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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. JONES of Ohio).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 31, 2008.

I hereby appoint the Honorable STEPHANIE TUBBS JONES to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

God ever faithful to Your promises, You invite us as a Nation to place our trust in You. Be present to all the Members of the House of Representatives as they gather for the spring session of the 110th Congress of the United States of America.

Spring blossoms, baseball, fair weather, and many more young visitors are signs of new life in the Nation's Capital. They bring surprising goodness and renewed energy; and we are grateful. May the work of this Congress protect and guide this Nation as it grows in stability, in integrity, and greatness.

Lord, we truly believe that by Your Word, You can breathe forth promise, and that the barren wood can bear fruit that will last now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BISHOP of Utah led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 70. Concurrent Resolution setting forth the congressional budget for the United States government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

GEORGIA SCHOOL FOR THE DEAF FOOTBALL TEAM

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

Mr. GINGREY. Madam Speaker, I rise today to congratulate the Georgia School for the Deaf's football team on winning the 2007 National Eight-Man Deaf Prep Football Championship. It's located in the heart of Cave Spring, Georgia, Floyd County, in my 11th District. The school has now won three national football titles since it was established in 1846, almost 160 years ago. This year's team finished the season with an outstanding 7 and 1 record, and they defeated schools from six other States.

Madam Speaker, the Tigers exhibited dedication, teamwork, and perseverance all season long, and it certainly paid off. I want to congratulate their Athletic Director and Head Football Coach, Erik Whitworth; his Assistant Coaches, Sidney Sharp, David Conti, Eugene Neal, B.B. Chubb, and Shawn Self, as well as the entire Tiger football team on a great season. Four of the team members, Patrick Bryant, Andy Sugg, Timothy Simmons, and Andrew Henderson were all selected as members of the All American Deaf Football Team.

Madam Speaker, all of these athletes have brought much pride to Georgia, to the School for the Deaf, and the entire State, and I ask you to join me in celebrating their accomplishment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARIES BOUNDARY MODIFICATION AND PROTECTION ACT

Mr. KENNEDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1187) to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

Printed on recycled paper.

H.R. 1187

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 ''Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Gulf of the Farallones extends approximately 100 miles along the coast of Marin and Sonoma counties of northern California. It includes approximately one-half of California's nesting seabirds, rich benthic marine life on hard-rock substrate, prolific fisheries, and substantial concentrations of resident and seasonally migratory marine mammals.

(2) Cordell Bank is adjacent to the Gulf of the Farallones and is a submerged island with spectacular, unique, and nationally significant marine environments.

(3) These marine environments have national and international significance, exceed the biological productivity of tropical rain forests, and support high levels of biological diversity.

(4) These biological communities are easily susceptible to damage from human activities, and must be properly conserved for themselves and to protect the economic viability of their contribution to national and regional economies.

(5) The Gulf of Farallones and Cordell Bank include some of the Nation's richest fishing grounds, supporting important commercial and recreational fisheries. These fisheries are regulated by State and Federal fishery agencies and are supported and fostered through protection of the waters and habitats of Gulf of the Farallones National Marine Sanctuary and Cordell Bank National Marine Sanctuary.

(6) The report of the Commission on Ocean Policy established by Public Law 106–256 calls for comprehensive protection for the most productive ocean environments and recommends that they be managed as ecosystems.

(7) New scientific discoveries by the National Marine Sanctuary Program support comprehensive protection for these marine environments by broadening the geographic scope of the existing Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

(8) Cordell Bank is at the nexus of an ocean upwelling system, which produces the highest biomass concentrations on the west coast of the United States.

SEC. 3. POLICY AND PURPOSE.

(a) POLICY.—It is the policy of the United States in this Act to protect and preserve living and other resources of the Gulf of the Farallones and Cordell Bank marine environments.

(b) PURPOSE.—The purposes of this Act are the following:

(1) To extend the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary to the areas described in section 5.

(2) To strengthen the protections that apply in the Sanctuaries.

(3) To educate and interpret for the public the ecological value and national importance of those marine environments.

(4) To manage human uses of the Sanctuaries under this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

(c) EFFECT ON FISHING ACTIVITIES.—Nothing in this Act is intended to alter any existing authorities regarding the conduct and location of fishing activities in the Sanctuaries.

SEC. 4. DEFINITIONS.

In this Act:

(1) MARICULTURE.—The term ''mariculture'' means the propagation or rearing of aquatic organisms in controlled or selected aquatic environments for any commercial, recreational, or public purpose.

(2) CORDELL BANK NMS.—The term ''Cordell Bank NMS'' means the Cordell Bank National Marine Sanctuary.

(3) FARALLONES NMS.—The term ''Farallones NMS'' means the Gulf of the Farallones National Marine Sanctuary.

(4) SANCTUARIES.—The term ''Sanctuaries'' means the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, as expanded by section 5.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 5. NATIONAL MARINE SANCTUARY BOUNDARY ADJUSTMENTS.

(a) GULF OF THE FARALLONES.—

(1) BOUNDARY ADJUSTMENT.—The areas described in paragraph (2) are added to the existing Gulf of the Farallones National Marine Sanctuary described in part 922.80 of title 15, Code of Federal Regulations.

(2) AREAS INCLUDED.—

(A) IN GENERAL.—The areas referred to in paragraph (1) consist of the following:

(i) All submerged lands and waters, including living marine and other resources within and on those lands and waters, from the mean high water line to the boundary described in subparagraph (B).

(ii) The submerged lands and waters, including living marine and other resources within those waters, within the approximately two-square-nautical-mile portion of the Cordell Bank NMS (as in effect immediately before the enactment of this Act) that is located south of the area that is added to Cordell Bank NMS by subsection (b)(2), which are transferred to the Farallones NMS from the Cordell Bank NMS.

(B) BOUNDARY DESCRIBED.—The boundary referred to in subparagraph (A)(i) commences from the mean high water line (MHWL) at 39.00000 degrees north in a westward direction approximately 29 nautical miles (nm) to 39.00000 north, 124.33333 west. The boundary then extends in a southeasterly direction to 38.30000 degrees north, 124.00000 degrees west, approximately 44 nm westward of Bodega Head. The boundary then extends eastward to the most northeastern corner of the expanded Cordell Bank NMS at 38.30000 north, 123.20000 degrees west, approximately 6 nm miles westward of Bodega Head. The boundary then extends in a southeasterly direction to 38.26500 degrees north, 123.18166 degrees west at the northwestern most point of the current Gulf of the Farallones Boundary. The boundary then follows the current northern Gulf of the Farallones NMS boundary in a northeasterly direction to the MHWL near Bodega Head. The boundary then follows the MHWL in a northeasterly direction to the commencement point at the intersection of the MHWL and 39.00000 north. Coordinates listed in this subparagraph are based on the North American Datum 1983 and the geographic projection.

(b) CORDELL BANK.—

(1) BOUNDARY ADJUSTMENT.—The area described in paragraph (2) is added to the existing Cordell Bank National Marine Sanctuary described in part 922.80 of title 15, Code of Federal Regulations.

(2) AREA INCLUDED.—

(A) IN GENERAL.—The area referred to in paragraph (1) consists of all submerged lands and waters, including living marine and other resources within those waters, within the boundary described in subparagraph (B).

(B) BOUNDARY.—The boundary referred to in subparagraph (A) commences at the most northeastern point of the current Cordell Bank NMS boundary at 38.26500 degrees north, 123.18166 degrees west and extends northwestward to 38.30000 degrees north, 123.20000 degrees west, approximately 6 nautical miles (nm) west of Bodega Head. The boundary then extends westward to 38.30000 degrees north, 124.00000 degrees west, approximately 44 nautical miles west of Bodega Head. The boundary then turns southeastward and continues approximately 34 nautical miles to 37.76687 degrees north, 123.75142 degrees west, and then approximately 15 nm eastward to 37.76687 north, 123.42694 west at an intersection with the current Cordell Bank NMS boundary. The boundary then follows the current Cordell Bank NMS, which is coterminous with the current Gulf of the Farallones boundary, in a northeasterly and the northwesterly direction to its commencement point at 38.26500 degrees north, 123.18166 degrees west. Coordinates listed in this subparagraph are based on NAD83 Datum and the geographic projection.

(c) INCLUSION IN THE SYSTEM.—The areas included in the Sanctuaries under subsections (a) and (b) shall be managed as part of the National Marine Sanctuary System, established by section 301(c) of the National Marine Sanctuaries Act (16 U.S.C. 1431(c)), in accordance with that Act.

(d) UPDATED NOAA CHARTS.—The Secretary shall—

(1) produce updated National Oceanic and Atmospheric Administration nautical charts for the areas in which the Sanctuaries are located; and

(2) include on those nautical charts the boundaries of the Sanctuaries, as revised by this Act.

(e) BOUNDARY ADJUSTMENTS.—In producing revised nautical charts as directed by subsection (d) and in describing the boundaries in regulations issued by the Secretary, the Secretary may make technical modifications to the boundaries described in this section for clarity and ease of identification, as appropriate.

SEC. 6. PROHIBITION OF OIL AND GAS LEASING AND PERMITTING.

No lease or permit may be issued that authorizes exploration, development, production, or transporting by pipeline of minerals or hydrocarbons within the Sanctuaries.

SEC. 7. MANAGEMENT PLANS AND REGULATIONS.

(a) INTERIM PLAN.—The Secretary shall complete an interim supplemental management plan for the Sanctuaries by not later than 24 months after the date of enactment of this Act, that focuses on management in the areas added to the Sanctuaries under this Act. The Secretary shall ensure that the supplemental plan does not weaken existing resource protections.

(b) REVISED PLANS.—The Secretary shall issue a revised comprehensive management plan for the Sanctuaries during the first management review initiated after the date of the enactment of this Act under section 304(e) of the National Marine Sanctuaries Act (16 U.S.C. 1434(e)) for the Sanctuaries, and issue such final regulations as may be necessary.

(c) APPLICATION OF EXISTING REGULATIONS.—The regulations for the Gulf of the Farallones National Marine Sanctuary (15 C.F.R. 922, subpart H) and the Cordell Bank National Marine Sanctuary (15 C.F.R. 922, subpart K), including any changes made as a result of a joint management plan review for the Sanctuaries conducted pursuant to section 304(e) of the National Marine Sanctuaries Act (16 U.S.C. 1434(e)), shall apply to the areas added to each Sanctuary, respectively, under section 5 until the Secretary modifies such regulations in accordance with subsection (d) of this section.

(d) REVISED REGULATIONS.—

(1) IN GENERAL.—The Secretary shall carry out an assessment of necessary revisions to the regulations for the Sanctuaries in a manner that ensures the protection of the resources of the Sanctuaries consistent with the purposes and policies of the National Marine Sanctuaries Act and the goals and objectives for the new areas added to each sanctuary under section 5 of this Act. The assessment and any corresponding regulatory changes shall be complete within 24 months of the date of enactment of this Act.

(2) REGULATION OF SPECIFIC ACTIVITIES.—In revising the regulations for the Sanctuaries pursuant to this subsection, the Secretary shall

consider appropriate regulations for the following activities:

(A) The deposit or release of introduced species.

(B) The alteration of stream and river drainage into the Sanctuaries.

(C) Mariculture operations in the Sanctuaries.

(3) CONSIDERATIONS.—In revising the regulations for the Sanctuaries pursuant to this subsection, the Secretary shall consider exempting from further regulation under the National Marine Sanctuaries Act and this Act discharges that are permitted under a National Pollution Discharge Elimination System permit in effect on the date of enactment of this Act, or under a new or renewed National Pollution Discharge Elimination System permit that does not increase pollution in the Sanctuaries and that originates—

(A) in the Russian River Watershed outside the boundaries of the Gulf of the Farallones National Marine Sanctuary; or

(B) from the Bodega Marine Laboratory.

