in his body when he finished what he did. He was still alive.

But these folks then go to war and do what they do and come back home. And then the question is: Who stands up for our soldiers? Who stands up for our veterans? Who is willing to stand here and say we will keep our promise for veterans health care? Who does that?

There is a lot to say. I regret I have a commitment that I have to be at in the majority leader's office, but I would like tomorrow to come back and speak at greater length about a remarkable American who on Monday will be recognized by President Bush, a North Dakotan from Wahpeton, ND, Standing Rock, the Wahpeton-Sisseton Sioux Tribe. He will be recognized as the first Sioux Indian in this country's history to receive the Medal of Honor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I would like to make a few brief comments in response to my eloquent colleague from North Dakota. The rhetoric he utilizes has been used for a long time.

We have heard this rhetoric before each one of our evaluations of the way ahead in Iraq. And we have each time concluded that our national interests call on us to remain active and strong in Iraq and active and strong against terrorism around the world.

I would note, to remind everyone, every intelligence agency in the world thought weapons of mass destruction were in Iraq when the war began. In fact, Saddam Hussein did not seriously deny that these weapons existed. Saddam denied the U.N. inspectors the right to look for WMD, even though he had agreed to do so after suing for peace in 1991. At that time, after he had invaded Kuwait, we agreed not to take Baghdad and grab him by the scruff of the neck. He agreed he would allow his country to be inspected by the United Nations.

He did not do that. He systematically violated 13 U.N. resolutions. As the well-known magazine, The Economist, said: We either have to give up and let Saddam break the embargo or we have to fight? They said: We believe we should fight.

That, I suggest, is the fundamental reason we had to authorize the President to use force. A lot more can be said about it, but those were some of the things we were considering at the time. I would note also that an official commission report concluded that, while U.S. forces did not find weapons of mass destruction in Iraq, Saddam Hussein planned to work his way out from under the sanctions and to reconstitute his weapons of mass destruction.

That has been clearly established. Most of us were surprised we did not find nuclear or chemical weapons in Iraq. I have to tell you, I was surprised. In 1991, when we had the first Gulf War to repulse Iraq, which had invaded Kuwait, we discovered that Iraq's nuclear program was far more advanced than we had previously thought. That is indisputable.

We know that after 1991, and before the 2003 invasion of Iraq, Saddam had utilized weapons of mass destruction, poison gas, against the Kurds of Iraq, killing thousands of his own people. How could he not have weapons of mass destruction? It still remains baffling to me that we did not find them.

So I wish to rebut this old rhetoric that somehow President Bush lied to get us into the war. We spent months discussing this and debating all the issues. We had private briefings. We knew basically everything the President knew. And what we knew was the CIA Director George Tenet, who had been appointed by President Clinton, told the President of the United States: It was a slam dunk; that weapons of mass destruction existed in Iraq.

That is the kind of information that the President acted on. He was not lying to the American people. This Senate authorized the President to use force in Iraq by a more than three-fourths majority vote. A majority of both parties, a majority of the Democratic Senators, a majority of the Republican Senators voted to authorize the President to use force in Iraq. And that is how we got here.

So the question is: What do we do now? This is a great Nation. We are not some fly-by-night bunch who can change our minds every time the poll numbers change. We have responsibilities to our Nation, to our allies. We have committed our men and women to harm's way. We have lost a large number of American soldiers to execute a policy we sent them to execute.

I have to tell you, we lost far fewer in the initial invasion than I imagined, but have lost far more than I imagined in the post-invasion period. Things are never quite certain in war, however.

People who fight you and desire to kill you usually do not want to be killed themselves. Military action is a tough thing and always causes us to remember we should avoid it whenever we possibly can. It should be a last resort. It is only acceptable when we have no real other alternative.

I do not believe the Lord is happy when his children fight and kill one another. It cannot be a good thing. It is a bad thing. Sometimes, because we are so flawed and we have options that are so grim, military action becomes the best decision that can be made under the circumstances. I think that is where we were in 2003 when it came to the Iraq debate.

In the fall of 2006, in an election that came during one of the worst periods of time in Iraq, the Republicans lost control of both Houses of Congress. The President's polling numbers were terrible. The following summer we had a national debate about whether to allow General Petraeus to continue the surge. We had a commission that General Jones headed, with 15 members. I asked him at the hearing: General Jones, do you and the members of your commission believe we have a chance to be successful if we execute this surge? He said: I do. He looked around. Any of the other members want to rebut what I have said or have a different opinion? Not a single one did.

That commission unanimously reported that they thought we could be successful. We had General Petraeus testify, and we had the GAO issue a report in September after the surge had actually begun.

We noticed some progress. But it was premature to see that as a sustained trend. We knew that. And we continued again at that time to allow the surge to go forward. We believed things were going to get better. That was my conclusion after hearing everyone's opinion.

I remember asking General Petraeus: Sir, will you tell us the truth, the good and bad? And he committed in private and in public to do that.

Will you give us your best judgment? Will you let us know if you think this is not an acceptable, feasible action in Iraq; that we need to acknowledge that we can't be successful? He made that commitment.

So what has happened since? We sent five additional brigades into Iraq as part of the surge. Three have already returned to the United States. The other two are planned to be returned by summer. We will be at or possibly below the 15 combat brigades that we had in Iraq before the surge.

General Casey was asked today in the Armed Services Committee about that plan and whether it meant we could move from having our soldiers on 15-month deployments to 12 month deployments. He said: When we get back to 15 brigades—and at this time we are projected to be there by July—he believed then that we could go back to a 1-year rotation instead of the longer 15-month rotation. 15 month rotations have been so painful to our military personnel and their families. That is a long time. We need to keep it to 12 months if we possibly can.

We are anticipating three reports in April. General Petraeus will come, as he promised, to give us a report on the status of Iraq and what he thinks about our future military commitment and soldier strength there. We will also receive a report from the Joint Chiefs of Staff and a report from Admiral Fallon, the CENTCOM commander who has Iraq the rest of the Middle East

under his command. We will have those three reports in April. That is the time for us to begin to evaluate again what our next step will be.

General Petraeus has said that we need to be careful to consolidate the gains we have made, to help the Iraqi people and government move to a more stable footing for the long term. If we were to pass the Feingold legislation, it would be a slap in the face to our commander on the ground who is absolutely one of the finest generals this Nation has ever produced. It would be unthinkable that we would, in a time of great success, reject the commander's recommendations and the military's recommendations after we took their recommendations when things were not good a year ago. We were worried a year ago. There was cause for legitimate concern. I do not deny it. But, goodness sakes, we have had some success in recent months.

The military estimates that attacks against coalition forces and Iraqi forces and Iraqi civilians have collectively fallen by 60 percent against Iraq since June of last year. Iraqi Army estimates put the number as high as an 80-percent reduction. In June there were almost 1,700 IED explosions across Iraq. That number fell to 600 in December. While one U.S. combat death is so serious that we are not able to articulate the gravity of it, we are seeing, I am pleased to say, a major reduction in casualties among our troops and Iraqi troops. It is quite remarkable. December of 2007 was the second lowest combat death total of the war for American forces behind May of 2003. January and February of this year have shown comparably low death rates. That is something for which we can be thankful. Every single life is important. But we have to understand that when we commit troops to combat, there are going to be casualties. Having a good movement in the right direction is a cause for confidence, not a basis to cut and run.

From January to December of 2007, sectarian attacks and death among Iraqis in the Baghdad area decreased by 90 percent. I want to just say, we should be skeptical of these numbers when we hear them just one time. Are the trends sustained? How accurate are these facts? Those are legitimate questions for members of Congress to ask.

When I see soldiers in the Atlanta airport—most of them are on their R&R or coming home from Iraq or Afghanistan—I speak to them about their experiences. I spend a lot of time in the Atlanta airport, more than I like. I ask them how things are going. And I am hearing, from them, information that directly confirms the reports we are getting.

Just this month, a soldier I met was saying he worked at a base in Iraq. He said they used to take incoming rounds against the base throughout the day every day. Now they go days without any attacks. Another soldier told me things were getting boring. Every morning they used to meet. There would be some emergency, some serious challenge they had to address. Now when they meet, they can go weeks without anything serious happening. These observations are from sergeants, enlisted people, junior officers. It confirms, I will just say to you, the information we are receiving.

How has this success happened? What has occurred? The ranks of Sunni volunteers who have chosen in recent months to switch sides and turn against al-Qaida as members of local citizen councils have grown to more than 91,000, according to statistics from the U.S. military. The Sunnis, who are the minority group in Iraq, used to run Iraq under Saddam Hussein. They have been taken from power. They were strong Baathists. They were attracted to al-Qaida and their false promises. Many, though not most, were in cahoots with al-Qaida. They have now rejected al-Qaida. Whole tribal regions have publicly renounced them. They said they don't care about their people. They try to run their neighborhoods. They are corrupt. They don't support them. And 91,000 have joined local citizens councils part of the awakening, they call it, to turn against al-Qaida.

Sunnis are turning these guys in. Most al-Qaida are foreigners. They don't live in Iraq. So the Sunnis know who they are. The Sunni folks know them. Once they turned on al-Qaida, we have seen a dramatic change in the Sunni areas.

Shia groups, citizens councils are growing around the country as well. More and more the people are getting tired of murderous killers and religiously driven extremists. They realize this is no foundation on which to build their future. Three critical laws have been passed. Critics say: We have to have laws passed. Surely we do, although the President and all the masters of the universe in America, I guess, determined that we would pass an immigration law. They said we had to do it. We had to have this program, this amnesty. They were going to ram it right through here. It failed flatter than a fritter. So just saying a bill needs to be passed in a democratic parliamentary situation doesn't mean that is so easy to be done.

Three critical laws were passed by the Iraqi Parliament on February 13 of this year. They enacted a $48 billion budget for 2008. They granted amnesty to thousands of Sunni detainees and passed a provincial power law defining the relationship between the central government and provinces. These last two were on the list of benchmarks demanded by Congress.

Last fall when General Petraeus was here, the critics of the war said: You are not meeting these benchmarks. We are not interested in the military side. We are only interested in the political side. Well, we are making some progress now in the political area. In one sense things are even better than they appear on the political side because, throughout the region, reconciliation has been undertaken, and Baathists have been accepted back into Government positions, even in the absence of a national law. The oil money was and is being fairly distributed, even though they haven't agreed on an absolute firm legal formula for distribution of revenues.

Last Friday, February 22, the Shiite cleric, Moqtada al Sadr, who controls the Mahdi army, instructed his followers to extend their cease-fire against the Sunnis and the Americans for another 6 months. This is a big deal. The Sunnis have come around and now al Sadr, with the Shia, has also recommended that his followers continue their cease-fire.

U.S. Ambassador to Iraq, Ryan Crocker, with whom I have met in Iraq, said this last week:

> We are indeed seeing the signs of that political surge. Putting all of that together would have been just unthinkable 6 months ago.

Let me say this Feingold bill would be disastrous if it were passed. It would cut off funding after 120 days for any missions not approved by Senator FEINGOLD and politicians in Washington. It would replace the deployment decisions and recommendations of General Petraeus with political decisions. Some, I guess, who are in the moveon.org camp think General Petraeus is a betrayer. That is what they put in an ad in the paper last year. I say he is one of the best generals we have had. He has had a remarkable tenure of success in Iraq.

The Feingold bill would forbid us from training any members of neighborhood councils that have sprung up under the Sunni awakening, unless we could certify that they had never been involved in sectarian violence or in attacks upon the U.S. Armed Forces. Well, we want them on our side. I don't know what motivated them at one point or another to oppose the United States. But if they have made a decision, as a lot of Sunnis clearly have, to switch sides, to turn in al-Qaida, to kill al-Qaida, isn't that good enough? Why shouldn't we welcome them back into the fold of the Iraqi Government and give them a chance?

We have to be careful. In fact, I think the State Department and the military are too naive in their belief that the prisoners we now have in custody can be released in the interests of reconciliation. Many of these, I am afraid, are just killers and murderers and thugs. Releasing too many of these people can create violence in the community. I don't doubt that some have had a change of heart because many have. But we have to be careful about how many of these prisoners we release.

This bill would prevent us from attacking terrorists or sectarian militias unless we can be sure that the targets are ''members of al Qaeda and affiliated international terrorist organizations.''

How is this supposed to work in practice, let me ask? Will we ask al-Qaida to wear special hats or badges or uniforms so we can distinguish them from simple local terrorists?

The likely consequences of this legislation would be renewed sectarian violence, expanded ''breathing room'' for al-Qaida and other terrorist groups, and decreased possibilities for political reconciliation. It would create major political instability in Iraq.

The frequently referenced final report of the Iraq Study Group described, in grim detail, the results of an American decision to abandon Iraq:

> Because of the importance of Iraq, the potential for catastrophe, and the role and commitments of the United States in initiating events that have led to the current situation, we believe it would be wrong for the United States to abandon the country through a precipitous withdrawal of troops and support. A premature American departure from Iraq would almost certainly produce greater sectarian violence and further deterioration of conditions, leading to a number of the adverse consequences outlined above. The near-term results would be a significant power vacuum, greater human suffering, regional destabilization, and a threat to the global economy. Al Qaeda would depict our withdrawal as a historic victory.
>
> If we leave and Iraq descends into chaos, the long-range consequences could eventually require the United States to return.

This was a serious evaluation by serious men and women who have studied this area in depth. I do not think anybody can deny that this is a realistic description of what would occur if we were to pass the Feingold bill.

Well, Mr. President, I see others here who want to talk, and it looks as though we will have more time tomorrow. I say to my fine colleague from Florida, I enjoy serving with him, as he is chairman of our Strategic Subcommittee in Armed Services.

I conclude by saying, we are a great nation. We made some tough decisions. We went through a full debate last summer. We decided to give General Petraeus a chance. We gave him a chance. We supported the surge in a bipartisan vote. We sent the money. We sent him the resources to carry out the surge. It has been successful beyond anything we could have imagined at the time. And now, to undertake a precipitous withdrawal, directly contrary to his opinion as to what should be done to help continue to secure Iraq, would be unthinkable. No great nation should flip-flop around like that, certainly not the United States of America.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I want to make sure I have in the RECORD why I had opposed the motion to invoke cloture on the motion to proceed to the Feingold bill, S. 2633.

This Senator is certainly for a gradual withdrawal from Iraq. But the Feingold bill has a considerable pitfall because it starts the withdrawal within a certain period of time and cuts off the funding with the exception of allowing funding, for example—I am going to read—for ''Conducting targeted operations, limited in duration and scope, against members of al Qaeda and affiliated international terrorist organizations.''

In other words, the Feingold bill would allow funding to continue to conduct operations against al-Qaida, but only ''limited in duration and scope.'' I do not think we ought to limit the ability of the U.S. Government to go after al-Qaida in Iraq.

Furthermore, this clause in the Feingold bill would allow funding to go not only against al-Qaida, ''limited in duration and scope,'' but also against ''affiliated international terrorist organizations.'' The word ''affiliated'' means affiliated to al-Qaida.

There are a bunch of other terrorist organizations in the world we want to go after, and this limitation of funding would be only for those affiliated with al-Qaida. I do not want the Government of the United States limited in its ability to go after al-Qaida and then only those other terrorist organizations affiliated with al-Qaida.

I have voted against the motion to invoke cloture. There seemed to be only about a dozen of us who voted against that motion to invoke cloture. As we proceed, I will certainly, if we get to the bill, try to amend that portion; otherwise, I will certainly be constrained to have to vote against this bill.

Mr. President, I have another matter I will bring up at another time. I will let the debate proceed on this Feingold bill, so I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, it is suggested we should not be discussing Iraq. Well, the last time I checked, the majority leader sets the agenda. The majority leader brought up Iraq, and if he wants to bring up Iraq, we can discuss Iraq.

I too am wondering why it is being brought up because we have other important issues we could be dealing with. For example, I wish to see the Congress turn its attention to a pro-growth economic package, a discussion of how we can help this economy move. I think once we have that opportunity to debate, we will have a good, principled exchange of ideas here.

My suspicion is that from the other side of the aisle we will hear a number of expensive spending proposals, and from our side of the aisle we will hear a different agenda, an agenda that says we want a bigger, bolder, broader pro-growth economic agenda so we can move this economy in a more positive direction.

Part of that would have to do with lower tax rates for individuals, such as to permanently reduce the dividend, capital gains, and estate tax rates to 15 percent. Part of it would be to lower corporate tax rates, reducing the capital gains tax for corporations from 35 percent to 25 percent so our companies in America can compete in the world. Part of it would be indexing the capital gains tax for inflation so that double taxation of capital would at least reflect inflation. Part of it would be something that many Members of this Chamber have talked about for a long time: a simpler, flatter tax, giving taxpayers the option of filing a 1-page return with a 17-percent flat tax rate.

I wish to see—and I plan to introduce within the next few days—legislation that would make permanent the expensing provisions for small business that we passed in a bipartisan way before the recess in the pro-growth package to help stimulate the economy. Those provisions increased the small business expensing limits and allowed a 50 percent bonus depreciation.

Now it is not unusual to hear Republicans talking about lower tax rates. But that is only a part of—a part of—what we would propose if our debate were here for a pro-growth economic package. I wish to see us bring up Senator ISAKSON's proposal, which would create a $5,000-a-year, 3-year tax credit for buyers of foreclosed or new homes to get buyers back in the marketplace.

I wish to see us begin to more seriously implement the America COMPETES Act. That is part of a pro-growth agenda as well. We worked hard in this Chamber across party lines for 2 years to advance legislation to increase our nation's competitiveness in the global economy. The President made a priority of it. He said we ought to have an 18 percent increase in funding for the physical sciences in this year's budget. We should talk about that and make a commitment to make room in the budget for that so we can double funding in the physical sciences over the next 5 years so we can keep our brainpower advantage so our jobs will not go overseas.

As one Senator, I want to see that we continue to in-source brainpower for new jobs by pinning a green card on the lapel of every foreign student who earns a degree in science, technology, engineering, or mathematics from a U.S. university, and who is legally here and passes a background check. We could have a good debate here in the Chamber about whether it is a good idea to do that. I think it is.

We have 570,000-something foreign students here. Why would we attract the brightest people in the world to study here and make them promise to go home and create new jobs in India and in China? Let's create them here.

We could make the research and development tax credit permanent. We could have a full-day debate about how to improve our schools. I see the Senator from New Hampshire is in the Chamber; he was one of the principal authors of the No Child Left Behind Act. There is a provision in that legislation which is called the Teacher Incentive Fund. It tackles one of the most difficult problems in American education. How do you reward outstanding teaching? Well, you cannot do

it from Washington. But you can fund it from Washington, so in Philadelphia and in Phoenix and in Memphis school leaders and teachers are part of plans where you pay them more for leading well and pay them more for teaching well.

I did that in Tennessee in 1983 when I was Governor. Mr. President, 10,000 teachers went up a career ladder. As soon as I left, its opponents killed it. But teacher after teacher comes back to me saying they wish it were still there. Every time we have a hearing on education, we hear the need to keep and attract outstanding teachers.

We could talk about and debate—and I am sure we would debate—Pell Grants for Kids. Why not give vouchers to poor kids so they can go to some of the schools that people with money go to?

Why not go ahead and implement the provisions in the America COMPETES Act for adding 10,000 math and science teachers, and give a million and a half more low-income children the opportunity to take Advanced Placement tests?

If we want to talk about growing the economy, we can do that. We could talk about stopping runaway lawsuits and enacting small business health plans. We can talk about lower energy costs. We can talk about lowering the cost of Government. Or we can talk about Iraq.

I have been one of those who, over time, has had some difference of opinion with the President on Iraq. I thought he should have embraced the Iraq Study Group plan as soon as it came out: Put Secretary Baker, Congressman Hamilton, and the other members of the Iraq Study Group up there in the Gallery and honor them and accept their suggestions.

Mr. REID. Mr. President, will my colleague yield for a brief statement?

Mr. ALEXANDER. Mr. President, I would be glad to yield to the majority leader.

ORDER OF BUSINESS

Mr. REID. Mr. President, I just finished a conversation with the Republican leader. We have decided it is to the interest of everyone we have no more votes tonight, so everyone should understand that. We will be out tomorrow to decide what we are going to do after Senator MCCONNELL and I have a chance to get together in the morning.

No more votes tonight.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the majority leader.

Mr. President, I would say that last year I thought I had succeeded in doing something that no one else had been able to do. I unified President Bush and Senator REID on Iraq in their opposition to our Iraq Study Group legislation. But my point is that while I have been one on this side of the aisle who wishes the President had taken a different tact, I think in all honesty we are talking about how things have changed in Iraq.

If we look at the Iraq Study Group recommendations, what were they? First, transition of mission. Let's shift our military forces out of direct combat and into roles of supporting, training, and equipping Iraqi forces as security conditions on the ground permit. That is happening. It is happening province by province. That wasn't foreseen quite as clearly by the authors of the Iraq Study Group report. I am not sure any of us saw it. General Petraeus was wise enough to see it. He is helping Iraq have a transition of mission of U.S. forces from mainly combat to mainly support, training, and equipping. But the Iraq Study Group itself, while it set a goal for that shift of mission, explicitly rejected the idea of a deadline. As the Senator from Alabama said earlier, it explicitly rejected the idea of a deadline.

The second recommendation of the Iraq Study Group was that we maintain a long term, but diminishing, presence in Iraq, with an emphasis on diminishing. That is happening. Troops are coming out instead of troops going in. Now, they are not coming out as rapidly as many had hoped, but they are coming out. They are coming out in the spirit of the Iraq Study Group report—not as rapidly as the report originally recommended, but as quickly as conditions on the ground will now permit. The limited mission the Iraq Study Group envisioned, in addition to supporting Iraqi forces, includes protection of coalition forces, counterterrorism operations, border security, intelligence-sharing, supporting provisional reconstruction teams, and search and rescue.

Finally, the Iraq Study Group urged that we undertake a new diplomatic offensive, that we step up regional and diplomatic efforts to press others in the region to help Iraq succeed. Well, that has been happening. It may not be happening as rapidly as everyone in the Chamber would like, but these efforts are well underway, with a more expansive United Nations mission. But higher profile efforts are also needed, including by the President.

So I would not stand here and say that the Iraq Study Group legislation that Senator SALAZAR and I introduced—supported by eight Democrats and eight Republicans, and which we unsuccessfully urged the President and this body to adopt a year ago—I would not say we should do that today. But I would say as one Senator that I believe that is the direction in which we are moving, and the Iraq Study Group has made a significant contribution to that effort. I, frankly, believe the bipartisan approach here by those 16 Senators also helped move us in that direction.

Now, Senator FEINGOLD's proposal and the Iraq Study Group recommendations are at odds. In the first place, the Feingold legislation sets a 120-day deadline for changing the mission of our forces in Iraq and requiring a massive withdrawal. The bipartisan Iraq Study Group specifically opposed such a deadline, saying that transition should be, as I said, subject to unexpected developments in the security situation on the ground.

The Feingold amendment and the Iraq Study Group differ in another way: the continuing mission for the troops. My reading of the Feingold bill says that it would prevent American troops from being embedded with Iraqi forces, from securing Iraqi borders, from fighting terrorists who aren't known to be affiliated with al-Qaida, and performing various intelligence operations. Those missions are all supported by the Iraq Study Group. It is part of our long term, but diminishing, role in Iraq.

As has been noted today, this is not a new subject for the Senate. We have had perhaps three dozen votes on Iraq last year. Perhaps we should have that many votes. What else is more important than Iraq? But at some point, we have come to a conclusion, and I think on the issue of the Feingold bill, this body, by a large majority, has already expressed itself. There were four previous votes on similar—not exactly the same but similar—funding cut and withdrawal proposals offered by Senator FEINGOLD. Those were on December 18, 2007, and 71 Senators voted against that Feingold amendment. Then, on October 3, 2007, 68 Senators voted against that Feingold amendment. Then, on September 20, 2007, 70 Senators voted against that Feingold amendment. Then, on May 16, 2007, 67 Senators voted against that Feingold amendment.

We have 100 Senators, and 49 of us are Republicans. Not all of us agree on Iraq. So that meant that a substantial number of Democrats consistently voted against those Feingold amendments.

So I know Senator FEINGOLD is sincere and passionate in his beliefs, but it would seem to me that four votes are enough on this subject, and—as important as it is—we could turn our attention to other issues. But if the majority leader, for whatever reason, feels a need to bring this issue to the floor of the Senate, then we are ready to talk about it.

We are not all of one mind here, even on the Republican side. We have some on this side of the aisle who said when the Iraq Study Group report came out that it was a recipe for surrender. I disagreed with that and said so publicly and said so privately to the President. He was good enough to hear me out one-on-one. I find him to be a very good listener.

I, for one, am enormously impressed with General Petraeus's counterinsurgency strategy. I, like most of us, have had a chance to go to Iraq—in my case, two times to Iraq, and three times to Kuwait. I have had a chance last year in August to visit with General Petraeus and General Odierno and to go into the outskirts of Baghdad and to see an area where our soldiers were in camp and to have dinner with a group

of sheiks. One of the sheiks' sons had been murdered in his front yard, and they were fed up with the al-Qaida terrorists and were convinced that because the American forces were there, that the Iraqis could risk their lives by teaming with the American forces to run the terrorists out of town, which in many places they have done.

I still think it would have been better for our troops and it would send a clear message to the enemy if we had, as an administration and as a Congress, embraced the Iraq Study Group Report because it said basically what we are doing today. It said we need to change direction. We need to, No. 1, shift our mission, which we are doing. It specifically embraced the idea of a surge, if that was necessary. It rejected the idea of a specific deadline and said it should be subject to developments on the ground. It said we should identify a long-term but diminishing presence in Iraq, which we have been doing as a country. The Iraq Study Group Report said also that we should step up our diplomatic efforts. Its goal—not its binding effect but its goal—was that all of its recommendations could be accomplished more rapidly than has been done. That is true. But at the same time, it recognized that it was all subject to security developments on the ground.

So when we have a success—or it may be more accurate to say a series of small successes in a difficult arena such as Iraq—when we have military leadership such as General Petraeus and his team who have stuck to a new counterinsurgency strategy—at least new to Iraq that took our forces out of the Green Zone and placed them on the outskirts—when we have done that, then I think we ought to recognize that for what it is.

I am glad to have this opportunity to talk about Iraq and the progress we are making there. I hope we can make more there. I would like for more of our Tennesseans to come home. In the National Guard alone, we have had more than 10,000 Tennesseans in Iraq, some for a year, some twice, some three times. They are our uncles, and they are our aunts. They are our neighbors, our deputy sheriffs, the mayor of Lexington, the postmaster from Robbinsville. They have mortgages. They have kids. Ninety have died, 90 Tennesseans in this period of time. So it is good to have this discussion. If the majority leader wants to bring it up, we should. But I think at the same time we ought to recognize it for what it is. We have changed direction. The troops are coming out instead of going in. The mission is shifting. The role is diminishing. It will be there for a long time, and the diplomatic effort is stepped up. If that is succeeding, then our country is succeeding, and we can spend more time on other issues.

TORNADOES IN TENNESSEE

Now, if I may—I see the Senator from Florida may be wanting to speak, and if he would indulge me another 3 or 4 minutes, I wish to discuss what has happened in Tennessee with tornadoes in the last couple of weeks.

On the night of February 5, tornadoes began to hit Memphis at about 6 o'clock. While many people were watching the Tennessee-Florida basketball game safely in their homes, a tornado touched down in Macon County, TN, and stayed on the ground for 21 miles. More than two dozen people were killed.

Prior to that, it hit in Jackson, TN, nearly wiping out Union University. Fortunately, at Union University, president David Dockery had conducted drills, and the students had enough warning to get to the safest places in their dormitories, and no one was killed there. That was not by accident; it was because of good leadership. It was also because of a good early-warning system.

The point of my remarks tonight is that we sometimes hear in connection with disasters—particularly since Hurricane Katrina—that our disaster response system and our emergency response system isn't as good as it should be. I can't speak to every case, but over the last 30 years, as Governor for some years and in the Cabinet for 2 years and now in the Senate, I have seen a lot of disasters and tragedies. I have never seen an example where the local officials, the Governor of the State, and the President of the United States acted more rapidly, more effectively, or more humanely.

The Governor, Gov. Phil Bredesen of Tennessee, a Democrat, was on the scene immediately. He gathered all of his information—not too rapidly because he knows it needs to be accurate—and he had it to President Bush on the night of February 7 at about 7 p.m. By 10 p.m. President Bush had approved it—had called the Governor and approved individual and public assistance for five of the hardest hit counties. The Governor then went on to commit that the State would pay half of the local share of the disaster aid that needs to be paid.

I went with the President and Congressman GORDON and Senator CORKER to the Macon County area on the Friday after it hit. I visited Jackson last week. What I found was that FEMA has already received 3,700 applications from 14 approved counties. FEMA has distributed $1.9 million in 14 counties. The first small business loan was approved on the day I was there.

I visited those whose homes were blown away. It is a terrifying thought that in just 60 seconds everything is demolished. You don't know where to hide. But I also visited with the emergency responding team and a couple whose home was hit in Jackson, TN. They were told via the television at 6 o'clock that the tornado was coming, and they were told 10 minutes before it hit their house that if they lived on the north side of the interstate, the tornado would be there in 10 minutes, and it was. That was the kind of early warning system they had. And in Macon County, a tornado that hit at 9:30 at night has been anticipated. By midnight, FEMA personnel from Atlanta were at the Tennessee border at Chattanooga. And by 7 a.m. the next morning, disaster recovery centers were set up in Macon County.

I wish to express my admiration, first, for the local officials for doing a first-rate job; second, to FEMA and TEMA, the Tennessee emergency management professionals who were there on the spot; third, to Governor Bredesen who could not have done a better, more thorough, more sensitive job; and fourth, to the President and the Washington officials who were on the ball.

It is important occasionally to find the good and praise it in Government service, and in this case, I believe—well, I know—every single person I talked with in the west Tennessee area or the Macon County area felt as if the Governor, the President, and the local officials were doing everything they could to be helpful, and they were deeply grateful for it.

I yield the floor.

• Mr. MCCAIN. Mr. President, I strongly oppose, as I have before, the legislation offered by the Senator from Wisconsin.

This bill would mandate a withdrawal of U.S. combat forces from Iraq and cut off funds for our troops 120 days after enactment. The one exception would be for a small force authorized only to carry out narrowly defined missions. If this latest attempt sounds familiar, it should—the majority has thus far engaged in no less than 40 legislative attempts to achieve this misguided outcome. And, just like the 40 votes that preceded this one, the result of this effort will undoubtedly be the same.

The reason is clear. To pass such legislation would be to court disaster, and to set a date certain for the withdrawal of U.S. forces from Iraq, regardless of the conditions on the ground or the implications for our national security, would be tantamount to setting a date for surrender. Should we ignore the signs of real progress in Iraq and legislate a premature end to our efforts there, the Congress would be complicit in all the terrible and predictable consequences that would ensue.

The Senate, in facing this choice time and again over the past year, has voted against legislated surrender in Iraq. Instead, we have decided to build on the clear successes of our new strategy and to give GEN David Petraeus and the troops under his command the time and support they have requested to carry out their mission. The interests of America, the future of the Iraqi people, and the stability of the Middle East are the better for it.

But the Senate has come to this conclusion only after repeated attempts to do what the proponents of this bill would have us do today—bring the war in Iraq to a premature and disastrous

close through legislative fiat. If ever there was a case for precipitous withdrawal from Iraq—and I believe there never was—now is the last time anyone should consider such a step. If abandoning Iraq was a terrible idea when we were unsuccessful in our efforts there, it is a catastrophic proposal today, when we are winning.