(e) CONTENTS OF PLANS.—Revisions to each comprehensive management plan under this section shall, in addition to matters required under section 304(a)(2) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434(A)(2))—

(1) facilitate all appropriate public and private uses of the national marine sanctuary to which each respective plan applies consistent with the primary objective of sanctuary resource protection;

(2) establish temporal and geographical zoning if necessary to ensure protection of sanctuary resources;

(3) identify priority needs for research that will—

(A) improve management of the Sanctuaries;

(B) diminish threats to the health of the ecosystems in the Sanctuaries; or

(C) fulfill both of subparagraphs (A) and (B);

(4) establish a long-term ecological monitoring program and database, including the development and implementation of a resource information system to disseminate information on the Sanctuaries' ecosystem, history, culture, and management;

(5) identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations under section 313 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444);

(6) ensure coordination and cooperation between sanctuary superintendents and other Federal, State, and local authorities with jurisdiction over areas within or adjacent to the Sanctuaries to deal with issues affecting the Sanctuaries, including surface water run-off, stream and river drainages, and navigation;

(7) in the case of revisions to the plan for the Farallones NMS, promote cooperation with farmers and ranchers operating in the watersheds adjacent to the Farallones NMS and establish voluntary best management practices programs;

(8) promote cooperative and educational programs with fishing vessel operators and crews operating in the waters of the Sanctuaries, and, whenever possible, include individuals who engage in fishing and their vessels in cooperative research, assessment, and monitoring programs and educational programs to promote sustainable fisheries, conservation of resources, and navigational safety; and

(9) promote education and public awareness, among users of the Sanctuaries, about the need for marine resource conservation and safe navigation and marine transportation.

(f) PUBLIC PARTICIPATION.—The Secretary shall provide for participation by the general public in the revision of the comprehensive management plans and relevant regulations under this section.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary—

(1) $3,000,000 to carry out this Act for each of fiscal years 2009 through 2013, other than for construction and acquisition projects; and

(2) $3,500,000 for fiscal year 2009 and such sums as may be necessary for each of fiscal years 2010 through 2013 for construction and acquisition projects related to the Sanctuaries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. KENNEDY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 1187, the Gulf of Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act was introduced by our colleague from California (Ms. WOOLSEY) and is cosponsored by 51 additional Members. This bill would expand the Gulf of Farallones and Cordell Bank National Marine Sanctuaries to protect and preserve an additional 1,739 square nautical miles to the marine environment due north and west of the existing sanctuaries. These additions would protect virtually the entire upwelling region, which is critical to the ecosystem's productivity, particularly the health of many valuable commercial and recreational fisheries in the area.

I ask Members on both sides to support the passage of this important legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. I rise in opposition to this legislation. This legislation would double the size of two of the marine sanctuaries off the coast of California, adding approximately 1,200 square miles and almost 100 miles of coastline, and with little or absolutely no public comment. Moreover, this is happening at the very same time that the management plans for the two sanctuaries are being reviewed by the National Oceanic and Atmospheric Administration, or NOAA. NOAA could have considered this expansion during the ongoing process, but it did not because it considered the expansion to be complicated and something that would require effort, analysis, and public input. This legislation ignores the need for public comment on a very complicated expansion.

The entire intent of this legislation could be accomplished through public process that already exists. But, unfortunately, Congress can't wait to hear from the people. It is sad that the citizens of California, who are most affected by this legislation, will not have the opportunity to comment on this expansion in the normal statutory public comment process.

Again, I reluctantly oppose this legislation.

I reserve the balance of my time.

Mr. KENNEDY. Well, I think that we should hear really from the person most knowledgeable about this legislation, the author of this, Representative WOOLSEY, to whom I now yield the balance of our time.

Ms. WOOLSEY. Thank you, Mr. Chairman and Mr. Ranking Member.

I would like to respond quickly to the ''no public review.'' This bill has been subject to over 3 years of public review. It first faced public scrutiny at a public hearing that I hosted in August of 2004, in Sonoma County, was attended by the Director of the Marine Sanctuary Program, marine scientists, fishermen, and a standing room-only crowd of public who were interested.

It has been reviewed and endorsed by both the Sanctuary Advisory Committees, the bodies who initiate sanctuary regulations; the California Coastal Commission, the State Lands Commission, and the Supervisors of Marin, Sonoma, San Francisco, and Mendocino Counties, and many, many of our City Councils. All of these meetings were noticed, all of them were open to public comment.

The bill also received a hearing before the Oceans Subcommittee, and has gone through committee and subcommittee markup. So thank you for bringing that up so I could clarify that, Mr. Ranking Member.

Madam Speaker, my district, just across the Golden Gate Bridge, north of San Francisco, includes all of Marin and most of Sonoma Counties, where we are blessed with many environmental treasures. In fact, it is one of the most beautiful places on earth. I don't say that just because I am the Congresswoman from that area. It is beautiful.

One of the reasons for this source of beauty and our great pride is our pristine coastline and the Pacific Ocean that lies beyond it. An area this unique must be protected by the full power of our conservation laws.

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That is why I am pleased that H.R. 1187, the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act, is here before us today.

H.R. 1187 will expand the boundaries of two existing marine sanctuaries in order to more fully protect a unique upwelling system, which is one of only four in the world. This system provides a nutrient rich environment for fish and all other types of marine life.

Upwelling is a process where deep, cold, nutrient-rich waters rise into warmer waters, bringing with it an abundance of food to support a variety of marine life. Actually this area is so special and it is so productive that it

comprises only 1 percent of the ocean, but produces 20 percent of the world's fish. This in turn supports 36 species of marine mammals, including whales, elephant seals, sea lions and other seals.

But it is not only marine mammals who feast on the abundance of fish. The waters off the Sonoma and Mendocino County coasts support fleets of fishermen. That is why I worked so closely with the Pacific Coast Federation of Fishing Associations, the PCFFA, in carefully crafting this bill.

Fishermen have had a good relationship with the Gulf of the Farallones and the Cordell Bank National Marine Sanctuary for over 20 years because they respect that good stewardship of our oceans produces better catches. H.R. 1187 will serve to strengthen this partnership for years and years to come.

Madam Speaker, H.R. 1187 is a well thought out, carefully crafted bill that brings together diverse stakeholders, including the National Oceanic and Atmospheric Administration, NOAA, the fishing industry, State and local governments, conservation groups and marine scientists, all who agree that these proposed sanctuary areas are national treasures that absolutely deserve protection.

As a mother and a grandmother, I want to see these treasures protected for years to come so that my kids, so that my grandkids, and so that their children and your children and your grandchildren will be able to enjoy the same unspoiled coasts and clean waters that we enjoy today.

Madam Speaker, I would like to thank Chairman RAHALL, Ranking Member YOUNG and Chairwoman BORDALLO for bringing my bill to the floor today. I would like to thank Chairman KENNEDY and Ranking Member BISHOP, all who have been part of reviewing and bringing H.R. 1187 to the floor. I thank you all, and I urge my colleagues to support it.

Mr. BISHOP of Utah. Madam Speaker, it is certainly hopeful that with the passage of this bill we will have faith in NOAA to administer this territory, since we obviously with passage of this bill don't trust them to evaluate or make recommendations.

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

Mr. KENNEDY. Madam Speaker, we don't have any more speakers, but before closing I want to note that the chairwoman of the Subcommittee on Fisheries, Wildlife and Oceans, Chairwoman MADELEINE BORDALLO, is presently en route from Guam and wouldn't be able to be here for this, but she does support passage of this bill. I just wanted to make note of that.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 1187, as amended.

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

The title was amended so as to read: ''A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes.''.

A motion to reconsider was laid on the table.

NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVATION ACT OF 2008

Mr. KENNEDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2342) to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2342

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

SECTION 1. ENHANCING CLIMATE CHANGE PREDICTIONS.

(a) SHORT TITLE.—This section may be cited as the ''National Integrated Coastal and Ocean Observation Act of 2008''.

(b) PURPOSES.—The purposes of this section are the following:

(1) Establish a National Integrated Coastal and Ocean Observation System comprised of Federal and non-Federal components, coordinated at the national level by the National Ocean Research Leadership Council and at the regional level by a network of Regional Information Coordination Entities, that includes in situ, remote, and other coastal and ocean observations, technologies, and data management and communication systems, to gather specific coastal and ocean data variables and to ensure the timely dissemination and availability of usable observation data—

(A) to support national defense, marine commerce, energy production, scientific research, ecosystem-based marine and coastal resource management, weather and marine forecasting, public safety and public outreach training and education; and

(B) to promote greater public awareness and stewardship of the Nation's ocean, coastal, and Great Lakes resources and the general public welfare.

(2) Improve the Nation's capability to measure, track, explain, and predict events related directly and indirectly to weather and climate change, natural climate variability, and interactions between the oceanic and atmospheric environments, including the Great Lakes.

(3) Authorize activities to promote basic and applied research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies, modeling systems, and other scientific and technological capabilities to improve our conceptual understanding of weather and climate, ocean atmosphere dynamics, global climate change, and physical, chemical, and biological dynamics of the ocean and coastal and Great Lakes environments.

(c) DEFINITIONS.—In this section:

(1) COUNCIL.—The term ''Council'' means the National Ocean Research Leadership Council referred to in section 7902 of title 10, United States Code.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(3) FEDERAL ASSETS.—The term ''Federal assets'' means all relevant nonclassified civilian coastal and ocean observations, technologies, and related modeling, research, data management, basic and applied technology research and development, and public education and outreach programs, that are managed by member agencies of the Council.

(4) INTERAGENCY WORKING GROUP.—The term ''Interagency Working Group'' means the Interagency Working Group on Ocean Observations as established by the U.S. Ocean Policy Committee Subcommittee on Ocean Science and Technology pursuant to Executive Order 13366 signed December 17, 2004.

(5) NON-FEDERAL ASSETS.—The term ''non-Federal assets'' means all relevant coastal and ocean observations, technologies, related basic and applied technology research and development, and public education and outreach programs that are integrated into the System and are managed through States, regional organizations, universities, nongovernmental organizations, or the private sector.

(6) REGIONAL INFORMATION COORDINATION ENTITIES.—

(A) IN GENERAL.—The term ''Regional Information Coordination Entity'', subject to subparagraphs (B) and (C), means an organizational body that is certified or established by the lead Federal agency designated in subsection (d)(3)(C)(iii) and coordinating State, Federal, local, and private interests at a regional level with the responsibility of engaging the private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions.

(B) INCLUDED ASSOCIATIONS.—Such term includes Regional Associations as described by the System Plan.

(C) LIMITATION.—Nothing in this section shall be construed to invalidate existing certifications, contracts, or agreements between Regional Associations and other elements of the System.

(7) SYSTEM.—The term ''System'' means the National Integrated Coastal and Ocean Observation System established under subsection (d).

(8) SYSTEM PLAN.—The term ''System Plan'' means the plan contained in the document entitled ''Ocean.US Publication No. 9, The First Integrated Ocean Observing System (IOOS) Development Plan''.

(d) NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVING SYSTEM.—

(1) ESTABLISHMENT.—The President, acting through the Council, shall establish a National Integrated Coastal and Ocean Observation System to fulfill the purposes set forth in subsection (b) and the System plan and to fulfill the Nation's international obligations to contribute to the global earth observation system of systems and the global ocean observing system.

(2) SUPPORT OF PURPOSES.—The head of each agency that is a member of the Interagency Working Group shall support the purposes of this section.

(3) AVAILABILITY OF DATA.—The head of each Federal agency that has administrative jurisdiction over a Federal asset shall make available data that are produced by that asset and that are not otherwise restricted for integration, management, and dissemination by the System.

(4) ENHANCING ADMINISTRATION AND MANAGEMENT.—The head of each Federal agency that has administrative jurisdiction over a Federal asset may take appropriate actions to enhance internal agency administration and management to better support, integrate, finance, and utilize observation data, products, and services developed under this section to further its own agency mission and responsibilities.

(5) PARTICIPATION IN REGIONAL INFORMATION COORDINATION ENTITY.—The head of each Federal agency that has administrative jurisdiction over a Federal asset may participate in regional information coordination entity activities.

(6) NON-FEDERAL ASSETS.—Non-Federal assets shall be coordinated by the Interagency Working Group or by Regional Information Coordination Entities.

(e) POLICY OVERSIGHT, ADMINISTRATION, AND REGIONAL COORDINATION.—

(1) NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL.—The National Ocean Research Leadership Council shall be responsible for establishing broad coordination and long-term operations plans, policies, protocols, and standards for the System consistent with the policies, goals, and objectives contained in the System Plan, and coordination of the System with other earth observing activities.

(2) INTERAGENCY WORKING GROUP.—The Interagency Working Group shall, with respect to the System, be responsible for—

(A) implementation of operations plans and policies developed by the Council;

(B) development of and transmittal to Congress at the time of submission of the President's annual budget request an annual coordinated, comprehensive System budget;

(C) identification of gaps in observation coverage or needs for capital improvements of both Federal assets and non-Federal assets;

(D) establishment of data management and communication protocols and standards;

(E) establishment of required observation data variables;

(F) development of certification standards for all non-Federal assets or Regional Information Coordination Entities to be eligible for integration into the System;

(G) subject to the availability of appropriations, establish through one or more participating Federal agencies, in consultation with the System Advisory Committee established under paragraph (5), a competitive matching grant or other program to promote research and development of innovative observation technologies including testing and field trials; and

(H) periodically review and recommend to the Council revisions to the System Plan.

(3) LEAD FEDERAL AGENCY.—The Administrator shall function as the lead Federal agency for the System. The Administrator may establish an Interagency Program Coordinating Office to facilitate the Administrator's responsibilities as the lead Federal agency for System oversight and management. The Administrator shall—

(A) implement policies, protocols, and standards established by the Council and delegated by the Interagency Working Group;

(B) promulgate regulations to integrate the participation of non-Federal assets into the System and enter into and oversee contracts and agreements with Regional Information Coordination Entities to effect this purpose;

(C) implement a competitive funding process for the purpose of assigning contracts and agreements to Regional Information Coordination Entities;

(D) certify or establish Regional Information Coordination Entities to coordinate State, Federal, local, and private interests at a regional level with the responsibility of engaging private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions;

(E) formulate a process by which gaps in observation coverage or needs for capital improvements of Federal assets and non-Federal assets of the System can be identified by the Regional Information Coordination Entities, the Administrator, or other members of the System and transmitted to the Interagency Working Group;

(F) be responsible for the coordination, storage, management, and dissemination of observation data gathered through the System to all end-user communities;

(G) implement a program of public education and outreach to improve public awareness of global climate change and effects on the ocean, coastal, and Great Lakes environment; and

(H) report annually to the Council through the Interagency Working Group on the accomplishments, operational needs, and performance of the System to achieve the purposes of this title and the System Plan.

(4) REGIONAL INFORMATION COORDINATION ENTITY.—To be certified or established under paragraph (3)(D), a Regional Information Coordination Entity must be certified or established by contract or agreement by the Administrator, and must agree to—

(A) gather required System observation data and other requirements specified under this section and the System plan;

(B) identify gaps in observation coverage or needs for capital improvements of Federal assets and non-Federal assets of the System, and transmit such information to the Interagency Working Group via the Administrator;

(C) demonstrate an organizational structure and strategic operational plan to ensure the efficient and effective administration of programs and assets to support daily data observations for integration into the System;

(D) comply with all financial oversight requirements established by the Administrator, including requirements relating to audits; and

(E) demonstrate a capability to work with other governmental and nongovernmental entities at all levels to identify and provide information products of the System for multiple users within the service area of the Regional Information Coordination Entities and otherwise.

(5) SYSTEM ADVISORY COMMITTEE.—

(A) IN GENERAL.—The Administrator shall establish a System Advisory Committee, which shall provide advice as may be requested by the Administrator or the Interagency Working Group.

(B) PURPOSE.—The purpose of the System Advisory Committee is to advise the Administrator and the Interagency Working Group on—

(i) administration, operation, management, and maintenance of the System, including integration of Federal and non-Federal assets and data management and communication aspects of the System, and fulfillment of the purposes specified under subsection (b);

(ii) expansion and periodic modernization and upgrade of technology components of the System;

(iii) identification of end-user communities, their needs for information provided by the System, and the System's effectiveness in disseminating information to end-user communities and the general public; and

(iv) any other purpose identified by the Administrator or the Interagency Working Group.

(C) MEMBERS.—

(i) IN GENERAL.—The System Advisory Committee shall be composed of members appointed by the Administrator. Members shall be qualified by education, training, and experience to evaluate scientific and technical information related to the design, operation, maintenance, or use of the System, or use of data products provided through the System.

(ii) TERMS OF SERVICE.—Members shall be appointed for 3-year terms, renewable once. A vacancy appointment shall be for the remainder of the unexpired term of the vacancy, and an individual so appointed may subsequently be appointed for 2 full 3-year terms if the remainder of the unexpired term is less than one year.

(iii) CHAIRPERSON.—The Administrator shall designate a chairperson from among the members of the System Advisory Committee.

(iv) APPOINTMENT.—Members of the System Advisory Committee shall be appointed as special Government employees for purposes of section 202(a) of title 18, United States Code.

(D) ADMINISTRATIVE PROVISIONS.—

(i) REPORTING.—The System Advisory Committee shall report to the Administrator and the Interagency Working Group, as appropriate.

(ii) ADMINISTRATIVE SUPPORT.—The Administrator shall provide administrative support to the System Advisory Committee.

(iii) MEETINGS.—The System Advisory Committee shall meet at least once each year, and at other times at the call of the Administrator, the Interagency Working Group, or the chairperson.

(iv) COMPENSATION AND EXPENSES.—Members of the System Advisory Committee shall not be compensated for service on that Committee, but may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(v) EXPIRATION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the System Advisory Committee.

(6) CIVIL LIABILITY.—For purposes of determining liability arising from the dissemination and use of observation data gathered pursuant to this section, any non-Federal asset or Regional Information Coordination Entity that is certified under paragraph (3)(D) and that is participating in the System shall be considered to be part of the National Oceanic and Atmospheric Administration. Any employee of such a non-Federal asset or Regional Information Coordination Entity, while operating within the scope of his or her employment in carrying out the purposes of this section, with respect to tort liability, is deemed to be an employee of the Federal Government.

(f) INTERAGENCY FINANCING, GRANTS, CONTRACTS, AND AGREEMENTS.—

(1) IN GENERAL.—The member departments and agencies of the Council, subject to the availability of appropriations, may participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member agency for the purposes of carrying out any administrative or programmatic project or activity to further the purposes of this section, including support for the Interagency Working Group, the Interagency Coordinating Program Office, a common infrastructure, and integration to expand or otherwise enhance the System.

(2) JOINT CENTERS AND AGREEMENTS.—Member Departments and agencies of the Council shall have the authority to create, support, and maintain joint centers, and to enter into and perform such contracts, leases, grants, and cooperative agreements as may be necessary to carry out the purposes of this section and fulfillment of the System Plan.

(g) APPLICATION WITH OTHER LAWS.—Nothing in this section supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

(h) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than two years after the date of enactment of this section, the Administrator through the Council shall submit to Congress a report that describes the status of the System and progress made to achieve the purposes of this section and the goals identified under the System Plan.

(2) CONTENTS.—The report shall include discussion of the following:

(A) Identification of Federal and non-Federal assets as determined by the Council that have been integrated into the System, including assets essential to the gathering of required observation data variables necessary to meet the respective missions of Council agencies.

(B) A review of procurements, planned or initiated, by each Council agency to enhance, expand, or modernize the observation capabilities and data products provided by the System, including data management and communication subsystems.

(C) An assessment regarding activities to integrate Federal and non-Federal assets, nationally and on the regional level, and discussion of the performance and effectiveness of Regional Information Coordination Entities to coordinate regional observation operations.

(D) An evaluation of progress made by the Council to achieve the purposes of this section and the goals identified under the System Plan.

(E) Recommendations for operational improvements to enhance the efficiency, accuracy, and overall capability of the System.

(3) BIENNIAL UPDATE.—Two years after the transmittal of the initial report prepared pursuant to this subsection and biennially thereafter, the Administrator, through the Council, shall submit to Congress an update of the initial report.

(i) PUBLIC-PRIVATE USE POLICY.—The Council shall develop a policy within 6 months after the date of the enactment of this section that defines processes for making decisions about the roles of the Federal Government, the States, Regional Information Coordination Entities, the academic community, and the private sector in providing to end-user communities environmental information, products, technologies, and services related to the System. The Council shall publish the policy in the Federal Register for public comment for a period not less than 60 days. Nothing in this subsection shall be construed to require changes in policy in effect on the date of the enactment of this Act.

(j) INDEPENDENT COST ESTIMATE.—The Interagency Working Group, through the Administrator and the Director of the National Science Foundation, shall obtain within one year after the date of the enactment of this section an independent cost estimate for operations and maintenance of existing Federal assets of the System, and planned or anticipated acquisition, operation, and maintenance of new Federal assets for the System, including operation facilities, observation equipment, modeling and software, data management and communication, and other essential components. The independent cost estimate shall be transmitted unabridged and without revision by the Administrator to Congress.

(k) INTENT OF CONGRESS.—It is the intent of Congress that funding provided to agencies of the Council to implement this section shall supplement, and not replace, existing sources of funding for other programs. It is the further intent of Congress that agencies of the Council shall not enter into contracts or agreements for the development or procurement of new Federal assets for the System that are estimated to be in excess of $250,000,000 in life-cycle costs without first providing adequate notice to Congress and opportunity for review and comment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. KENNEDY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 2342, the National Integrated Coastal and Ocean Observation Act of 2008, was introduced by our colleague from Maine (Mr. ALLEN). This bill establishes a National Integrated Coastal Ocean Observation System to gather real-time data on the ocean environment, to refine and enhance predictive capabilities, and to provide other immediate societal benefits, such as improved fisheries management and safer navigation.

Capitalizing on newer and better integrated technologies would help address huge information gaps and significantly advance our understanding of ocean processes. I would say coming from a State called The Ocean State, this is a particularly important piece of legislation, and representing a university that is a recipient of Sea Grants, we are very interested in passing this legislation.

Madam Speaker, I ask colleagues on both sides of the aisle to support passage of this noncontroversial bill.

Madam Speaker, on behalf of the Committee, I submit the following exchange of letters.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, March 27, 2008.

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

DEAR CHAIRMAN RAHALL: I write to you regarding H.R. 2342, the ''National Integrated Coastal and Ocean Observation Act.'' This legislation was initially referred to both the Committee on Natural Resources and the Committee on Science and Technology.

H.R. 2342 was marked up by the Committee on Natural Resources on March 12, 2008. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and, accordingly, I will waive further consideration of this bill in Committee. However, agreeing to waive consideration of this bill should not be construed as the Committee on Science and Technology waiving its jurisdiction over H.R. 2342.

Further, I request your support for the appointment of Science and Technology Committee conferees during any House-Senate conference convened on this legislation. I also ask that a copy of this letter and your response be placed in the Congressional Record during consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 27, 2008.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your willingness to allow floor consideration of H.R. 2342, the National Integrated Coastal and Ocean Observation Act, to proceed.

I appreciate your willingness to waive your Committee's right to further consideration of H.R. 2342, even though your Committee shares jurisdiction over the bill and has received an additional referral. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Science and Technology if a conference is held on this matter.

As is customary, I will insert our two letters in the Congressional Record as part of the consideration of H.R. 2342 on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,
Chairman, Committee on Natural Resources.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, there are currently many Federal and State agencies, universities and private entities collecting ocean and coastal observation data. H.R. 2342 will coordinate these efforts and create a national integrated coastal and ocean observing system. The national system will provide many benefits to the Nation by support weather, marine forecasts, marine transportation, public safety, scientific research, and public outreach and education activities.

Madam Speaker, I reserve the balance of my time.

Mr. KENNEDY. I would just say once again, Madam Speaker, we are in the process as a Nation of taking an assessment of our coastal zones, and in particularly in light of our energy needs, for our wind needs, for the possibility of harnessing the oceans for purposes of energy in our oceans, and, of course, tabulating the effects of global warming. All of these things use data, and those data points can certainly be drawn from the passage of legislation like this that will integrate all of those data points through a coastal and ocean observatory system.

I think we owe a great debt of gratitude to the author of this legislation, Representative ALLEN, for the work that he put into authoring it.

At this time, I would like yield such time as he may consume to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding.

Madam Speaker, I rise to express my support for H.R. 2342, the National Integrated Coastal and Ocean Observation Act. I commend Chairman RAHALL and Chairwoman BORDALLO of the Natural Resources Committee for their leadership and foresight in supporting this legislation to give us the tools we need to manage and protect our marine resources and coastal communities. I also want to thank Mr. BROWN and Mr. YOUNG for their work on this bill.

My legislation establishes a nationwide integrated ocean and coastal observing system, based on the internationally acclaimed Gulf of Maine Ocean Observing System, GoMOOS. That is the acronym, GoMOOS. GoMOOS was developed by Maine oceanographers, and has improved safety for fishermen and boaters, increased understanding of ocean weather and helped forecast the effects of global climate change.

My legislation builds on the success of regional programs like GoMOOS and will greatly enhance our knowledge about our oceans and their resources and vastly improve our ability to manage them properly.

The U.S. Commission on Ocean Policy, Pew Oceans Commission, and the Joint Ocean Commission Initiative have all established creation of a comprehensive ocean observing system as a top priority. In fact, Admiral James Watkins, Chair of the U.S. Commission on Ocean Policy and Cochair of the Joint Oceans Commission Initiative, has testified that an oceans observing system, and I quote, ''is probably the most important single program. I think if it were to be implemented properly and funded to the extent we have recommended in our report, it will be one of the most important things we can do for future decision making.''