The supporters of withdrawal said in 2007 that the surge could never work, that extra American brigades could do nothing to bring greater security to Iraq, that no new counterinsurgency strategy could succeed in protecting the population. We were losing in Iraq, they said, and nothing could change that. Some even declared that the war was already lost.

But they were wrong. As General Petraeus put it in his end of the year letter to the troops, ''A year ago, Iraq was racked by horrific violence and on the brink of civil war. Now, levels of violence and civilian and military casualties are significantly reduced and hope has been rekindled in many Iraqi communities.'' In fact, the surge has succeeded well beyond the projections of even most optimists. Let me cite a few examples.

In Baghdad, ethno-sectarian violence has fallen over 90 percent in a year. IED attacks in Baghdad are down by 45 percent since February 2007. The specter of civil war in Iraq's capital, a real threat when the surge began, has retreated significantly. The capital's population has begun to retake its streets, its schools, and its markets.

The remarkable progress is not confined only to Baghdad. Attacks have decreased in 17 of 18 provinces in Iraq since the surge began. In the country as a whole, attacks are down by some 60 percent and stand at the level experienced in early 2005 or even 2004. Car bombs across Iraq are down, the number of civilian deaths has fallen, and IED explosions are down, all by significant margins. Intelligence tips are up, discovery of weapons and explosive caches has increased, and al-Qaida is on the run, having been forced by U.S. and Iraqi troops out of the urban areas like Baghdad, Ramadi, Fallujah, and Baquba and into isolated rural areas. U.S. casualties, too, have fallen significantly, even in the midst of ongoing operations.

As GEN Barry McCaffrey put it in a recent report, Iraq is seeing ''dramatically reduced levels of civilian sectarian violence, political assassinations, abductions, and small arms/indirect fire and IED attacks on U.S. and Iraqi Police and Army Forces. This is the unmistakable new reality . . . The national security debate must move on to an analysis of why this new political and security situation exists—not whether it exists.''

In the face of such facts, it is beyond perplexing to see the proponents of this legislation seek not to consolidate our gains and ensure that they continue but, rather, to force a troop withdrawal that would reverse all of the achievements I just cited. Understanding what we now know—that our military is making remarkable progress on the ground, and that their commanders request from us the time and support necessary to succeed in Iraq—it is inconceivable that we in Congress would end this strategy just as it is succeeding.

This is not to say that all is rosy in Iraq. It is not, and neither I nor our military commanders make any such argument. The cumulative results of nearly 4 years of mismanaged war cannot be reversed overnight. Al-Qaida is on the run but has not disappeared, and we can expect them to fight back. Fighting among Shia factions in the south presents a significant challenge, and violence and crime remain at unacceptably high levels in a number of areas. The road in Iraq remains, as it always has been, long and hard. But this is an argument for continuing our successful strategy, not for abandoning it in favor of sure failure.

At some point last year, a few of the proponents of withdrawal from Iraq began conceding that the surge was having tangible, positive effects. They went on to argue, however, that securing the population was irrelevant, as the point of the surge was to see political progress and there had been none. Yet even while this new debate began, political progress at the local level took off across Iraq. Tens of thousands of Iraqis—most of them Sunnis who were, or would have been, part of the anticoalition insurgency—joined Concerned Local Citizens groups and aligned themselves with our efforts. Moqtada al-Sadr announced that the Mahdi army would observe a 6-month ceasefire, a pledge he renewed just last week for an additional 6 months. In Anbar and elsewhere, local populations turned to the coalition and against al-Qaida, turning that province from Iraq's most dangerous into one of its safest.

In the face of these new facts, supporters of withdrawal changed their argument yet again. Maybe the surge had brought about greater security, they said, and perhaps this had helped generate political progress at the local level, as counterinsurgency doctrine would suggest. But this was irrelevant, they said, so long as national level political reconciliation is lacking—and since we can never expect that, the troops must leave.

Yet they were wrong again. In January, the Iraqi Parliament passed the long-awaited debaathification law that restores the eligibility of thousands of former party members for government jobs lost because of their Baathist affiliation. Earlier this month, a provincial powers law passed that devolves a significant amount of power to the provinces and mandates new provincial elections by October 1 of this year. The Parliament passed a partial amnesty for detainees that can facilitate reconciliation among the sects, and it completed a landmark 2008 budget.

Again, these significant achievements come coupled with remaining challenges. Parliament has yet to pass an oil law, though oil revenues are being shared in its absence; the Maliki government remains unwilling to function and provide services as it must, and other difficulties abound. Yet it is telling that in his latest report, military analyst Anthony Cordesman said, ''No one can spend some 10 days visiting the battlefields in Iraq without seeing major progress in every area . . . If the U.S. provides sustained support to the Iraqi government—in security, governance, and development—there is now a very real chance that Iraq will emerge as a secure and stable state.''

No one can guarantee success in Iraq or be certain about its prospects. We can be sure, however, that should the U.S. Congress succeed in terminating the strategy by legislating an abrupt withdrawal and a transition to a new, less effective and more dangerous course—should we do that, then we will fail for certain.

Let us make no mistake about the costs of such an American failure in Iraq. Should Congress force a precipitous withdrawal from Iraq, it would mark a new beginning, the start of a new, more dangerous effort to contain the forces unleashed by our disengagement. If we leave, we will be back—in Iraq and elsewhere—in many more desperate fights to protect our security and at an even greater cost in American lives and treasure.

In his testimony before the Armed Services Committee in September, General Petraeus referred to an August Defense Intelligence Agency report that stated, ''. . . a rapid withdrawal would result in the further release of strong centrifugal forces in Iraq and produce a number of dangerous results, including a high risk of disintegration of the Iraqi Security Forces; a rapid deterioration of local security initiatives; al Qaeda—Iraq regaining lost ground and freedom of maneuver; a marked increase in violence and further ethno-sectarian displacement and refugee flows; and exacerbation of already challenging regional dynamics, especially with respect to Iran.''

Those are the likely consequences of a precipitous withdrawal, and I hope that the supporters of such a move will tell us how they intend to address the chaos and catastrophe that would surely follow such a course of action. Should we leave Iraq before there is a basic level of stability, we invite chaos, genocide, terrorist safehavens and regional war. We invite further Iranian influence at a time when Iranian operatives are already moving weapons, training fighters, providing resources, and helping plan operations to kill American soldiers and damage our efforts to bring stability to Iraq. If our notions of national security have any meaning, they cannot include permitting the establishment of an Iranian dominated Middle East that is roiled

by wider regional war and riddled with terrorist safehavens.

The supporters of this amendment claim that they do not by any means intend to cede the battlefield to al-Qaida; on the contrary, their legislation would allow U.S. forces, presumably holed up in forward operating bases, to carry out ''targeted operations, limited in duration and scope, against members of al Qaeda and affiliated international terrorist organizations.'' But such a provision draws a false distinction between terrorism and sectarian violence, between counterterrorism and counterinsurgency. Moving in with search and destroy missions to kill and capture terrorists, only to immediately cede the territory to the enemy, is the failed strategy of the war's first 4 years. We should not, and must not, return to such a disastrous course.

Americans were divided over this war from the beginning, and we remain so today. All of us want our troops to come home, and to come home as soon as possible. But how we leave—that is of the utmost importance. We must not leave, as the supporters of this amendment would have it, in a way that erodes all the security gains that our brave men and women have fought so hard to achieve and in a way that puts us on the road to surrender. The stakes are too high, we have come too far and sacrificed too much for that. Instead of surrendering, we should persevere with the pursuit of our strategic objectives: to defeat al-Qaida, not be defeated by it; to implant in Iraq the forces of stability and tolerance, not chaos and civil war; to demonstrate that America keeps its word with its friends and allies, rather than abandoning them to horrific consequences. The American soldiers we have sent to battle deserve to return to us with honor—the honor of victory that is due all of those who have paid with the ultimate sacrifice.

Before I close, I would note that there will be another vote soon on the motion to proceed to legislation requiring the administration to develop a new al-Qaida strategy within 60 days, and to report it to Congress. I oppose putting such a mandate in law for several reasons. The National Security Act of 1947 requires the President to transmit to Congress each year a comprehensive report on the national security strategy of the United States. Title 10 requires the Chairman of the Joint Chiefs of Staff to produce a national military strategy and to conduct a biennial review of that strategy, a review that was recently completed. The Chairman has indicated that a new national military strategy is under development and, of course, the next President will be required to issue a fresh national security strategy. In short there are, and will remain, a number of legislative requirements for security strategies that include a counterterrorism approach.

Finally, this bill would attempt to limit the President's use of the military by imposing dwell times for our forces. While I fully support the goal of achieving sustainable dwell times for our Armed Forces, I do not believe that we should try to force such a restriction on the President irrespective of any contravening interests.

Mr. President, as the debate over Iraq goes on, let us remember to whom and what we owe our first allegiance—to the security of the American people and to the ideals upon which our Nation was founded. That responsibility is our dearest privilege, and to be judged by history to have discharged it honorably will, in the end, matter so much more to all of us than any fleeting glory of popular acclaim, electoral advantage or office. I hope we might all have good reason to expect a kinder judgment of our flaws and follies because when it mattered most we chose to put the interests of our great and good Nation before our own and helped, in our own small way, preserve for all humanity the magnificent and inspiring example of an assured, successful and ever advancing America and the ideals that make us still the greatest Nation on Earth.●

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise today to express my concerns, shared by so many of my constituents in Pennsylvania and across the country, about the war in Iraq and how our efforts there have exacted a direct cost on the fight against al-Qaida and its affiliates in Afghanistan.

The bills introduced today by Senator FEINGOLD and Majority Leader REID have prompted an important debate about our national security. I believe it is our duty, as elected officials, to level with the American people on the war in Iraq, both on the reality of the situation on the ground and in the context of our Nation's broader strategic priorities. We must speak truth to the anxiety of the American people on what we are doing to make this country more secure.

Our Nation recently marked the 1-year anniversary of the President's decision to initiate a troop escalation into Iraq. We are quickly coming up on the fifth anniversary of the invasion of Iraq. As the President said in January of 2007, when announcing the goals of his troop escalation, ''Iraqis will gain confidence in their leaders and the government will have the breathing space it needs to make progress in other critical areas.'' Judged by those standards enunciated by the President himself, the surge has not worked. While we all welcome the reduction in violence, that metric was never the be-all and end-all in determining whether the surge worked.

Monday of this week, the Pentagon said it expected 140,000 U.S. troops would remain in Iraq this July, 8,000 more troops than when the President's troop buildup began in January of 2007.

These extended troop deployments have imposed a significant toll on a U.S. military already stretched dangerously thin by this war. We have provided Iraqis with some ''breathing space'' and violence in many parts of Iraq is, indeed, down. That fact is attributable to the fine men and women of our armed services and to their skills as the finest fighting force in history. Yet Iraq is still not a secure Nation because progress on the essential tasks of political reconciliation has not been achieved by the Iraqis. General Petraeus has been very clear on this point: The war in Iraq can only be won politically, not militarily.

Although the Bush administration immediately praised the three reform measures recently passed by the Iraqi Parliament, the package served only to postpone critical discussions on the future of the country and underscore the fractured State of the Iraqi Government. The Parliament approved a 2008 budget, passed a provincial powers law defining a division of responsibility between the central government in Baghdad and regional authorities, and issued an amnesty bill that may free thousands of prisoners from the disaffected Sunni community. But the potential details and implementation of these laws, especially on the amnesty bill, remain a critical question mark. What the Iraqi leadership failed to achieve and the decisions of Parliament chose to kick down the road, so to speak, is perhaps more notable than the short-term successes. The government has yet to tackle the most divisive issue in Iraq, and that is this: who controls the country's oil and how to distribute the proceeds. To take the most egregious example, the Kurdistan regional government in the north passed its own oil law last August, signing dozens of contracts with international oil firms, which the central government in Baghdad deems illegal. The Iraqis have devised a de facto approach for splitting oil proceeds in the short term, but that arrangement is vulnerable to breakdown at any time.

Legislative accomplishments by the Iraqi Parliament are welcome but can be very deceiving. So long as the very parliamentarians who passed these recent bills cannot leave the Green Zone without fear of assassination attempts or suicide bombings, Iraq remains an unsecured nation.

Just as Iraqi progress on internal reconciliation is sorely lacking, I am also distressed by our short-term strategy of pacifying local actors in Iraq to improve security while ignoring the underlying political and sectarian fault line in Iraq. In short, this approach is not sustainable and is undermining—undermining—our overarching objective of national reconciliation.

At the same time we speak of bridging the sectarian divides, the U.S. ''awakening strategy'' in western and central Iraq is arming Sunni tribal leaders and integrating former insurgents into the rough equivalent of militias—all in a process separate from and parallel to the national armed forces of Iraq.

As an article in Time magazine recently noted, a number of these ''concerned local citizens'' militias, organized and supported by the U.S. military, are now turning on each other in a contest for influence and territory. The Shia-led central government views these armed militias as undermining its central authority and has balked at integrating large numbers of Sunnis into the national Iraqi security forces. So at this point we must ask ourselves whether the U.S. Government, in service of a worthy but short-term objective of suppressing violence in Iraq, is only paving the road for a large-scale future conflict by arming sectarian groups separate from the national army and police. That is an important question we must consider.

Let me say, Mr. President, sometimes short and telling anecdotes tell a story. We have read recently that the Iranian President, Mr. Ahmadinejad, will make a visit to Baghdad next week for talks with Prime Minister al-Maliki and other officials. This visit has already been announced, with details of his itinerary available to the press and the public. By sharp contrast, when President Bush, Secretary Rice and/or Secretary Gates visit Iraq, they travel to Baghdad unannounced and rarely leave the fortified walls of the Green Zone.

Another example. When Senator DURBIN and I visited Iraq last August, we flew from the airport to the Green Zone in low-flying, fast-moving helicopters practicing evasive maneuvers. Here is a question we should ask ourselves: Why can the Iranian President drive in an open manner into Baghdad while U.S. leaders must sneak into the country under the cloak of darkness? Five years into our occupation of Iraq, what does this say about our role in Iraq and the security of that nation?

As Iraq continues to dominate the attention and resources of our Government, it clouds and confuses our long-term U.S. strategic priorities. I remain troubled, as so many others here remain troubled, that a ''Declaration of Principles'' signed on November 26, 2007, by President Bush and Prime Minister al-Maliki commits our Nation to ''providing security assurances and commitments to the Republic of Iraq to deter future aggression against Iraq that violates its sovereignty and integrity of its territories, waters, or airspace.'' That is what the Declaration of Principles says in part.

Although Secretary Rice assured me during a recent Senate Foreign Relations hearing that no such commitments will be extended to Iraq, I remain deeply skeptical. In concert with my colleagues, I will continue to exercise vigorous oversight to ensure that President Bush does not lock the United States into a binding and long-term security commitment to Iraq.

It is time to refocus our energies and our efforts on the ''forgotten war'' in Afghanistan. Our focus on Iraq has distracted from and undermined the central front in the war on terrorism.

ADM Mike Mullen, the Chairman of the Joint Chiefs of Staff, recently testified before Congress, and he said:

> In Afghanistan, we do what we can. In Iraq, we do what we must.

With all due respect to Admiral Mullen, he has it wrong. We should do what we must in both places.

We know that 6 years ago America was fighting and winning the war in Afghanistan, and al-Qaida and the Taliban were on the run. But instead of staying and accomplishing our mission in Afghanistan by hunting down those who planned the 9/11 attacks, this administration diverted our attention to Iraq. Today, the Taliban has returned with a vengeance and controls more territory than at any time since its ouster in 2001. Afghanistan is on the brink of becoming yet again a failed state and thus a safe haven for al-Qaida to launch deadly attacks, including against the American homeland.

Three recent bipartisan reports on Afghanistan concluded that the situation on the ground is dire. One report, coauthored by retired general Jim Jones and Ambassador Thomas Pickering, puts it bluntly, and I quote in part:

> The progress achieved after 6 years of international engagement is under serious threat from resurgent violence, weakening international resolve, mounting regional challenges, and a growing lack of confidence on the part of the Afghan people about the future direction of their country. The United States and the international community have tried to win the struggle in Afghanistan with too few military forces and insufficient economic aid, and without a clear and consistent comprehensive strategy.

That is the Jones and Pickering report from which I am quoting.

When Secretary of Defense Gates is forced to go public with criticisms of the refusal of our NATO allies to deploy more forces in Afghanistan and his skepticism of their ability to conduct counterinsurgency operations, we must admit that the situation on the ground is getting worse in Afghanistan, not better. Military officials expect the coming year to be even more deadly, as the Taliban becomes more deadly and deploys greater numbers of suicide bombers and roadside explosives. U.S. forces remain largely isolated in Afghanistan, with key NATO allies refusing to provide ground support and imposing onerous restrictions on where and how they can fight. The end result is that the very future of NATO, the most successful alliance in modern history, is now in grave danger.

In a welcome display of straight-talk, Secretary Gates admitted that the very reason large segments of the European public do not support NATO operations in Afghanistan is due to their antipathy toward U.S. policy in Iraq. Secretary Gates recently asserted in Munich:

> Many of them, I think, have a problem with our involvement in Iraq and project that to Afghanistan, and do not understand the very different—for them—the very different kind of threat.

That is what Secretary Gates said recently.

Mr. President, let me conclude with this thought: The war in Iraq has indeed strained our military, limiting the number of combat divisions we can provide in Afghanistan. It has undermined our global leadership, depriving us of the moral authority to demand more of our allies, and it has diverted the attention of our senior military and civilian leadership, allowing the Taliban to mount a comeback under our very eyes. We are losing a war we cannot afford to lose in a futile and misguided effort to force success in another conflict that can only be won politically, not militarily. Our priorities are tragically mistaken, and our Nation is paying a severe cost.

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. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. REID. Mr. President, S. Res. 460 concerns a civil action filed in the U.S. District Court for the District of Columbia. The National Association of Manufacturers is challenging the constitutionality of section 207 of the Honest Leadership and Open Government Act of 2007, which amended the Lobbying Disclosure Act of 1995 to strengthen the reporting requirements for coalitions and associations that engage in lobbying activities.

As amended, the law mandates that registrants disclose the members of their organization that contribute more than $5,000 in a quarterly period to the lobbying activities of the organization and ''actively participate in the planning, supervision, or control of such activities.'' Under prior law, disclosure was required of those members who contributed at least $10,000 for lobbying semiannually but only if those members ''in whole or in major part'' planned, supervised, or controlled such lobbying activities.

The plaintiff National Association of Manufacturers alleges that its members face sustained injury to their first amendment rights, including their right to anonymous policy speech, and seeks to prevent the enhanced disclosure requirements from taking effect

on the initial quarterly period filing date, April 21, 2008.

NAM named as defendants the U.S. attorney for the District of Columbia, the Secretary of the Senate, and the Clerk of the House. The Secretary and the Clerk are responsible for providing guidance and assistance on lobbying disclosure requirements, receiving lobbying registration and report filings, reviewing, inquiring, and verifying the accuracy of the filings without investigating, notifying lobbyists that appear not to be in compliance with the law, and notifying the U.S. attorney of lobbyist who have been so notified and have failed to submit an appropriate response. The U.S. attorney has the duty to enforce the disclosure requirements through civil, and, under the new law, criminal, actions.

This resolution authorizes the Senate legal counsel to represent the Secretary of the Senate to defend the constitutionality of the lobbying disclosure amendment in the Honest Leadership and Open Government Act and to seek dismissal of the action, in conjunction with counsel for the House of Representatives and the Department of Justice.

Senate counsel will present to the court the bases for the Congress's judgment, after more than a dozen years of experience under the Lobbying Disclosure Act, that enhanced reporting requirements are necessary to inform Congress and the public of the identity of those organizations actively participating in lobbying the Federal Government. As Justice Louis Brandeis famously wrote, ''Sunlight is said to be the best of disinfectants.''

The lobbying amendments enacted last year were an important part of the Congress's efforts to restore public confidence through integrity and openness in Government and lobbying activities. Disclosure of the identities of organizations that actively participate in supervising or planning lobbying campaigns will yield a sizable public benefit while imposing a modest burden on the exercise of the right of organizations such as the National Association of Manufacturers freely to associate to petition the Government in furtherance of their legislative agenda.

REMEMBERING DENISE ANN PHOENIX

Mr. REID. Mr. President, I rise today to recognize Denise Ann Phoenix, a role model, native Nevadan, and hero. Ms. Phoenix, known by her nickname ''Auntie,'' devoted her life to improving her Native American community and promoting child safety. Following in the footsteps of her father, Leroy Phoenix, Sr., she pursued a career in law enforcement and became one of few women to serve as an investigator with the Bureau of Indian Affairs. She died in the line of duty on February 14, 2008, after coming into contact with an unidentified substance and contracting a fatal lung disease. She was 42 years old.

Ms. Phoenix grew up on the Pyramid Lake Paiute Reservation in northern Nevada. After graduating from Sparks High School, she began her career as a tribal ranger on the reservation and later became BIA chief of police of Carson City, NV. She emphasized the importance of community-oriented policing and her service was exemplary. She will continue to be an inspirational example to young Native American women.

The dedication Ms. Phoenix demonstrated as an officer was complemented by her dedication to children. In 2000, she lost her own children, Shasta and Justin, along with her brother Ronald, to a car accident along the Pyramid Highway in Sparks, NV. In response to this devastating tragedy, she established youth outreach programs in her children's memory. She was also instrumental in getting a median divider installed on the stretch of road where the accident occurred, once again showing her profound commitment to the safety of others.

Though I am saddened by her passing, I share with this body my gratitude for her devotion to her community. I also extend to her family, friends, and colleagues my condolences.

PRESERVE ACCESS TO AFFORDABLE GENERICS ACT

Mr. KYL. Mr. President, I ask unanimous consent to have the following letter from the Justice Department commenting on S. 316, the Preserve Access to Affordable Generics Act, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF, LEGISLATIVE AFFAIRS,
Washington, DC, February 12, 2008.

Senator Jon Kyl,
U.S. Senate,
Washington, DC.

DEAR SENATOR KYL: This responds to your request for the Department's views regarding the competitive implications of S. 316, the ''Preserve Access to Affordable Generics Act.'' S. 316 addresses the issue of reverse payments associated with the settlement or resolution of an infringement lawsuit in the context of the Hatch-Waxman Act. The bill would make it a per se violation of the antitrust laws to be a party to an agreement in which an Abbreviated New Drug Application (ANDA) filer receives value and agrees not to research, develop, manufacture, market, or sell the ANDA product for any period of time. The Department believes that the bill addresses a serious competition issue, but, for the reasons discussed below, the Department has concerns with this bill as drafted.

As an initial matter, there is the potential for such settlements to be anticompetitive. For example, if the potential losses in profits due to increased competition from entry by the ANDA filer are large, the ANDA filer may be persuaded to drop a strong claim of patent invalidity or non-infringement in return for significant payments. As described below, however, settlements between an ANDA filier and the patent holder also can benefit consumer welfare. Accordingly, the Department of Justice does not believe per se liability under the antitrust laws is the appropriate standard. Per se liability generally is reserved for only those agreements that unequivocally have an anticompetitive effect, while a rule of reason analysis is better suited to instances when the economic impact of the agreement is less certain. In this context, per se illegality could increase investment risk and litigation costs to all parties. These factors run the risk of deterring generic challenges to patents, delaying entry of competition from generic drugs, and undermining incentives to create new and better drug treatments or studying additional uses for existing drugs.

The United States has a strong policy of encouraging settlement of litigation. A settlement reduces the time and expense of litigation, which can be quite substantial. Further, it reduces the uncertainty associated with the pending litigation. A settlement can thereby free up management time and resources and reduce risk, enabling a company to focus on developing new and better products.

The Hatch-Waxman Act context presents a distinct set of circumstances, but settlements creates a structure designed to encourage generic drug makers to challenge these patent rights by asserting either that the relevant patents are not valid or that the generic version would not infringe the patents. Among other things, the Hatch-Waxman Act provides an opportunity for the generic company and the patent holder to litigate those issues prior to the generic's launch of a potentially infringing product. Thus, unlike most patent litigation in which the patent holder has a claim for damages, the patent holder in the Hatch-Waxman context typically has no claim for damages because the generic company has not yet launched a product.

In any patent litigation, the principle means available to the patent holder to induce the generic company to settle the litigation is to offer something of value. If the patent holder has a damages claim for infringement, it can offer to reduce or waive its damages. However, in the Hatch-Waxman context the patent holder typically has no damages claim, so its only means of offering value to induce a settlement is to offer to transfer something of value, such as cash or other assets. Under S. 316, the only value that a patent holder could offer to settle a patent infringement claim would be ''the right to market the ANDA product prior to the expiration of the patent'' at issue (i.e., waiving its patent rights in whole or in part). The per se liability under S. 316 eliminates any other transfer of value if the settlement also includes a provision requiring the generic company to respect for any period of time the patent holder's right to exclude under the patent. The net result may be to reduce the likelihood of potentially beneficial settlements and to increase the risk that a generic company would need to litigate a case to judgment (and through an appeal in many instances). Patent holders would face greater disincentives to investing in research and development of new and better treatments if they had to litigate every challenge to a judgment and through an appeal. Further, such litigation can take many years to complete and will divert the time, attention and resources of both parties during that time.

Settlement should not serve as a vehicle to enable patent holders to preserve or expand invalid or non-infringed patents by dividing anticompetitive profits with settling challengers. However, the public policy favoring settlements, and the statutory right of patentees to exclude competition within the scope of their patents, would potentially be

frustrated by a rule that subjected patent settlements involving reverse payments to automatic or near-automatic invalidation. These competing considerations suggest that an appropriate legal standard should take into account the relative likelihood of success of the parties' claims and the potential benefits of a settlement in a given situation. It is important that parties maintain the ability to settle, and that the law permit flexibility for settlement negotiations to capture efficient agreements that are motivated by legitimate business objectives rather than anticompetitive goals.

Finally, we note that subsection 4(a) of the bill appears to contain a typographical error. We believe that the intended reference to the United States Code should be ''21 U.S.C. 355 note'' (rather than section ''3155'').

Thank you for the opportunity to present our views. Please do not hesitate to call upon us if we may be of additional assistance. The Office of Management and Budget has advised us that, from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

BRIAN A. BENCZKOWSKI,
Principal Deputy Assistant Attorney General.

SCHOOL SAFETY AND LAW ENFORCEMENT IMPROVEMENT ACT

Mr. LEAHY. Mr. Presdient, since my last statement on the need for prompt congressional action to address incidents involving threatening conduct and, too often, deadly acts of violence at our schools and college campuses nationwide, the violent incidents have continued, with tragic results.

In the week between February 8 and February 15, there were at least four incidents at schools and universities resulting in death or serious injury to victims of all ages.

On February 8, a female student killed two other students, and then herself, inside a classroom on the campus of Louisiana Technical College in Baton Rouge. Three days later, a student at Mitchell High School in Memphis, TN, was left in critical condition after a violent incident in the school's cafeteria. The day after that, a 15-year-old boy at E.O. Green Junior High in Oxnard, CA, was critically wounded by a classmate. He was later declared brain dead.

Then, on February 14, tragedy struck at Northern Illinois University. A former student opened fire in a geology class, killing 5 students and wounding 16, before killing himself. As hundreds of mourners remembered one of the Northern Illinois University victims at a funeral service on February 19, more than 1,000 Virginia Tech students gathered in solidarity for a candlelight vigil in Blacksburg, VA.

It has been over 10 months since the horrific incident at Virginia Tech resulted in the tragic deaths of 32 students and faculty members, and serious injuries to many other innocent victims. During that time, we have seen a barrage of new incidents at our schools and college campuses nationwide.

The Judiciary Committee reported out the School Safety and Law Enforcement Improvement Act of 2007, S. 2084, more than 6 months ago to address these incidents. Regrettably, the Senate has failed to take up and pass that bill to improve school safety. This comprehensive legislation should be considered and passed without further delay.

In originating the bill more than 6 months ago, the Judiciary Committee showed deference to Governor Tim Kaine and the task forces at work in Virginia, and sought to complement their work and recommendations. Working with several Senators, including Senators BOXER, REED, SPECTER, FEINGOLD, SCHUMER, and DURBIN, the committee originated this bill and reported it at the start of the 2007 academic year. My hope was that Congress would adopt these critical school safety improvements last fall.

The recent incidents at E.O. Green Junior High, Mitchell High School, LA, Technical College and Northern Illinois University are just a few of the tragic events that have claimed the lives or resulted in serious injuries to students in the past few months. Since this bill was reported out of the Judiciary Committee, we have seen tragic deaths at Delaware State University and the University of Memphis, and grievous injuries sustained by students and teachers at SuccessTech Academy in Cleveland, OH. We have also seen numerous lockdowns nationwide as a result of threatening conduct in our schools, including recent lockdowns at Fern Creek High School in Louisville, KY, and St. Peter's College in Jersey City, NJ.

The School Safety and Law Enforcement Improvement Act would address the problem of violence in our schools in several ways. The bill authorizes Federal assistance for programs to improve the safety and security of our schools and institutions of higher education, provides equitable benefits to law enforcement serving those institutions including bulletproof vests, and funds pilot programs to develop cutting-edge prevention and intervention programs for our schools. The bill also clarifies and strengthens two existing statutes—the Terrorist Hoax Improvements Act and the Law Enforcement Officers Safety Act—which are designed to improve public safety.

Specifically, the bill would improve the safety and security of students both at the elementary and secondary school level and on college and university campuses. The K–12 improvements are drawn from a bill that Senator BOXER introduced last April, and I want to thank Senator BOXER for her hard work on this issue. The improvements include increased funding for much-needed infrastructure changes to improve security as well as the establishment of hotlines and tip-lines, which will enable students to report potentially dangerous situations to school administrators before they occur.

To address the new realities of campus safety in the wake of Virginia Tech and more recent college incidents, the bill also creates a matching grant program for campus safety and security to be administered out of the COPS Office of the Department of Justice. The grant program would allow institutions of higher education to apply, for the first time, directly for Federal funds to make school safety and security improvements. The program is authorized to be appropriated at $50,000,000 for the next 2 fiscal years. While this amounts to just three dollars per student each year, it will enable schools to more effectively respond to dangerous situations on campus.

The bill would also make sworn law enforcement officers who work for private institutions of higher education and rail carriers eligible for death and disability benefits, and for funds administered under the Byrne grant program and the bulletproof vest partnership grant program. Providing this equitable treatment is in the best interest of our Nation's educators and students, and will serve to place the support of the Federal Government behind the dedicated law enforcement officers who serve and protect private colleges and universities nationwide. I commend Senator JACK REED for his leadership in this area.

The bill helps law enforcement by making improvements to the Law Enforcement Officers Safety Act of 2003, LEOSA. These amendments to existing law will streamline the system by which qualified retired and active officers can be certified under LEOSA. It serves us all when we permit qualified officers, with a demonstrated commitment to law enforcement and no adverse employment history, to protect themselves, their families, and their fellow citizens wherever those officers may be.

The bill focuses on prevention as well, by incorporating the PRECAUTION Act at the request of Senators FEINGOLD and SPECTER. This provision authorizes grants to develop prevention and intervention programs for our schools.

Finally, the bill incorporates the Terrorist Hoax Improvements Act of 2007, at the request of Senator KENNEDY.