Implementation of the Integrated Ocean Observing System will have a myriad of positive impacts. Implementation will, one, improve predictions of climate change and weather and their effects on coastal communities, including impacts on water and energy management; two, improve the safety and efficiency of marine operations; three, improve national and homeland security, particularly within ports and the Nation's heavily populated coastal regions; and, fourth, enable the sustained use of ocean and coastal resources and better manage fisheries.

In addition to monitoring and forecasting climate change, the Ocean Observing System would protect coastal communities and economic interests of oceangoing industries like shipping and commercial fishing by improving warnings of tsunamis, hurricanes, coastal storms and other natural hazards.

The Integrated Ocean Observing System is not just another combination of data satellites and buoys. It has real-time and real life practical applications. In the past, regional ocean systems have provided early warnings of harmful algal blooms that can severely impact the shellfish industry. Scientists use the regional system to target testing areas, and managers use it to issue timely and necessary warnings to protect public health. The Coast Guard is another frequent user. They look to the system for critical information to aid in search and rescue operations.

Fishermen have used Maine's Ocean Observing System for years for real time information on sea conditions and weather. More observations provide more data and allow fishermen to make informed and safe decisions. I would just say in that context that I have had fishermen in Maine tell me that whereas they used to be gambling on what the weather might be 7 to 10 miles offshore, now they can look at their computer, they can get real-time data from a buoy 7 miles offshore and know whether or not it is safe to go out that distance.

Many elements of a national ocean observing system are already in place, but currently they operate independently. Legislation is needed to formally define the fiduciary, legal and oversight structure to enable the integration of the disparate components of the ocean, coastal and Great Lakes observing activities. Legislation authorizing an integrated system will ensure the coordination and integration among all the elements of a national system, both Federal and regional, and would provide legal authority for sharing funds across Federal agencies for implementing IOOS.

A national Integrated Ocean Observing system would enable managers at all levels, local, regional and National, to make informed and timely decisions to manage our ocean resources and protect our coastal communities.

To summarize, what we are talking about is being able to get information about our oceans in the same way and on the same scale that today we get information about the atmosphere, and because of the interconnection of what is happening in the atmosphere and what is happening in the oceans, this will dramatically increase and expand our understanding of both the atmosphere and the oceans. It is an important piece of legislation.

I urge my colleagues to support this measure.

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

Mr. KENNEDY. Madam Speaker, with no other speakers, I would just once again conclude that Rhode Island looks forward to hosting this ocean observatory system that the Representative from Maine has proposed, if not objected to by the gentleman from Hawaii, another sea-going State.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 2342, as amended.

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

A motion to reconsider was laid on the table.

□ 1430

CAPTIVE WILDLIFE SAFETY TECHNICAL AMENDMENTS ACT OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4933) to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4933

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 ''Captive Wildlife Safety Technical Amendments Act of 2008''.

SEC. 2. CAPTIVE WILDLIFE SAFETY AMENDMENTS.

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A), by inserting ''or'' after the semicolon;

(B) in subparagraph (B), by striking ''; or'' and inserting a semicolon; and

(C) by striking subparagraph (C); and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively; and

(B) by striking ''(e)'' and all that follows through ''Subsection (a)(2)(C)'' in paragraph (1) and inserting the following:

''(e) CAPTIVE WILDLIFE OFFENSES.—

''(1) IN GENERAL.—It is unlawful for any person—

''(A) to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species; or

''(B) to attempt to commit any act described in subparagraph (A).

''(2) NONAPPLICABILITY.—This subsection'';

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking ''a'' before ''prohibited'' and inserting ''any'';

(ii) by striking ''(3)'' and inserting ''(4)''; and

(iii) by striking ''(2)'' and inserting ''(3)'';

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking ''animals listed in section 2(g)'' each place it appears and inserting ''prohibited wildlife species''; and

(II) in clause (iv), by striking ''animals'' and inserting ''prohibited wildlife species''; and

(ii) in subparagraph (D)—

(I) by striking ''the animal'' the first place it appears and inserting ''an animal of any prohibited wildlife species''; and

(II) by striking ''the animal'' the second place it appears and inserting ''that animal'';

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking ''(2)'' and inserting ''(3)'';

(F) in paragraph (6) (as redesignated by subparagraph (A))—

(i) by striking ''subsection (a)(2)(C)'' and inserting ''this subsection''; and

(ii) by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

''(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection.''.

(b) CIVIL PENALTIES.—Section 4(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)) is amended—

(1) in paragraph (1), by striking ''subsections (b) and (d)'' and inserting ''subsections (b), (d), and (e)''; and

(2) in paragraph (1), by striking ''section 3(d)'' and inserting ''subsection (d) or (e) of section 3''.

(c) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking ''subsections (b) and (d)'' each place it appears and inserting ''subsections (b), (d), and (e)''; and

(2) in paragraph (3), by striking ''section 3(d)'' and inserting ''subsection (d) or (e) of section 3''.

(d) CORRECTION OF PRIOR AMENDMENT.—

(1) CORRECTION.—Section 102(c) of Public Law 100–653 (102 Stat. 3826) is amended by striking ''section 3(b)'' and inserting ''subsection 3(b)''.

(2) EFFECTIVE DATE.—This subsection shall take effect upon enactment of Public Law 100–653.

SEC. 3. APPLICABILITY PROVISION AMENDMENT.

Section 3 of the Captive Wildlife Safety Act (117 Stat. 2871; Public Law 108–191) is amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—Section 3'' and inserting ''Section 3''; and

(2) by striking subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 4933, the Captive Wildlife Safety Technical Amendments Act of 2008, was introduced by my colleague from Guam (Ms. BORDALLO). As Mr. KENNEDY indicated, unfortunately, she cannot be here in person at the moment because she is on her way here from Guam, but hopefully will arrive before the end of the proceedings. Coming as I do, Madam Speaker, on a 5,000 mile one-way commute, I have a lot of empathy and sympathy for her journey. But the issue before us today is very, very important both to her and to Members of the House and, by extension, the Nation.

The Captive Wildlife Safety Act, Public Law 108–191, amended the Lacey Act Amendments of 1981, and that made it unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any prohibited wildlife species.

After the law was enacted, the Fish and Wildlife Service and the Department of Justice identified technical drafting problems that made full implementation and enforcement impossible. H.R. 4933 would make those technical changes to the law needed to allow the original intent of the legislation to be achieved.

Madam Speaker, on a personal note, I might add that, under Chairman Pombo, I had the privilege of traveling with him to Africa for the CITES, Convention on International Treaty on Endangered Species, so we could see with our own eyes what the consequences are by not having legislation like this correctly in place. The wildlife species are totally dependent upon human beings as the stewards of this planet and, most certainly, as the stewards of their welfare and for the salvation of endangered species, not just in our country, but overseas as well. Therefore, I ask Members on both sides to support passage of this noncontroversial bill.

May I say also, Madam Speaker, what a privilege it is to be on the floor with Mr. BISHOP of Utah. I have the honor of serving with him on the Resources Committee, and have always valued his insight and perspective.

I reserve the balance of my time.

Mr. BISHOP of Utah. I appreciate those kind words, and I will try to be as introspective as I possibly can here.

Public Law 108–191 made it illegal to buy, sell, or trade certain large exotic cats in interstate or foreign commerce. These include cheetahs, cougars, jaguars, leopards, lions, tigers, and bears, oh my. The measure did not ban the private ownership of these cats, and specific exemptions were provided for qualified aquariums, circuses, sanctuaries, and zoos.

In the 5 years that this law has been enacted, the U.S. Fish and Wildlife Service has been unable to prosecute anyone because of drafting deficiencies; so, I would urge an ''aye'' vote on H.R. 4933.

I yield back the balance of my time.

Mr. ABERCROMBIE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 4933, as amended.

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

A motion to reconsider was laid on the table.

HYDROGRAPHIC SERVICES IMPROVEMENT ACT AMENDMENTS OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3352) to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3352

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 ''Hydrographic Services Improvement Act Amendments of 2008''.

SEC. 2. DEFINITIONS.

Section 302 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892) is amended—

(1) by amending paragraph (3) to read as follows:

''(3) HYDROGRAPHIC DATA.—The term 'hydrographic data' means information that—

''(A) is acquired through—

''(i) hydrographic, bathymetric, photogrammetric, lidar, radar, remote sensing, or shoreline and other ocean- and coastal-related surveying;

''(ii) geodetic, geospatial, or geomagnetic measurements;

''(iii) tide, water level, and current observations; or

''(iv) other methods; and

''(B) is used in providing hydrographic services.'';

(2) by amending paragraph (4)(A) to read as follows:

''(A) the management, maintenance, interpretation, certification, and dissemination of bathymetric, hydrographic, shoreline, geodetic, geospatial, geomagnetic, and tide, water level, and current information, including the production of nautical charts, nautical information databases, and other products derived from hydrographic data;''; and

(3) by striking paragraph (5).

SEC. 3. FUNCTIONS OF THE ADMINISTRATOR.

Section 303 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892a) is amended—

(1) in subsection (a)—

(A) by striking ''the Act of 1947,'' and inserting ''the Coast and Geodetic Survey Act (33 U.S.C. 883a et seq.)''; and

(B) in paragraph (1) by striking ''data;'' and inserting ''data and provide hydrographic services;'';

(2) in subsection (b)—

(A) by striking ''the Act of 1947,'' and inserting ''the Coast and Geodetic Survey Act (33 U.S.C. 883a et seq.)'';

(B) in paragraph (3) by striking ''title IX of the Federal Property and Administrative Services Act of 1949; and'' and inserting ''subchapter VI of chapter 10 of title 40, United States Code;'';

(C) in paragraph (4) by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(5) may create, support, and maintain a Joint Hydrographic Institute.''; and

(3) by striking subsection (c) and inserting the following:

''(c) ACQUISITION OF HYDROGRAPHIC DATA AND PROVIDE HYDROGRAPHIC SERVICES.—To the extent that it does not detract from the promotion of safe and efficient navigation, the Administrator may acquire hydrographic data and provide hydrographic services to—

''(1) support the conservation and management of coastal and ocean resources;

''(2) save and protect life and property;

''(3) support the resumption of commerce in response to emergencies, natural disasters, and man-made disasters, and

''(4) meet homeland security and maritime domain awareness needs, including carrying out mission assignments (as that term is defined in section 641 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 741).''.

SEC. 4. HYDROGRAPHIC SERVICES REVIEW PANEL.

Section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892c) is amended—

(1) in subsection (c)(1)(A) by striking ''Director'' and inserting ''Co-directors'';

(2) in subsections (c)(1)(C), (c)(3), and (e) by striking ''Secretary'' each place it appears and inserting ''Administrator''; and

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

''(d) COMPENSATION.—Voting members of the panel shall be reimbursed for actual and reasonable expenses, including travel and per diem, incurred in the performance of duties for the panel.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended to read as follows:

''SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Administrator the following:

''(1) To carry out nautical mapping and charting functions under sections 303 and 304, except for conducting hydrographic surveys—

''(A) $55,000,000 for fiscal year 2009;

''(B) $56,000,000 for fiscal year 2010;

''(C) $57,000,000 for fiscal year 2011; and

''(D) $58,000,000 for fiscal year 2012.

''(2) To contract for hydrographic surveys under section 303(b)(1), including the leasing or time chartering of vessels—

''(A) $32,130,000 for fiscal year 2009;

''(B) $32,760,000 for fiscal year 2010;

''(C) $33,390,000 for fiscal year 2011; and

''(D) $34,020,000 for fiscal year 2012.

''(3) To operate hydrographic survey vessels owned by the United States and operated by the Administration—

''(A) $25,900,000 for fiscal year 2009;

''(B) $26,400,000 for fiscal year 2010;

''(C) $26,900,000 for fiscal year 2011; and

''(D) $27,400,000 for fiscal year 2012.

''(4) To carry out geodetic functions under this title—

''(A) $32,640,000 for fiscal year 2009;

''(B) $32,280,000 for fiscal year 2010;

''(C) $33,920,000 for fiscal year 2011; and

''(D) $34,560,000 for fiscal year 2012.

''(5) To carry out tide and current measurement functions under this title—

''(A) $27,000,000 for fiscal year 2009;

''(B) $27,500,000 for fiscal year 2010;

''(C) $28,000,000 for fiscal year 2011; and

''(D) $28,500,000 for fiscal year 2012.

''(6) To acquire a replacement hydrographic survey vessel capable of staying at sea continuously for at least 30 days $75,000,000.''.

SEC. 6. ADDITION OF SHORT TITLE TO EXISTING LAW.