The Senate should move forward and act. The Virginia Tech Review Panel—a body commissioned by Governor Kaine to study the Virginia Tech tragedy—has already issued its findings based on a 4-month long investigation of the incident and its aftermath. This bill would adopt a number of recommendations from the review panel aimed at improving school safety. We must not miss this opportunity to implement these initiatives nationwide, and to take concrete steps to ensure the safety of our kids. I hope the Senate will promptly move forward to invest in the safety of our students and better support law enforcement officers across the country by considering and passing the School Safety and Law Enforcement Improvement Act of 2007.

THE MATTHEW SHEPARD ACT

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.

In the early morning hours of February 15, 2008, a young man and his friend were passing through Temple University's campus in Philadelphia, PA, when they found themselves in a physical fight with four Temple students. According to reports, the two non-Temple students were standing in front of a traditionally Jewish fraternity house when they were accosted by the four attackers. One of the four allegedly asked the two visitors if they were Jewish. When they replied that they were not, one of the Temple students evidently began to yell, ''We hate Jews! We hate Jews!'' According to police, one of the two victims was seriously injured and suffered a broken nose and fractured right eye socket. Temple released a letter characterizing the incident as a hate crime. The attackers have been suspended pending a University Disciplinary Committee hearing, while Philadelphia police are pursuing criminal charges and have issued warrants for the suspects' arrest.

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.

INDIAN HEALTH CARE IMPROVEMENT ACT

Mr. LIEBERMAN. Mr. President, I regret having missed the final vote for the Indian Health Care Improvement Act of 2007. I support the passage of this bill and would have voted in the affirmative.

It has been over 15 years since the Indian Health Care Improvement Act has been reauthorized. It is critical to strengthen the provision of care, through the Indian Health Service, IHS, to American Indian and Alaska Native populations, who suffer from significant health disparities compared to the general U.S. population, including a life expectancy that is 2.4 years lower, and significantly higher death rates from tuberculosis, alcoholism, diabetes, suicide, and infant mortality.

The Indian Health Service derives its authorities from the Indian Health Care Improvement Act and its mission is to improve the health status of American Indians and Alaskan Natives by constructing, maintaining, and managing health care delivery and sanitation systems through a network of 49 hospitals, 6,500 IHS, tribal, and private contract facilities. The IHS provides ambulatory, emergency, dental, and preventative health services to 58 percent of the 3.3 million American Indians and Alaska Natives; however, it is confronting these challenges with significant health care workforce shortages. Anywhere from 12 to 32 percent of positions for dentists, nurses, optometrists, physicians, and pharmacists, among other health professionals, are currently vacant. Thus, the passage of this legislation is critical to strengthening the IHS and providing critical services to American Indians and Alaskan Natives.

Specifically, the reauthorization will improve the recruitment and retention of health providers in the IHS, provide support for American Indians and Alaska Natives to enter the health professions, provide funds for the construction of health and sanitation facilities, expand Medicare, Medicaid, and CHIP reimbursement and enrollment to all American Indians and Native Alaskans health programs, eliminate Medicare and CHIP cost-sharing and premiums for American Indians and Native Alaskans served by tribal health programs, improve IHS information systems, billing, and patient care and training, mandate that the Departments of the Interior and Health and Human Services design a comprehensive approach to behavioral health assessment, treatment, and prevention services, establish a National Bi-Partisan Commission on Indian Health Care to study the delivery of services to American Indians and Native Alaskans, require an annual report to Congress on the enrollment and health status of American Indians and Native Alaskans served by Federal health programs, reauthorize the Indian Health Care Improvement Fund to support health promotion and disease prevention programs, cancer screenings, epidemiological and health services research, and catastrophic healthcare, and modernize health care delivery for American Indian and Native Alaskan seniors requiring long-term care, hospice, home/community-based care, and assisted living.

I commend the work of both the Senate Indian Affairs and Finance Committees and, most importantly, Senators DORGAN and MURKOWSKI for their leadership and commitment to this bill.

HONORING THE 4TH BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION

Mrs. HUTCHISON. Mr. President, I rise today to honor the outstanding service of the 4th Brigade Combat Team, 1st Cavalry Division, as they complete their service in Iraq and return to their loving families.

I am so proud of the brave servicemembers of the 4–1 Cavalry who have sacrificed so much to keep our Nation safe. I also appreciate the commitment of their family members, who have borne a heavy burden to advance the cause of liberty. All of them deserve our sincere appreciation and gratitude.

Since September 11, 2001, our Nation has been at war with terrorists who are determined to kill innocent Americans and destroy freedom around the world. We cannot let that happen. Our country has the greatest capacity and will to fight for freedom. If freedom dies in America, it will die throughout the world. I have no doubt we will win this war because our Nation is blessed to have heroes like the courageous men and women of the 4–1 Cavalry.

The 4th Brigade Combat Team, 1st Cavalry Division command team, consists of COL Stephen Twitty and CSM Stephan Frennier. The brigade combat team is a relatively new unit that activated on October 18, 2005, at Fort Bliss, TX. The subordinate units consist of the 1st Battalion, 9th Cavalry Regiment, 2nd Battalion, 7th Cavalry Regiment, 2nd Battalion, 12th Cavalry Regiment, 5th Battalion, 82nd Field Artillery Regiment, 4th Brigade Special Troops Battalion, and the 27 Brigade Support Battalion.

The 4th Brigade Combat Team received orders to deploy to Iraq in support of Operation Iraqi Freedom in July of 2006. Upon completion of mission readiness exercises and a rotation at the national training center, the 4–1 Cavalry began to deploy in September of 2006.

By their first anniversary, the 4–1 Cavalry arrived in Ninewa Province, the second largest province in Iraq. The 2–12 Cavalry deployed to Baghdad to augment the 1st Infantry Division.

The brigade headquarters was based in Mosul, Ninewa's provincial capital, which is the site of the biblical city of Ninewa. The province, slightly larger than the State of Maryland, is in the extreme northern part of Iraq. It borders Syria to the west and is comprised of Sunni Arabs, Shia Arabs, Turkmen, and Christians. The mission of the 4–1 Cavalry was to build capable Iraqi security forces, to conduct counterinsurgency operations in order to neutralize anti-Iraqi forces and to transition responsibility for defeating the insurgency to the Iraqi security forces, and the provincial government. They performed that mission superbly.

Despite being subjected to IEDs, VBIEDs, and small arms fire, the members of the 4–1 Cavalry did an outstanding job protecting the people of Ninewa Province. Due to their professionalism and courage, attacks in the province went from 15 to 18 per day in December of 2006 to 7 to 9 attacks per day by September of 2007. In conjunction with their Iraqi counterparts, they

also found several tons of military grade weapons and IED-making material and detained over 1,500 insurgents. Altogether, they overcame numerous challenges, and through courage and dedication, they succeeded beyond anyone's expectations. They have much to be proud of.

On February 27, 2008, the city of El Paso will hold a parade to honor the brave men and women of the 4–1 Cavalry. Our Nation is a better place because of their service and sacrifice on behalf of a noble cause. We can never forget them or their family members. We honor their struggles and successes in that mission.

It is with sincere gratitude that I recognize them today.

NATIONAL PEACE CORPS WEEK

Mr. DOMENICI. Mr. President, I rise today to commemorate National Peace Corps Week and to honor more than 190,000 Peace Corps Volunteers from both my home State of New Mexico and across the Nation. Each year these courageous men and women embark on a 2 year journey to help develop the societies of 139 countries around the world.

Almost 47 years ago, then Senator John F. Kennedy challenged students at the University of Michigan to serve their country by peaceably living and working to develop another country. Over the years, volunteers have made significant and lasting contributions around the world by educating people on basic health issues, performing youth outreach, developing businesses, and offering assistance to small farmers to increase food production.

Today, over 8,000 volunteers are serving in the communities of 74 countries. Many Peace Corps volunteers from New Mexico are currently posted in Bolivia, Ecuador, and Honduras. Volunteers range in age from 25 to 80, with varying levels of education including individuals with undergraduate and graduate degrees. Additionally, the Peace Corps offers programs that support academic studies once a term of service has concluded, which allows many volunteers to further their education after their self-sacrificing service.

The experience volunteers take back with them from their host countries helps shape the course of their lives. Lifelong connections and friendships span these gaps of distance, and volunteers have the satisfaction of not only a job well done, but also of the positive image they created for our Nation.

Throughout this week of celebration, I encourage Americans to ask themselves, ''What can I do for my country?''

ADDITIONAL STATEMENTS

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

UNITED STATES ARMY'S RESIDENTIAL COMMUNITIES INITIATIVE

• Mrs. CLINTON. Mr. President, I am proud to recognize a truly successful program that, over the past decade, has made important contributions to improving quality of life for our soldiers and their families. Now entering its 10th year, the Residential Communities Initiative, or RCI, has brought together members of the private real estate community and the Army to build new family housing, and upgrade and modernize existing family housing, on flagship Army bases all across the country.

Back in 1996, the Army faced the enormous and costly challenge of replacing and renovating its aging and substandard family housing. Too many soldiers and their families were living in inadequate housing. According to the Army itself, roughly 70 percent of housing needed replacement or renovation at an estimated cost of $7 billion. It was clear that action had to be taken, and in 1996, Congress established the framework for what would become the Residential Communities Initiative when it authorized the Military Housing Privatization Initiative.

Under the MHPI umbrella, the Residential Communities Initiative was presented in 1999 as one significant component of the Army's plan to address this challenge of overhauling inadequate family housing. Thanks in large part to the visionary leadership and hard work of my friends, Congressman CHET EDWARDS of Texas and then-Assistant Secretary of the Army for Installations, Logistics and Environment Mahlon Apgar, RCI successfully navigated both the Pentagon bureaucracy and a maze of congressional committees to come to fruition.

Congressman EDWARDS's advocacy of RCI was particularly important and is just one example of his many successful efforts to improve quality of life for our troops and veterans. Congressman EDWARDS works on these critical issues as cochairman of both the House Army Caucus and the USO Congressional Caucus. Most recently, in 2007, as chairman of the Military Construction and Veterans' Affairs Appropriations Subcommittee, Congressman EDWARDS authored the largest VA budget increase in the VA's 77-year history.

Indeed, both Congressman EDWARDS and Secretary Apgar should be proud of what their efforts have since spawned. RCI has made, or will be making, its way to 45 different Army installations all across the United States, from Fort Lewis in Washington State to Fort Hood in Texas to Fort Drum and Fort Hamilton in my home State of New York. At each of these bases, RCI has helped to provide our soldiers and their families with the kind of modern, quality housing choices that they deserve. In less than 10 years, more than 86,000 houses have been transferred to public-private partnerships under RCI, and thousands of Army families have already benefited from renovation and new construction completed under RCI.

This initiative has not only been good for our soldiers and their families but also for American taxpayers. In the last decade, more than $10 billion of new private capital has been invested under the RCI program, compared with roughly $1 billion in government equity. In other words, RCI has produced a ten-fold return on our public investment.

With so many of our brave servicemembers serving the Nation in Iraq, Afghanistan, and elsewhere around the world, it is our responsibility to ensure that they and their families have all of the support that they need and deserve here at home. This not only includes the best health care available but also modern, clean, and comfortable housing choices. I invite my fellow Senators from both sides of the aisle to join me in applauding the Residential Communities Initiative and its early champions, CHET EDWARDS and Mahlon Apgar, for doing so much to enhance quality of life for our Army families.•

HONORING FALLEN HEROES

• Mr. BROWNBACK. Mr. President, I rise to acknowledge the sacrifice of our young men and women in the Armed Forces. Yesterday, I was fortunate enough to meet my friend, Albert Carey Caswell, a respected member of the Capitol Guide Service staff, in the Halls of the Capitol. He has written a poem in honor of Army SGT Jeff Mersman from my hometown of Parker, KS. Sergeant Mersman died in Afghanistan while on his fourth tour of duty with the 2nd Battalion, 503rd, Airborne Infantry Regiment, 173rd Airborne Brigade Combat Team. I ask to have printed in the RECORD Mr. Caswell's poem in memory of SGT Jeff Mersman and all those heroes like him who gave their lives so valiantly for our country.

We owe them a debt which can never be repaid.

The poem follows:

WHO WILL GO?

Who Will Go?
And who will live, and who will die? And not ask why! a Mother cries, as her sweet child has died. . . Who will go? A Mother cries!

Who will lead?
So that we all can so live in peace. Who will die, and who will bleed?
Who will go, so that we all can so succeed?

Who will serve?
Who will hear that call, that cry. . .those most solemn words?
Who will bring a better world? Who will go? Out into the face of hell, with but their magnificent flags unfurled!

So our children can awake. . .
In a better world, with but smiles in their hearts and souls. . .as their first steps they so take!
Who will go?

Who will leave, their loved ones behind so?
With brothers and sisters in arms, together bonding into such an angelic glow. . .
Who will go?
Who will leave all that they so love?

Out there into the darkest of all evils, to so rise above!
Who will go?

Who will give up their fine young lives?
To Save The World, all in their most magnificent short lifetimes so unfurled?
Who will go?

All we have. . .
Are but moments in time!
In our short lives! To grab hearts, to Heaven rise. . .To Make A Difference. . .in all our short lives!

Who will give?
Give up their arms and legs, their bright eyes and faces so have all of they! And take up that charge?
To so make our world, a better place to live? Who will go?

What families shall live?
With such heartache, because to this country their fine sons and daughters lives did so give!
Who will cry? And who will go?

Who up to Heaven shall so rise?
All of those fine patriots, whom have so died. . . and all of those loving mother's now with tears in eyes!
And all of those fine families, All of these, and all of those!
To Heaven, They Will Go! They will go!
Amen!●

IDAHO TEENS RAISE AWARENESS OF DATING VIOLENCE

● Mr. CRAPO. Mr. President, during the first full week of February this year, we recognized the third annual National Teen Dating Violence Awareness and Prevention Week. In addition to the U.S. Senate, close to 50 national, State, and local agencies and organizations and many Governors also participated in the awareness efforts this year. Domestic violence and legal advocates, education and child advocacy organizations, public officials and law enforcement have joined this nationwide effort to raise awareness of teen dating violence. I am pleased to report that Idaho students, under the guidance of the Idaho Coalition Against Sexual and Domestic Violence, are among the Nation's leaders in this campaign. Members of the Idaho Teen Advisory Council, a coalition of Idaho teens from cities and towns statewide, have volunteered to be the first voices speaking out against dating violence and emotional abuse in their respective communities and schools.

As we look back on another successful Teen Dating Violence Awareness and Prevention Week, I would like to call public attention to the following Idaho students who work to promote healthy relationships among their peers not just during the awareness week but all year long:

Sarah Marie Grigg from Pinehurst; Katherine Kilbourne from Osburn; Tiffany Delphous from Elk River; James Walker from Orofino; Benjamin Allen from Kooskia; Kyle Conger from Kooskia; Samantha Larsen from Weiser; Megan Keller from Kuna; Kelsey Eldridge from Boise; Katie Seale from Boise; Christi Avery from Boise; Challis Lewis from Jerome; Bronwen Kate Raff from Hailey; Erika Ramirez from American Falls; Monique Betty from Pocatello; Natalie Milligan from Idaho Falls; Jordyn Bochenek from Rexburg; Jaden Cook from Rexburg/Madison High, and Haley Nord from Caldwell.

I proudly and publicly honor these students today for their selfless and committed contribution to reducing teen dating violence and emotional abuse in Idaho.●

LEAP YEAR CAPITAL OF THE WORLD

● Mr. DOMENICI. Mr. President, I wish to recognize Anthony, NM, today for being the Leap Year Capital of the World. A leap year only occurs once every 4 years, and is something to be celebrated. Anthony has taken this unique day and made it a staple celebration for their community.

Twenty years ago in Anthony, two neighbors who shared a common birthday, February 29, decided they should find other people with the same unique situation and have a giant birthday party; after all, it only happens once every 4 years. Mary Ann Brown and Birdie Lewis created the Worldwide Leap Year Birthday Club which now has almost 500 members. Because of the popularity of the birthday club, they have also created the Worldwide Leap Year Anniversary Club for couples who celebrate their anniversaries on this special day.

The Anthony Chamber of Commerce has planned several events this year for those with leap year birthdays and anniversaries and also for those with birthdays on the other 365 days of the year. The Worldwide Leap Year Festival will be kicked off with a parade, and then those attending will enjoy a leap year birthday dinner complete with birthday cake. Also in attendance will be Josephine Concho Abeita, a true New Mexico native, born in 1908, 4 years before New Mexico was even a State. Ms. Abeita will celebrate her 100th birthday and her 25th actual leap year birthday. I want to commend the citizens of Anthony and the creative way they have designed to promote their city. I wish them much success for this year's celebration.●

TRIBUTE TO DIANE WOLF

● Mr. LAUTENBERG. Mr. President, sadly, I wish to pay tribute to Diane Wolf, who died January 10 at the age of 53. Diane was someone many of us in the Senate knew well. She was unabashed in her interest in government and worked tirelessly to improve the world in which we live. She was willing at all times to use her personal resources to make issues clearly understood and actively supported. She considered it an obligation of our democracy to express herself on the importance of matters under consideration by the Congress.

Diane served on countless committees ranging from the arts to government. In addition to her role as a benefactor of the Metropolitan Museum of Art in New York, Diane Wolf was active in the cultural atmosphere in our nation's Capital. There, she worked on the boards of trustees for the U.S. Senate Preservation Board, the Foundation for the National Archives, and the Washington National Opera, as well as holding board positions on the Library of Congress Madison Council, Smithsonian Council of American Art, and the Kennedy Center National Committee, among others. In 1985, she was appointed by President Reagan to the U.S. Commission of Fine Arts, and Diane had an immediate impact in this new role. She worked to change the design on U.S. coins and allow creativity and American history to serve as the basis for their design. While her effort to revolutionize our coinage did not materialize, Diane displayed the tenacity and commitment that characterized everything she undertook.

Diane Wolf was blessed with a loving family who took pleasure in every aspect of her life and her interests. Though she was taken from them far too early in her life, memories of her being will be the greatest of family treasures. As we look to the future, let us pause and remember Diane Wolf, an outstanding, caring human being who dedicated her life to helping others. She will be missed by all who knew her.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States sumitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2663. A bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

S. 2664. A bill to extend the provisions of the Protect America Act of 2007.

S. 2665. A bill to extend the provisions of the Protect America Act of 2007 until July 1, 2009.

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–5188. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyroxsulam; Pesticide Tolerances'' (FRL No. 8349–9) received on February 21, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5189. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyfluthrin; Pesticide Tolerance'' (FRL No. 8350–3) received on February 21, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5190. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, the report of a violation of the Antideficiency Act in a Treasury Appropriation Fund; to the Committee on Appropriations.

EC–5191. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report on the Department's Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC–5192. A communication from the General Counsel, Department of Defense, transmitting, the Department's proposed National Defense Authorization Bill for fiscal year 2009; to the Committee on Armed Services.

EC–5193. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the funding needed to sustain key military equipment; to the Committee on Armed Services.

EC–5194. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Iranian Assets Control Regulations, Narcotics Trafficking Sanctions Regulations, Burmese Sanctions Regulations, Sudanese Sanctions Regulations'' (31 CFR Parts 535, 536, 537, 538, 539, 540, 541, 542, 545, 560, 585, 586, 587, 588, 593, 594, and 595) received on February 19, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5195. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Response to Petitions for Reconsideration on EDR Final Rule'' (RIN2127–AK12) received on February 20, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5196. A communication from the Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Wireless E911 Location Accuracy Requirements'' (FCC 07–166) received on February 8, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5197. A communication from the Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report relative to its use of category rating; to the Committee on Commerce, Science, and Transportation.

EC–5198. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135–AA27) received on February 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5199. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Passenger Train Emergency Systems; Emergency Communication, Emergency Egress, and Rescue Access'' (RIN2130-AB72) received on February 20, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5200. A communication from the Senior Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Railroad Operating Rules: Program of Operational Tests and Inspections; Railroad Operating Practices: Handling Equipment, Switches and Fixed Derails'' (RIN2130-AB76) received on February 20, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5201. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Cargo Carrying Capacity of Motor Home and Travel Trailers'' (RIN2127-AJ57) received on February 20, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5202. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Radiation Source Use and Replacement''; to the Committee on Energy and Natural Resources.

EC–5203. A communication from the Assistant Secretary for Management, Department of Veterans Affairs, transmitting, pursuant to law, an annual report for fiscal year 2007 relative to alternative fuel vehicles; to the Committee on Energy and Natural Resources.

EC–5204. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department's Financial Report for fiscal year 2007; to the Committee on Energy and Natural Resources.

EC–5205. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to the implementation of Energy Conservation Standards Activities; to the Committee on Energy and Natural Resources.

EC–5206. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle program for fiscal year 2007; to the Committee on Energy and Natural Resources.

EC–5207. 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; State of Maryland; Revised Definition of Volatile Organic Compound'' (FRL No. 8532-4) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5208. 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; Open Burning Rule'' (FRL No. 8526-5) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5209. 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; Revisions to Control Volatile Organic Compound Emissions; Volatile Organic Compound Control for El Paso, Gregg, Nueces, and Victoria Counties and the Ozone Standard Nonattainment Areas of Beaumont/Port Arthur, Dallas/Fort Worth, and Houston/Galveston'' (FRL No. 8532-1) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5210. 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 State Implementation Plans; Montana; Revisions to Administrative Rules of Montana, and Interstate Transport of Pollution'' (FRL No. 8527–1) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5211. 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; Virginia; Amendments to Existing Regulation Provisions Concerning Reasonably Available Control Technology'' (FRL No. 8532–6) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5212. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dibasic Esters; Exemption from the Requirement of a Tolerance'' (FRL No. 8341–4) received on February 21, 2008; to the Committee on Environment and Public Works.

EC–5213. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Clean Watersheds Needs Survey 2004 Report to Congress''; to the Committee on Environment and Public Works.

EC–5214. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Medicare bundled end-stage renal disease prospective payment system; to the Committee on Finance.

EC–5215. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on defense trade cooperation; to the Committee on Foreign Relations.

EC–5216. A communication from the Chair, Barry M. Goldwater Scholarship and Excellence in Education Foundation, transmitting, pursuant to law, an annual report relative to the activities of the Goldwater Foundation in fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–5217. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Ensuring Access to Health Insurance Coverage in the Large Group Market''; to the Committee on Health, Education, Labor, and Pensions.

EC–5218. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Exceptions or Alternatives to Labeling Requirements for Products Held by the Strategic National Stockpile'' (Docket No. 2006N–0466) received on February 21, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5219. A communication from the Secretary of Education, transmitting, pursuant to law, an annual report relative to the implementation of the Federal Financial Assistance Management Improvement Act; to the Committee on Health, Education, Labor, and Pensions.

EC–5220. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to testing for rapid detection of adulteration of food; to the Committee on Health, Education, Labor, and Pensions.

EC–5221. A communication from the Ombudsman, Energy Employees Compensation Program, Department of Labor, transmitting, pursuant to law, a report relative to the Energy Employees Occupational Illness Compensation Program; to the Committee on Health, Education, Labor, and Pensions.

EC–5222. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Child Welfare Outcomes 2002–2005: Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–5223. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled ''Performance and Accountability Highlights''; to the Committee on Homeland Security and Governmental Affairs.

EC–5224. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, an annual report relative to privacy and security for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–5225. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Accounting for Laws that Apply Differently to the United States Postal Service and its Private Competitors''; to the Committee on Homeland Security and Governmental Affairs.

EC–5226. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–291, ''Rhode Island Metro Plaza Revenue Bonds Approval Act of 2008'' received on February 21, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5227. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the Quarterly Report for January 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5228. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems: Definition of the Municipality of Bayamon, PR, to a Nonappropriated Fund Federal Wage System Wage Area'' (RIN3206–AL43) received on February 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5229. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems: Abolishment of Rock Island, Illinois, as a Nonappropriated Fund Federal Wage System Wage Area'' (RIN3206–AL44) received on February 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5230. A communication from the Director, Office of the Combined Federal Campaign, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations—Eligibility and Public Accountability Standards'' ((RIN3206–AL47) (5 CFR Part 950)) received on February 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5231. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Letter Report: Certification of the Fiscal Year 2008 Total Non-Dedicated Local Source Revenues in Support of the District's $333,840,000 General Obligation Bonds (Series 2007C)''; to the Committee on Homeland Security and Governmental Affairs.

EC–5232. A communication from the Executive Director, White House Commission on Remembrance, transmitting, pursuant to law, the Commission's Annual Report on the National Moment of Remembrance for fiscal year 2007; to the Committee on the Judiciary.

EC–5233. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of a nomination for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5234. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of action on the nomination for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5235. A communication from the White House Liaison, Office of Legal Policy, Department of Justice, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5236. A communication from the White House Liaison, Civil Rights Division, Department of Justice, transmitting, pursuant to law, the report of a nomination and designation of an acting officer for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5237. A communication from the White House Liaison, Tax Division, Department of Justice, transmitting, pursuant to law, the report of a nomination and action on the nomination for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5238. A communication from the White House Liaison, Environmental and Natural Resources Division, Department of Justice, transmitting, pursuant to law, the report of action on a nomination, received on February 21, 2008; to the Committee on the Judiciary.

EC–5239. A communication from the White House Liaison, Civil Division, Department of Justice, transmitting, pursuant to law, the report of a nomination for the position of Assistant Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5240. A communication from the White House Liaison, Office of the Associate Attorney General, Department of Justice, transmitting, pursuant to law, the report of a nomination for the position of Associate Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

EC–5241. A communication from the White House Liaison, Office of the Deputy Attorney General, Department of Justice, transmitting, pursuant to law, the report of a nomination for the position of Deputy Attorney General, received on February 21, 2008; to the Committee on the Judiciary.

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. MENENDEZ:

S. 2667. A bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. ENSIGN):

S. 2668. A bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. ROCKEFELLER, Mr. PRYOR, Ms. COLLINS, and Mr. KERRY):

S. 2669. A bill to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. Res. 461. A resolution designating March 1, 2008 as ''World Friendship Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 394

At the request of Mr. AKAKA, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 394, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes.

S. 396

At the request of Mr. DORGAN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 396, a bill to amend the Internal Revenue Code of 1986 to treat controlled foreign corporations in tax havens as domestic corporations.

S. 431

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 588

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 588, a bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents.

S. 911

At the request of Mr. REED, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S.

988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 989

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 989, a bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

S. 1069

At the request of Ms. SNOWE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1069, a bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 1494

At the request of Mr. DOMENICI, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 1738

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1738, a bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

S. 1780

At the request of Mr. ROCKEFELLER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1780, a bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent.

S. 1838

At the request of Mr. CORNYN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1838, a bill to provide for the health care needs of veterans in far South Texas.

S. 1945

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1945, a bill to provide a Federal income tax credit for Patriot employers, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2123

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2123, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2182

At the request of Mr. SMITH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2182, a bill to amend the Public Health Service Act with respect to mental health services.

S. 2368

At the request of Mr. PRYOR, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2368, a bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program.

S. 2505

At the request of Ms. CANTWELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2505, a bill to allow employees of a commercial passenger airline carrier who receive payments in a bankruptcy proceeding to roll over such payments into an individual retirement plan, and for other purposes.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2544

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2544, a bill to provide for a program of temporary extended unemployment compensation.

S. 2566

At the request of Mr. ISAKSON, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2566, a bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases.

S. 2590

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2590, a bill to authorize the Secretary of the Interior, acting through the Director of the National Park Service, to designate the Dr. Norman E. Borlaug Birthplace and Childhood Home in Cresco, Iowa, as a National Historic Site and as a unit of the National Park System, and for other purposes.

S. 2614

At the request of Mr. BARRASSO, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 2614, a bill to facilitate the development, demonstration, and implementation of technology for the use in removing carbon dioxide and other greenhouse gases from the atmosphere.

S. 2618

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2627

At the request of Mr. DOMENICI, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2627, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 2633

At the request of Mr. FEINGOLD, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2633, a bill to provide for the safe redeployment of United States troops from Iraq.

S. 2634

At the request of Mr. FEINGOLD, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2634, a bill to require a report setting forth the global strategy of the United States to combat and defeat al Qaeda and its affiliates.

S. 2636

At the request of Mr. REID, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2636, a bill to provide needed housing reform.

S. 2662

At the request of Mr. BAUCUS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2662, a bill to respond to a medicare funding warning.

S. 2663

At the request of Mr. PRYOR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

S. RES. 252

At the request of Mr. BOND, the name of the Senator from Virginia (Mr.

WEBB) 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. 449

At the request of Mr. SMITH, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. Res. 449, a resolution condemning in the strongest possible terms President of Iran Mahmoud Ahmadinejad's statements regarding the State of Israel and the Holocaust and calling for all member States of the United Nations to do the same.

S. RES. 455

At the request of Mr. DURBIN, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Nebraska (Mr. HAGEL), the Senator from New York (Mr. SCHUMER) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. Res. 455, a resolution calling for peace in Darfur.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. ENSIGN):

S. 2668. A bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F; to the Committee on Finance.

Mr. KERRY. Mr. President, today Senator ENSIGN and I are introducing the MOBILE Cell Phone Act, Modernize Our Bookkeeping in the Law for Employees' Cell Phone Act 2008. The purpose of this legislation is to update the tax treatment of cell phones and mobile communication devices.

During the past 20 years, the use of cell phone and mobile communication devices has skyrocketed. Cell phones are no longer viewed as an executive perk or a luxury item. They no longer resemble suitcases or are hardwired to the floor of an automobile. Cell phone and mobile communication devices are now part of daily business practices at all levels.

In 1989, Congress passed a law, which added cell phones to the definition of listed property under section 280F(d)(4) of the Internal Revenue Code of 1986. Treating cell phones as listed property requires substantial documentation in order for cell phones to benefit from accelerated depreciation and not be treated as taxable income to the employee. This documentation is required to substantiate that the cell phone is used for business purposes more than 50 percent of the time. Generally, listed property is property that inherently lends itself to personal use, such as automobiles.

Back in 1989, cell phone technology was an expensive technology worthy of detailed logsheets. At that time, it was difficult to envision cell phones that could be placed in a pocket or handbag. Congress was skeptical about the daily business use of cell phones.

Technological advances have revolutionized the cell phone and mobile communication device industries. Twenty years ago, no one could have imagined the role BlackBerries play in our day-to-day communications. Cell phones and mobile communication devices are now widespread throughout all types of businesses. Employers provide their employees with these devices to enable them to remain connected 24 hours a day, seven days a week. The cost of the devices has been reduced, and most providers offer unlimited airtime for one monthly rate.

Recently, the Internal Revenue Service reminded field examiners of the substantiation rules for cell phones as listed property. The current rule requires employers to maintain expensive and detailed logs, and employers caught without cell phone logs could face tax penalties.

The MOBILE Cell Phone Act of 2008 updates the tax treatment of cell phones and mobile communication devices by repealing the requirement that employers maintain detailed logs. The tax code should keep pace with technological advances. There is no longer a reason that cell phones and mobile communication devices should be treated differently from office phones or computers.

I urge my colleagues to support this commonsense change.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2668

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 ''Modernize Our Bookkeeping In the Law for Employee's Cell Phone Act of 2008''.

SEC. 2. REMOVAL OF CELLULAR TELEPHONES (OR SIMILAR TELECOMMUNICATIONS EQUIPMENT) FROM LISTED PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 280F(d)(4) of the Internal Revenue Code (defining listed property) is amended by inserting ''and'' at the end of clause (iv), by striking clause (v), and by redesignating clause (vi) as clause (v).