The Act of August 6, 1947 (chapter 504; 33 U.S.C. 883a et seq.) is amended by adding at the end the following:

''SEC. 11. SHORT TITLE.

''This Act may be cited as the 'Coast and Geodetic Survey Act'.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 3352 was introduced by my colleague and our good friend from Alaska (Mr. YOUNG), and it amends the Hydrographic Services Improvement Act to authorize the administrator of the National Oceanic and Atmospheric Administration to expand the use of hydrographic data and hydrographic services.

The Office of Coast Survey, which is within NOAA's National Ocean Service, conducts hydrographic surveys measuring the depth and bottom configuration of bodies of water. The Hydrographic Services Review Panel, a quality assurance program authorized in 2002, suggested several recommendations to improve NOAA's hydrographic services. Strengthening the emergency response and recovery capabilities were among the recommendations suggested. H.R. 3352 addresses these recommendations directly, and meets homeland security and maritime domain awareness needs.

I want to commend our friend Congressman DON YOUNG for introducing this bill, and urge all Members to support it.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I rise in support of H.R. 3352.

Hydrographic surveys and shoreline mapping activities provide data to produce accurate nautical charts. Many vessels from large container ships and oil tankers to the smaller commercial fishing vessels and recreational boaters rely on nautical charts to safely navigate U.S. waterways. There is currently a backlog in the survey work, making many nautical charts out of date. H.R. 3352 will reauthorize the program that supports hydrographic surveys and shoreline mapping activities, and continue the efforts to provide all users with accurate nautical charts. I urge an ''aye'' vote.

I yield back the balance of my time.

Mr. ABERCROMBIE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 3352, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT AMENDMENT OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3891) to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3891

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 ''National Fish and Wildlife Foundation Establishment Act Amendment of 2008''.

SEC. 2. BOARD OF DIRECTORS OF THE FOUNDATION.

Section 3(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(a)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Foundation shall have a governing Board of Directors (referred to in this Act as the 'Board'), which shall consist of 30 Directors appointed in accordance with subsection (b), each of whom shall be a United States citizen.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 3891, introduced by my colleague from South Carolina (Mr. BROWN), expands the size of the Board of Directors of the National Fish and Wildlife Foundation from 25 to 30 members.

The National Fish and Wildlife Foundation was established by Congress in 1984 as a charitable nonprofit corporation. The foundation was formed to further the conservation and management of fish, wildlife, plants, and other natural resources by the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration.

While the foundation and its conservation programs continue to grow and fundraising for these programs keeps pace, it is considerably more difficult to meet the increasing administrative expenses of the foundation. Expanding the size of the board of directors will improve the ability of the foundation to raise private funds, to cover its administrative expenses, and to improve the implementation of its conservation programs.

I commend Congressman HENRY BROWN, again, a good friend of many of us here in the Congress and a friend of the Natural Resources, for introducing this bill, and urge all Members to support it.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I rise in support of H.R. 3891. It does increase by five members the Board of Directors on the National Fish and Wildlife Foundation.

Since its inception, this foundation has financed more than 9,500 conservation projects to sustain, restore, and enhance fish wildlife population and their essential habitat. Under current law, the Secretary of the Interior may

appoint 25 individuals to serve on the Board of Directors. These members have expertise in fish, wildlife, natural resources, and conservation. They serve as conservation ambassadors, and they approve projects submitted to the foundation, and raise funds for the operation of this successful organization. The additional five members will help to enhance that job description. I urge my colleagues to vote favorably on H.R. 3891.

I yield back the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, before yielding back the balance of my time, and I will do so, I have a brief closing insert that I would like to read from Congresswoman BORDALLO who, as I indicated, finds it impossible to be here today at this time. She says as follows:

Madam Speaker, as Chairwoman on the Subcommittee on Fisheries, Wildlife, Oceans, I reiterate that the Natural Resources Committee supports this bill as a means to maximize community participation in the activities of the Fish and Wildlife Foundation.

It is our expectation, that is to say Congresswoman BORDALLO's expectation, that the foundation will view this expansion of its Board of Directors as an opportunity to increase the diversity of professional backgrounds and views that board members bring to the foundation, and also that the Secretary of the Interior will appoint qualified individuals, hopefully with conservation experience in the offshore territories.

Mr. BROWN of South Carolina. Madam Speaker, I rise today to speak on H.R. 3891, a bill I introduced with Fisheries, Oceans and Wildlife Subcommittee Chairwoman MADELEINE BORDALLO. The fundamental purpose of this legislation is to increase from 25 to 30 the number of members who may serve on the Board of Directors of the National Fish and Wildlife Foundation.

The National Fish and Wildlife Foundation was created by Congress in 1984. Since that time, it has financed more than 9,500 conservation projects throughout the United States and in other countries. By using a partnership and challenge grant approach, the Foundation has provided $1.3 billion in critical funding to accomplish its strategic goals of sustaining, restoring and enhancing fish, wildlife and plant populations and their essential habitat.

Under current law, the Secretary of the Interior may appoint up to 25 individuals to serve on the Foundation's Board of Directors. The members of this Board have expertise in fish, wildlife and natural resource conservation; they serve as conservation Ambassadors throughout the world; they review and approve projects submitted to the Foundation and they raise funds for the operation of this highly successful organization.

By increasing the size of the Board, we will greatly enhance the Foundation's ability to finance additional meritorious projects in the future.

I urge my colleagues to vote "yea" on H.R. 3891.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 3891, as amended.

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

A motion to reconsider was laid on the table.

□ 1445

HALE SCOUTS ACT

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2675) to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2675

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 "Help to Access Land for the Education of Scouts" or "HALE Scouts Act".

SEC. 2. LAND CONVEYANCE, OUACHITA NATIONAL FOREST, OKLAHOMA.

(a) FINDING.—Congress finds that it is in the public interest to provide for the sale of certain federally owned land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, for market value consideration.

(b) CONVEYANCE REQUIRED.—Subject to valid existing rights, the Secretary of Agriculture shall convey, by quitclaim deed, to the Indian Nations Council, Inc., of the Boy Scouts of America (in this section referred to as the "Council") all right, title, and interest of the United States in and to certain National Forest System land in the Ouachita National Forest in the State of Oklahoma consisting of approximately 140 acres, depending on the final measurement of the road set back and the actual size of the affected sections, as more fully described in subsection (c). The conveyance may not include any land located within the Indian Nations National Scenic and Wildlife Area designated by section 10 of the Winding Stair Mountain National Recreation and Wilderness Area Act (16 U.S.C. 460vv–8).

(c) COVERED LANDS.—The National Forest System land to be conveyed under subsection (b) is depicted on the map entitled "Boy Scout Land Request–Ouachita NF". The map shall be on file and available for public inspection in the Forest Service Regional Office in Atlanta, Georgia.

(d) CONSIDERATION.—As consideration for the land conveyed under subsection (b), the Council shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(e) USE OF PROCEEDS.—The consideration received under subsection (d) shall be deposited in the fund established by Public Law 90–171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a). The amount so deposited shall be available to the Secretary, without further appropriation, for expenditure for the acquisition of land and interests in land in the Ouachita National Forest.

(f) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (b) shall be determined by a survey satisfactory to the Secretary. The Council shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

(g) ACCESS.—Access to the land conveyed under subsection (b) shall be from the adjacent land of the Council or its successor. Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)), the Secretary shall not be required to provide additional access to the conveyed land.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may prescribe such terms and conditions on the conveyance under subsection (b) as the Secretary considers in the public interest, including the reservation of access rights to the conveyed land for administrative purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 2675 was introduced by my colleague and our friend on the Natural Resources Committee, Representative DAN BOREN.

The legislation directs the Secretary of Agriculture to convey 140 acres of public land in Oklahoma, administered by the United States Forest Service, to the Indian Nations Council of the Boy Scouts of America. The Boy Scouts will use this land to expand their existing camping. The Boy Scouts will pay a fair market value for the land.

Madam Speaker, I want to commend our colleague and friend, Representative BOREN, for his work on this bill. I support the passage of H.R. 2675, as amended.

I reserve the balance of my time.

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

I rise in support of H.R. 2675, and we are pleased to support this legislation that will help the young men of Oklahoma by allowing the Boy Scouts of America to expand their summer camp within the forest to accommodate the fast-growing number of campers. This speaks volumes about the excellent organization that is the Boy Scouts of America, and we compliment Representative BOREN on his efforts. Hopefully this land conveyance will ease some of the pain the scouting community suffered when Congressman BOREN

left the Scouts shortly before attaining the rank of tenderfoot.

I want to thank Chairman RAHALL and the professional staff for moving this bill along expeditiously, and thank my friend from Hawaii for his efforts on this particular legislation, and thank the gentleman from Oklahoma for having a wonderful bill. I urge Members to support this particular legislation.

Mr. BOREN. Madam Speaker, I rise today in strong support for H.R. 2675, the HALE Scouts Act. This bill would grant the U.S. Forest Service authority to sell roughly 140 acres of land to the Indian Nations Council of Boy Scouts, which is adjacent to the Scout's summer camp, Camp Tom Hale located in Talihina, OK. The Council is a nonprofit organization providing educational programs for boys and young adults to build character, to train in the responsibilities of citizenship, and to develop personal fitness,

The camp first opened in June 1930 to serve Boy Scouts in the McAlester, Oklahoma area. It was originally located at what is now Robbers Cave State Park near Wilburton, Oklahoma. In 1963, the Boy Scout Council in McAlester worked with the State of Oklahoma and the U.S. Forest Service to exchange the camp at Robbers Cave for 480 acres of wilderness area in the Ouachita National Forest. This "new" Camp Hale has continued as a summer adventure camp serving thousands of scouts during the intervening 41 years. In 1997, the Council board developed a strategic plan for a $3.5 million expansion and renovation of the camp. Since then, the Council has spent in excess of $1 million continually updating and expanding facilities to meet the needs of scouts. As a result, a renewed emphasis on wilderness and the outdoors has flourished, with over 6,000 scouts and leaders from a five state area attending weekly sessions offered in June and July and enjoying the beautiful Ouachita Forest. Attendance has now exceeded the maximum number of available campsites and program areas, which is causing Camp Hale to begin turning away hundreds of scouts each summer.

It is now critical for camp growth that the boundaries be extended to include more area for camping and additional program and training services. Successful completion of this objective will allow the Boy Scouts to continue the expansion of outdoor and leadership training for thousands of youth living in the Central Southwest and bring additional usage and enjoyment of the Ouachita Forest to more families. I greatly appreciate this body's consideration of this measure, and urge my colleagues support.

Mr. BISHOP of Utah. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, I can't spot any more tenderfeet on the floor, and so we will yield back our time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 2675, as amended.

The question was taken.

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

Mr. BISHOP of Utah. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

UTAH NATIONAL GUARD READINESS ACT

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3651) to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3651

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 "Utah National Guard Readiness Act".

SEC. 2. LAND CONVEYANCE, CAMP WILLIAMS, UTAH.

(a) CONVEYANCE REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Bureau of Land Management, shall convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to certain lands comprising approximately 431 acres, as generally depicted on a map entitled "Proposed Camp Williams Land Transfer" and dated March 7, 2008, which are located within the boundaries of the public lands currently withdrawn for military use by the Utah National Guard and known as Camp Williams, Utah, for the purpose of permitting the Utah National Guard to use the conveyed land as provided in subsection (c).

(b) REVOCATION OF EXECUTIVE ORDER.—Executive Order 1922 of April 24, 1914, as amended by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (title IX of Public Law 101–628; 104 Stat. 4501), shall be revoked, only insofar as it affects the lands identified for conveyance to the State of Utah under subsection (a).

(c) REVERSIONARY INTEREST.—The lands conveyed to the State of Utah under subsection (a) shall revert to the United States if the Secretary of the Interior determines that the land, or any portion thereof, is sold or attempted to be sold, or that the land, or any portion thereof, is used for non-National Guard or non-national defense purposes. Any determination by the Secretary of the Interior under this subsection shall be made in consultation with the Secretary of Defense and the Governor of Utah and on the record after an opportunity for comment.

(d) HAZARDOUS MATERIALS.—With respect to any portion of the land conveyed under subsection (a) that the Secretary of the Interior determines is subject to reversion under subsection (c), if the Secretary of the Interior also determines that the portion of the conveyed land contains hazardous materials, the State of Utah shall pay the United States an amount equal to the fair market value of that portion of the land, and the reversionary interest shall not apply to that portion of the land.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 3651 was introduced by the ranking member on the National Parks, Forests and Public Lands Subcommittee, Representative BISHOP. The legislation directs the Secretary of the Interior to convey certain identified public lands to the State of Utah for use by the Utah National Guard. The land would revert to the United States should it ever cease to be used by the National Guard.