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

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 461—DESIGNATING MARCH 1, 2008 AS ''WORLD FRIENDSHIP DAY''

Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 461

Whereas it should be the goal of all Americans to promote international understanding and good will;

Whereas personal friendships among individual citizens can foster greater understanding among nations and cultures;

Whereas people all over the world have travelled or opened their homes as hosts in order to promote international understanding;

Whereas nonprofit organizations such as Friendship Force International, which was founded in Atlanta, Georgia, in 1977, have helped to promote such international exchanges;

Whereas, today, there are more than 35,000 members of Friendship Force International in 40 States and 58 foreign countries who are building bridges across the cultural barriers that separate people; and

Whereas, in order to celebrate on an annual basis the cause of peace through international understanding, March 1, 2008 should be recognized as World Friendship Day: Now, therefore, be it

Resolved, That the Senate—

(1) honors those who promote international understanding and good will in the world; and

(2) designates March 1, 2008 as ''World Friendship Day'', and asks people everywhere to mark and celebrate the day appropriately.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4085. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table.

SA 4086. Mr. NELSON of Florida (for Mr. INOUYE (for himself and Mr. STEVENS)) proposed an amendment to the bill S. 428, to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes.

TEXT OF AMENDMENTS

SA 4085. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ———. INDUSTRY-SPONSORED TRAVEL BAN.

(a) IN GENERAL.—The Act, as amended by section 30 of this Act, is further amended by adding at the end thereof the following:

''SEC. 42. PROHIBITION ON INDUSTRY-SPONSORED TRAVEL.

''(a) PROHIBITION.—Notwithstanding section 1353 of title 31, United States Code, no Commissioner or employee of the Commission shall accept payment or reimbursement for travel, subsistence, or related expenses with respect to attendance by a Commissioner or employee at any meeting or similar function relating to official duties of a Commissioner or an employee, from a person—

''(1) seeking official action from, doing business with, or conducting activities regulated by, the Commission; or

''(2) whose interests may be substantially affected by the performance or nonperformance of the Commissioner's or employee's official duties.

''(b) AUTHORIZATION OF APPROPRIATIONS FOR OFFICIAL TRAVEL.—There are authorized to be appropriated, for each of fiscal years 2009 through 2011, $1,200,000 to the Commission for travel, subsistence, and related expenses necessary in furtherance of the official duties of Commissioners and employees.''.

(b) CONFORMING AMENDMENT.—The table of contents, as amended by section 30 of this Act, is further amended by inserting after the item relating to section 40 the following:

''Sec. 42. Prohibition on industry-sponsored travel.''.

SA 4086. Mr. NELSON of Florida (for Mr. INOUYE (for himself and Mr. STEVENS)) proposed an amendment to the bill S. 428, to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes; as follows:

On page 11, strike lines 1 through 7 and insert the following:

''(e) FCC AUTHORITY TO REQUIRE 9–1–1 SERVICE.—The Commission may require any provider of a voice service that is a substitute for telephone exchange service (as defined in section 3(47) of the Communications Act of 1934 (47 U.S.C. 153(47))) to provide 9–1–1 service, including enhanced 9–1–1 service, to its subscribers. Nothing in this subsection shall limit or otherwise affect the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.).''.

On page 11, beginning in line 12, strike ''that term'' and insert ''the term 'Interconnected VoIP Service' ''.

On page 11, beginning in line 14, strike ''(47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.'' and insert ''(47 C.F.R. 9.3).''.

On page 18, strike lines 8 through 17 and insert the following:

(b) AVAILABILITY OF PSAP INFORMATION.—The Federal Communications Commission may compile a list of public safety answering point contact information, as well as contact information for 9–1–1 component providers, for the purpose of assisting IP-enabled voice service providers and others in complying with this Act and section 158(d) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(d)) as amended by subsection (a), and may make any portion of such information available to the public if such availability would improve public safety.

On page 19, line 13, insert ''Federal Communications'' after ''The''

On page 20, after line 9, insert the following:

SEC. 7. Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking ''the 'Improving Emergency Communications Act of 2007'.'' and inserting ''the '911 Modernization Act'.''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 4, 2008, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on the Energy Information Administration's revised Annual Energy Outlook.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224–4756 or Rosemarie Calabro at (202) 224–5039.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, March 12, 2008 at 2:15 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on Hardrock Mining: Issues Relating to Abandoned Mine Lands and Uranium Mining.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Gina_Weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at 202–224–5451 or Gina Weinstock at 202–224–5684.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, February 26, 2008, at 9:30 a.m., in open session in order to receive testimony on the Department of the Army in review of the defense authorization request for fiscal year 2009 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Tuesday, February 26, 2008, at 10 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding U.S. oil inventory policies, including the Strategic Petroleum Reserve policies.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, February 26, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on ''Economic and Fiscal Conditions of the States.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 26, 2008, at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 1254

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 435, H.R. 1254, the Presidential Library Donation Reform Act of 2007; that the committee-reported amendments be considered and agreed to; that the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, as if read, without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, reserving the right to object, I ask the Senator to modify his request to include an amendment I have at the desk which makes the bill applicable to Presidents serving on or after January 21, 2009.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. NELSON of Florida. Mr. President, there is an objection. I object.

The PRESIDING OFFICER. The Senator declines to modify his original request. Is there an objection to the request as originally stated?

Mr. STEVENS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. STEVENS. Mr. President, I want to clarify why I am objecting to the passage of H.R. 1254, the Presidential Library Donation Reform Act, in its current form.

In the past, I supported a bill very similar to this. I have always supported transparency in these matters.

My concern is in the fairness of passing this legislation today. When this legislation was introduced at the very beginning of this administration's tenure, I supported it because it would have provided sufficient notice to the new administration of a change in reporting requirements.

However, this administration's final term is near an end, and I do not believe it is fair to change the rules on them.

This administration has complied with the existing procedures. Changing them now would put a greater burden on them than any other past administration which already finished collecting the majority of donations for their libraries.

Enacting this bill to apply only to future administrations would solve this problem, and put them on notice of the new reporting requirements and procedures.

I have an amendment to this bill so that it will be enacted only to apply to administrations serving on or after January 21, 2009. If this amendment is accepted, I will be happy to support the legislation.

IP-ENABLED VOICE COMMUNICATIONS AND PUBLIC SAFETY ACT OF 2007

Mr. NELSON of Florida. Mr. President, I have a unanimous consent request that has been cleared on both sides. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 327, S. 428.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 428) to amend the Wireless Communications and Public Safety Act of 1999, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''IP-Enabled Voice Communications and Public Safety Act of 2007''.

SEC. 2. DUTY TO PROVIDE 9–1–1 AND E–9–1–1 SERVICE.

(a) IN GENERAL.—The Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615 et seq.) is amended by adding at the end the following:

''SEC. 7. IP-ENABLED VOICE SERVICE PROVIDERS.

''(a) IN GENERAL.—It shall be the duty of every IP-enabled voice service provider engaged in interstate or foreign communication to provide 9–1–1 service, including enhanced 9–1–1 service, to its subscribers in accordance with orders of the Commission in effect on the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, as such orders may be modified by the Commission from time to time.

''(b) ACCESS TO 9–1–1 COMPONENTS.—

''(1) REGULATIONS.—Within 90 days after the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Commission shall issue regulations granting IP-enabled voice service providers right of access to 9–1–1 components that are necessary to provide 9–1–1 service, on the same rates, terms, and conditions that are provided to commercial mobile service providers. In promulgating the regulations, the Commission shall take into account any technical, network security, or information privacy issues that are specific to IP-enabled voice services, including the security of 9–1–1 networks. The Commission shall require IP-enabled voice service providers to which the regulations apply to register with the Commission and to establish a point of contact for public safety and government officials relative to 9–1–1 service and access.

''(2) DELEGATION OF ENFORCEMENT TO STATE COMMISSIONS.—The Commission may delegate authority to enforce the regulations issued under paragraph (1) to State commissions or other State agencies or programs with jurisdiction over emergency communications.

''(c) SAVINGS CLAUSE.—Nothing in the IP-Enabled Voice Communications and Public Safety Act of 2007 shall be construed as repealing or otherwise altering, modifying, affecting, or superseding Federal regulations obligating an IP-enabled voice service provider to provide 9–1–1 service or enhanced 9–1–1 service.

''(d) LIMITATION ON COMMISSION.—Nothing in this section shall be construed to permit the Commission to issue regulations that require or impose a specific technology or technological standard.

''(e) FCC AUTHORITY TO REQUIRE 9–1–1 SERVICE.—The Federal Communications Commission is authorized to require other providers of communications services using wire or radio communication in interstate or foreign commerce to provide 9–1–1 service, including enhanced 9–1–1 service, to users for the purpose of promoting safety of life and property.''.

(b) DEFINITIONS.—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b) is amended by adding at the end thereof the following:

''(8) IP-ENABLED VOICE SERVICE.—The term 'IP-enabled voice service' has the meaning given that term by section 9.3 of the Commission's regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

''(9) IP-ENABLED 9–1–1 SERVICE.—The term 'IP-enabled 9–1–1 service' means any 9–1–1 service provided by an IP-enabled voice service provider, including enhanced IP-enabled 9–1–1 service.

''(10) ENHANCED IP-ENABLED 9–1–1 SERVICE.—The term 'enhanced IP-enabled 9–1–1 service' means any enhanced 9–1–1 service so designated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 04–36 and 05–196, or any successor proceeding.

''(11) 9–1–1 COMPONENT.—The term '9–1–1 component' means any equipment, network, databases (including automatic location information databases and master street address guides), interface, selective router, trunkline, non-dialable p-ANI's, or other related facility necessary for the delivery and completion of 9–1–1 or E–9–1–1 calls and information related to such calls, as determined by the Commission.''.

SEC. 3. PARITY OF PROTECTION FOR PROVISION OR USE OF IP-ENABLED VOICE SERVICE.

(a) IN GENERAL.—Section 4 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) is amended—

(1) by striking ''carrier,'' in subsection (a) and inserting ''carrier, IP-enabled voice service provider, or alternative emergency communications service provider,'';

(2) by striking ''its'' the first place it appears in subsection (a) and inserting ''their'';

(3) by striking ''emergency calls or emergency services.'' in subsection (a) and inserting ''emergency calls, emergency services, or alternative emergency communications services.'';

(4) by striking ''service shall'' in subsection (b) and inserting ''service, or IP-enabled voice service, shall'';

(5) by striking ''wireless.'' in subsection (b) and inserting ''wireless, IP-enabled, or alternative emergency communications.'';

(6) by striking ''communications,'' in subsection (c) and inserting ''communications, IP-enabled voice service communications, or alternative emergency communications,''; and

(7) by striking ''wireless.'' in subsection (c) and inserting ''wireless, IP-enabled, or alternative emergency communications.''.

(b) DEFINITIONS.—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b), as amended by section 2(b), is further amended by adding at the end thereof the following:

''(12) ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE.—The term 'alternative emergency communications service' means the provision of emergency information to a public safety answering point via wire or radio communications, and may include 9–1–1 and enhanced 9–1–1 Services.

''(13) ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE PROVIDER.—The term 'alternative emergency communications service provider' means an entity other than a local exchange carrier, wireless carrier, or an IP-enabled voice service provider that is required by the Commission or, in the absence of any such requirement, is specifically authorized by the appropriate local or State 9–1–1 governing authority, to provide alternative emergency communications services.''.

SEC. 4. STATE AUTHORITY OF FEES.

Nothing in this Act, the Communications Act of 1934 (47 U.S.C. 151 et seq.), the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a), or any Federal Communications Commission regulation or order shall prevent the imposition on, or collection by, a provider of IP-enabled voice services or commercial mobile service, of any fee or charge specifically designated by a State, political subdivision thereof, or Indian tribe for the support of 9–1–1 or E 099–1–1 services if that fee or charge—

(1) for IP-enabled voice services, does not exceed the amount of any such fee or charge imposed on or collected by a provider of telecommunications services; and

(2) is obligated or expended in support of 9–1–1 and E 099–1–1 services, or enhancements of such services, or other emergency communications services as specified in the provision of State or local law adopting the fee or charge.

SEC. 5. FEE ACCOUNTABILITY.

To ensure efficiency, transparency, and accountability in the collection and expenditure of 9–1–1 fees, the Federal Communications Commission shall submit a report within 1 year after the date of enactment of this Act, and annually thereafter, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce detailing the status in each State of the collection and distribution of 9–1–1 fees and include findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any fee or charges are presented.

SEC. 6. MIGRATION TO IP-ENABLED EMERGENCY NETWORK.

(a) IN GENERAL.—Section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(2) by inserting after subsection (c) the following:

''(d) MIGRATION PLAN REQUIRED.—

''(1) NATIONAL PLAN REQUIRED.—No more than 270 days after the date of the enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Office shall develop and report to Congress on a national plan for migrating to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications and improving information sharing among all emergency response entities.

''(2) CONTENTS OF PLAN.—The plan required by paragraph (1) shall—

''(A) outline the potential benefits of such a migration;

''(B) identify barriers that must be overcome and funding mechanisms to address those barriers;

''(C) provide specific mechanisms for ensuring the IP-enabled emergency network is available in every community and is coordinated on a local, regional, and Statewide basis;

''(D) identify location technology for nomadic devices and for office buildings and multi-dwelling units;

''(E) include a proposed timetable, an outline of costs and potential savings;

''(F) provide specific legislative language, if necessary, for achieving the plan;

''(G) provide recommendations on any legislative changes, including updating definitions, to facilitate a national IP-enabled emergency network;

''(H) assess, collect, and analyze the experiences of the PSAPs and related public safety authorities who are conducting trial deployments of IP-enabled emergency networks as of the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007;

''(I) document solutions that a national IP-enabled emergency network will provide for 9–1–1 access to those with disabilities and needed steps to implement such solutions, including a recommended timeline for such implementation; and

''(J) analyze technologies and efforts to provide automatic location capabilities and provide recommendations on needed regulatory or legislative changes necessary to implement automatic location solutions for 9–1–1 purposes.

''(3) CONSULTATION.—In developing the plan required by paragraph (1), the Office shall consult with representatives of the public safety community, groups representing those with disabilities, technology and telecommunications providers, and others it deems appropriate.''; and

(3) by striking ''services.'' in subsection (b)(1) and inserting ''services, and for migration to an IP-enabled emergency network.''.

(b) AVAILABILITY OF PSAP INFORMATION.—The Federal Communications Commission may compile a list of public safety answering point contact information, testing procedures, classes and types of services supported by public safety answering points, selective router contact information, or other information concerning necessary 9–1–1 components, for the purpose of assisting providers in complying with this section, and may make any portion of such information available to the public if such availability would improve public safety.

(c) DEVELOPMENT OF STANDARDS.—The Federal Communications Commission shall work cooperatively with public safety organizations, industry participants, and the E–9–1–1 Implementation Coordination Office to develop best practices that promote consistency, where appropriate, including procedures for—

(1) defining geographic coverage areas for Public Safety Answering Points;

(2) defining network diversity requirements for delivery of IP-enabled 9–1–1 calls;

(3) call-handling in the event of call overflow or network outages;

(4) Public Safety Answering Point certification and testing requirements;

(5) validation procedures for inputting and updating location information in relevant databases; and

(6) the format for delivering address information to Public Safety Answering Points.

SEC. 7. ENFORCEMENT.

The Commission shall enforce the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) as if that Act were part of the Communications Act of 1934. For purposes of this section, any violation of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a), or any regulation promulgated under that Act, is deemed to be a violation of the Communications Act of 1934 or a regulation promulgated under the Communications Act of 1934, respectively.

SEC. 8. COMPLETION OF THE HATFIELD REPORT.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Federal Communications Commission shall remit all amounts promised for the completion of an update to the Report on Technical and Operational Issues Impacting the Provision of Wireless Enhanced 9–1–1 Services by Dale N. Hatfield filed at the Commission on October 15, 2002, in WT Docket No. 02-46.

(b) SUBMISSION OF REPORT.—Mr. Hatfield shall submit his written findings as of May 1, 2006, to the Federal Communications Commission not later than 60 days after receiving the payment described in subsection (a).

Mr. STEVENS. Mr. President, I congratulate the Senator from Florida for this bill as modified. I think it is a step in the right direction. I am pleased to support the bill.

Mr. NELSON of Florida. Mr. President, I thank the distinguished Senator from Alaska because he has been very much a part of this effort, along with Senator INOUYE.

As a result of several things they did, I now ask unanimous consent that the amendment at the desk be considered and agreed to, the committee-reported substitute, as amended, be agreed to, the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4086) was agreed to, as follows:

(Purpose: To clarify the FCC's authority to require 9–1–1 service, and for other purposes)

On page 11, strike lines 1 through 7 and insert the following:

''(e) FCC AUTHORITY TO REQUIRE 9–1–1 SERVICE.—The Commission may require any provider of a voice service that is a substitute for telephone exchange service (as defined in section 3(47) of the Communications Act of 1934 (47 U.S.C. 153(47))) to provide 9–1–1 service, including enhanced 9–1–1 service, to its subscribers. Nothing in this subsection shall limit or otherwise affect the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.).''.

On page 11, beginning in line 12, strike ''that term'' and insert ''the term 'Interconnected VoIP Service' ''.

On page 11, beginning in line 14, strike ''(47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.'' and insert ''(47 C.F.R. 9.3).''.

On page 18, strike lines 8 through 17 and insert the following:

(b) AVAILABILITY OF PSAP INFORMATION.—The Federal Communications Commission may compile a list of public safety answering point contact information, as well as contact information for 9–1–1 component providers, for the purpose of assisting IP-enabled voice service providers and others in complying with this Act and section 158(d) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(d)) as amended by subsection (a), and may make any portion of such information available to the public if such availability would improve public safety.

On page 19, line 13, insert ''Federal Communications'' after ''The''

On page 20, after line 9, insert the following:

SEC. 7. Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking ''the 'Improving Emergency Communications Act of 2007'.'' and inserting ''the '911 Modernization Act'.''.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The bill (S. 428), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 428

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 ''IP-Enabled Voice Communications and Public Safety Act of 2007''.

SEC. 2. DUTY TO PROVIDE 9–1–1 AND E–9–1–1 SERVICE.

(a) IN GENERAL.—The Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615 et seq.) is amended by adding at the end the following:

''SEC. 7. IP-ENABLED VOICE SERVICE PROVIDERS.

''(a) IN GENERAL.—It shall be the duty of every IP-enabled voice service provider engaged in interstate or foreign communication to provide 9–1–1 service, including enhanced 9–1–1 service, to its subscribers in accordance with orders of the Commission in effect on the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, as such orders may be modified by the Commission from time to time.

''(b) ACCESS TO 9–1–1 COMPONENTS.—

''(1) REGULATIONS.—Within 90 days after the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Commission shall issue regulations granting IP-enabled voice service providers right of access to 9–1–1 components that are necessary to provide 9–1–1 service, on the same rates, terms, and conditions that are provided to commercial mobile service providers. In promulgating the regulations, the Commission shall take into account any technical, network security, or information privacy issues that are specific to IP-enabled voice services, including the security of 9–1–1 networks. The Commission shall require IP-enabled voice service providers to which the regulations apply to register with the Commission and to establish a point of contact for public safety and government officials relative to 9–1–1 service and access.

''(2) DELEGATION OF ENFORCEMENT TO STATE COMMISSIONS.—The Commission may delegate authority to enforce the regulations issued under paragraph (1) to State commissions or other State agencies or programs with jurisdiction over emergency communications.

''(c) SAVINGS CLAUSE.—Nothing in the IP-Enabled Voice Communications and Public Safety Act of 2007 shall be construed as repealing or otherwise altering, modifying, affecting, or superseding Federal regulations obligating an IP-enabled voice service provider to provide 9–1–1 service or enhanced 9–1–1 service.

''(d) LIMITATION ON COMMISSION.—Nothing in this section shall be construed to permit the Commission to issue regulations that require or impose a specific technology or technological standard.

''(e) FCC AUTHORITY TO REQUIRE 9–1–1 SERVICE.—The Commission may require any provider of a voice service that is a substitute for telephone exchange service (as defined in section 3(47) of the Communications Act of 1934 (47 U.S.C. 153(47))) to provide

9–1–1 service, including enhanced 9–1–1 service, to its subscribers. Nothing in this subsection shall limit or otherwise affect the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.).''.

(b) DEFINITIONS.—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b) is amended by adding at the end thereof the following:

''(8) IP-ENABLED VOICE SERVICE.—The term 'IP-enabled voice service' has the meaning given the term 'Interconnected VoIP Service' by section 9.3 of the Commission's regulations (47 C.F.R. 9.3).

''(9) IP-ENABLED 9–1–1 SERVICE.—The term 'IP-enabled 9–1–1 service' means any 9–1–1 service provided by an IP-enabled voice service provider, including enhanced IP-enabled 9–1–1 service.

''(10) ENHANCED IP-ENABLED 9–1–1 SERVICE.—The term 'enhanced IP-enabled 9–1–1 service' means any enhanced 9–1–1 service so designated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 04–36 and 05–196, or any successor proceeding.

''(11) 9–1–1 COMPONENT.—The term '9–1–1 component' means any equipment, network, databases (including automatic location information databases and master street address guides), interface, selective router, trunkline, non-dialable p-ANI's, or other related facility necessary for the delivery and completion of 9–1–1 or E–9–1–1 calls and information related to such calls, as determined by the Commission.''.

SEC. 3. PARITY OF PROTECTION FOR PROVISION OR USE OF IP-ENABLED VOICE SERVICE.

(a) IN GENERAL.—Section 4 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) is amended—

(1) by striking ''carrier,'' in subsection (a) and inserting ''carrier, IP-enabled voice service provider, or alternative emergency communications service provider,'';

(2) by striking ''its'' the first place it appears in subsection (a) and inserting ''their'';

(3) by striking ''emergency calls or emergency services.'' in subsection (a) and inserting ''emergency calls, emergency services, or alternative emergency communications services.'';

(4) by striking ''service shall'' in subsection (b) and inserting ''service, or IP-enabled voice service, shall'';

(5) by striking ''wireless.'' in subsection (b) and inserting ''wireless, IP-enabled, or alternative emergency communications.'';

(6) by striking ''communications,'' in subsection (c) and inserting ''communications, IP-enabled voice service communications, or alternative emergency communications,''; and

(7) by striking ''wireless.'' in subsection (c) and inserting ''wireless, IP-enabled, or alternative emergency communications.''.

(b) DEFINITIONS.—Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b), as amended by section 2(b), is further amended by adding at the end thereof the following:

''(12) ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE.—The term 'alternative emergency communications service' means the provision of emergency information to a public safety answering point via wire or radio communications, and may include 9–1–1 and enhanced 9–1–1 Services.

''(13) ALTERNATIVE EMERGENCY COMMUNICATIONS SERVICE PROVIDER.—The term 'alternative emergency communications service provider' means an entity other than a local exchange carrier, wireless carrier, or an IP-enabled voice service provider that is required by the Commission or, in the absence of any such requirement, is specifically authorized by the appropriate local or State 9–1–1 governing authority, to provide alternative emergency communications services.''.

SEC. 4. STATE AUTHORITY OF FEES.

Nothing in this Act, the Communications Act of 1934 (47 U.S.C. 151 et seq.), the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a), or any Federal Communications Commission regulation or order shall prevent the imposition on, or collection by, a provider of IP-enabled voice services or commercial mobile service, of any fee or charge specifically designated by a State, political subdivision thereof, or Indian tribe for the support of 9–1–1 or E 099–1–1 services if that fee or charge—

(1) for IP-enabled voice services, does not exceed the amount of any such fee or charge imposed on or collected by a provider of telecommunications services; and

(2) is obligated or expended in support of 9–1–1 and E 099–1–1 services, or enhancements of such services, or other emergency communications services as specified in the provision of State or local law adopting the fee or charge.

SEC. 5. FEE ACCOUNTABILITY.

To ensure efficiency, transparency, and accountability in the collection and expenditure of 9–1–1 fees, the Federal Communications Commission shall submit a report within 1 year after the date of enactment of this Act, and annually thereafter, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce detailing the status in each State of the collection and distribution of 9–1–1 fees and include findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any fee or charges are presented.

SEC. 6. MIGRATION TO IP-ENABLED EMERGENCY NETWORK.

(a) IN GENERAL.—Section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(2) by inserting after subsection (c) the following:

''(d) MIGRATION PLAN REQUIRED.—

''(1) NATIONAL PLAN REQUIRED.—No more than 270 days after the date of the enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007, the Office shall develop and report to Congress on a national plan for migrating to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications and improving information sharing among all emergency response entities.

''(2) CONTENTS OF PLAN.—The plan required by paragraph (1) shall—

''(A) outline the potential benefits of such a migration;

''(B) identify barriers that must be overcome and funding mechanisms to address those barriers;

''(C) provide specific mechanisms for ensuring the IP-enabled emergency network is available in every community and is coordinated on a local, regional, and Statewide basis;

''(D) identify location technology for nomadic devices and for office buildings and multi-dwelling units;

''(E) include a proposed timetable, an outline of costs and potential savings;

''(F) provide specific legislative language, if necessary, for achieving the plan;

''(G) provide recommendations on any legislative changes, including updating definitions, to facilitate a national IP-enabled emergency network;

''(H) assess, collect, and analyze the experiences of the PSAPs and related public safety authorities who are conducting trial deployments of IP-enabled emergency networks as of the date of enactment of the IP-Enabled Voice Communications and Public Safety Act of 2007;

''(I) document solutions that a national IP-enabled emergency network will provide for 9–1–1 access to those with disabilities and needed steps to implement such solutions, including a recommended timeline for such implementation; and

''(J) analyze technologies and efforts to provide automatic location capabilities and provide recommendations on needed regulatory or legislative changes necessary to implement automatic location solutions for 9–1–1 purposes.

''(3) CONSULTATION.—In developing the plan required by paragraph (1), the Office shall consult with representatives of the public safety community, groups representing those with disabilities, technology and telecommunications providers, and others it deems appropriate.''; and

(3) by striking ''services.'' in subsection (b)(1) and inserting ''services, and for migration to an IP-enabled emergency network.''.

(b) AVAILABILITY OF PSAP INFORMATION.—The Federal Communications Commission may compile a list of public safety answering point contact information, as well as contact information for 9–1–1 component providers, for the purpose of assisting IP-enabled voice service providers and others in complying with this Act and section 158(d) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(d)) as amended by subsection (a), and may make any portion of such information available to the public if such availability would improve public safety.

(c) DEVELOPMENT OF STANDARDS.—The Federal Communications Commission shall work cooperatively with public safety organizations, industry participants, and the E–9–1–1 Implementation Coordination Office to develop best practices that promote consistency, where appropriate, including procedures for—

(1) defining geographic coverage areas for Public Safety Answering Points;

(2) defining network diversity requirements for delivery of IP-enabled 9–1–1 calls;

(3) call-handling in the event of call overflow or network outages;

(4) Public Safety Answering Point certification and testing requirements;

(5) validation procedures for inputting and updating location information in relevant databases; and

(6) the format for delivering address information to Public Safety Answering Points.

SEC. 7. ENFORCEMENT.

The Federal Communications Commission shall enforce the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) as if that Act were part of the Communications Act of 1934. For purposes of this section, any violation of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a), or any regulation promulgated under that Act, is deemed to be a violation of the Communications Act of 1934 or a regulation promulgated under the Communications Act of 1934, respectively.

SEC. 8. COMPLETION OF THE HATFIELD REPORT.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Federal Communications Commission shall remit all amounts promised for the completion of an update to the Report on Technical and Operational Issues Impacting the Provision of Wireless Enhanced 9–1–1 Services by Dale N. Hatfield filed at the Commission on October 15, 2002, in WT Docket No. 02–46.

(b) SUBMISSION OF REPORT.—Mr. Hatfield shall submit his written findings as of May 1, 2006, to the Federal Communications Commission not later than 60 days after receiving the payment described in subsection (a).

SEC. 9. 9/11 COMMISSION ACT OF 2007.

Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking ''the 'Improving Emergency Communications Act of 2007'.'' and inserting ''the '911 Modernization Act'.''.

Mr. NELSON of Florida. Mr. President, I thank the Senate. This has been 2 years coming because 2 years ago, a young mother in Deltona, FL, which is north of Orlando in Volusia County, watched her baby die as she tried in vain to reach emergency 911. She had a telephone that she did not realize, because it was voice over the Internet, there was no provision for emergency 911 services.

Following that tragedy of the death of that child, where a 911 emergency response team never arrived because they did not receive the call, we introduced this bipartisan legislation that requires all VOIP providers to offer the emergency 911 service, and this legislation gives them the tools they need in order to do that.

We have been working on this legislation a long time. It passed the Commerce Committee unanimously in 2005. It was also added to a Senate port security bill in 2006, and then the conference committee stripped it out.

Since the bill was first introduced, to the credit of the Federal Communications Commission, they took some action to require that VOIP customers have full access to the emergency 911. We appreciate that very much. But there are holes in those regulations. Those holes need to be filled, and this legislation we passed tonight—and is very similar to a House bill that passed a couple of months ago—will fill those legislative holes.

This legislation will resolve any remaining questions regarding the Federal Communications Commission jurisdiction over VOIP services by requiring full access to 911 service by the VOIP customers.

This bill also resolves any issues relating to the potential liability of the VOIP providers that offer access to 911 services. The legislation also requires the national E–911 Implementation Coordination Office to work with industry to oversee the next generation of emergency 911 network.

This network is going to be resilient and redundant. It is going to allow 911 calls to automatically be routed to a functional 911 call center in the event of a disaster. Think about what happened down in New Orleans during Katrina. We had a certain way these 911 calls had to go to get to the emergency call center. Some of those lines were out of service, and so those calls never got there.

This new system is going to send these little packets of information in any route it can to get to that call center. It is going to be redundant, it is going to be resilient so we will not have a repeat of people desperately down in New Orleans making 911 calls and not getting a response.

This is a chart that pretty well depicts that every day thousands of Americans rely on these call centers so they can reach responders, and every day we have to wait to upgrade the network and those lives are at risk.

We have gone all the way from just the rotary service telephones to the future, where we have something like these iPhones we have today that have so many different services on them. We need a system that can get this emergency service through these new kinds of mechanisms. That is what we are going to do.

Going back to this terrible tragedy that happened a couple years ago in my State, this is just one newspaper headline that said trying to get that 911 call, it couldn't go because there was not a provision in VOIP.

Lives have been lost. Lives were at risk. They are still at risk until we can get this legislation signed into law. I am extremely grateful to the Senate for having passed this legislation tonight.

UNANIMOUS CONSENT REQUEST—AMENDMENT NO. 3896, AS MODIFIED

Mr. CASEY. Mr. President, I ask unanimous consent that notwithstanding the passage of S. 1200, the Vitter amendment 3896 be modified with the change at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 309, strike lines 1–7 and insert the following:

''SEC. 805. LIMITATION RELATING TO ABORTION.

''(a) DEFINITION OF HEALTH BENEFITS COVERAGE.—In this section, the term 'health benefits coverage' means a health-related service or group of services provided pursuant to a contract, compact, grant, or other agreement.

''(b) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no funds or facilities of the Service may be used—

''(A) to provide any abortion; or

''(B) to provide, or pay any administrative cost of, any health benefits coverage that includes coverage of an abortion.