Madam Speaker, I want to commend my colleague and friend, Representative BISHOP, for his leadership in this matter and his willingness to work with the committee to resolve issues raised in earlier consideration of the legislation. I am sure that I speak for Chairman RAHALL in that regard, and most certainly his fellow members on the Resources Committee. Therefore, I have no objection to the passage of H.R. 3651; and, in fact, enthusiastically endorse it.

I reserve the balance of my time.

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

H.R. 3651, the Utah National Guard Readiness Act, was cosponsored by the entire Utah delegation. There are only three of us, but we all agreed. So Mr. MATHESON, Mr. CANNON, and I are sponsoring this bill, as requested by the Adjutant General of the Utah National Guard as well as the Governor of the State of Utah, in order to address the long-term growing pains of the National Guard at their Camp Williams headquarters.

The Utah National Guard has run out of State-controlled land on which to expand and build and support its vital national guard and national defense missions.

The lands transferred under this act are already withdrawn from military use by the Guard from the Bureau of Land Management. So placing the land in the State's name for use by the National Guard will allow for the consolidation of ownership patterns in the critical headquarters area, and allow the State of Utah to bond for future Guard facilities in a more streamlined and cost-effective manner.

I thank the chairman of our committee, Mr. RAHALL, and his staff, for working on this bill and moving it forward. I also thank the subcommittee chairman, Mr. GRIJALVA, for his assistance and that of the subcommittee professional staff.

In this day and age, we are asking the National Guardsmen to do more

and more heavy lifting for our Nation's defense and in deploying overseas in armed conflict. At the same time, we are asking them to also be on the frontlines in protect the homeland, and also to be there for our States and communities in times of emergency or natural disasters. We ask a lot of them, and they deliver.

This bill will allow our Utah National Guard to support its future mission growth in meeting these challenges. It is a small thing for us to be able to help them down the road in meeting their obligations. I thank my colleagues for consideration of this bill, and I strongly urge its adoption.

I reserve the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, as a member of the Armed Services Committee, and as chairman of the Air Land Subcommittee of that committee, I particularly want to commend Mr. BISHOP for his remarks regarding the National Guard deployments and our obligations to them. And in recognition of that, I would like his remarks to be incorporated as my own with regard to his bill. With his permission I would like to do that.

Mr. BISHOP of Utah. I think the gentleman from Hawaii could have done it much more artfully than I did, but I will be happy to allow him to do that.

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

Mr. BISHOP of Utah. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 3651, as amended.

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

A motion to reconsider was laid on the table.

LOWER COLORADO RIVER MULTI-SPECIES CONSERVATION PROGRAM ACT

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2515) to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2515

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 ''Lower Colorado River Multi-Species Conservation Program Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) LOWER COLORADO RIVER MULTI-SPECIES CONSERVATION PROGRAM.—The term ''Lower Colorado River Multi-Species Conservation Program'' or ''LCR MSCP'' means the cooperative effort on the Lower Colorado River between Federal and non-Federal entities in Arizona, California, and Nevada approved by the Secretary of the Interior on April 2, 2005.

(2) LOWER COLORADO RIVER.—The term ''Lower Colorado River'' means the Colorado River from Lake Mead to the Southerly International Boundary with Mexico, including its historic floodplain and its mainstem reservoirs to their full pool elevations.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATES.—The term ''States'' means each of the States of Arizona, California, and Nevada.

SEC. 3. IMPLEMENTATION AND WATER ACCOUNTING.

(a) IN GENERAL.—The Secretary is authorized to participate in the Lower Colorado River Multi-Species Conservation Program.

(b) WATER ACCOUNTING.—The Secretary is authorized to enter into an agreement with the States providing for the use of water from the Lower Colorado River for habitat creation and maintenance.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary such sums as may be necessary to participate in the Lower Colorado River Multi-Species Conservation Program, to remain available until expended.

(b) NONREIMBURSABLE AND NONRETURNABLE.—All amounts appropriated to and expended by the Secretary for the LCR MSCP shall be nonreimbursable and nonreturnable.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 2515, as introduced by our colleague and friend, Representative Dean Heller, would authorize the Secretary of the Interior to participate in the multi-species habitat conservation plan on the lower 400 miles of the Colorado River. The States of Nevada, Arizona and California, along with several major water districts, are participants and funding partners in this program.

As amended, this legislation is not controversial and should be supported. And I might say, Madam Speaker, exhibits the multiple responsibilities of the Resources Committee and the really extraordinary complications and details that have to be considered when such legislation comes forward. It is a tribute to the staffs of the members on the committee, and most particularly the professional staff of the Resources Committee, that this legislation is able to be compiled, understood and comprehended by the members, and then brought forward to the body as a whole in a way that advances the public interest.

With that, Madam Speaker, I reserve the balance of my time.

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

This particular bill helps solve the conundrum that we face in the protection and conservation of certain species: For example, the bony-tailed chub, the razorback sucker, and the humpback chub.

H.R. 2515, introduced by Dean Heller of Nevada and Harry Mitchell of Arizona, is an amended bipartisan measure aimed at protecting endangered species while keeping the waters running and the lights on for consumers in the Southwest.

As amended at the committee level, this bill has been scaled back, but still codifies a very popular multi-species habitat conservation plan on the Lower Colorado River. I note that some water and power supply organizations support key provisions taken out by the majority. However, in the interest of moving this bill forward, they support the passage of this bill with the hope that the final bill signed into law will better resemble the original legislation.

At a time when our water supply is being diminished due to a number of factors, this bill—although somewhat incomplete—is still a win-win for our water and power consumers.

I have no additional speakers, and I am prepared to yield back the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, I observed that Mr. BISHOP was looking directly at me when he recited, with a look that I can only determine as ''gleeful,'' he cited the razorback sucker and the bonytail chub. I am not sure whether I was being categorized by him in the sucker category or the chub category, or he was gazing at me metaphorically.

Do you suppose he might be able to answer that for me.

Mr. BISHOP of Utah. Will the gentleman yield?

Mr. ABERCROMBIE. I will yield.

Mr. BISHOP of UTAH. I have certainly never thought of the gentleman as either a razorback or a bonytail.

Mr. ABERCROMBIE. Thank you very much.

Madam Speaker, it is now clear for me.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 2515, as amended.

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

A motion to reconsider was laid on the table.

□ 1500

SUPPORTING THE OBSERVANCE OF COLORECTAL CANCER AWARENESS MONTH

Mr. WYNN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 302) supporting the observance of Colorectal Cancer Awareness Month, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 302

Whereas colorectal cancer is the second most common cause of cancer deaths for men and women in the United States;

Whereas colorectal cancer affects men and women equally;

Whereas more than 148,810 people in the United States will be diagnosed with colon cancer this year;

Whereas over 49,960 people in the United States will die from colon cancer this year;

Whereas every 3.5 minutes, someone is diagnosed with colorectal cancer and every 9 minutes someone dies from colorectal cancer;

Whereas every 5 seconds someone who should be screened for colorectal cancer is not;

Whereas the vast majority of colon cancer deaths can be prevented through proper screening and early detection;

Whereas the survival rate of individuals who have colorectal cancer is 90 percent when detected in the early stages versus only a 10 percent survival rate when colorectal cancer is diagnosed after it has spread to distant organs;

Whereas only 39 percent of colorectal cancer patients have their cancers detected at an early stage;

Whereas uninsured Americans are more likely to be diagnosed with late stage colon cancer than patients with private insurance;

Whereas only 18.8 percent of those without health coverage in the United States have currently been properly screened for colorectal cancer;

Whereas if the majority of Americans age 50 or older were screened regularly for colorectal cancer, the death rate from this disease could plummet by up to 80 percent;

Whereas regular colorectal cancer screening has been ranked as one of the most cost effective screening interventions available, with the potential to save more than 30,000 lives a year;

Whereas treatment costs for colorectal cancer are extremely high, estimated at $8,400,000,000 for 2004;

Whereas increasing the number of people between the ages of 50 years and 64 years of age who are regularly screened in the United States, would provide significant savings in billions of dollars to the Medicare program from cancer prevention and treatment costs;

Whereas the Blue Star, developed by the Members of the National Colorectal Cancer Roundtable, the American Cancer Society, the Colon Cancer Alliance, and C3: Colorectal Cancer Coalition represents the collective fight against colon cancer, the eternal memory of the people whose lives have already been lost to the disease, and the shining hope for a future free of colon cancer;

Whereas Coaches vs. Cancer (a partnership between the American Cancer Society and the National Association of Basketball Coaches), the Colon Cancer Alliance, and Ethicon Endo-Surgery have created ''Earn a Blue Star Day'' as a means for individuals and corporations to raise awareness of the importance of screening for colon cancer;

Whereas greater awareness of this cancer and the means to prevent it will save the lives of tens of thousands of Americans each year; and

Whereas observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to offer education on the importance of early detection and screening: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the observance of Colorectal Cancer Awareness Month in order to provide a special opportunity to offer education on the importance of early detection and screening;

(2) recognizes and applauds the national and community organizations for their work in promoting awareness about colorectal cancer, providing information on the importance of prevention and early detection through regular screening, and facilitating access to treatment for its sufferers; and

(3) urges organizations and health practitioners to ''earn a Blue Star'' by using this opportunity to promote awareness about colorectal cancer and to support early identification and removal of pre-cancerous polyps, detectable only through colorectal cancer screenings.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. WYNN) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

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

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

There was no objection.

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

I rise today in strong support of H. Con. Res. 302. This bill does three things: First, it calls for the designation of March as Colorectal Cancer Awareness Month. Second, it recognizes national and community organizations for their work in promoting the importance of prevention and early detection through regular colorectal screenings. Third, it urges organizations and health practitioners to ''earn a Blue Star'' by using this opportunity to increase awareness about colorectal cancer. And I will talk more about the blue star in just a minute.

But first let me note that colorectal cancer is the third most common type of cancer and the second most deadly. Approximately 148,000 Americans will be diagnosed with colorectal cancer this year, and 49,000 will die from the disease.

Every 3 minutes a loved one is diagnosed with colorectal cancer. Every 9 minutes a loved one dies from the disease. Every 5 seconds a loved one who should be screened for colorectal cancer is not.

Colorectal cancer is a silent killer which often causes no symptoms until it reaches the latest stages. Colorectal screenings save lives by catching the disease in its earlier stages. If detected at an early stage, the 5-year survival rate for colorectal cancer is 90 percent. If it is not detected until the later stage, the 5-year survival rate plummets to just 10 percent.

This tragedy disproportionately affects minorities, particularly African Americans, who are less likely to have access to health insurance or see a doctor on a regular basis. As a result, African Americans are diagnosed later and are 40 percent more likely to die from the disease. In 2007, 1,600 cases of colorectal cancer occurred among African Americans.

Hoping to repeat the success of the red ribbon in symbolizing AIDS and the pink ribbon in symbolizing breast cancer, the National Colorectal Cancer Roundtable has selected a blue star to symbolize the fight against colorectal cancer. The star serves a dual purpose; it recognizes the eternal memory of those people whose lives have already been lost to the disease, and it is a shining hope for a future free of colon cancer.

This resolution recognizes the important work that national and community organizations have already done in promoting awareness about colorectal cancer, including the creation of Earn a Blue Star day.

Additionally, the resolution encourages organizations and health care practitioners to earn a blue star by supporting early identification and removal of precancerous polyps.

Recognizing March as Colorectal Cancer Awareness Month provides us a special opportunity to focus on education about screening and early detection. As we continue to work to find a cure for colorectal cancer, it is vital that we work together to increase awareness about screening in order to prevent the disease from reaching its deadly conclusion.

Before I conclude, I want to thank my colleagues, Representative KAY GRANGER and Representative PATRICK KENNEDY, for their leadership on this issue. Although Representative GRANGER could not be here today, I know that she cares very deeply about this issue and has worked hard to bring this resolution to the floor.

I now want to urge my colleagues to join me in support of the adoption of this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BURGESS. Madam Speaker, I yield myself so much time as I may consume.

Madam Speaker, colorectal cancer is the third most commonly diagnosed cancer. It's the second most common cause of cancer deaths in the United States; clearly a major player in our cancer burden here in this country. Every 3½ minutes someone is diagnosed with colorectal cancer. Every 9

minutes someone dies from colorectal cancer.

This is a disease that affects men and women equally. This year, almost 150,000 new cases will be diagnosed, and almost 50,000 deaths will be caused by colorectal cancer. The real tragedy is that many of these cancer cases and deaths do not have to happen. The vast majority of colorectal cancer deaths can be prevented through proper screening and early detection. This resolution recognizes March as Colorectal Cancer Awareness Month.

My good friend from Maryland talked about disparities; indeed, disparities do occur. And one of the things we can do to diminish those disparities is to talk. We can talk more about this disease. And the more we encourage our family and friends, our neighbors to get screened, the more lives we can, in fact, save.

But recognizing Colorectal Cancer Awareness Month is not enough. We do need to increase Federal funding for early detection and screening. So, along with Congressman WYNN, Representative GRANGER has introduced a bill that would authorize funding for early detection screenings and make preventive care a priority. Specifically, the Colorectal Cancer Prevention, Early Detection and Treatment Act, H.R. 738, would establish a national screening program for colorectal cancer for individuals over 50 years of age and/or who are at high risk. It would also authorize State funding for these screenings, and it would create a public awareness and education campaign for colorectal cancer.

Despite scientific evidence supporting the benefits of screenings, screenings remain low for this disease in the United States, and every 5 seconds someone who should be screened is not. When colorectal cancer is diagnosed late, the survival rate for cancer is only 10 percent, but if it's diagnosed early, before spread has occurred, the survival rate is in excess of 90 percent. Early detection and screening saves lives.

If everyone over 50 years of age were screened regularly for colon cancer, the death rate for this disease could plummet by 80 percent. In addition to saving lives, early detection and screening clearly would save money.

Treatment costs for colon cancer are extremely high and could be greatly reduced if mass screenings occurred. Colon cancer treatment costs totaled roughly $8.5 billion for new cases in 2007. Let me say that again, almost $8.5 billion for 2007. The costs of two-thirds of these cancer cases are borne by the Medicare program.

The Lewin Group recently conducted a comprehensive study of the potential cost savings to Medicare and found that every 10 years a colon cancer screening program will result in a savings of about 1½ years worth of Medicare expenditures. If screenings were increased among people 50 years of age and older in the United States, it would save billions of dollars in Medicare expenditures, not to mention the thousands of lives that would be spared.

The Colon Cancer Prevention, Early Detection and Treatment Act ensures that people who are screened will get the full continuum of cancer care, including the appropriate follow-up for abnormal tests, diagnostic and therapeutic services, and treatment for detected cancers.

Observing Colorectal Cancer Awareness Month provides us with the opportunity to discuss the importance of early detection and of screening. It also provides us the opportunity to thank the thousands of volunteers and the national and community organizations for their work in promoting awareness of this disease. Groups like the Prevent Cancer Foundation, the National Colorectal Cancer Society Roundtable, the American Cancer Society, the Colon Cancer Alliance, and C3: Colorectal Cancer Coalition, these groups have created the ''Earn a Blue Star Day'' as a way for individuals and corporations to raise awareness of the importance of screening for this cancer.

I encourage my colleagues in the House to ''earn a blue star'' by using this opportunity to promote awareness of colon cancer and to support early detection and screening.

Madam Speaker, I reserve the balance of my time.

Mr. WYNN. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. I would like to thank the gentleman from Maryland for his ambitious efforts on behalf of this issue. He has been tireless on behalf of spreading the word on the issue of prevention of colorectal cancer. I can recall for many years being invited to participate in events where he has been out there talking about prevention and prevention, prevention, prevention. I salute him for his efforts and thank him for his service to our country on behalf of this very important issue.

He said it as clear as anyone could say it, and that is that the most common reason people give for why they have not had a colorectal cancer screening is that it wasn't recommended to them. And the most common reason that people die of colorectal cancer is because they haven't been screened. So, what is the answer? The answer is we have to get people to recommend that they get a screening for colorectal cancer. If they get the recommendation that they get screened, then they have a 90 percent chance of survival. It's that simple.

Why are people dying of an illness that is so preventable? Because they're not being told, first, that the statistics are what they are, that this is preventable; and two, that the professions out there need to get about doing what they need to do to make those recommendations that people get the screening. If you're 50 and older, you need to get the screening. If you have it in your family, you need to get the screening. And these are the simple messages that we need to get out to the general public. And AL WYNN has been the leader in this Congress in making sure those messages get out to the public. And I want to thank KAY GRANGER for her efforts as well in sponsoring this bill.

But the fact of the matter is that we cannot sit idly by and think that this is something that simply is a matter of saving dollars. I want to thank my friend, Mr. BURGESS, for pointing out that we save lots of money if we screen early. He pointed out accurately that the Lewin Group said that we spent nearly $8.5 billion just this last year treating colorectal cancer. Two-thirds of that will be paid by the Federal Government; two-thirds will be paid by our taxpayers. And imagine if we had screening, we could avoid that cost. If we had screening, the cost of a screening could avoid all the heavy expenses of that treatment. But imagine all the lives that it will save? Imagine all the fathers and mothers and sons and daughters and brothers and sisters who would be spared the awful trauma of having to be treated with cancer.

This is the right thing to do. It's not only the right thing to do, you know, financially, which should be a no-brainer for us in Congress, we're looking for ways to save money, this is a money saver, but this is the right thing to do for our people in terms of saving them the heartache. So, what do we need to do? We need to cover people.

In my State of Rhode Island, we already mandate, our insurance coverage already requires it. But unfortunately, as the American Cancer Society is trying to do nationally, we have 47 million Americans without health insurance. And until we get more people covered with health insurance, there are going to continue to be people who fall off.

That's why this legislation is so important. It sets up grants to States so that we can target those who don't have health insurance so that they can get the screening. If we know that they have colorectal cancer polyps prescreening, then we know we can get in there and make sure that they get the treatment early so that we're not stuck as a society having to pay down the road for the most costly and expensive kinds of treatment through the Medicare and Medicaid programs.

So, my friends, this is something that we need to do. I salute all of those in the cancer community who have been trying to preach this message. This is a message that needs to be preached. And I think that every month ought to be Cancer Awareness Month. I'm just happy that we now finally are getting about focusing on an illness that has been too quiet, too quiet. When you compare it to breast cancer, cervical cancer, prostate cancer, colorectal cancer screenings are the lowest of all of them, the lowest,

because it has been the most stigmatized of all cancers.

□ 1515

But colorectal cancer can no longer remain that way because too many people are dying as a result.

Mr. BURGESS. Madam Speaker, at this time I will reserve my time.

Mr. WYNN. Madam Speaker, at this time I recognize the distinguished gentlelady from Illinois (Ms. SCHAKOWSKY) for 2 minutes.

Ms. SCHAKOWSKY. Madam Speaker, first, I want to thank Congressman WYNN for his effort to bring this critical resolution to the floor today. I'm glad to be here to speak out in strong support of H. Con. Res. 302, a resolution to recognize March as Colorectal Cancer Awareness Month.

My family and my life, like so many others, have been touched by someone with cancer. Two and a half years ago, after fighting courageously for a year, my amazing daughter-in-law, Fiona, died of colorectal cancer, leaving behind two young children, a husband and many loving family members and friends. At 38 years old, she died, not having a screening, and though, in retrospect, she had symptoms. Too many of us have either struggled with cancer ourselves or know of someone who has.

I recently saw a new study from the CDC saying that colorectal cancer testing has risen steadily since 2002, and this is very encouraging news. But another study that appeared in the Journal CANCER at the end of last year is extremely troubling to me. It shows a significant underuse of colorectal cancer screening procedures among Medicare beneficiaries. In fact, only 25 percent of Medicare beneficiaries received recommended screening.

Mr. WYNN. The gentlelady is granted an additional 30 seconds.

Ms. SCHAKOWSKY. In fact, only 25 percent of Medicare patients received recommended screening during the study period.

We have to do better. We must work to expand public education and understanding of the benefits of screening. Congress needs to make it a priority to reduce the amount of out-of-pocket-costs associated with cancer screening to ensure that those who may be at risk of developing colorectal cancer get screened. And as the richest country in the world, we need to act to make sure that everyone gets the medical care they need.

You've heard the statistics. If caught early the survival rate is 90 percent; if not, it's only 10 percent.

Through the establishment of Colorectal Cancer Awareness Month we will add to the over one million colorectal cancer survivors living in America today.

I urge my colleagues to support this wonderful resolution, and I thank the gentleman for introducing it.

Mr. BURGESS. Madam Speaker, I will yield myself 1 minute for the purpose of closing.

This is an important bill and I do encourage my colleagues to support this bill. Have the test, find the polyp, get the cure. It's really that simple.

One of the problems with serving in Congress is you recognize that we move so slowly on so many things. Madam Speaker, there are going to be new medicines, new tests. We're on the threshold of great things in all areas of medicine. The study of colon cancer is no small part of that.

But the reality is today there is a test, there is a test that can be easily done. A cure is just around the corner for someone who might suffer from this disease.

So I urge my colleagues to support this important legislation. I thank my friend from Maryland for bringing it forward, and I'll yield back the balance of my time.

Mr. WYNN. Madam Speaker, I'd just like to take a moment to thank Dr. BURGESS for his support of this legislation. He expounded on it quite well, and we appreciate his support. Also Ms. GRANGER, who I indicated could not be here.

I particularly want to thank my colleagues on the Democratic side of the aisle, Ms. SCHAKOWSKY, who obviously has a tremendous personal story to tell in support of this legislation, and also Mr. KENNEDY, with whom I've worked with, and has had a tremendous passion in support of this measure.

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in support of a resolution offered by a fellow Texan, Congresswoman GRANGER, recognizing the month of March as Colorectal Cancer Awareness Month.

There are few diagnoses that strike more fear into Americans than being diagnosed with cancer. More than 10 million Americans currently live with cancer. According to the American Cancer Society, more than 1.4 million new cancer cases will be diagnosed this year.

In the United States, colorectal cancer is the fourth most common cancer in men and women. If it is caught early, it is often curable. Regular colorectal cancer screening or testing is one of the best ways to prevent colorectal cancer.

Once abnormal cells start to grow, it takes approximately 10 to 15 years to develop into colorectal cancer. Regular colorectal cancer screening can prevent colorectal cancer altogether because some polyps and growths are identified and removed before they turn into cancer. Screening can also result in finding colorectal cancer early, when it is highly curable.

Houston's MD Anderson Cancer Center is located near my district so I have seen the effectiveness of research and treatments that have come from investment in cancer research programs. However, the easiest way to prevent, treat, and recover from cancer is to find it early.

That is why recognizing the month of March as Colorectal Cancer Awareness Month is important. Letting people know that they should be regularly tested for colorectal cancer is the first step in saving lives.

I want to thank my colleague, Representative GRANGER, and urge my colleagues to support this resolution.

Mr. WYNN. Madam Speaker, I have no further requests for time, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. WYNN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 302.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 20 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WELCH of Vermont) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3352, by the yeas and nays;

H.R. 2675, by the yeas and nays;

H. Con. Res. 302, by the yeas and nays.

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

HYDROGRAPHIC SERVICES IMPROVEMENT ACT AMENDMENTS OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3352, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 3352, as amended.

The vote was taken by electronic device, and there were—yeas 308, nays 60, not voting 62, as follows:

[Roll No. 147]

YEAS—308

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gillibrand
Gohmert
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Harman
Hastings (FL)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Nadler
Napolitano
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Platts
Porter
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stupak
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—60

Aderholt
Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Blackburn
Brady (TX)
Broun (GA)
Burton (IN)
Campbell (CA)
Carter
Chabot
Conaway
Culberson
Deal (GA)
Duncan
Everett
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Goode
Hastings (WA)
Hensarling
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
Kline (MN)
Lamborn
Linder
Mack
Manzullo
Marchant
McCaul (TX)
McHenry
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Paul
Pence
Pitts
Poe
Price (GA)
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Stearns
Sullivan
Tancredo
Tiberi
Wamp
Westmoreland
Wilson (SC)

NOT VOTING—62

Bachmann
Blunt
Boehner
Braley (IA)
Brown, Corrine
Cannon
Cantor
Coble
Conyers
Cubin
Davis (IL)
DeGette
Dicks
Dingell
Doolittle
Etheridge
Feeney
Fossella
Gilchrest
Gonzalez
Granger
Grijalva
Gutierrez
Hare
Hinchey
Hobson
Honda
Hulshof
Jefferson
Johnson (GA)
Kind
Kingston
Marshall
Mollohan
Moore (WI)
Moran (VA)
Murtha
Neal (MA)
Peterson (PA)
Pickering
Pomeroy
Pryce (OH)
Rangel
Reynolds
Rohrabacher
Rothman
Rush
Sanchez, Loretta
Sarbanes
Shadegg
Shuler
Stark
Sutton
Tauscher
Tiahrt
Udall (CO)
Udall (NM)
Upton
Waxman
Weldon (FL)
Weller
Whitfield (KY)

□ 1856

Messrs. WAMP, WILSON of South Carolina, TANCREDO, BRADY of Texas, and ISSA changed their vote from ''yea'' to ''nay.''