''(2) EXCEPTIONS.—The limitation described in paragraph (1) shall not apply in any case in which—

''(A) a pregnancy is the result of an act of rape, or an act of incest against a minor; or

''(B) the woman suffers from a physical disorder, physical injury, or physical illness that, as certified by a physician, would place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.''.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 107–12, the appointment of the following individual to serve as a member of the Public Safety Officer Medal of Valor Review Board: Trevor Whipple of Vermont.

ORDERS FOR WEDNESDAY, FEBRUARY 27, 2008

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, February 27; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business for up to 60 minutes with Senators permitted to speak therein for up to 10 minutes each, and the time be equally divided and controlled between the two leaders or their designees, with the Republicans in control of the first half and the majority in control of the final half; that following morning business, the Senate resume the motion to proceed to S. 2633; further, I ask that the Senate stand in recess from 12:30 to 2:15 p.m. and that all time during any recess, adjournment, or morning business count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:03 p.m., adjourned until Wednesday, February 27, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SHEILA MCNAMARA GREENWOOD, OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE STEVEN B. NESMITH, RESIGNED.

DEPARTMENT OF THE TREASURY

EDWIN ECK, OF MONTANA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2008, VICE KAREN HASTIE WILLIAMS, TERM EXPIRED.

KENNETH E. CARFINE, OF MARYLAND, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 21, 2010, VICE ROBERT M. TOBIAS, TERM EXPIRED.

DEPARTMENT OF STATE

PETER E. CIANCHETTE, OF MAINE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

THE JUDICIARY

COLM F. CONNOLLY, OF DELAWARE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE, VICE KENT A. JORDAN, ELEVATED.

DEPARTMENT OF HOMELAND SECURITY

PAUL A. SCHNEIDER, OF MARYLAND, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY, VICE MICHAEL JACKSON, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2, CLAUSE 2, OF THE CONSTITUTION:

To be brigadier general

COL. MARK W. TILLMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. VERN M. FINDLEY II

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ANN E. DUNWOODY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD E. MICHAEL

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL E. MCCOWAN

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL F. SZYMANIAK

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BARBARA T. EMBRY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSE A. ACOSTAHERNANDEZ
MARY E. CAPOCCIONI

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PHILLIP J. WOODWARD

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY S. CLEMONS
MARC G. GERADS
ANTHONY J. GIOVENCO, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRIAN J. CORRIS
CHRISTOPHER K. MILLER
LARRY MIYAMOTO

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DONALD F. CARTER, JR.
JERRY R. COPLEY
JOSE L. SADA
JAMES R. TOWNEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER J. COX
DOUGLAS M. TAYLOR

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT A. DILL
BRUCE A. JONES
ROBERT A. PETERSEN
GEORGE L. ROBERTS
EDWARD T. SEIFERT

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BILLY A. DUBOSE
DANA R. FIKE
DANIEL E. GUIMOND
DIRK D. KUNTZ
MARK A. MITCHELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEPHEN M. BREEN
PAUL D. CONGER
WILLIAM P. DAVIS
IAN FERGUSON
JOSEPH J. GARCIA
BRIAN K. MORGAN
CHELE S. ROBERTSON
TODD W. RYDER
CLYDE WALKER
RAYMOND J. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT S. ADAMS
MICHAEL D. ALLEN
DALE E. ANDERSON
JOHN R. ANDREW
BRETT D. BARKEY
FRITZ J. BARTH
JOHN W. BATEMAN
JEFFREY A. BAUMERT
MITCHELL F. BECKER
WILLIAM J. BECKER
JOSEPH S. BELFLOWER
DAVID G. BELLON
ROBIN K. BENNETT
ANNITA M. BEST
AUGUSTIN BOLANIO
JOSEPH B. BRICKLEMYER
RICHARD A. BROCK
TERRY L. BRUNING
SHAWN P. BYRNE
ROBERT L. CHAPPELL
BRENT C. CHERRY
BRIAN A. CHIN
MICHAEL L. CLANTON
TIMOTHY D. CORLEY
DAVID A. DAWSON
DAVID W. DEIST
RALPH A. DENGLER
TIMOTHY E. DESALVO
RAYMOND R. DESCHENEAUX
RICHARD B. DODDS
THOMAS M. DOMAN
DOUGLAS T. EDWARDS
BRIAN P. ELSTAD
TERENCE R. EULING
MICHAEL F. FAHEY III
TRACEY A. FARRIS
KEVIN L. FITZWATER
WEYDAN S. FLAX
WILLIAM P. FLINTER
MICHAEL J. FLYNN
MARC J. FRENKEL
DAVID N. GAMBERT
RICHARD J. GIUDICE
JAMES J. HAMM III
MARK E. HARRIS
MARKUS U. HARTMANN
KELLY C. HEATHERMAN
JOHN C. HEMMERLING
KIMO S. HOLLINGSWORTH
THOMAS B. HUETTEMANN
DAVID L. INMON
JAMES D. KENKEL
MICHAEL F. KENNY
LEO A. KILGORE
JOHN D. KLINK
MICHAEL A. KORMAN
ROBERT J. LABRIOLA, JR.
KURTIS E. LANG
RAYMOND J. LIDDY
JOSEPH P. LISIECKI III
DAVID P. LUCCI
JAMES A. MACMURTRIE, JR.
SEAN M. MAGEE
HENRY D. MALANOWSKI
BRADLEY G. MCALLISTER
ARLENE M. MCCUE
THOMAS W. MCKNIGHT
MICHAEL P. MCSWEENEY
STEVEN T. MELBOURNE
CATHERINE J. METZGER
STEPHEN E. MOTSCO
KRISTIN L. MOXLEY
ROBERT R. MULLINS, JR.
DAVID M. MYERS
TIMOTHY F. OKEEFE
DOUGLAS G. OLBRICH
TAZ R. OLSON
JEFFRY L. PARSHALL
LAWRENCE A. PECCATIELLO
KEN A. PERMANN
JONATHAN L. PIRKEY
ANTHONY W. PRATO
HELEN G. PRATT
DAVID J. RILEY
PAUL L. ROCHE III
STEVEN M. ROEPKE
JAMES M. ROSE
KEVIN B. RUSH
LISA R. SCHADE
JON D. SCHLEIFER
JOHN J. SEGA
ELDON C. SHOMBER
MICHAEL J. SPERRY
BRIAN L. SULC
STUART M. SWAN
TROY D. TAYLOR
ERICK P. THOMAS
CONWARD S. THOMPSON
TIMOTHY C. TOCWISH
STEPHEN W. WAITE
MARIANNE S. WALDROP
MARK A. WHITSON
WENDELL C. WILLIAMS
JAMES R. WOLD
JOHN G. WORMAN
JOHN M. YURCAK, JR.
PETER A. ZARCONE
JOHN G. ZUPPAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID M. ABEL
JASON J. ABEL
THOMAS J. ABELL
IVAN A. ACOSTA
BERT W. ADAMS
BRIAN S. ADAMS
JUSTINE A. ADAMS
PAUL J. ADAMS
PAUL E. ADAMSON
NICHOLAS B. ADCOCK
RYAN J. ADDAMS
JEREMY B. AHLSTROM
MICHAEL S. ALBERT
MARC A. ALBRITTON
ARTHUR A. ALCANTARA
ROLANDO P. ALEJO
JAMES G. ALEXANDER
JEREMY B. ALEXANDER
MICHAEL J. ALEXANDER
PAUL J. ALEXANDER
ALFRED R. ALLEN
BENJAMIN D. ALLEN
ERIC J. ALLEN
JANA R. ALLEN
JASON D. ALLEN
MATTHEW D. ALLEN
MATTHEW S. ALLEN
RANDAL T. ALLEN
THOMAS G. ALLEN
ROBERT J. ALTEMUS
NIEL W. ALTOM
ANEEL M. ALVARES
JENNIFER A. AMATO
GREGORY A. AMIG
EDWARD T. AMRHEIN
KEVIN G. AMSDEN
LANNY R. ANAYA
SERGIO E. ANAYA
ANGELA M. ANDERSON
COURTNEY D. ANDERSON
JAMES C. ANDERSON
KEVIN L. ANDERSON
MICHAEL J. ANDERSON
MICHAEL L. ANDERSON
MICHAEL S. ANDERSON
SHANON E. ANDERSON
STEVEN J. ANDERSON
MORGAN C. ANDREWS
JAY F. ANNIS
CHAD M. ANTHONY
TEODORO G. APALISOK
RICARDO L. ARAGON
SAMUEL A. ARIEFF
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JOHN C. ARMSTRONG
KYLE D. ARMSTRONG
ERIC T. ARNOLD
KIM M. ARNOLD
BEN J. ARONHIME
JACK R. ARTHAUD
ERIC J. ARTZER
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CHAD C. ASHCRAFT
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MIKE D. ATCHLEY
RICHARD A. ATWELL, JR.
CHRISTOPHER M. AUGER
JOSEPH R. AUGUSTINE
DAVID N. AUMACK
BENJAMIN W. AUVILLE
SCOTT M. AVENT
JOHN H. AVERY
TODD J. AVRITT
MANUEL J. AYALA
NATHAN P. AYSTA
SCOTT M. BABB
WILLIAM J. BABBITT
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SEAN P. BAERMAN
BEVERLY A. BAKER

CHUNICHI R. BAKER
DARIAN W. BAKER
JULIE A. BALDUF
JOHN E. BALES
TIMOTHY J. BAMFORD
GREGORY E. BARASCH
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DONNA L. BARBER
KRIS E. BARCOMB
RYAN M. BARE
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MICHELLE L. BARKER
JASON H. BARLOW
MARTIN A. BARNARD
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MERRICK P. BARONI
SEAN R. BARR
MICHAEL E. BARRON
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FRANK J. BARTEK
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PAUL M. BELL
TRACY L. BELL
DAVID G. BELLAS
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ROBERT E. BUCHANAN
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HEIDI A. BUCHEIT
MARK W. BUCHHOLZ
SCOTT A. BUCHTEL
CORBETT H. BUFTON
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SPENCER A. BURKHALTER
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BRIAN V. CRAWFORD
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JEFFREY C. CRIVELLARO
DIXON D. CROFT
MICHAEL P. CRONIN
MICHAEL D. CROOKS
TODD R. CROOKS
BENJAMIN L. CROSSLEY
SHIRLEY D. CROW
KELLYE A. CROWDER
MATTHEW C. CROWELL
GEORGE M. CROWLEY
BRIAN A. CROZIER
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DARLA L. CURNUTTE
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RICHARD A. CURTIS
PHILIP A. CURWEN
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LAURA S. DEJONG
RYAN M. DEKOK
DIVISAT B. DELORBE
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JOSE DELGADO, JR.
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GREGG A. DENNIS
JOSEPH D. DEPORTER
CHRISTOPHER E. DEPPE
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RICARDO A. DIAZ
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LEANN J. FERGUSON
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TIMOTHY A. FREY
WILLIAM T. FRIAR
DAVID A. FRIEDMAN
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MATTHEW T. GARRISON
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GREGORY R. GIBSON
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CHARLES E. GILLIAM
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MARCUS D. GIPSON
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JOAQUIN D. GLOMSKI
APRIL L. GLOVER
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RICHARD A. GOCKLEY
JASON M. GOLABOSKI
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GARY M. GOLDSMITH
GLENN M. GONZALES
JONAS R. GONZALES
ALONZO GONZALEZ
JASON S. GOODALE
JEREMY S. GOODWIN
ANTHONY C. GRAHAM
JARED B. GRAHAM
JONATHAN W. GRAHAM
JULIE A. GRAHAM
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TOMMASINA GRANT
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JUSTIN M. GRAY
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ROBERT T. GREENE
JAMES A. GREENFIELD
JASON R. GREENLEAF
DARIN M. GREGG
GARY R. GREICAR
BENJAMIN F. GRIFFITH
JAMES A. GRIGSON
GREGORY A. GRIMES
PATRICK E. GROLEMUND
GREG G. GROZDITS
JASON W. GRUBAUGH
CLINTON L. GUENTHER
VERNON GUENTHER
ALMA E. GUERRERO
CASEY E. GUERRERO
LOUIS E. GUERRINI
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MICHAEL D. GUNN
RICHARD L. GUNN
DEIRDRE M. GURRY
DARCY D. GUSTAFSON
THOMAS L. GUSTIN
JOSE R. GUTIERREZ
STEPHEN R. GWINN
MICHAEL A. HAACK
ERIC T. HAAS
CHRIS E. HABERSTROH
CAROLYN M. HACKWORTH
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JAMES R. PRITCHETT
KEVIN M. PRITZ
CALEB R. PROVENCIO
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ADAM P. QUICK
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STEVEN S. QUICK
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PETER J. RAKOVALIS
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STEVEN D. RANDLE
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CODY C. RASMUSSEN
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DEEDRICK L. REESE
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LAURINDA M. REIFSTECK
DONEVAN A. REIN
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ANGELA D. RICHARDSON
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ROJAN J. ROBOTHAM
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ROBUSTINO D. RODRIGUEZ
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MARK A. SCHMIDT
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DANIEL T. SCHMITT
JEFFREY D. SCHNAKENBERG
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ALISON Y. SCHORR
MATTHEW D. SCHORR
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WILLIAM A. SCHROEDER
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MARK W. SCHULENBERG
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CHRISTOPHER S. SCHULZ
CURT A. SCHUMACHER
MICHAEL R. SCHUPBACH
IRA A. SCHURIG
JOHN M. SCHUTTE
MARTIN G. SCHWEIM
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NATHAN L. SCOTT
ROBERT G. SCOTT
TERRY A. SCOTT
CHAD T. SEARLE
KARL W. SEEKAMP
SCOTT SEGAL
SCOTT M. SEIGFRIED
PATRICK C. SELF
KRISTINA J. SELSTROM
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KEVIN G. SEVERE
DAMON P. SEVIER
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SUSAN M. SHEETS
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STACY N. SLATE

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DAVID A. SLOAT
EDWARD L. SMALLS
JASON M. SMESNY
KYLE J. SMET
JAMIE R. SMICKLAS
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BRIAN D. SMITH
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DAVID A. SMITH
JAMES T. SMITH
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JASON V. SMITH
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KRISTOFFER R. SMITH
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BARRY J. SPELLS
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MICHAEL R. STOLLEY
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JASON E. STRICKLER
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KRISTOPHER W. STRUVE
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CEDRICK L. STUBBLEFIELD
JAMES R. STUBER
JASON O. STUTZMAN
ERIC K. STYRON
AMIT C. SUBRAMANI
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JOHN T. SULLIVAN
LAWRENCE T. SULLIVAN
RYAN D. SULLIVAN
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MICHELLE A. TARKOWSKI
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DELEMESA M. TAYLOR
JASON E. TAYLOR
LELAND J. TAYLOR
MARLON TAYLOR
RYAN D. TAYLOR
STEVEN C. TAYLOR
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LISA S. THIEM
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JEFFREY D. THOMAS
MATTHEW J. THOMAS
MATTHEW M. THOMAS
PAMELLA J. THOMAS
ROGER M. THOMAS
RYAN W. THOMAS
JONATHAN H. THOMASSEE
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NORRIS B. THOMPSON
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JEFFREY J. TIMMERWILKE
SHAWN R. TIMPSON
FRANK L. TISDEL
KATHERINE A. TODOROV
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BENJAMIN R. TRAVERS
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TERRY L. TYREE, JR.
KRISTOPHER J. UBER
MONYCA J. UECKER
HEATHER M. UHL
HORST K. UHL
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ROSS G. UHLER
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BRYANT P. WADE
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RICHARD H. WAGGONER
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PRESTON R. WALLECH
JASON R. WALLS
BRIAN P. WALSH
TRAVIS D. WALTERS
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JASON J. WINKLER
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CRAIG J. WINTERS
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DONALD W. WITTENBERG
PATRICK V. WNETRZAK
JOHN D. WODOCHEK
WINSTON C. WOLCZAK
JAMES E. WOLFE
MARC E. WOLFE
ROBERT W. WOLFE
ELIZABETH A. WOOD
GARY A. WOOD
JARED W. WOOD
JOHN D. WOOD
DOUGLAS A. WOODLEY
THOMAS J. WOODRING
JOHN M. WOODS
SABRINA WOODS
NOEL M. WOODSTUFF
CHRISTOPHER WORKINGER
GREGORY M. WRATHER
DAVID M. WRAZEN

MICHAEL L. WREY
ALEXANDER E. WRIGHT
CHAD R. WRIGHT
JAMES A. WRIGHT
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BRIAN K. YOSHIMOTO
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DOMINICK B. YOUNG
GEOFFREY YOUNG
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STEPHEN R. ZAISER
JOSHUA J. ZAKER
JASON A. ZARBCOUSIN
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THOMAS M. ZEEFF
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SCOTT D. ZELLER
CHRISTOPHER G. ZEPPOS
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JOHN P. ZIELINSKI
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DAVID L. ZIMMERMAN
GARRETT C. ZINDEL
MICHAEL P. ZINK
ANDREW W. ZINN
STEVEN M. ZOLLARS
JODY L. ZOLMAN
CHRISTOPHER P. ZORICH
JOHNATHAN B. ZULAUF
MICHAEL M. ZWALVE

WITHDRAWALS

Executive message transmitted by the President to the Senate on February 26, 2008 withdrawing from further Senate consideration the following nominations:

CATHERINE G. WEST, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2008, VICE KAREN HASTIE WILLIAMS, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

PETER E. CIANCHETTE, OF MAINE, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2010, VICE NANCY KILLEFER, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

STANLEY C. SUBOLESKI, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY), VICE JEFFREY D. JARRETT, RESIGNED, WHICH WAS SENT TO THE SENATE ON DECEMBER 11, 2007.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE SMALL BUSINESS CONSORTIUM OF ALABAMA STATE UNIVERSITY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. ROGERS of Alabama. Madam Speaker, I rise today to pay recognition to the work of the Alabama State University Small Business Consortium on its 29th anniversary.

Since its establishment in 1979, the Small Business Development Consortium has helped support the establishment of small businesses across Alabama. From its humble beginnings, the consortium has expanded to include 11 business development centers in universities across central Alabama, and thanks to the vision of the consortium's founder, Dr. Percy Vaughn, resources for hundreds of fledgling enterprises.

I would like to congratulate the consortium, Alabama State University, and the other member institutions on reaching this important milestone for their organization, and wish them all the best in the future.

THE PRESIDENT'S BUDGET

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RANGEL. Madam Speaker, I rise today to express my concern over President Bush's handling of the budget and to enter into the RECORD editorials from today's Washington Post, "Budget Mess—President Bush's last spending plan only adds to a disastrous fiscal legacy" and from today's New York Times, "Lame-Duck Budget."

President Bush was given a gift 7 years ago; the gift was a projected surplus of $5.6 trillion over the next decade. He has been neither appreciative nor responsible with this gift that America entrusted him with to make the lives of all Americans better. Instead his policies have benefited select groups and special interest. Case in point, his tax cutting agenda has greatly improved the lives of households with incomes totaling more than $450,000 a year. These are some of the wealthiest American households.

The national debt has grown by $2 trillion and the projected $725 billion surplus for the upcoming fiscal year (2009) has disappeared and in its place has appeared a $407 billion deficit. Based on Mr. Bush's recent budget submission, he proposes to pay for additional tax cuts through $397 billion deficit spending over the next 5 years.

Mr. Bush leaves behind a legacy of failed fiscal policies and priorities. Mr. Bush stated his budget plan would put the country on the road to balancing the budget by 2012. However, he mistakenly forgot to inform the American people that his plan only partially funds the wars in Iraq and Afghanistan for 2009, and starting in 2010, he has planned zero spending. This is a disingenuous attempt to make his budget plan seem plausible.

There are no winners with the Bush budget proposal; domestic spending programs will be cut or remain flat. There is no long-term planning for the alternative minimum tax and both Medicare and health care spending will suffer devastating cuts.

Given the uncertain economic future of the country Mr. Bush's budget proposal leaves his successor with a very difficult task ahead. This is especially disheartening since his predecessor left him with a surplus.

[From the Washington Post, Feb. 2, 2008]

BUDGET MESS

Seven long years ago, a new president submitted his first budget—an optimistic document now relevant only as a chastening artifact of a bygone era. In that "Blueprint for New Beginnings," George W. Bush grappled with the supposed challenge of dealing with a projected surplus of $5.6 trillion over the next decade. The president proposed to pay down the debt by $2 trillion during that time, which, he said, was as much as could be responsibly redeemed. He offered lavish tax cuts. And he vowed to "confront great challenges from which Government has too long flinched," putting Social Security and Medicare on solid financial footing.

The final budget of Mr. Bush's presidency arrived yesterday, and the contrast between then and now could hardly be more sobering. Instead of being paid down, the national debt has grown by $2 trillion. The $725 billion surplus once projected for the coming fiscal year (2009) has evaporated. In its place is a $407 billion deficit—an unrealistically rosy number that omits billions in likely war spending and is artificially reduced by including the $200 billion Social Security surplus. The explosion in entitlement costs has been left unaddressed and is therefore even more daunting. Indeed, on entitlements, Mr. Bush's legacy will be to have added to the long-term tab with the addition of an expensive Medicare prescription drug benefit.

Some of this transformation, as the administration would be the first to point out, is not Mr. Bush's fault. Even as he submitted that initial budget, the economy was slowing. The attacks of Sept. 11, 2001, further rattled the economy and imposed huge unanticipated costs for homeland security and military operations overseas. Mr. Bush tried to launch the necessary debate on Social Security, and, although the president can be faulted for having poisoned the well with a relentlessly partisan legislative strategy, congressional Democrats chose to respond with more partisanship.

But the fact remains that the purported surplus on which Mr. Bush based his tax-cutting agenda was always something of a mirage, and the president has never been willing to adjust his agenda to the grim new fiscal reality. Yesterday's promise of a small surplus by 2012 is once again premised on omitting likely costs (zero is budgeted for operations in Iraq and Afghanistan) and by assuming cuts to domestic spending that are unachievable politically and, in large part, unwise as a matter of policy.

As always, Mr. Bush pledges to press ahead with his tax-cutting agenda: another $2.4 trillion over the next decade, $3.7 trillion if relief from the alternative minimum tax is included. The President argues that failing to extend his previous tax cuts would result in an average tax increase of $1,800. But Mr. Bush neglects to point out that the overwhelming share of the tax cuts go to the wealthiest Americans. The top 1 percent of households—those with incomes of more than $450,000—would get 31 percent of the benefits, with tax cuts averaging $67,000 by 2012. And Mr. Bush does not even propose fully paying for these cuts: The budget he submitted yesterday envisions another $397 billion in deficit spending over the next five years because it would devote more money to tax cuts than it would cut in spending.

Mr. Bush inherited a potential windfall—and squandered it. The next president will inherit his mess.

[From the New York Times, Feb. 5, 2008]

LAME-DUCK BUDGET

President Bush's 2009 budget is a grim guided tour through his misplaced priorities, failed fiscal policies and the disastrous legacy that he will leave for the next president. And even that requires you to accept the White House's optimistic accounting, which seven years of experience tells us would be foolish in the extreme.

With Mr. Bush on his way out the door and the Democrats in charge of Congress, it is not clear how many of the president's priorities, unveiled on Monday, will survive. Among its many wrong-headed ideas, the budget includes some $2 billion to ratchet up enforcement-heavy immigration policies and billions more for a defense against ballistic missiles that show no signs of working.

What will definitely outlast Mr. Bush for years to come are big deficits, a military so battered by the Iraq war that it will take hundreds of billions of dollars to repair it and stunted social programs that have been squeezed to pay for Mr. Bush's misguided military adventure and his misguided tax cuts for the wealthy.

The president claimed on Monday that his plan would put the country on the path to balancing the budget by 2012. That is nonsense. His own proposal projects a $410 billion deficit for 2008 and a $407 billion deficit next year. Even more disingenuous, Mr. Bush's projection for a balanced budget in 2012 assumes only partial funding for the wars in Iraq and Afghanistan for 2009, and no such spending—zero—starting in 2010.

It also assumes that there will be no long-running relief from the alternative minimum tax—which would be ruinous for the middle class—and that there will be deep cuts in Medicare and other health care spending that have proved to be politically impossible to enact.

Mr. Bush, of course, inherited a surplus from the Clinton administration, which he quickly used up on his tax cuts. He then continued cutting taxes after the surpluses were gone and even after launching the war in Iraq—$600 billion and counting. Mr. Bush remains unrepentant. Even now, with the economy—and revenues—slowing, he is pushing to make those tax cuts permanent. That would be fiscally catastrophic.

The big winner, predictably, is the Pentagon. After adjusting for inflation, the proposed defense budget of $515.4 billion—which

does not include either war spending or the cost of nuclear weapons—would be up by more than 30 percent since Mr. Bush took office and would be the highest level of military spending since World War II.

Mr. Bush's war of choice in Iraq, on top of the war of necessity in Afghanistan, has seriously strained the American military—its people and its equipment. Even a new president committed to a swift withdrawal of American troops from Iraq will have to keep asking for large Pentagon budgets, both to repair that damage and to prepare the country to face what will continue to be a very dangerous world.

What is so infuriating about this budget is there is not even a hint of the need for real trade-offs. As far as anyone can tell, not a single weapons system would be canceled. That means it will be up to Congress—also far too captive to military-industry lobbyists—to start scaling back or canceling expensive programs that don't meet today's threats, or tomorrow's.

There is one place we're delighted to see Mr. Bush invest more money: a proposal to hire 1,100 new diplomats. The next president will need all of the diplomatic help he or she can get to contain the many international disasters Mr. Bush will leave behind.

Predictably, the big losers in Mr. Bush's budget are domestic-spending programs—including medical research, environmental protection and education—which will either be held flat or cut.

Even more predictably, most of Mr. Bush's touted savings would come from programs intended to protect the country's most vulnerable citizens: the elderly, the poor and the disabled. The budget would sharply restrain the growth of spending on the huge Medicare health insurance program, in an effort to save some $178 billion over the next five years. The administration would achieve that primarily by cutting the annual increases in payments to hospitals, nursing homes and other health care providers that are designed to keep up with the rising costs of caring for Medicare beneficiaries.

There is clearly room to restrain the rate of growth in some of these payments. But the size and duration of the cuts are irresponsible. Meanwhile, Mr. Bush—who insists that every answer to the country's health care woes can be found in the private sector—has left largely untouched the big subsidies that prop up the private Medicare Advantage insurance plans. Eliminating these unjustified subsidies could save Medicare more than $5o billion over five years and $150 billion over 10 years.

Just as the nation seems on the edge of a recession, the budget would also shave federal contributions to state Medicaid programs by some $17 billion over five years. That is exactly the wrong direction to go in tough economic times, when low-income workers who lose their jobs need Medicaid coverage and states have fewer funds to supply it.

All of this means that Mr. Bush will leave his successor a daunting list of problems: the ever-rising cost of health care, the tens of millions of uninsured, a military that is desperately in need of rebuilding. Thanks to Mr. Bush's profligate ways, it also means that the next president will have even less money for solving them.

HONORING GENERAL MONTGOMERY C. MEIGS, USA

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. SESTAK. Madam Speaker, it gives me great pleasure to thank and congratulate General Montgomery C. Meigs, USA, for his dedicated service to the armed forces of the United States of America.

General Meigs is receiving the General Alexander M. Haig, Jr. "Guardian of Liberty" award from the West Point Society of Philadelphia. This is awarded to individuals who exemplify the Motto of "Duty, Honor, Country" while contributing to and guarding the freedom which we all enjoy. Past recipients have been General Haig, General Jowlan, Secretary of the Army Tom White, General Clark, General Shinseki, General Reimer, and General Downing.

General Meigs' academic credentials are remarkable. He is a graduate of the United States Military Academy and he graduated from the University of Wisconsin with a Master's Degree and a Doctorate in History. He also is a graduate of the Armor Officer Basic and Advanced Courses, United States Army Command and General Staff College, and National War College.

General Meigs has had a variety of key leadership and management positions throughout his career including: Squadron Maintenance Officer, Vietnam; Chief, Strategic Application Branch, Office of the Director for Strategic Plans and Policy, J–5, The Joint Staff Washington, DC; Commander, 2d Brigade, 1st Armored Division, United States Army Europe and Seventh Army, Germany and Operation Desert Shield/Desert Storm, Saudi Arabia; Commanding General, United States Army Europe and Seventh Army, Germany and Commander, Stabilization Force, Bosnia-Herzegovina.

His awards speak to an extraordinarily successful career and include: Defense Distinguished Service Medal, Distinguished Service Medal with Oak Leaf Cluster, Defense Superior Service Medal, Legion of Merit with Oak Leaf Cluster, Bronze Star Medal with "V" device, Bronze Star Medal with Oak Leaf Cluster, Purple Heart, Meritorious Service Medal, Air Medals, Army Commendation Medal with 2 Oak Leaf Clusters, Ranger Tab, and Joint Chiefs of Staff Identification Badge.

General Meigs' family, friends, the Commonwealth of Pennsylvania and our entire nation extend their gratitude to him for a career of selfless dedication to our safety and security.

PERSONAL EXPLANATION

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. BISHOP of Georgia. Madam Speaker, I regret that I was unavoidably absent yesterday afternoon, February 25, on very urgent business. Had I been present for the three votes which occurred yesterday, I would have voted "aye" on H. Res. 978, rollcall vote No. 69; I would have voted "aye" on H. Res. 930, rollcall vote No. 70; and I would have voted "aye" on H. Res. 944, rollcall vote No. 71.

THE UNIVERSITY OF KANSAS AND FORT LEAVENWORTH PILOT PARTNERSHIP FOR WOUNDED WARRIORS

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mrs. BOYDA of Kansas. Madam Speaker, earlier this month, the University of Kansas and Fort Leavenworth agreed to conduct a pilot program that would allow Wounded Warriors, both active duty and retired, the opportunity to complete a graduate degree program and then return to the Army to work in assignments at Fort Leavenworth related to their recently earned degrees. In a ceremony at the Lewis and Clark Center at Fort Leavenworth on February 6, 2008, Secretary of the Army Pete Geren and University of Kansas Chancellor Robert Hemenway welcomed eight Army Wounded Warriors into the pilot program.

The concept for the program was developed in September 2007 and presented to the Secretary of Defense, who encouraged the Army to proceed. Soldiers accepted for the program will be assigned to the Combined Arms Center at Fort Leavenworth with duty at the University of Kansas. There they will work to complete master degree programs in areas that can support programs or academia at the Combined Arms Center. The cost of the degree awarding program will be covered by the Army. The University of Kansas was asked to be the partner in this program due to its strong relationship with the Combined Arms Center and its superior academic reputation and accessibility for disabled students.

I am so pleased that these two great institutions have come together to provide a way for wounded Soldiers who may not be able to return to battle the ability to continue to serve their country. I congratulate both the Combined Arms Center and Fort Leavenworth for their initiative and I invite my colleagues to do the same.

INTRODUCTION OF A RESOLUTION EXPRESSING SUPPORT FOR THE DESIGNATION OF APRIL 2008 AS PUBLIC RADIO RECOGNITION MONTH

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. BLUMENAUER. Madam Speaker, today I am proud to introduce a resolution expressing support for the designation of April 2008 as "Public Radio Recognition Month." This legislation celebrates the contributions of public radio to America's communities and enduring civic spirit.

Today, more than 33 million Americans listen to and appreciate public radio through more than 800 locally controlled stations, spanning every State and congressional district. Public radio is committed to community-

based and fact-based journalism, as well as preserving and enhancing the archetypal musical genres of American music history, such as classical, Celtic, jazz, the blues, and bluegrass. This source for local, national, and international news, as well as informative, cultural, and musical programming, is a unique and valued service to our communities.

I invite my colleagues to recognize these achievements and cosponsor this important resolution.

RECOGNIZING MICHELLE LINGO AS ESCAMBIA COUNTY TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of Michelle Lingo, Escambia County's Teacher of the Year.

For the past 11 years, Michelle Lingo has influenced the academic success of elementary school students. Ms. Lingo's exceptional teaching capabilities have enhanced the learning opportunities for the students she teaches, while her countless hours of service and dedication have enabled her students to attain academic excellence. When asked to elaborate upon her profession, Ms. Lingo replies that as a teacher, she ''view[s] every day as a new chance to inspire a child.'' Her passion for teaching is rivaled only by the love she has for her students, and her unwavering devotion strengthens the school system as a whole.

Propelled by her dedication to the education system, Ms. Lingo began her teaching career in 1996 as a first grade teacher. Over time, Ms. Lingo furthered her devotion and expanded beyond the parameters of the typical classroom, first as a reading coach and then as a media specialist, a position in which she continues to serve. Though some would consider her current position overwhelming, Ms. Lingo balances the demands of her career with a jubilant attitude and exceptional enthusiasm.

The title of Teacher of the Year is an immense honor and is evidence of the greatness Ms. Lingo has attained. Beyond the title lies Ms. Lingo's dedication and devotion to not only her students, but to the entire community. Her teaching skills and affable personality have influenced many and have pushed countless students to a higher level of academic achievement. Ms. Lingo's outstanding accomplishments have distinguished her as one of the great teachers in northwest Florida, and the Escambia County School District is honored to have her as one of their own.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Michelle Lingo on this outstanding achievement and for her exemplary service in the Escambia County School District.

PERSONAL EXPLANATION

HON. RIC KELLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. KELLER of Florida. Madam Speaker, I have remained in Orlando, Florida with my wife as she prepares to give birth to our second child. If I had been present yesterday, I would have voted in the following manner: rollcall 69: ''yea''; rollcall 70: ''yea''; and rollcall 71: ''yea.''

HONORING RANDY JONES

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. SHIMKUS. Madam Speaker, I rise today with a heavy heart to pay tribute to a great American patriot.

Randy Jones served the American people as a staff sergeant in the U.S. Army from 1972 until 1980, and then as a civilian employee of the U.S. Army Corps of Engineers for over 20 years. He did his duty to our Nation through two deployments overseas in the war on terror and through his work at the Melvin Price Lock and Dam. At the time of his death last week, he was the Lockmaster at Lock and Dam 27 on the Mississippi River. He is remembered by his colleagues as a dedicated employee and a mentor to a great many co-workers.

My thoughts and those of the House go out to his wife Sharon, and his three daughters and two sons-in-law, Lori and Jeremy Cole, Meredith and Kenneth Zimmer, and Shara Jones, his son and daughter-in-law, Chad and Ann Jones, his eight grandchildren, as well as his brothers and sisters and all his neighbors and friends in Brighton, Illinois.

All of America is grateful for Randy's service to our Nation, and he will be dearly missed by all who knew him.

IN RECOGNITION OF THE LIFE AND LEGACY OF MRS. JOHNNIE R. CARR

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. ROGERS of Alabama. Madam Speaker, I respectfully ask for the House's attention today to honor the life and legacy of one of our Nation's most important Civil Rights figures, Mrs. Johnnie Carr, who passed away on February 22nd at the age of 97.

As so many of my colleagues know, Mrs. Carr was a tireless advocate for the advancement of Civil Rights and equality for all Americans. During a tumultuous time for our Nation, in 1964 Mrs. Carr and her husband Arlam filed suit against the Montgomery County, Alabama, Board of Education in an attempt to desegregate the Montgomery County school system. Her desire was simply to help provide a more hopeful future for her son Arlam Carr Jr. and thousands of other African American children in Alabama. In addition to her legal action against the school board, Mrs. Carr pushed to open segregated Montgomery communities to African American residents.

Not only did her leadership and courage help bring about the end of the segregation of our schools, she helped usher in a new era of equality and freedom for African Americans across our Nation. Throughout her life she continued her activism as a voice for Civil Rights in the Montgomery area and beyond, and was a frequent face at community events throughout her entire life.

Mrs. Carr was an anchor for her family, who will surely remember her as a caring mother and grandmother who held her family together through trying times. Despite her tireless efforts to help advance Civil Rights for all Americans, she always put her family first. Mrs. Carr's passing is mourned by us all, Madam Speaker, and we all send her family our prayers at this difficult time. Thank you for the House's attention today to her life, and to her legacy.

PREDATORY LENDERS CAUGHT THEIR PREY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RANGEL. Madam Speaker, I rise today to enter into the RECORD a February 14th editorial from the New York Times by Eliot Spitzer, Governor of New York, ''Predatory Lenders' Partner in Crime''.

This editorial talks about the role the Office of the Comptroller of the Currency (OCC) had in preempting state laws designed to protect consumers from mortgage loans with deceptive ''teaser'' rates and hidden fees. Several states had enacted laws to protect consumers from these practices. Many low- and middle-income borrowers are not able to absorb monthly payment increases when variable terms reset, such as the expiration of teasers rates and/or interest rate increases. Many of these loan products are so complex, that the disclosures currently available are inadequate to protect consumers. The end result is that hardworking Americans are stripped of the equity they have built in their properties, and they lose their homes.

Who would have thought that the OCC would issue formal opinions in 2003 that preempted state laws designed to protect consumers from lending practices and would put consumers in jeopardy of losing their homes? This was so egregious that all 50 state attorney generals and state banking superintendents vigorously fought the new rules. The fight was to no avail—the Bush administration won and the banks were protected.

Greater regulatory oversight is necessary to ensure borrower confidence in the banking system, and the availability of quality loan products in the market place. The end result is where the U.S. finds itself today—with record rates of foreclosures and an economy in a perilous condition.

[From the New York Times, Feb. 14, 2008]

PREDATORY LENDERS' PARTNER IN CRIME

(By Eliot Spitzer)

Several years ago, state attorneys general and others involved in consumer protection began to notice a marked increase in a range

of predatory lending practices by mortgage lenders. Some were misrepresenting the terms of loans, making loans without regard to consumers' ability to repay, making loans with deceptive ''teaser'' rates that later ballooned astronomically, packing loans with undisclosed charges and fees, or even paying illegal kickbacks. These and other practices, we noticed, were having a devastating effect on home buyers. In addition, the widespread nature of these practices, if left unchecked, threatened our financial markets.

Even though predatory lending was becoming a national problem, the Bush administration looked the other way and did nothing to protect American homeowners. In fact, the government chose instead to align itself with the banks that were victimizing consumers.

Predatory lending was widely understood to present a looming national crisis. This threat was so clear that as New York attorney general, I joined with colleagues in the other 49 states in attempting to fill the void left by the federal government. Individually, and together, state attorneys general of both parties brought litigation or entered into settlements with many subprime lenders that were engaged in predatory lending practices. Several state legislatures, including New York's, enacted laws aimed at curbing such practices.

What did the Bush administration do in response? Did it reverse course and decide to take action to halt this burgeoning scourge? As Americans are now painfully aware, with hundreds of thousands of homeowners facing foreclosure and our markets reeling, the answer is a resounding no.

Not only did the Bush administration do nothing to protect consumers, it embarked on an aggressive and unprecedented campaign to prevent states from protecting their residents from the very problems to which the federal government was turning a blind eye.

Let me explain: The administration accomplished this feat through an obscure federal agency called the Office of the Comptroller of the Currency (OCC). The OCC has been in existence since the Civil War. Its mission is to ensure the fiscal soundness of national banks. For 140 years, the OCC examined the books of national banks to make sure they were balanced, an important but uncontroversial function. But a few years ago, for the first time in its history, the OCC was used as a tool against consumers.

In 2003, during the height of the predatory lending crisis, the OCC invoked a clause from the 1863 National Bank Act to issue formal opinions preempting all state predatory lending laws, thereby rendering them inoperative. The OCC also promulgated new rules that prevented states from enforcing any of their own consumer protection laws against national banks. The federal government's actions were so egregious and so unprecedented that all 50 state attorneys general, and all 50 state banking superintendents, actively fought the new rules.

But the unanimous opposition of the 50 states did not deter, or even slow, the Bush administration in its goal of protecting the banks. In fact, when my office opened an investigation of possible discrimination in mortgage lending by a number of banks, the OCC filed a federal lawsuit to stop the investigation.

Throughout our battles with the OCC and the banks, the mantra of the banks and their defenders was that efforts to curb predatory lending would deny access to credit to the very consumers the states were trying to protect. But the curbs we sought on predatory and unfair lending would have in no way jeopardized access to the legitimate credit market for appropriately priced loans. Instead, they would have stopped the scourge of predatory lending practices that have resulted in countless thousands of consumers losing their homes and put our economy in a precarious position.

When history tells the story of the subprime lending crisis and recounts its devastating effects on the lives of so many innocent homeowners, the Bush administration will not be judged favorably. The tale is still unfolding, but when the dust settles, it will be judged as a willing accomplice to the lenders who went to any lengths in their quest for profits. So willing, in fact, that it used the power of the federal government in an unprecedented assault on state legislatures, as well as on state attorneys general and anyone else on the side of consumers.

HONORING MRS. LOIS KELLY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. DUNCAN. Madam Speaker, I had the privilege this past Saturday to attend the 100th birthday party for Mrs. Lois Kelly.

Mrs. Kelly is a very special, even amazing, woman. She has the beauty and spirit of a woman 20 years younger. It is simply hard to believe she is 100.

She is still very active, and I was told she recently bought a new Cadillac.

The article below by Robert Booker, describes her much better than I ever could.

Suffice it to say that through her work in education and her church and home, she has helped make this Nation a much better place.

Lois Kelly is a great American, and I was very honored to join many others in her birthday celebration.

I would like to encourage my colleagues and other readers of the RECORD to read the column by Mr. Booker, which ran in the February 26 issue of the Knoxville News Sentinel.

LOIS KILGORE KELLY—A CENTURY OF SERVICE

(By Robert J. Booker)

Two years ago while moping around the house suffering from one of those virus things, I got a delightful telephone call. I had committed to participating in a program in the city but had to cancel. Unfortunately, when the word of my illness circulated, some people had me sicker than I really was.

The phone call I got offering assistance came from a 98-year-old woman who wanted to make me some soup or go to the drugstore for me. I had to chuckle at the thought of a woman of that advanced age running an errand for me. But it was no surprise that Lois Kilgore Kelly would make such an offer. I had known her almost 60 years and was very familiar with her community activities.

She is one of the most outgoing, energetic, enthusiastic people one can meet. She can be seen attending various community functions, participating in organizational meetings and offering sympathy at funerals. She seems to be everywhere and drives her own car to get there.

Seventy-nine years ago ''The Knoxville Negro,'' a book of 1929 published a chronicle of black life in Knoxville and noted Mrs. Kelly in its youth section. Under the heading of ''Who's Who Among the Negro Youth of Knoxville 1928-1929,'' the publication said. ''The sons and daughters of today are the fathers and mothers of tomorrow. This section offers a view of prospective Negro leadership.''

The 1929 sketch on her said, ''Lois Kilgore is preparing to make a worthwhile contribution to the educational field. Her ambitions are to become a good housewife and to teach. She recites and is an active member of the Church of God.''

I first met Mrs. Kelly in 1947 when I became a seventh-grade student at Green School. although she was not one of my teachers, I saw her many times. It seems that she always had a smile as she does today. I have never seen her when she is not cheerful.

She was born in Kingsport, Tenn., Feb. 23, 1908, and moved to Knoxville at an early age and attended the Normal Department at Knoxville College. She graduated from Knoxville Colored High School in 1927 and received her bachelor of arts degree in elementary education from Tennessee State University in Nashville in 1931.

Mrs. Kelly began her teaching career in 1932 in Covington, Tenn., before returning to Knoxville in 1934 to teach at Green School. The principal was Charles W. Cansler who had been her principal when she was a student at Knoxville Colored High School. She said it was an honor to have him select her as one of his teachers. She taught there 22 years.

She later taught at Cansler Elementary School named for Cansler's mother. She also taught at Maynard and Lonsdale elementary schools before retiring in 1994 after 60 years of service in the school system.

Early in her teaching career, she was visiting a friend in Nashville and met Curtis Kelly, an up and coming young man who, she said, ''swept her off her feet.'' They married in 1940 when he moved here to take a job with the Tennessee Valley Authority. After his service in the Army he attended Meharry Medical School of Dentistry and set up his practice here in 1951.

Mrs. Kelly and her husband became very active in the Democratic Party and worked tirelessly to register people to vote. They worked at the polls and helped to sponsor rallies to bring out the vote. along the way, she took, time to be active in the National Association for the Advancement of Colored People and held various offices at Shiloh Presbyterian Church, where she has been a member for 74 years. During the sit-in movements of the 1960s, she helped to transport Knoxville College students to and from the picket lines.

On Feb. 23, Nu Zeta chapter of Zeta Phi Beta Sorority held a reception to honor Mrs. Kelly on her 100th birthday at Mount Zion Baptist Church. Hundreds of friends and well-wishers turned out for the occasion. She has been a member of that sorority for 74 years and has served as financial secretary, treasurer and undergraduate adviser she is well know throughout the sorority's South Central Reigon.

Bonita Gillespie, Nu Zeta chapter president and close friend of the honoree, says when Mrs. Kelly is asked to describe her long life, she responds, ''I just lived.'' Gillespie says that, despite Mrs. Kelly's age, ''She still drives her own car, shops for groceries, goes to the mall, attends aerobics at the O'Conner Senior Center, watches her favorite soap operas, plays bridge at every opportunity, and does whatever else she decides to do. She is glued to the TV set when Tiger Woods plays in a golfmatch.''

Some of those other things are to pick up friends to chauffeur them to activities and to call those not feeling well to see if they need her to run an errand.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. GRAVES. Madam Speaker, I would like to state for the RECORD my position on the following votes I missed due to personal reasons.

On Monday, February 25, 2008, I missed rollcall votes 69, 70, and 71. Had I been present, I would have voted ''aye'' on all three votes.

HONORING DR. MICHAEL CROPP, 2008 RECIPIENT OF THE LEUKEMIA AND LYMPHOMA SOCIETY ''SERVICE TO MANKIND'' AWARD

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. HIGGINS. Madam Speaker, I rise today to congratulate Dr. Michael Cropp on receiving the Western New York and Finger Lakes Chapter of the Leukemia and Lymphoma Society 2008 ''Service to Mankind'' Award. Dr. Michael Cropp was honored at the 16th Annual Diamond Ball on Saturday, February 23, 2008. Dr. Cropp is a brilliant example of commitment and devotion to one's community and fellowman.

Dr. Cropp serves as the president and chief executive officer of Independent Health. He received his undergraduate and medical degrees from Brown University and MBA from the State University of New York at Buffalo in 2003. A board-certified family physician, he has worked in medicine and led health systems for over 30 years.

His dedicated work and leadership have served several partners in western New York including Millard Fillmore Health System in Buffalo, United Way, the March of Dimes, Camp Good Days, and Special Times. Dr. Cropp acts as chairman of the Pursuing Perfecting, P2, collaborative of western New York, which addresses breast cancer and heart disease, and serves on the boards of the National Federation for Just Communities, the Buffalo Niagara Enterprise, the Elizabeth Pierce Olmsted Center for the Visually Impaired, and the Buffalo Niagara Partnership. His service is far-reaching and has powerfully touched the lives of patients, families, and their communities.

Dr. Cropp's work should inspire us all to serve our communities and fellow man with dedicated hearts and committed lives. I am proud to congratulate Dr. Cropp for this great honor, and wish him and his family the very best.

RECOGNIZING VICKY EYNON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. POE. Madam Speaker, in our modern, fast paced world many people often forget to take the time to appreciate their surroundings. Inhabitants of the beautiful north Houston neighborhoods are fortunate enough to reside in an area deemed the ''livable forest.'' As these communities progress into the future, residents like Vicky Eynon work at the same time to preserve these unique surroundings. As a result of her efforts FamilyTime has awarded her the 2007 Women of Achievement Award.

An advocate for the trees, Vicky Eynon's commitment to improving the lives of fellow Texans is truly admirable. Not only has she dedicated herself to local forests, as a school nurse she is also an advocate for the wellbeing of children. For 23 years she worked as a school nurse for Humble ISD.

By observing and predicting health concerns among students Vicky became instrumental in the fight for providing schools with Automatic Emergency Defibrillators. Not long after their implementation, she was able to help save a teacher's life as a result of the AED. Although she is now retired, Vicky Eynon's dedication to serving others further extends into the local church community. At Atascocita Presbyterian Church she teaches CPR, instructing others in the art of compassion.

I salute Vicky Eynon not only for the charity demonstrated through her work as a nurse but also for her environmental activism. Due to the work of Vicky and her group of volunteers, citizens in surrounding areas were made aware of the construction plans and were encouraged to take action. Her belief in the power of people through positive action is inspirational. As a result of Vicky's dedication, development projects involving the removal of large numbers of trees unnecessarily were reconfigured to allow for a more natural landscape.

Because of her efforts to preserve the landscape of Southeast Texas, Vicky Eynon was awarded from FamilyTime the 2007 Women of Achievement Award. This remarkable Texan's commitment to improving many different aspects of the community affects the lives of countless people.

And that's just the way it is.

ENDORSING THE IDEA THAT THE PAPERS OF CARIBBEAN LEADERS BE MADE PUBLICALLY AVAILABLE THROUGH THE UNIVERSITY OF THE WEST INDIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RANGEL. Madam Speaker, I rise today to call attention to the University of the West Indies and its recent push to make publicly available those official papers penned by some of the Caribbean's greatest leaders. These papers shed invaluable insight into the area's national and regional public policy, and their availability would grant a host of students, citizens, and political analysts knowledge of their governments' inner workings. The New York CARIB News article, ''Give Us Your Papers, They Would Help Future Generations,'' published on Feb. 5, makes the case.

UNIVERSITY OF THE WEST INDIES TO FORMER CARIBBEAN LEADERS: GIVE US YOUR PAPERS, THEY WOULD HELP FUTURE GENERATIONS

''Give us your official papers that deal with both national and regional public policy.''

That appeal to former leaders of several CARICOM nations, from P.J. Patterson of Jamaica, Dr. Kenny Anthony of St. Lucia and James ''Son'' Mitchell of St. Vincent to Owen Arthur and Sir Lloyd Sandiford of Barbados has come from Dr. Nigel Harris, Vice Chancellor of the University of West Indies. He told the Carib News in New York yesterday that such papers would enhance the ability of future generations of students, political scientists and researchers to understand the development of the region's public policies.

''First of all such donations would be a service to the region as a whole,'' Dr. Harris said. ''Secondly, it gives enduring value to the University that this is a place that our leaders see as being vitally important; understand its enduring value; and in that context have a sense of comfort, if you will that what they leave, that part of their life that they are leaving to the University, will be preserved. It will serve to inform future generations of our peoples and our scholars.''

Dr. Harris was in New York for the glitzy annual awards gala of the American Foundation for the University of the West Indies. Almost 400 guests attended the Black Tie dinner at the Waldorf Astoria in Manhattan where more than a dozen people were honored for their contribution to the development of the Caribbean or the societies in which they now live and work.

So far Edward Seaga, a former Prime Minister of Jamaica has donated his papers to the UWI's Mona campus; the papers of the late Dr. Eric Williams, the father of Trinidad and Tobago's independence, who helped to create CARICOM, are now housed at the St. Augustine campus in Trinidad; while those of Sir Shridath Ramphal, a former Commonwealth Secretary who later became the University's Chancellor, are at the Cave Hill campus in Barbados.

''We in the Caribbean need a place that scholars, students and others can go to understand, read and learn about public policy,'' Dr. Harris said. ''Such collections shouldn't be stored in a willy-nilly fashion.'' The Vice Chancellor thinks the papers of Patterson and Arthur would be vital to an understanding of their approach to regionalism and to the policies affecting people in Jamaica, Barbados and the rest of the region.

In Arthur's case, he spent almost 14 years as the head of the government with lead responsibility for the launching of the Caribbean Single Market and Economy and Dr. Harris said his papers were an ''extremely valuable'' source of information and guidance for future generations.

''Owen Arthur has been one of the thought leaders, if you will, with respect to the implementation of the CSME,'' Harris said. ''It was a charge that he took on. He was engaged in a number of meetings and conferences, some of our university people were there, in terms of thinking through the CSME, the integration of the Caribbean and I think we can learn a lot from that in the short term. We can also learn a lot in the long-term in terms of the journey that we took, so to speak, when it comes to Barbados' development at this point in time and the journey we are going through right now

to achieve the Caribbean Single Market and Economy.''

Interestingly enough, Dr. Harris said that technological development was making it easier to store and gain easier access to the papers than ever before and that should be an attraction to the donors and the users of such documents.

''Now that we can digitize material, which is what Mr. Seaga is doing with his papers, digitizing hundreds of thousands of pages, it is going to make it so easily accessible and acceptable to scholars in years and decades to come,'' was the way he put it. ''Just plain folks who are interested throughout the region would be able to come in and examine them and learn about how decisions were made and positions taken. We have methods already that can readily assemble and store masses of information in ways that would be able to access easily.'' The UWI is celebrating its 60th anniversary and many of honorees who received awards on evening were hailed for their work in the Caribbean or the United States. ''It was a very highly successful event,'' Dr. Harris said. ''The American Foundation of the University for the West Indies plays a vital role in our University's continuing expansion.''

Sir George Alleyne, UWI Chancellor, described the gala as a ''special event'' one that was particularly true as ''our university celebrates'' an important milestone in its history. ''In a young institution like ours we must mark this early milestone and use them not only to review what we have done, but to see what else we may do and how much we can do better when we are doing.''

During the gala awards were presented to Denis O'Brienm, founder of Digicel; Dr. John Agard, senior lecturer in the UWI's faculty of science and agriculture at St. Augustine; Prof. Anthony Chen, professor of applied physics at Mona; Dr. Leonard Nurse, a senior lecturer in the Center for Resource Management and Environmental Studies at Cave Hill; Kenneth DeGhetto, a former member of the Foundation's Board of Trustees; Reggie Canal, first vice president of African Heritage Banking at HSBC; Raymond Goulbourne, BET's Executive Vice President; Noel Hankin, Senior Vice President of Multi-Cultural Relations at Moet Hennessy USA; Roy Hastick, founder and chief executive officer of the Caribbean American Chamber of Commerce and Industry in Brooklyn; Marc Morial, a former Mayor of New Orleans who is the President of the National Urban League; Colbert Narcisse, chief administrative officer of Global Investment Bank and the chief operating officer of the Americas Investment Bank at Merrill Lynch; Paul Altman, Managing Director of Altman Real Estate, the Caribbean's leading real estate company; Winston Bayley, UWI's chief financial officer; Dr. Rollin Bertrand, CEO of the TCL Group; Stephen Cozier, Managing Director of ScotiaBank's Eastern Caribbean operations; Vincent Hosang, founder of Caribbean Food Delights and Royal Caribbean Bakery; and Minna Israel, Managing Director for RBTT Bank Jamaica Limited.

Harry Belafonte, world famous entertainer and civil rights activist, was also honored. Susan Taylor of Essence Magazine accepted the award for him in his absence. Brenda Blackmon of WWOR-TV, My 9; and Maurice Dubois of WCBS-TV were the gala's hosts. The Rt. Rev. E. Don Taylor, Episcopal Vicar Bishop of New York City delivered the invocation.

''We salute the immense contributions of our luminaries and other awardees,'' said Karl Rodney, New York Carib News publisher, chairman of the dinner committee. Michael Flanagan, the Foundation's Chairman, said that the event and the Foundation continue to ''focus on supporting the University so that the institution can continue to expand and meet demands and remain relevant to the societies it serves.''

HONORING THE 25TH ANNIVERSARY OF EBONY EXPRESSIONS CULTURAL AWARENESS PROJECT

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Ms. BALDWIN. Madam Speaker, I rise today to honor the 25th anniversary of Ebony Expressions Cultural Awareness Project in Madison, WI. Each year, Ebony Expressions auditions and selects students from Madison area high schools to take part in a program that uses music, dance, drama, and spoken word to deliver a positive and thought-provoking message about the African American experience. Over the years, the performances have left a profound and lasting impression on audiences throughout our great State. Founded in 1982 under the direction of Ed Holmes, Ebony Expressions has fulfilled its mission to educate all people on the richness of the African American culture and community.

Although February represents African American History Month, Ebony Expressions reminds us to recognize and value the cultural contributions of African Americans all year round. Since the time our Nation was just an idea, African Americans have been instrumental in creating and fortifying American culture through contributions in music, dance, and performing arts.

In addition to highlighting cultural contributions of African Americans, Ebony Expressions also addresses important social and political issues affecting the African American community today. The young performers initiate an important public dialogue while transcending damaging stereotypes. Too often, our young people of color are not given the chance to express themselves in a positive light. Ebony Expressions gives students the opportunities they deserve to articulate their beauty and intellect and turn a debilitating label of ''at-risk to fail'' into a success story of ''at-risk to succeed and become leaders.'' Thanks to the tremendous work of Mr. Holmes and others in the Madison area, we can and will achieve something better.

To honor Ebony Expressions' 25-year legacy of dedicated service to our community, past and present performers will gather this week to present a special program titled ''The Best of Ebony'' to celebrate the most memorable performances over the last two-and-a-half decades.

I would like to congratulate Ebony Expressions on this magnificent milestone and I wish everyone involved 25 more years of continued success.

IN SUPPORT OF MRS. LEAH GALANTE SCHAD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor the memory and life of Mrs. Leah Galante Schad, a woman who devoted over 40 years of her life to protecting Florida's Everglades and a driving force in the American environmental movement. Her contributions helped bring about a new era in our country in which organizers, activists, and politicians worked together to implement courses of action that would improve our environment and our lives. After her recent passing, I am moved to reflect on her accomplishments and legacy as we strive to enact environmental policies for our districts, States, and Nation.

A native of Kentucky, Leah Schad became active in Florida's environmental movement shortly after she moved to the State in 1961. In the following decades, Mrs. Schad would become renowned for her fierce determination and uncompromising will to improve Florida's Everglades and wildlife, earning her the title of ''The Grand Dame of Environmentalism.'' Realize, this title was not given to Mrs. Schad arbitrarily. As a board member of the National Audubon Society and the South Florida Water Management District, chairwoman of the Florida Audubon Society, and president and treasurer of the Audubon Society of the Everglades, Leah Schad had the audacity to successfully challenge decades of environmental mismanagement and to lead the effort to leave the earth in better shape than when we got it.

Without doubt, Mrs. Schad's passion and persistence inspired communities, organizations, and elected officials to engage in efforts to preserve and improve our environment. She received numerous awards for her decades of service including: the Florida Audubon Society's Chapter President of the Year Award in 1979, the Women's Chamber of Commerce of the Palm Beaches Award in 1997, and the American Diabetes Society Valor Award in 2002. However, those who knew and admired Mrs. Schad understood that she worked in pursuit of a greater reward.

Mrs. Schad fought for environmental protection and restoration in Florida despite the people and institutions that threatened her mission and the cancer that threatened her life. Although we in Congress have made enormous environmental progress, our battle is far from over. Leah Galante Schad's struggles and successes remind us that we must confront adversity to ensure that we achieve our goal of comprehensive environmental restoration and protection.

Madam Speaker, in 1907 President Theodore Roosevelt told Congress, ''The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life.'' As we reflect on the life and legacy of Mrs. Leah Galante Schad, we must enhance our efforts to restore the Everglades and other national treasures to their natural state. I urge my colleagues to continue the work of Leah Galante Schad, and other pioneers who fought to ensure that our Nation's unique habitats and wildlife are preserved for the enjoyment of the present generation and for generations to come.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. ANDREWS. Madam Speaker, I was unavoidably detained on matters affecting my

family from voting on the afternoon of February 14, 2008. Had I been present I would have voted "yea" on the following rollcall votes: rollcall 66, rollcall 67, rollcall 68.

PERSONAL EXPLANATION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. POMEROY. Madam Speaker, on February 25, 2008, due to flight delays, I missed rollcall votes Nos. 69, 70, and 71. Had I been present, I would have voted in the following manner: rollcall No. 69, "yea"; rollcall No. 70, "yea"; rollcall No. 71, "yea."

SPOTLIGHT ON AFRICAN-AMERICAN HISTORY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RANGEL. Madam Speaker, I rise today to honor Black History Month and to enter into the record an editorial from New York CaribNews for the week ending February 19, 2008, "Harriet Tubman: Moses of Her People—She Demonstrated the Courage and Grit of a Freedom Fighter."

Harriet Tubman was born a slave in 1820 on a Maryland plantation. In 1849 she escaped to Philadelphia and immediately began her mission of freeing as many slaves as she could on what became known as the "Underground Railroad", a network of antislavery activists and safe houses. Harriet Tubman is credited with rescuing over 300 slaves. The Underground Railroad operated at night with escaping slaves following the Northern Star. This enterprising operation involved the following states: Ohio, Indiana, Pennsylvania, Delaware and Maryland and ultimately was responsible for guiding more than 2,500 slaves to freedom.

Harriet Tubman was so successful that a $40,000 reward was issued for her capture, dead or alive. However, this was not a deterrent to her mission. Even with the enormous price on her head she returned south to free her family and made 19 additional trips while eluding her enemies. She was said to have never lost a passenger.

During the Civil War Harriet Tubman joined the Union Army and worked first as a cook and a nurse and later as a scout and spy. When the war ended Harriet Tubman took on the role of community mother taking care of elderly and needy Blacks while supporting the establishment of Southern Freed People's school. She continued caring for the community well into her 80's.

As Michael D. Roberts states at the end of his CaribNews essay, "For all her toughness Harriet Tubman, who died at age 90, was first and foremost a decent, kind and loving human being who only wanted the best for her people."

HARRIET TUBMAN: MOSES OF HER PEOPLE—SHE DEMONSTRATED THE COURAGE AND GRIT OF A FREEDOM FIGHTER

(By Michael D. Roberts)

This tiny but exceptionally brave Black woman commanded the grudging respect of white southern slave owners. As a matter of fact they put out a huge reward of $40,000 for her capture dead or alive. In the north they called her the "Moses of her people" because of her legendary exploits in getting slaves out of the racist south.

Her name was Harriet Tubman and she was born a slave on a Maryland plantation. Then in 1849 she escaped to Philadelphia and immediately joined what has now come to be known as the "Underground Railroad" a complex and secret passage used by abolitionists to conduct slaves to the free north.

It operated at night and followed the Northern Star. Its conductors met and accompanied the runaway slaves leading them through an intricate web of roads, barns, paths and hideouts to confuse irate southern slaveowners hot in pursuit. The states involved were Ohio, Indiana, Pennsylvania, Delaware and Maryland. And the Railroad's greatest conductor was Harriet Tubman. In a daring enterprise, and with more than 3,200 people involved, this Railway was responsible for guiding to the north more then 2,500 slaves between 1830 and 1860.

The story of Harriet Tubman began when she freed herself and then returned, even with a price on her head, to the hostile south to free her family. She made 19 additional trips to the south and was able to elude her enemies by guile and cunning. She became an embarrassment to the intelligence organizations of the south as she avoided trap after trap and earned the name "Scarlet Pimpernel" for her exploits. Her trips to the south resulted in freedom for more than 300 slaves who were conducted by "General Moses" to the north and Canada. Known for her great physical strength, Harriet Tubman also became widely known for her courage and resourcefulness. Always she was able to confuse the slaveowners. For example, she once let loose several chickens she had just bought in a southern market place to avoid being recognized by a former master. And another time she deliberately took a southern bound train to shake off her pursuers. Said to be deeply religious, it was the strength of her convictions that motivated her to do what she did—she was convinced that she was doing the Lord's work.

When the Civil War broke out Harriet Tubman enlisted in the Union Army and became a spy and scout because of her knowledge of the outdoors and her uncanny intelligence.

She was placed in this dangerous role also for her ability to operate under extreme pressure and to handle difficult situations. From all reports her dispatches were informative and led to many successes for the Union forces.

Not one to remain complacent she also worked as a nurse in a hospital for freed slaves and helped them economically by raising money from the sale of eggs and chickens.

When the guns of the Civil War fell silent Harriet Tubman made New York her home and cared for her aged parents. She became something of a community mother because she took in other needy Blacks who were struggling to make a new life in New York.

Never able to read or write she nevertheless knew the value of education and was shrewd enough to realize that Blacks would have to educate themselves to make it in the United States. She therefore supported the establishment of Southern Freed People's Schools.

Well into the twilight of her years Harriet Tubman set up a home to care for old and poor Blacks. It is correct to say that she remained the Moses of Her People right on to the end of her long life. When she set up the "poor people's home" she was at the ripe old age of 80 years. Harriet Tubman proved that age was never a fetter to advancement and that complacency and inaction were the greatest enemies of Blacks in America. She demonstrated that conviction; determination and bravery were necessary tools in fighting for human and civil rights. Harriet Tubman has left an example on how to love people. She did what no government or institution was able to do for her people. She became in the process an institution herself. Her exploits and bravery will always be remembered as will be her humanity and compassion.

For all her toughness Harriet Tubman, who died at age 90, was first and foremost a decent, kind and loving human being who only wanted the best for her people.

TRIBUTE TO JUDAH FOLKMAN, MD

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. CAPUANO. Madam Speaker, I rise to honor the work and to mourn the loss of Judah Folkman, doctor and teacher, a brilliant scientist, a devoted clinician, an inspiring mentor. I am privileged to represent great universities, research institutes, and teaching hospitals and the men and women who make them great. Many of my constituents inspire the world's admiration and respect. Their work has assuaged suffering and prolonged lives and earned the heartfelt thanks of all they have helped. None to my knowledge are loved as Judah Folkman was loved, by his colleagues, students, and patients. The most fitting tribute seems that given by his friend and colleague, Dr. James Mandell, president and CEO of Children's Hospital Boston, which I here enter into the RECORD:

Judah's wife said she was sorry for giving me this burden, to speak on behalf of the medical and academic community at his memorial service. It is actually a sorrowful joy to remember him on behalf of so many. I must also tell you however that despite the fact I have had so many speaking opportunities in my career, I've never been so worried about getting it right.

It just isn't possible to sum up the life and work of Judah Folkman in these words, in such a short time. He was larger than life in so many ways, to so many of us.

On a personal note—Judah and I were colleagues for a very long time. He was a generous mentor and wise guide to a young urology trainee 30 years ago when I shared an office in his administrative suite. I learned by his example. He treated every parent with unequaled kindness and respect and every child with patience and tenderness. When I returned to start the urology research program effort, he was there for me. When I went to Albany as dean of the Medical College, he was my first commencement speaker. And when I returned in 2000, he and Paula welcomed Val and me as neighbors. In fact, Val mentioned to Paula that perhaps if we walked to work together, my IQ might go up.

His contribution to science, to medicine, and the world, are far too vast to enumerate here. We have all heard and seen tributes to him in every form of media all over the world in the last week.

As a result of his vision and persistence, people all over the world are benefiting from his discoveries.

Today, more than 1,000 laboratories worldwide are engaged in the study of angiogenesis. A million patients worldwide are now receiving anti-angiogenesis therapy for cancer and macular degeneration, and there are more than 50 angiogenic inhibitors in clinical trials.

But Judah envisioned a day when people would have an annual blood test to screen for biomarkers of malignant diseases and if evidence of early stage, yet undetectable disease was found, they would be given nontoxic, angiogenic inhibitors to prevent disease from occurring. He said that location wouldn't matter. It would be just like heart disease, where statins are given for control of biologic markers of future disease like cholesterol.

What a vision, Judah.

I thought you'd be here to see it.

Judah was honored by societies and foundations all over the world. The walls of his conference room on Karp 12 are lined with them. His awards were incredible in depth and breadth, including one he was particularly proud of—the Helen Keller award for his work in the prevention and treatment of blindness.

He was a member of nearly every medical society, yet he was particularly proud of the fact that he was inducted as an honorary member of the Academic Society of Black Surgeons.

He wrote more than 400 original publications and over 100 book chapters himself, but it was with such great joy that he brought over to my office a couple of months ago a book he didn't author or edit. It was the first clinical textbook teaching clinicians about how to treat cancer with angiogenic inhibitors.

As I look around this room, I see, however, what will be his most lasting legacy. It is a living testament to one of his greatest gifts—his unique ability to recognize and cultivate talent and brilliance in others.

He grew the program for vascular biology from the surgical research program at Children's, starting with one-half of a floor of the Enders Research Building. He expanded and nurtured it with devotion, commitment, and love. He was always in my office, lobbying hard for more space and ended up with two entire floors in the Karp Family Research Building.

But more importantly, he had this gift of mentoring his staff in a way that is unequaled by anyone I have ever known. His work will continue in the hands of the incredible talent in vascular biology in the program he built.

It consoles me to some extent that the work Judah started with a singular, seminal glimmer of an idea more than 40 years ago will continue to thrive, grow, and succeed in their hands.

Judah's lasting legacy will continue to extend far beyond our walls, improving the lives of millions of people around the world.

Farewell, our friend, and thank you.

REGARDING TWO AMICUS BRIEFS FILED WITH THE SUPREME COURT IN DISTRICT OF COLUMBIA V. HELLER

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. UDALL of Colorado. Madam Speaker, I have reviewed two amicus briefs filed for consideration by the U.S. Supreme Court in connection with the case of District of Columbia v. Heller.

One brief has been signed by a majority of our colleagues in Congress. The other was filed on behalf of the Bush administration by the Solicitor General, Paul D. Clement. I want to explain why I have decided not to join in signing the first one.

First of all, I want to make clear I am aware of the importance of this case as regards the interpretation of the constitutional reach of the Second Amendment. As I said when the United States Court of Appeals for the District of Columbia decided Parker v. District of Columbia last year, I am convinced that the Constitution's Second Amendment protects the rights of individuals to keep and bear arms. I believe the Court of Appeals' decision striking down several gun laws passed by the D.C. City Council in that case was rightly decided and persuasively reasoned with regard to that fundamental point. As one who reveres the Bill of Rights and as a strong proponent of individual liberty in other contexts, like privacy and freedom of expression, I am very comfortable asserting that the Second Amendment ought to be recognized as protecting individual rights and not just a collective right to form militias.

The decision in Parker has been appealed to the Supreme Court in District of Columbia v. Heller, and I had an opportunity to read the amicus brief in support of upholding the decision of the Court of Appeals that Members of Congress were urged to sign. After carefully reviewing the brief, I found that I agreed with the arguments in 29 of its 31 pages, which support my view about the nature of the individual right guaranteed by the Second Amendment.

If the brief stopped there, I would support it without hesitation. However, it does not stop there. Page 30 of the amicus brief includes declarations that "the District's handgun ban is unreasonable on its face" and further, that "The lower court's categorical approach in holding a prohibition on handguns to be unconstitutional per se was correct."

Those assertions directly contradict statements in the Solicitor General's brief warning that while the Second Amendment does protect an individual right, the lower court's categorical approach to reviewing the D.C. laws in question "could cast doubt on the constitutionality of existing federal legislation" including restrictions on possession of firearms by convicted criminals, fugitives from justice, illegal immigrants, and people suffering from mental disorders.

Some may ask why the many Members of Congress who signed the first brief did not similarly hesitate to so flatly contradict the arguments of the Solicitor General. It is possible that my colleagues read the brief as only trying to make clear that the lower court rightly ruled about the nature of the right protected by the Second Amendment and rightly rejected the absurd argument advanced by the District of Columbia that if any individual right attached to the Second Amendment it should only apply to weapons (not handguns) known at the time the founders drafted the Constitution. But if that was the intention, the amicus brief is drafted in an ambiguous way that is regrettable.

I can speak only for myself, but as a nonlawyer who thinks Mr. Clement is highly qualified to serve as Solicitor General, I find it difficult to reject his concerns outright. And it is for this reason I cannot unequivocally endorse the amicus filed by my colleagues. It seems to me that the Supreme Court will need to take the Solicitor General's views into account when the Court considers the right standard for reviewing the decision of the lower court.

HONORING JANEL'S INDUSTRIES, INC.

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. UPTON. Madam Speaker, I rise today to recognize Janel's Industries, Inc. of Cassopolis, Michigan, as the recipient of the Defense Logistics Agency's, DLA, Business Alliance Award for Outstanding Readiness Support in the Service Disabled, Veteran-Owned Small Business Category.

Janel's Industries, Inc. specializes in cable assemblies and wiring harnesses, which have been used to support the mission of our brave soldiers here in the United States as well as those actively serving in Iraq. Janel's Industries, Inc., has supported the DLA mission as well as our national interests by satisfying the military's increased demand for supplies in an expedited manner. In addition, these products were shipped to the military ahead of schedule, at no additional cost to the U.S. Government or the American taxpayer.

Once again, I would like to personally recognize Janel's Industries, Inc. and its employees for going above and beyond to provide such an invaluable service to our military. The United States is truly a better place because of their contributions.

A TRIBUTE IN HONOR OF NATIONAL PEACE CORPS WEEK

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. McINTYRE. Madam Speaker, I am pleased to join the 110th Congress in celebrating National Peace Corps Week from February 25 to March 3, 2008, as well as the upcoming 47th anniversary of the Peace Corps. As of September 30, 2007, over 8,000 Peace Corps volunteers are currently at 68 posts serving 74 countries, representing the largest number of Americans serving in the Peace Corps since 1970.

Eleven Peace Corps volunteers from my district in southeastern North Carolina are currently serving in 11 nations. These North Carolinians continue to help countless individuals who want to build a better life for themselves, their children, and their communities through their work as Peace Corps volunteers. I am impressed with their passion and dedication as promoters of humanitarianism throughout the world. These individuals truly represent the kind and compassionate spirit of my district. Each Peace Corps volunteer sent out into the field represents an opportunity not only to make a significant and lasting difference but to foster a better understanding of Americans throughout the world.

Madam Speaker, I stand today to honor the lasting legacy of all former and current Peace Corps volunteers and the important work that they do, especially as we celebrate National Peace Corps Week. I hope that each of the Members and all Americans can join to look back on the Peace Corps's honorable 46-year legacy of service at home and abroad as we also look forward to the continued success of this invaluable and effective American organization.

HONORING THE LIFE OF MURLIDHAR DEVIDAS AMTE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. ANDREWS. Madam Speaker, I rise today to celebrate the life of Mr. Murlidhar Devidas Amte, affectionately known as Baba Amte. Over 60 years ago, Mr. Amte moved his wife and infant children to barren, desert land with the goal of creating a community for the most downtrodden people in India, leprosy patients. Today, Anandwan is a self-sustaining community of over 2,500 leprosy patients, orphans, and other social outcasts built on the belief that ''work builds, and charity destroys.'' This community builds their own homes, grows their own food, and practices recycling techniques beyond those of most communities in the world. Anandwan has a college to teach self-sustaining, organic farming techniques, and also schools for the deaf and blind children of the greater community.

As a successful lawyer during the independence movement in India, Mr. Amte was a staunch believer in Gandhian philosophy and chose to change his entire life to help uplift people that did not have the same luck at birth that he was bestowed.

Beyond Anandwan, Mr. Amte worked with his two sons to build other communities for tribal people still living in the jungle without health care. He furthered his reach when he chose to become an activist for not only people, but the environment. With a degenerative spinal disease that eventually made him bedridden, he traveled to a site for a proposed dam, the Narmada Dam Project, which would destroy the land and force thousands of people from their homes. He camped out in a van on the site in protest of not only that dam but all dam projects in India.

Mr. Amte has received numerous humanitarian and environmental awards in his lifetime including The United Nations Human Rights Prize (1988), The Templeton Prize (1990), The Gandhi Peace Prize (1999), Dr. Ambedkar International Award for Social Change (1999), and countless others.

Baba Amte left this world on February 8, 2008, but his spirit will always live on through the thousands of lives he helped. I want to thank Baba Amte for all he has done for the people of Anandwan and the world.

IN RECOGNITION OF DAVID M. NAGEL ACHIEVEMENT OF EAGLE SCOUT RANK

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. MITCHELL. Madam Speaker, I rise today to congratulate David Nagel, who has successfully completed the requirements for the rank of Eagle Scout. The Boy Scouts of America program recognizes the Eagle Scout as the highest attainable rank; less than four percent of Scouts achieve the rank of Eagle.

The process of becoming an Eagle Scout involves earning numerous merit badges and demonstrating spirit, service, and leadership. Scouts must plan, organize, lead, and manage an extensive service project. David took the initiative to develop a plan for landscaping improvements at the Kiwanis Building in his hometown of Fountain Hills, Arizona. David led the project to remove a large amount of sand from a volleyball court in order to turn the area into a park. He enthusiastically installed a sprinkler system and laid sod in order to beautify the Kiwanis Building. Through his work, David has showed his strong commitment to his community and to the Boy Scouts of America, and has developed strong leadership and management skills that will serve him well in the future.

David should be proud of his accomplishments. Again, I congratulate him on his achievement of Eagle Scout and say thank you for a job well done.

CELEBRATING THE 90TH BIRTHDAY OF GOVERNOR OTIS R. BOWEN, M.D. OF BREMEN, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. DONNELLY. Madam Speaker, I rise today to express my congratulations to Governor Otis R. Bowen, M.D., former Governor of Indiana, on the occasion of his 90th birthday. Having served two consecutive terms as Governor of Indiana, Dr. Bowen's life has been marked with great achievements in his work on both a national and local level.

Governor Bowen was born on February 26th, 1918 near Rochester, Indiana to Vernie Bowen and Pearl Wright. After graduating from Indiana University, he went on to earn his medical degree from Indiana University Medical School in 1942. During World War II, he served in the army medical corps and was with the first wave of allied troops in the invasion of Okinawa in 1945. After discharge, Bowen returned to Indiana where he served as county coroner before his election to the House of Representatives in 1956. He became minority leader in 1965 and served as Speaker of the House through 4 legislative sessions.

In 1972, Dr. Bowen was elected Governor of Indiana. That year, a constitutional amendment was ratified allowing governors to serve consecutive, 4-year terms, and in 1976 he became the first governor to succeed himself. His tenure in office was marked by a major tax restructuring program reducing reliance on property taxes, major improvements to state park facilities, development of a statewide emergency medical services system, and adoption of a medical malpractice law that would later serve as a national model.

In 1985, Dr. Bowen received the nomination for Secretary of the Department of Health and Human Services from President Ronald Reagan. After a quick confirmation by the Senate, Dr. Bowen served in the cabinet until President Reagan left office in January 1989.

Now retired, Dr. Bowen resides in Bremen, Indiana. He has been awarded over twenty-five honorary degrees during his life, including one from the University of Notre Dame and another from Baylor University.

So, today I rise to pay tribute to Dr. Bowen for the great achievements he has gained not only for himself, but for the people of Indiana. His service to this nation is admirable and his legacy serves as a great example of a life well-lived.

CELEBRATING THE AFRICAN-AMERICAN CONTRIBUTION TO BLACK HISTORY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RANGEL. Madam Speaker, I rise today to honor Black History Month and to enter into the record an editorial from New York CaribNews for the week ending February 19, 2008, ''Celebrating the African-American Contribution to Black History—the NAACP—Then and Now.''

The National Association for the Advancement of Colored People (NAACP), originally called the National Negro Committee was founded on February 12, 1909 by Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villiard, William English Walling. The 6 founders, who comprised a multi-racial group of Americans, renewed the struggle for civil and political liberty. We now know the organization as the NAACP.

In the early years, the NAACP concentrated on using the courts to overturn the Jim Crow laws that permitted racial discrimination. The NAACP in 1913 organized opposition to President Woodrow Wilson's introduction of racial segregation into the federal government policy. The NAACP devoted a significant amount of energy after World War I and in the 1920s and 1930s to publicize the lynching of blacks throughout the United States and sought federal legislation against those states which refused to prosecute.

Today, the NAACP continues its mission to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination.

(From the CaribNews, Feb. 19, 2008)

CELEBRATING THE AFRICAN-AMERICAN CONTRIBUTION TO BLACK HISTORY—NAACP—THEN AND NOW

The NAACP was founded as the National Negro Committee on February 12, 1909, by a multi-racial group of political activists including W.E.B. DuBois, Ida B. Wells, Henry Moscowitz, Mary White Ovington, Oswald

Garrison Villiard, and William English Walling. DuBois edited the association's magazine, The Crisis, which reached more than 30,000 people. One often overlooked aspect of the NAACP's history is that the Jewish community contributed hugely to the NAACP's founding and continued financing.

In 1914, Professor Emeritus Joel Spingarn of Columbia University became Chairman of the NAACP and recruited for its board such Jewish leaders as Jacob Schiff, Jacob Billikopf, and Rabbi Stephen Wise.

In the climactic civil rights drives of the 1950s and 1960s, Jewish participation was all but overwhelming.

The NAACP's headquarters are in Baltimore, Maryland and it has regional offices in California, New York, Michigan, Missouri, Georgia, Texas, and Maryland. Each regional office is responsible for coordinating conferences in the states included in that region. Local, youth, and college chapters organize activities for individual members. The NAACP is governed nationally by a 64-member board of directors led by a chairman. The board elects one person as the president and chief executive officer for the organization.

Departments within the NAACP govern areas of action. Local chapters are supported by the Branch and Field Services department and the Youth and College department. The Legal Department focuses on court cases of broad application to minorities, such as systematic discrimination in employment, government, or education. The Washington, D.C. bureau is responsible for lobbying the U.S. Government. The Education Department works to improve public education at the local, state and federal levels. The goal of the Health Division is to advance health care for minorities through public policy and education.

As of 2004 the NAACP had approximately 500,000 members.

HONORING LOIS AUKLAND

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Lois Aukland of the Royal Neighbors of America Chapter in Humboldt, Iowa, for receiving the National Fraternal Congress of America's, NFCA, Most Valuable Participant, MVP, Award.

The MVP award highlights Lois' service to her community and relief organizations around Iowa. Lois is the local secretary and treasurer and has held the office of recorder for 13 years. She has been the strongest recruiter for the chapter by increasing the active members from 5 to 20.

Lois has also been involved in many volunteer organizations and activities which include: the Domestic/Sexual Assault Outreach Center planning committee, vice president of the Dakota City Worth While Club, the Girl Scouts representative for JOIN HANDS DAY, and a member of a team for the local Relay for Life fundraiser. Lois has received various awards including the Rookie of the Year by Humboldt Ox Bow Chapter of Izaak Walton League of America and was the inspiration behind her local chapter receiving the Camp Recognition Award each year since its inception.

Lois earned this award for her dedication to supporting women and serving communities, which is what Royal Neighbors of America is all about. Lois has been a tremendous example for her community, and I commend her ongoing commitment to helping others.

I know that my colleagues in the United States Congress join me in commending Lois Aukland for her leadership and service to Humboldt, Iowa. I consider it an honor to represent Lois in Congress and I wish her the very best in her future endeavors.

HONORING WOMEN'S CLUB OF SARASOTA'S 95TH ANNIVERSARY

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. BUCHANAN. Madam Speaker, I rise today in honor of the Women's Club of Sarasota, which is celebrating it 95th anniversary this year.

Since 1913, the members of the Women's Club of Sarasota have been a persuasive voice for political causes, provided educational opportunities for area children, and facilitated several community improvement projects.

Founded by 63 women, the Club's motto of "Not Self, but Service" has been evident in its many accomplishments over the years. Their first clubhouse served as the public library for 30 years, providing the community with a place for social and cultural activities. Concerned about the well-being of area children, they helped pass the compulsory school attendance law, introduced medical-dental inspections and inoculations in public schools, organized a local PTA, and helped found the Helen Payne Nursery School.

During World War I, the group supported the war effort by organizing a local chapter of the American Red Cross. They also increased access to health care by helping to establish Sarasota Memorial Hospital—a community owned hospital. They helped with the city census, and were strong proponents of the 19th Amendment to the U.S. Constitution giving women the right to vote.

Today, the Sarasota Women's Club continues the same spirit of service with annual educational scholarships, special donations to several charitable organizations.

On their anniversary, I congratulate them for their achievements and have every confidence they will continue to play an important role in the improvement of our community and the lives of others.

PERSONAL EXPLANATION

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. HULSHOF. Madam Speaker, on February 25, 2008, I was unavoidably detained and missed votes. Listed below are the votes I missed and how I would have voted had I been here.

H. Res. 978, Rollcall No. 69: Expressing support for the designation of the week of March 3–7 as "School Social Work Week" to promote awareness of the vital role of social workers in schools, and in the community as a whole. Had I been here, I would have voted "yes."

H. Res. 930, Rollcall No. 70: Supporting the goals and ideals of "Career and Technical Education Month." Had I been here, I would have voted "yes."

H. Res. 944, Rollcall No. 71: Honoring the service and accomplishments of Lieutenant General Russel L. Honoré, United States Army, for his 37 years of service on behalf of the United States. Had I been here, I would have voted "yes."

HONORING MARISSA JUNIOR & SENIOR HIGH SCHOOL FOR RECEIVING A BRONZE MEDAL AS ONE OF U.S. NEWS & WORLD REPORT'S ''AMERICA'S BEST HIGH SCHOOLS''

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in congratulating Marissa Junior & Senior High School, in Marissa, Illinois, for receiving a bronze medal as one of "America's Best High Schools" as determined by U.S. News & World Report.

Our future will be determined, to a great extent, by the success of our Nation's high schools in preparing our next generation of leaders, innovators and problem-solvers. Our students must be able to compete for the highly skilled jobs that are driving economic growth. For these reasons, our schools must continually challenge themselves in pursuit of educational excellence. This designation from U.S. News & World Report clearly shows that Marissa Junior & Senior High School is doing a good job in this regard.

U.S. News & World Report looked at over 18,000 high schools from across the country and ranked them according to specific, objective criteria. In order to be considered for the top rankings, a school must perform above other schools in its State. This includes evaluation of reading and math testing with consideration for percentage of disadvantaged students. Additional evaluations looked at the performance of the least advantaged students as well as those top-performing, college bound students.

Of the over 18,000 schools evaluated through this process, less than 1,600 (about 9 percent) were awarded gold, silver or bronze medals. Marissa Junior & Senior High School being named to this elite group is a testament to the careful planning and support by the board and administration, the dedication, preparation and instructional excellence of the faculty and staff and the hard work and high level of achievement on the part of the students.

Madam Speaker, I ask my colleagues to join me in congratulating the board members of Marissa School District #40 as well as the administration, faculty, staff and students of Marissa Junior & Senior High School for their recognition as one of the best high schools in the United States.

HONORING THOSE KILLED IN THE KHOJALY MASSACRE

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to honor those killed during the Khojaly Massacre on the 16th anniversary of that terrible event. On February 26, 1992, 613 Azerbaijanis lost their lives. I ask that this Congress remember those who were killed that tragic day.

HONORING THE RECIPIENTS OF THE OUTSTANDING AWARD FOR THE SPRINGVILLE AREA CHAMBER OF COMMERCE

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. REYNOLDS. Madam Speaker, I rise today to honor the 2008 recipients of the outstanding award for the Springville Area Chamber of Commerce in New York State. Grace Gentner, the Johnson Family of Dealerships, and Meals on Wheels. Their dedication and commitment to the community should be applauded. The awards are presented to individuals, businesses, and non- profits that exemplify outstanding service and involvement in the Springville area.

As one of western New York's outstanding citizens, Grace Gentner is a role model for Americans. Grace's kind spirit and dedication to helping others has made her community a better place. Grace has spent countless hours volunteering at several organizations in the Springville area as well as serving as a leader in the community. Due to her commitment to community service Grace was honored with this year's Citizen of the Year award by the Springville Chamber of Commerce. Among the many service organizations Grace spends most of her time contributing to the Historical Society, Bertrand Chaffee Hospital, Springville Food Pantry, Meals on Wheels and she served as an Extraordinary Minister at St. Aloysius Catholic Church. In addition, Grace has been an elected leader by serving many years as Town Clerk and tax collector for the Town of Concord as well as president of the Senior Citizens. As someone who has blessed me with her friendship I am fortunate to have been a beneficiary of Grace's wisdom, counsel and guidance. I am pleased that her hard work helping people has been recognized by the Springville Area Chamber of Commerce.

Springville's Johnson Family of Dealerships takes great pride in its tradition of contributing to the community. The family dealership was founded by Bob and Bernice Johnson in 1951, and continues to be run and operated by Mike and Tom Johnson along with General Managers Darin and Derek Johnson. The Johnson Family of Dealerships has been a cornerstone of the Springville business community. This family owned and operated business and its employees have contributed countless hours of community service from helping with the Dairy Festival, to the Annual Golf Tournament which benefits Chaffee Hospital. A true neighborhood business, they host annual Christmas and Halloween parties, events that all members of the community look forward to. It is because of their long standing tradition of service to the community that they have been awarded Business of the Year by the Springville Chamber of Commerce.

Meals on Wheels is a non-profit organization whose volunteers are the unsung heroes of the Village of Springville and the Town of Concord. This organization specializes in bringing warm meals to the citizens of Springville and the Town of Concord who are unable to leave their homes. The Meals on Wheels volunteers also provide much needed companionship and deserve the recognition of Not-for-Profit Organization of the Year awarded by the Springville Chamber of Commerce.

Thus, Madam Speaker in recognition of their service to the Springville Area, I ask that this honorable body join me in honoring Grace Gentner, the Johnson Family Dealership, and Meals on Wheels.

HONORING ELNORA GEORGE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Elnora George upon her retirement from John C. Fremont Healthcare District. Mrs. George will be honored at a reception to be held at the Mariposa Senior Center in Mariposa, CA, on February 27, 2005.

Mrs. George began her career with the John C. Fremont Healthcare District in 1998 as the interim Chief Executive Officer and Chief Financial Officer. The district was facing financial difficulties when Mrs. George started. The district was facing substantial debt problems that were affecting the operations and livelihood of the district. That was before Mrs. George started with the company and began to make changes.

Mrs. George began her tenure by negotiating payment plans on existing debt, renegotiating purchase plans with various suppliers, and she found a way to complete a remodeling project that was already in the works. She applied for and was awarded grants to assist in purchasing new equipment. With this additional funding the district was able to complete the renovation of, and expand, the emergency department. This was just the beginning of the expansion.

John C. Freemont Healthcare District, with the guidance of Mrs. George, has been able to expand their services across the board. They are currently contracted with Mariposa County to provide medical services to the County Adult Detention Facility. A joint effort between the district and the County Health Department has made it possible for the establishment of a County Medical Services Program through a MediCal Wellness Grant to provide psychiatry services to the poor and underserved in the county. The surgery department has been reopened for outpatient surgeries and procedures. New imaging services have been added along with the most up-to-date technologies including CT, ultrasound, and MRI equipment. Mrs. George was able to achieve accreditation as a Critical Access Hospital and had the area designated as a Healthcare Physician Shortage Area. This accreditation and designation have allowed the district to expand the education department to include community classes and a nursing assistant program.

More recently, under Mrs. George's leadership, a Private Duty department was created. This department provides nursing, homemaking and handyman services. Telemedicine is now in use for physician consultations in the clinics and for in-home units for personal health monitoring. Finally, the Northside Clinic in Greeley Hill was opened for family practice care.

Madam Speaker, I rise today to commend and congratulate the accomplishments of Elnora George upon her retirement from John C. Fremont Healthcare District, I invite my colleagues to join me in wishing Mrs. George many years of continued success.

INTRODUCTION OF THE PUBLIC HEALTH PREPAREDNESS WORKFORCE DEVELOPMENT ACT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2008

Ms. MATSUI. Madam Speaker, I am proud to introduce the "Public Health Peparedness Workforce Development Act of 2008." This much-needed legislation will help provide the critical workers that our public health community so desperately needs.

These skilled public health professionals include the nurses, epidemiologists, lab technicians, and others who keep our communities healthy and safe. They deliver our vaccines, ensure that our drinking water is safe, test for infectious diseases, and serve as our front-line defense against biological and chemical attacks. The responsibilities of our public health workers reach into our daily lives.

Unfortunately, our country has under-invested in this critical area for decades, and our public health workforce is near the breaking point.

We are simply not producing or retaining enough public health workers to meet the increasing demand for their essential services. Nearly a quarter of the public health workforce is set to retire by 2012.

As a result, the Association of Schools of Public Health estimates that our country's public health schools would have to train three time the current number of graduates over the next 12 years just to maintain current levels of preparedness.

We cannot continue to underestimate or undervalue the importance of a strong public health system. As we focus on preventing outbreaks and attacks through preparedness and vigilance, we will rely ever more heavily on our public health workers.

However, public health positions are often not economically competitive with those offered by the private sector. We must create the proper incentives offered for our Nation's brightest public health graduates to serve in the public sector, and the Public Health Preparedness Workforce Development Act is a strong step toward doing so.

It offers scholarships, loan repayment programs, and mid-career training grants to recent public health graduates and to current

public health employees looking to supplement their education. It also creates an electronic clearinghouse to make it easier for workers to find available public health positions to the Federal Government.

Additionally, this bill will improve the training of public health workers and introduce many more of them to the field by spurring the creation of academic health departments. These departments, formed by the union of State and local health agencies with schools of public health, will serve as training grounds analogous to medical schools and teaching hospitals.

Closer coordination between academia and the people we charge with protecting the public welfare is essential to keeping our constituents safe from threats like avian flu, staph infections, and other public health challenges, By melding the academic and the practical, this legislation will significantly improve our ability to respond effectively to public health emergencies.

A strong and robust public health workforce is not a luxury, Madam Speaker. It is a necessity. The Public Health Preparedness Workforce Development all my colleagues to support it.

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1149–S1216

Measures Introduced: Three bills and one resolution were introduced, as follows: S. 2667–2669, and S. Res. 461. **Page S1201**

Measures Passed:

Indian Health Care Improvement Act Amendments: By 83 yeas and 10 nays (Vote No. 32), Senate passed S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act, after taking action on the following amendments proposed thereto: **Pages S1150–58**

Adopted:

By 52 yeas and 42 nays (Vote No. 30), Vitter Modified Amendment No. 3896 (to Amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service. **Pages S1150–51**

A unanimous-consent agreement was reached providing that notwithstanding the passage of S. 1200, Vitter Amendment No. 3896 be modified. **Page S1208**

By 56 yeas and 38 nays (Vote No. 31), Smith Amendment No. 3897 (to Amendment No. 3899), to modify a provision relating to development of innovative approaches. **Pages S1150, S1151–52**

Murkowski (for DeMint) Amendment No. 4066 (to Amendment No. 3899), of a perfecting nature. **Pages S1150, S1152**

Dorgan Amendment No. 3899, in the nature of a substitute. **Pages S1150, S1155**

Withdrawn:

Murkowski (for DeMint) Amendment No. 4015 (to Amendment No. 3899), to authorize the Secretary of Health and Human Services to establish an Indian health savings account demonstration project. **Pages S1150, S1152**

IP–Enabled Voice Communications and Public Safety Act: Senate passed S. 428, to amend the Wireless Communications and Public Safety Act of 1999, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S1205–08**

Nelson (FL) (for Inouye/Stevens) Amendment No. 4086, to clarify the FCC's authority to require 9–1–1 service. **Page S1206**

Measures Considered:

Troop Redeployment: Senate continued consideration of the motion to proceed to consideration of S. 2633, to provide for the safe redeployment of United States troops from Iraq. **Pages S1165–94**

During consideration of this measure today, Senate also took the following action:

By 70 yeas to 24 nays (Vote No. 33), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S1167**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:30 a.m., on Wednesday, February 27, 2008 and that all time during the recess adjournment or morning business count post-cloture. **Page S1208**

Appointments:

Public Safety Officer Medal of Valor Review Board: The Chair announced, on behalf of the Majority Leader, pursuant to Public Law 107–12, the appointment of the following individual to serve as a member of the Public Safety Officer Medal of Valor Review Board: Trevor Whipple of Vermont vice David E. Demag of Vermont. **Page S1208**

Nominations Received: Senate received the following nominations:

Sheila McNamara Greenwood, of Louisiana, to be an Assistant Secretary of Housing and Urban Development.

Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008.

Kenneth E. Carfine, of Maryland, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 21, 2010.

Peter E. Cianchette, of Maine, to be Ambassador to the Republic of Costa Rica.

Colm F. Connolly, of Delaware, to be United States District Judge for the District of Delaware.

Paul A. Schneider, of Maryland, to be Deputy Secretary of Homeland Security.

2 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps. **Pages S1208–16**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Catherine G. West, of the District of Columbia, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008, which was sent to the Senate on January 9, 2007.

Peter E. Cianchette, of Maine, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2010, which was sent to the Senate on January 9, 2007.

Stanley C. Suboleski, of Virginia, to be an Assistant Secretary of Energy (Fossil Energy), which was sent to the Senate on December 11, 2007. **Page S1216**

Measures Placed on the Calendar: **Pages S1149, S1199**

Executive Communications: **Pages S1199–S1201**

Additional Cosponsors: **Pages S1201–03**

Statements on Introduced Bills/Resolutions: **Page S1203**

Additional Statements: **Pages S1198–99**

Amendments Submitted: **Pages S1203–04**

Notices of Hearings/Meetings: **Page S1204**

Authorities for Committees to Meet: **Page S1204**

Record Votes: Four record votes were taken today. (Total—33) **Pages S1151–52, S1155, S1167**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:03 p.m., until 9:30 a.m. on Wednesday, February 27, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1208.)

Committee Meetings

(Committees not listed did not meet)

DEPARTMENT OF THE INTERIOR PROGRAMS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies concluded an oversight hearing to examine the oil, gas, and mineral revenue programs managed by the Department of the Interior, after receiving testimony from C. Stephen Allred, Assistant Secretary for Lands and Minerals Management, and Randall Luthi, Director, Minerals Management Service, both of the Department of the Interior.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine the defense authorization request for fiscal year 2009 for the Department of the Army, and the future years defense program, after receiving testimony from Preston M. Geren III, Secretary, and General George W. Casey, Jr., USA, Chief of Staff, both of the Army, Department of Defense.

U.S. OIL INVENTORY POLICIES

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine United States oil inventory policies, focusing on the Department of Energy's Strategic Petroleum Reserve Project Management Office policies, after receiving testimony from Katharine Fredriksen, Principal Deputy Assistant Secretary of Energy for Policy and International Affairs; Frank Rusco, Acting Director, Natural Resources and Environment, Government Accountability Office; Frank A. Verrastro, Center for Strategic and International Studies, Washington, D.C.; and Melanie A. Kenderdine, Massachusetts Institute of Technology Energy Initiative, Cambridge.

ECONOMIC AND FISCAL CONDITIONS OF THE STATES

Committee on Finance: Committee concluded a hearing to examine the economic and fiscal conditions of the states, focusing on the national economic outlook, after receiving testimony from Arizona Governor Janet Napolitano, Phoenix.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 5488–5500; and 4 resolutions, H. Res. 998–1000, 1002 were introduced.

Pages H1073–74

Additional Cosponsors: **Pages H1074–75**

Report Filed: A report was filed today as follows:

H. Res. 1001, providing for consideration of the bill (H.R. 5351) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation (H. Rept. 110–530). **Pages H1072, H1073**

Speaker: Read a letter from the Speaker wherein she appointed Representative Clarke to act as Speaker Pro Tempore for today. **Page H1033**

Recess: The House recessed at 10:41 a.m. and reconvened at 12 p.m. **Page H1034**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Dr. Adolphus C. Lacey, Mount Olivet Baptist Church, Peekskill, New York. **Page H1034**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 226 yeas to 183 nays with 1 voting "present", Roll No. 72.

Page H1044

Committee Resignation: Read a letter from Representative Bonner, wherein he resigned from the Committees on Agriculture and Science and Technology, effective Monday, February 25, 2008.

Page H1046

Committee Elections: The House agreed to H. Res. 998, electing the following Members to serve on certain standing committees of the House of Representatives: Committee on Appropriations: Representative Bonner. Committee on the Budget: Representative Jordan. Committee on Financial Services: Representative Heller (NV). Committee on Natural Resources: Representatives Smith (NE) and Wittman (VA). Committee on Transportation and Infrastructure: Representative Latta. **Page H1046**

Committee Election: The House agreed to H. Res. 999, electing the following Member to serve on the Committee on Foreign Affairs: Representative Lee.

Page H1046

Committee Resignation: Read a letter from Representative Jordan, wherein he resigned from the Committee on Small Business, effective Monday, February 25, 2008. **Page H1046**

Committee Resignation: Read a letter from Representative Heller (NV), wherein he resigned from the Committees on Natural Resources, Education and Labor, and Small Business, effective Monday, February 25, 2008. **Page H1046**

Public Housing Asset Management Improvement Act of 2007: The House began consideration of H.R. 3521, to improve the Operating Fund for public housing of the Department of Housing and Urban Development. Pursuant to section 2 of H. Res. 974, further proceedings were postponed.

Pages H1037–44 H1046–56

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Smith (TX) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 218 ayes to 195 noes, Roll No. 77. **Pages H1054–55**

Representative Bachmann moved to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House promptly with instructions. Further proceedings on the motion were postponed. **Pages H1055–56**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H1051**

Pursuant to section 3 of the rule, H. Res. 955 is laid upon the table.

Accepted:

Sires manager's amendment (No. 1 printed in H. Rept. 110–524) that clarifies the intent of an amendment offered by Representative Velázquez and adopted by the Financial Services Committee by ensuring that public housing authorities that apply to HUD for "stop-loss" do not have their applications rejected on the basis that the management and related fees they establish pursuant to this bill are not reasonable as defined by HUD. Additionally, the amendment is a restatement of current law with respect to the ineligibility of illegal immigrants for assistance (by a recorded vote of 415 ayes with none voting "no", Roll No. 75) and **Pages H1051–53**

Meek (FL) amendment (No. 2 printed in H. Rept. 110–524) that holds HUD responsible, in the case of receivership, for performing the same responsibilities that the local housing agencies have in respect to working with tenant associations before building public housing. Additionally, in the case of receivership, before building new public housing HUD

must honor any formal agreements entered into before the commencement of such receivership between the local housing authority and the tenant association (by a recorded vote of 337 ayes to 77 noes, Roll No. 76). **Pages H1052–54**

H. Res. 974, the rule providing for consideration of the bill, was agreed to by a recorded vote of 218 ayes to 190 noes, Roll No. 74, after agreeing to order the previous question by a yea-and-nay vote of 212 yeas to 198 nays, Roll No. 73.

Pages H1037, H1044–46

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 27th. **Page H1072**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H1044, H1044–45, H1045–46, H1052–53, H1053–54 and H1054–55. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 5:57 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on Office of Science and Technology Policy and on International Trade Commission. Testimony was heard from John H. Marburger, III, Director, Office of Science and Technology Policy, and Daniel R. Pearson, Chairman, U.S. International Trade Commission.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Missile Defense Agency. Testimony was heard from the following officials of the Department of Defense: LT Gen Henry A. (Trey) Obering, III, USAF, Director, Missile Defense Agency; and LT Gen Kevin T. Campbell, USA, Commanding General, U.S. Army Space and Missile Defense Command, U.S. Army Forces Strategic Command and Joint Functional Component Command for Integrated Missile Defense; and Paul Francis, Director, Acquisition and Sourcing Management GAO.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Immigration Enforcement Issues, including Comprehensive Identification and Removal of Criminal Aliens and Students and Exchange Visitor Program fee increases-Immigration and Customs Enforcement. Testimony was heard from Julie Myers, Assistant Secretary, Immigration and Customs Enforcement, Department of Homeland Security, and a public witness.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Interior, Environment, and Related Agencies held a hearing on Environmental Protection Agency. Testimony was heard from Stephen L. Johnson, Administrator, EPA.

LABOR, HHS, EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Secretary of Education. Testimony was heard from Margaret Spellings, Secretary of Education.

The Subcommittee also held an overview hearing on Opportunities Lost and Costs to Society: The Social and Economic Burden of Inadequate Education, Training and Workforce Development. Testimony was heard from public witnesses.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs and Related Agencies held a hearing on American Battle Commission, Arlington National Cemetery and United States Soldiers' and Airmen's Home National Cemetery, Armed Forces Retirement Income, and on United States Court of Appeals for Veterans' Claims. Testimony was heard from Brig Gen John W. Nicholson, USA, (Retired), Secretary and Brig Gen. William J. Leszczynski, Jr. USA, (Retired) Executive Director, both with the American Battle Monuments Commission; John Paul Woodley, Jr., Assistant Secretary, Civil Works, Department of the Army; Timothy Cox, Chief Operating Officer, Armed Forces Retirement Home; and Chief Judge William Green, United States Court of Appeals for Veteran's Claims.

STATE, FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on Fiscal Year 2009 Budget-Millennium Challenge Account. Testimony was heard from John Danilovich, CEO, Millennium Challenge Corporation.

TRANSPORTATION, HUD APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on Federal Railroad

Administration and National Railroad Passenger Corporation (AMTRAK). Testimony was heard from Alexander Kummant, President and CEO, AMTRAK; and Joseph Boardman, Administrator, Federal Railroad Administration, both with the Department of Transportation.

DEFENSE AUTHORIZATION BUDGET—RECRUITING-RETENTION

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Fiscal Year 2009 National Defense Authorization Budget Request on Overview of Recruiting, Retention and Compensation. Testimony was heard from the following officials of the Department of Defense: David S. C. Chu, Under Secretary, Personnel and Readiness; LTG Michael D. Rochelle, USA, Deputy Chief of Staff, G–1, Headquarters, U.S. Army; VADM John C. Harvey, Jr., USN, Chief of Naval Personnel, Deputy Chief of Naval Operations, Department of the Navy; LTG Richard Y. Newton, III, USAF, Deputy Chief of Staff, Manpower, Personnel, and Services, Headquarters, U.S. Air Force; and LTG Ronald S. Coleman, USMC, Deputy Commandant for Manpower and Reserve Affairs, Headquarters, U.S. Marine Corps.

IRREGULAR WARFARE AND STABILITY OPERATIONS

Committee on Armed Services: Subcommittee on Oversight and Investigations, and the Subcommittee on Terrorism, Unconventional Threats and Capabilities held a joint hearing on Irregular Warfare and Stability Operations: Approaches to Interagency Integration. Testimony was heard from the following officials of the Department of Defense: Michael G. Vickers, Assistant Secretary, Special Operations/Low Intensity Conflict and Interdependent Capabilities; RADM Dan W. Davenport, USN, Director, Join Concept Development and Experimentation (J–9), U.S. Joint Forces Command; BG Robert H. Holmes, USAF, Deputy Director, Operations, U.S. Central Command; LTG Frank Kearney, USA, Deputy Commander, U.S. Special Operations Command; and COL Joseph E. Osborne, USA, Director, Irregular Warfare Directorate (J–10), U.S. Special Operations Command; and Ambassador John E. Herbst, Coordinator, Reconstruction and Stabilization, Department of State.

PRIVATE SECURITY OFFICER EMPLOYMENT AUTHORIZATION ACT OF 2007

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions held a hearing on H.R. 2703, Private Security Officer Employment Authorization Act of 2007. Testimony was heard from Frank Campbell, Senior Counsel, Office of Legal Policy, Department of Justice; and public witnesses.

COVERING UNINSURED CHILDREN

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Covering Uninsured Kids: Reversing Progress Already Made.'' Testimony was heard from the following Governors: Deval L. Patrick, Massachusetts; Chris Gregoire, Washington; Ted Strickland, Ohio; Harley Barbour, Mississippi; and Sonny Perdue, Georgia.

PRIVATE SECTOR FOOD SAFETY ACCOUNTABILITY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Contaminated Food: Private Sector Accountability. Testimony was heard from public witnesses.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from public witnesses.

Hearings continue tomorrow.

BRIEFING—IRAQI REFUGEES

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on Middle East and South Asia held a joint briefing on Iraqi Refugees: Can the U.S. Do More to Help? The Subcommittee was briefed L. Craig Johnstone, Deputy High Commissioner, United Nations High Commissioner for Refugees; and Rafiq Tschannen, Chief of Mission for Iraq and Jordan, International Organization for Migration (IOM).

CHEMICAL FACILITY ANTI-TERRORISM ACT OF 2008

Committee on Homeland Security: Held a hearing on the Chemical Facility Anti-Terrorism Act of 2008, Testimony was heard from Robert B. Stephen. Assistant Secretary, Department of Homeland Security; and public witnesses.

HOMELAND SECURITY INTELLIGENCE

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled ''Homeland Security Intelligence at a Crossroads: the Office of Intelligence and Analysis' Vision for 2008.'' Testimony was heard from Charles E. Allen, Under Secretary, Intelligence and Analysis, Department of Homeland Security.

OVERSIGHT—JUSTICE'S SPECIAL COUNSEL REGULATIONS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Implementation of the U.S. Department of Justice's Special Counsel Regulations. Testimony was heard from Patrick J. Fitzgerald, U.S. Attorney, Northern District of Illinois, Department of Justice; and public witnesses.

ISSUANCE OF SUBPOENA; VOTER SUPPRESSION

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties adopted a resolution authorizing the Chairman of the Committee to issue a subpoena to J. Kenneth Blackwell for testimony and related documents at a hearing before the Subcommittee regarding voter suppression.

The Subcommittee also held an oversight hearing on Voter Suppression. Testimony was heard from Asheesh Agarwal, Deputy Assistant Attorney General, Civil Rights Division, Department of Justice; Tom Emmer, Deputy Minority Leader, House of Representatives, State of Minnesota; and public witnesses.

COCAINE SENTENCING FAIRNESS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on Cracked Justice—Addressing the Unfairness in Cocaine Sentencing. Testimony was heard from Representatives Rangel, Jackson-Lee of Texas; and Bartlett of Maryland; Reggie B. Walton, Judge, U.S. District Court, District of Columbia; Ricardo H. Hinojosa, Chair, U.S. Sentencing Commission; Gretchen Shappert, U.S. Attorney, Western District of North Carolina; and public witnesses.

PRIVATE RELIEF MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law met to request Department of Homeland Security Departmental Reports on the beneficiaries of certain private immigration relief measures.

NOAA/FISH AND WILDLIFE SERVICE BUDGET

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing entitled ''The fiscal year 2009 budget request for the National Oceanic and Atmospheric Administration (NOAA) and the United States Fish and Wildlife Service (FWS). Testimony was heard from Mary Glackin, Deputy Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and Kenneth Stansell, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior.

WILD MONONGAHELA ACT

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 5151, Wild Monongahela Act: A National Legacy for West Virginia's Special Places.'' Testimony was heard from Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; John Manchester, Mayor, Lewisburg, West Virginia; and public witnesses.

OVERSIGHT—WATER AND POWER AGENCIES BUDGET

Committee on Natural Resources: Subcommittee on Water and Power held an oversight hearing on the Fiscal Year 2009 Budget Requests for the Bureau of Reclamation, the Water Resources Division of the United States Geological Survey, and the Federal Power Marketing Administrations. Testimony was heard from the following officials of the Department of the Interior: Robert Johnson, Commissioner, Bureau of Reclamation; and Robert Hirsch, Associate Director, Water, Water Resources Division of the U.S. Geological Survey; the following officials of the Power Administrations, Department of Energy: Stephen J. Wright, Administrator, Bonneville Power Administration; Timothy J. Meeks, Chief Operating Officer, Western Area Power Administration; Leon Jourolmon, Acting Administrator, Southeastern Power Administration; and Jon Worthington, Acting Administrator, Southwestern Power Administration.

ELECTRONIC RECORDS PRESERVATION BUDGET VIEWS AND ESTIMATES; MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Held a hearing on Electronic Records Preservation at the White House. Testimony was heard from the following officials of the Office of Administration, The White House: Alan R. Swendiman, Director; and Theresa Payton, Chief Information Officer; and the following officials of the National Archives and Records Administration: Allen Weinstein, Archivist; Gary M. Stern, General Counsel; and Sharon Fawcett, Assistant Archivist for Presidential Libraries.

The Committee approved Committee Budget Views and Estimates for Fiscal Year 2009 for submission to the Committee on the Budget.

The Committee ordered reported the following measures: H. Con. Res. 286, 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; H. Con. Res. 292, Honoring Margaret Truman Daniel and her lifetime of accomplishments; H. Res. 537, amended, Expressing support for the designation and goals of "National 9–1–1 Educational Month, and for other purposes; H.R. 3196, To designate the facility of the United States Postal Service located at 20 Sussex Street in Port Jervis, New York, as the "E. Arthur Gray Post Office Building;" H.R. 4166, To designate the facility of the United States Postal Service located at 701 East Copeland Drive in Lebanon, Missouri, as the "Steve W. Allee Carrier Annex;" H.R. 4774, amended, To designate the facility of the United States Postal Service located at 10250 John Saunders Road in San Antonio, Texas, as the "Cyndi Taylor Krier Post Office Building;" H.R. 5168, To designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the "Cody Crater Post Office Building;" H.R. 5220, 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;" and H.R. 5400, to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the "Sgt. Michael M. Kashkoush Post Office Building."

RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2008

Committee on Rules: Granted, by a voice vote, a structured rule providing for consideration of H.R. 5351, the "Renewable Energy and Energy Conservation Tax Act of 2008." The rule provides 90 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order an amendment in the nature of a substitute printed in the Congressional Record if offered by Rep. McCrery or his designee. The rule waives all points of order against the amendment in the nature of a substitute except those arising under clause 7 of rule XVI or clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute shall be considered as read and separately debatable for one hour equally divided and controlled by the proponent and an opponent.

The rule provides one motion to recommit the bill with or without instructions. Notwithstanding the operation of the previous question, the Chair may postpone further consideration until a time designated by the Speaker. Finally, the rule provides that H. Res. 983 shall be laid on the table. Testimony was heard from Representatives Schwartz, English of Pennsylvania, Brady of Texas and Bilbray.

NOAA BUDGET/AVIATION WEATHER SERVICE REPORT

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing on the National Oceanic and Atmospheric Administration's Fiscal Year 2009 Budget Proposal and GAO's Report on the Aviation Weather Service. Testimony was heard from the following officials of the Department of Commerce: Conrad C. Lautenbacker, Jr., Under Secretary; and John L. Hayes, Assistant Administrator, Weather Services and Director, National Weather Service, both with NOAA; David Powner, Director, Information Technology Management Issues, GAO; and Eugene Juba, Vice President, Finance, Air Traffic Organization, FAA, Department of Transportation.

OVERSIGHT—NSF

Committee on Science and Technology: Subcommittee on Research and Science Education held an oversight hearing on the NSF. Testimony was heard from the following officials of the NSF: Arden Bement, Director, and Steven Beering, Chairman.

STATE'S SMALL BUSINESS HEALTHCARE STRATEGIES

Committee on Small Business: Held a hearing entitled "State Strategies to Expand Health Insurance Coverage for Small Businesses." Testimony was heard from Tim Pawlenty, Governor of Minnesota; and Edward G. Rendell, Governor of Pennsylvania.

SIMPLIFYING FEDERAL PAPERWORK LANGUAGE

Committee on Small Business: Subcommittee on Contracting and Technology held a hearing entitled "Plain Language in Paperwork—The Benefits to Small Business." Testimony was heard from Christopher Cox, Chairman, SEC; and public witnesses.

COAST GUARD/MARITIME TRANSPORTATION BUDGET

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Fiscal Year 2009 Budget: Coast Guard, Federal Maritime Commission and Maritime Administration. Testimony was heard from

the following officials of the U.S. Coast Guard, Department of Homeland Security: VADM Robert J. Papp, Jr., USCG, Chief of Staff; and Master Chief Charles W. Bowen, USCG, Master Chief Petty Officer; and Sean Connaughton, Administrator, Maritime Administration, Department of Transportation.

VA DISABILITIES RATING REVISION

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on Revising the VA Schedule of Rating Disabilities. Testimony was heard from the following officials of the Department of Veterans Affairs: Bradley G. Mayes, Director, Compensation and Pension Service, Veterans Benefits Administration; and the following officials of the Veterans Health Administration; Steven H. Brown, M.D., Director, Compensation and Pension Exam Program; Patrick Joyce, M.D., Chief Occupational Health Clinic; and Richard Hipolit, Assistant General Counsel; Joseph Kelley, M.D. Deputy Assistant Secretary, Clinical and Program Policy (Health Affairs), Department of Defense; representatives of veterans organizations; and public witnesses.

BRIEFING—CYBER INITIATIVE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Cyber Initiative. The Committee was briefed by Mick McConnnell, Director, Office of the Director of National Intelligence; and Michael Chertoff, Secretary of Homeland Security.

FOOD FOR THOUGHT: SUSTAINABILITY FROM COUNTER TO COMPOST

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Food for Thought: Sustainability from Counter to Compost." Testimony was heard from Pat Miller, Research Microbiologist in the Sustainable Agricultural Systems Laboratory and Environmental Microbial Systems Laboratory, USDA; Dan Beard, Chief Administration Officer, House of Representatives; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 27, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the U.S. Army, Department of Defense, 10:30 a.m., SD–192.

Committee on Armed Services: to hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in S–407 following the open session, 9:30 a.m., SD–106.

Subcommittee on Personnel, to hold hearings to examine the defense authorization request for fiscal year 2009 for the Active component, Reserve component, civilian personnel programs, and the future years defense program, 3 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: Subcommittee on Space, Aeronautics, and Related Agencies, to hold hearings to examine the President's proposed budget request for fiscal year 2009 for the National Space and Aeronautics Administration (NASA), 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the nominations of Stanley C. Suboleski, of Virginia, to be an Assistant Secretary of Energy (Fossil Energy), and J. Gregory Copeland, of Texas, to be General Counsel, both of the Department of Energy, 9:45 a.m., SD–366.

Subcommittee on Public Lands and Forests, to hold hearings to examine S. 2229, to withdraw certain Federal land in the Wyoming Range from leasing and provide an opportunity to retire certain leases in the Wyoming Range, S. 2379, to authorize the Secretary of the Interior to cancel certain grazing leases on land in Cascade-Siskiyou National Monument that are voluntarily waived by the lessees, to provide for the exchange of certain Monument land in exchange for private land, to designate certain Monument land as wilderness, S. 832, to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value, S. 2508 and H.R. 903, bills to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, S. 2601 and H.R. 1285, bills to require the Secretary of Agriculture to convey to King and Kittitas Counties Fire District No. 51 a certain parcel of real property for use as a site for a new Snoqualmie Pass fire and rescue station, H.R. 523, to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of DouglasCounty, Washington, to the utility district, and H.R. 838, to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Environmental Protection Agency, 10 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 579, to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer, S. 1810, to amend the

Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatal and postnatal diagnosed conditions, S. 999, to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation, S. 1760, to amend the Public Health Service Act with respect to the Healthy Start Initiative, H.R. 20, to provide for research on, and services for individuals with, postpartum depression and psychosis, and S. 1042, to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly, and any pending nominations, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine U.S. reliance on private security firms in overseas operations, 10 a.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine S. 2232, to direct the Secretary of Commerce to establish a demonstration program to adapt the lessons of providing foreign aid to underdeveloped economies to the provision of Federal economic development assistance to certain similarly situated individuals, 9:30 a.m., SR–485.

Committee on the Judiciary: to hold hearings to examine S. 2041, to amend the False Claims Act, focusing on strengthening the government's most effective tool against fraud for the 21st century, 10 a.m., SD–226.

Subcommittee on Crime and Drugs, to hold hearings to examine supporting the front line in the fight against crime, focusing on restoring federal funding for state and local law enforcement, 2 p.m., SD–226.

Committee on Rules and Administration: to hold hearings to examine protecting voters in the United States at the polls, focusing on limiting abusive robocalls and vote caging practices, 10 a.m., SR–301.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Small Business Administration, 10 a.m., SR–428A.

Committee on Veterans' Affairs: to hold hearings to review veterans' disability compensation, focusing on expert work on post-traumatic stress disorder and other issues, 9:30 a.m., SH–216.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

Special Committee on Aging: to hold hearings to examine issues relative to surgeons, focusing on conflicts and consultant payments in the medical device industry, 10:30 a.m., SD–628.

House

Committee on Agriculture, to consider Budget Views and Estimates for Fiscal Year 2009 for submission to the Committee on the Budget, 12 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Drug Safety, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, on National Science Board/National Science Foundation, 9:30 a.m., H–309 Rayburn.

Subcommittee on Defense, on Shipbuilding, 10 a.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on Bureau of Reclamation Commission, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services and General Government, on Election Administration, 10 a.m., 2359 Rayburn.

Subcommittee on the Interior, Environment and Related Agencies, on Bureau of Land Management, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Department of Health and Human Services, 10 a.m., 2358–C Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Office of Inspector General, 1:30 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations, and Related Agencies, on Fiscal Year 2009 Budget, U.S. Agency for International Development, 10 a.m., 2358–A Rayburn.

Committee on Armed Services, hearing on Fiscal Year 2009 National Defense Authorization Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

Subcommittee on Seapower and Expeditionary Forces, hearing on Fiscal Year 2009 National Defense Authorization Budget Request overview for the United States Marine Corps, 3 p.m., 2212 Rayburn.

Subcommittee on Strategic Forces, hearing on U.S. Strategic Posture/Fiscal Year 2009 Budget Request for Strategic Programs, 2 p.m., 2118 Rayburn.

Committee on the Budget, hearing on Department of Defense Fiscal Year 2009 Budget, 10 a.m., and a hearing on Department of Health and Human Services Fiscal Year 2009 Budget, 2 p.m., Cannon.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, entitled "Drugs in Sports: Compromising the Health of Athletes and Undermining the Integrity of Competition," 9:30 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing on Wireless Consumer Protection and Community Broadband Empowerment, 10 a.m., 2322 Rayburn.

Committee on Financial Services, to continue hearings on Monetary Policy and the State of the Economy, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, to mark the following: GlobalHIV/AIDS, Tuberculosis and Malaria Reauthorization Act of 2008; H.R. 1084, Reconstruction and Stabilization Civilian Management Act of 2007; H. Res. 185, Expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; H. Res. 854, Expressing the gratitude to all member states of the International Commission of the International Tracing Service (ITS) on ratifying the May 2006 Agreement to amend the

1955 Bonn Accords granting open access to vast Holocaust and other World War II related archives located in Bad Arolsen, Germany; H. Res. 865, Expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region; H. Con. Res. 154, Expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexandria Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death and about the security and proliferation of radioactive materials; H. Con. Res. 255, Expressing the sense of Congress regarding the United States commitment to preservation of religious and cultural sites and condemning instances where sites are desecrated; H. Con. Res. 278, Supporting Taiwan's fourth direct and democratic presidential elections in March 2008; and H. Con. Res. 290, Commemorating the 175th anniversary of the special relationship between the United States and the Kingdom of Thailand, 9:30 a.m., 2175 Rayburn.

Subcommittee on Africa and Global Health, hearing on Multidrug Resistant Tuberculosis: Assessing the U.S. Response to an Emerging Global Threat, 2:30 p.m., 2255 Rayburn.

Subcommittee on Asia, the Pacific, and the Global Environment, hearing and briefing on Climate Change and Vulnerable Societies: A Post-Bali Overview, 2 p.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism and the Subcommittee on Management, Investigations and Oversight, joint hearing entitled " Project 28: Lessons Learned and the Future of SBInet," 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on the U.S. Patent and Trademark Office, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on the Department of Interior's recently released guidance on taking land into trust for Indian Tribes and its ramifications, 11 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, oversight hearing on the Fiscal Year 2009 Budget Requests for the National Park Service, Forest Service and the Bureau of Land Management, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Management, Organization and Procurement, hearing on Contracting Reform: Expert Recommendations and pending measures, 10 a.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing on One Year After Walter Reed: An Independent Assessment of the Care, Support, and Disability Evaluation for Wounded Soldiers, 2 p.m.,2154 Rayburn.

Committee on Rules, to consider H. Res. 895, Establishing within the House of Representatives an Office of Congressional Ethics, and for other purposes, 12:30 p.m., H–313 Capitol.

Committee on Science and Technology, to mark up the following bills: H.R. 3916, To provide for the next generation of border and maritime security technologies; H.R. 4847, U.S. Fire Administration Reauthorization Act of 2008; and H.R. 5161, Green Transportation Infrastructure Research and Technology Transfer Act, 10 a.m., 2318 Rayburn.

Committee on Small Business, to consider Committee Budget Views and Estimates for Fiscal Year 2009 for submission to the Committee on the Budget, 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on VA Construction Authorization, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Income Security and Family Support, hearing on Improving the Child Welfare System, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Intelligence Community Management, hearing on Security Clearances, 9:30 a.m., 340 Cannon.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, February 27

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of the motion to proceed to consideration of S. 2663, Troop Redeployment.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, February 27

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H.R. 5264—To extend certain trade preference programs; (2) S. 2478—The ''Captain Jonathan D. Grassbaugh Post Office'' Designation Act; (3) S. 2272—The ''John 'Marty' Thiels Post Office'' Designation Act, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007; (4) H.R. 3936—The ''Sgt Jason Harkins Post Office'' Designation Act; (5) H.R. 3803—The ''John Henry Wooten, Sr. Post Office'' Designation Act; (6) H.R. 4454—The ''Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office'' Designation Act, in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom; (7) H.R. 3721—The ''Marine Gunnery Sgt. John D. Fry Post Office'' Designation Act; (8) S. Con. Res. 67—A concurrent resolution establishing the Joint Congressional Committee on Inaugural Ceremonies; and (9) S. Con. Res. 68—A concurrent resolution authorizing the use of the rotunda of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies. Consideration of H.R. 5351—Renewable Energy and Energy Conservation Tax Act of 2008 (Subject to a Rule).

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