Messrs. HERGER and JONES of North Carolina changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HALE SCOUTS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2675, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 2675, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 370, nays 2, not voting 58, as follows:

[Roll No. 148]

YEAS—370

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Saxton
Schakowsky
Schiff
Schmidt

Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—2

Frank (MA)
Woolsey

NOT VOTING—58

Bachmann
Braley (IA)
Brown, Corrine
Cannon
Coble
Cubin
Davis (IL)
DeGette
Dicks
Dingell
Doolittle
Etheridge
Fossella
Gilchrest
Gonzalez
Granger
Grijalva
Gutierrez
Hare
Hinchey
Hirono
Hobson
Honda
Hulshof
Jefferson
Johnson (GA)
Kind
Kingston
Marshall
Mollohan
Moore (WI)
Moran (VA)
Murtha
Neal (MA)
Peterson (PA)
Pickering
Pomeroy
Pryce (OH)
Rangel
Reynolds
Rohrabacher
Rothman
Rush
Sanchez, Loretta
Sarbanes
Shadegg
Shuler
Stark
Sutton
Tauscher
Tiahrt
Udall (CO)
Udall (NM)
Upton
Waxman
Weldon (FL)
Weller
Whitfield (KY)

□ 1906

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 148, had I been present, I would have voted "yea."

SUPPORTING THE OBSERVANCE OF COLORECTAL CANCER AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 302, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. WYNN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 302.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 371, nays 0, not voting 59, as follows:

[Roll No. 149]

YEAS—371

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Weiner
Welch (VT)
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—59

Bachmann
Braley (IA)
Brown, Corrine
Cannon
Coble
Cubin
Davis (IL)
DeGette
Dicks
Dingell
Doolittle
Etheridge
Fossella
Gilchrest
Gonzalez
Granger
Grijalva
Gutierrez
Hare
Hinchey
Hobson
Honda
Hulshof
Jefferson
Johnson (GA)
Kind
Kingston
Lewis (GA)
Marshall
Mollohan
Moore (WI)
Moran (VA)
Murtha
Neal (MA)
Peterson (PA)
Pickering
Pomeroy
Pryce (OH)
Rangel
Reynolds
Rohrabacher
Rothman
Rush
Sanchez, Loretta
Sarbanes
Shadegg
Shuler
Stark
Sutton
Tauscher
Tiahrt
Udall (CO)
Udall (NM)
Upton
Waters
Waxman
Weldon (FL)
Weller
Whitfield (KY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining on this vote.

□ 1915

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE MARION BERRY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable MARION BERRY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 14, 2008.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the U.S. Court of Federal Claims, for documents and testimony.

After consultation with counsel, I have determined that compliance with the subpoena

is consistent with the precedents and privileges of the House.

Sincerely,

MARION BERRY,
Member of Congress.

RECOGNIZING UNITED STATES ARMY SPECIALIST MONICA L. BROWN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I rise to introduce legislation with my colleague, RON PAUL of Texas, that honors the sacrifice and courage of a young Army soldier. This happens to be Women's History Month, and this happens to be in honor of the heroic deeds of U.S. Army Specialist, Monica L. Brown.

I believe this legislation is especially pertinent, given that March is Women's History Month. Specialist Brown is the first woman in Afghanistan, and only the second female soldier since World War II, to receive the Silver Star, the Nation's third highest medal for valor. This soldier from Lake Jackson, Texas is only 19 years old.

On April 25, 2007, Specialist Brown was part of a four-vehicle convoy patrolling near Jani Kheil in the eastern province of Paktia on April 25, 2007, when a bomb struck one of the HUMVEES. When Specialist Brown saw fellow soldiers were injured, she grabbed her aid bag and started running toward the burning vehicle as insurgents opened fire, without regard to herself.

All five wounded soldiers from her platoon scrambled out. Under this commotion, she assessed her patients and moved them to a safer location because they were still receiving fire.

The Pentagon says that they don't send women to the front lines, but in Afghanistan and in Iraq there are no front lines.

She happens to be only the second woman to receive the Silver Star since World War II. We honor her with this resolution, H. Con. Res. 320.

I ask my colleagues to join me in this resolution.

Mr. Speaker, I rise today to introduce legislation that honors the sacrifice and courage of a young Army soldier. My colleague and fellow Texan, Representative RON PAUL seeks to recognize the heroic deeds of U.S. Army Specialist Monica L. Brown.

I believe this legislation is especially pertinent given that March is Women's History Month. Spec. Brown is the first woman in Afghanistan and only the second female soldier since World War II to receive the Silver Star, the nation's third-highest medal for valor. This solider from Lake Jackson, Texas is only 19 years old.

On April 25, 2007, Specialist Brown was part of a four-vehicle convoy patrolling near Jani Kheil in the eastern province of Paktia on April 25, 2007, when a bomb struck one of the Humvees. When Spec. Brown saw her fellow soldiers were injured, she grabbed her aid bag and started running toward the burning vehicle as insurgents opened fire. All five wounded soldiers from her platoon scrambled out. Under this commotion, she assessed her patients and moved them to a safer location because they were still receiving incoming fire.

The Pentagon's official policy is to prohibit women from serving in front-line combat roles in the infantry, armor or artillery, but the nature of the wars in Afghanistan and Iraq, with no real front lines, has seen women soldiers take part in close-quarters combat more than previous conflicts.

According to the Army four Army nurses in World War II were the first women to receive the Silver Star, though three nurses serving in World War I were awarded the medal posthumously in 2007. Sgt. Leigh Ann Hester, of Nashville, Tenn., was the first to receive the Silver Star in 2005 along with two fellow male soldiers for her gallantry during an insurgent ambush on a convoy in Iraq.

The Army has stated that Spec. Brown's "bravery, unselfish actions and medical aid rendered under fire saved the lives of her comrades and represents the finest traditions of heroism in combat."

This legislation is not about condoning the wars in Afghanistan or in Iraq. This legislation is about us supporting and honoring our troops. It is about this Nation's children fighting for the rights of all of us in places we do not dare to go, under environments we cannot fully appreciate from this comfortable position.

Spec. Brown reminds us that our youth are fighting in this war, our mothers and daughters are fighting in this war, and they deserve to be recognized for their achievements. However, we not only recognize the sacrifice and courage of Spec. Brown, of even just the brave acts of her fellow soldiers, marines, and airmen. We must also recognize the families of our military. Spec. Brown's grandmother said she was the proudest Grandmother in all of Lake Jackson, Texas, when she learned of her granddaughter's heroism. We should all be as proud of our young men and women as Spec. Brown's grandmother. In being proud of them, we are not condoning the Administration, we are recognizing their efforts and their belief in what they have been tasked to do.

We sit in these chambers and discuss the idea of war, and the economic costs to the Nation. However, our men and women in Afghanistan and Iraq are dealing with the realities of war everyday.

I am proud of Specialist Monica L. Brown, Texas is proud of Monica L. Brown, and this country should be proud of Monica L. Brown. She thought first of her fellow soldiers and not of the harm that may come her way.

Mr. Speaker, I encourage my colleagues to join Representative RON PAUL and myself in recognizing a true hero, a solider, a daughter of Texas, with this legislation.

THE RIGHT TO BEAR ARMS

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

Mr. POE. Mr. Speaker, the Bill of Rights confers liberties on individuals to protect us from government power. Nowhere is this more apparent than in the second amendment. It states, "A well-regulated militia, being necessary to a free state, the right of the people to keep and bear arms shall not be infringed."

The second amendment confers two rights; it allows individuals to bear arms, and it allows for a state militia, or the National Guard.

There are several reasons for the second amendment. But notice the phrase, "the right to bear arms." This is a military term. The colonists, who all owned firearms, were somewhat fearful of a strong Federal Government that would be oppressive and totalitarian. So it seems they wanted the right to protect themselves, individually and also collectively, through militias from not only outlaws but an outlaw Federal Government.

As the Supreme Court decides if the government can ban gun ownership, it would do well to adopt a lower court opinion which said, "The right to bear arms was premised on the private use of arms for activities such as hunting and self-defense; the latter being understood as a resistance to either private lawlessness or the depredation of a tyrannical government."

And that's just the way it is.

CONGRATULATING THE UNIVERSITY OF MEMPHIS TIGERS

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

Mr. COHEN. Mr. Speaker, as most everybody in America knows, this is March Madness, and March Madness is a wonderful experience when people cheer for their basketball teams and watch great athletes compete for the national championship.

One of the teams competing in San Antonio for the national championship will be the University of Memphis Tigers, my home university and my alma mater. We are extremely proud of the University of Memphis. And in Tennessee, it was 173 years ago that a great group of Tennesseeans, including my predecessor from the Western District of Tennessee, Davy Crockett, went to the Alamo. This time, Mr. Speaker, it's going to be a different story. Tennesseeans will win, have a victory in San Antonio, and your Congressman who is in the House will come back to the House.

SPECIAL ORDERS

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

CORPORAL SCOTT A. MCINTOSH—TEXAS WARRIOR

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, the youth of our Nation have always been willing to

volunteer and take care of the rest of us in times of war. Sometimes those young men and women give their lives for the rest of us. United States Army Corporal Scott A. McIntosh, of Humble, Texas, was one of those noble few. He was killed in Iraq on March 10, 2008 by a suicide bomber, and he was awarded the Purple Heart and the Bronze Star.

Not only was he a loyal and courageous soldier, but he was a beloved son, a caring brother and a friend to many.

His life was special not just because of how he died, but also because of how he lived. He was both the kid next door and a proud soldier defending this Nation.

He was born on February 4, 1982 in Humble, Texas, and he graduated from Cypress High School in 2001. After trying college for a little while he decided it wasn't ready for him, and he joined the United States Army. He was assigned to the 1st Battalion, 64th Armor Regiment, 2nd Brigade Combat Team, 3rd Infantry Division, in Fort Stewart, Georgia. He re-enlisted for three more years when his first tour of duty was over.

His parents, Alex and Gwenn McIntosh, did an excellent job raising such a fine son. His family described Scott as someone who loved people. His mission in life was to meet and make friends with every person he came in contact with. He shared his hearty laugh and always had a smile to give. Scott always had a positive outlook on life. He loved to hunt and fish in his spare time, but most of all he loved his family, the Army, the country he lived in and his life.

His smile matched his fun-loving personality, which carried over into everyday tasks, like work, with humorous results.

Eric McIntosh described his brother's comical attempt at being a golf caddy. When Scott went to work, he said, ''it was like a scene right out of the movie Caddy Shack. Scott barely showed up on time, still tucking his shirt in his pants and tying his shoes, and he would grab the golf bag and march down the fairway with all the clubs and balls falling out all over the place.''

Scott would have fun with everything that he did and his joyful, worry-free personality was contagious to those that knew him and everybody around him. Not only did he love to laugh, but he truly cared about others, especially his family in Texas.

Scott was always looking out for other people, and that's why he joined the United States Army. He wanted to protect and serve those he loved. And as the Good Book says in John 15:13, ''Greater love has no man than this, that he lay down his life for his friends.'' Scott's life was a shining example of this greater love which he demonstrated for family, friends and country.

Scott went off to war because he was a faithful son of America. Over Easter weekend this past weekend I had the opportunity to be in Iraq with our troops. And Mr. Speaker, there is no finer military in the long history of warfare than our troops that are in Iraq that proudly wear the uniform of the American fighting man. Scott McIntosh was among those elite fighting forces.

Scott's wonderful life is a huge loss to those that were close to him. His father said, ''My family is devastated by this loss, and it is something that we will have to carry with us for the rest of our lives. At the same time, however, we are bursting with pride for our son's service to this country. We understand the sacrifices required to keep this country free. And Scott was the best son anyone could ever have asked for. I will love and cherish him for the rest of my days.''

Mr. Speaker, this is a photograph of Scott McIntosh. He was a real person and he was proud to wear the uniform of the United States soldier.

In a moving speech at his brother's funeral, Eric told hundreds of friends and family that he loved his big brother. He thanked Scott for being such a good friend, a good son, a great person and the best brother anybody could ever have.

In a final act of sacrifice for others, his family has established the Scott McIntosh Memorial Fund. In the attack that took Scott's life, four other soldiers were also killed. Three of them were married and had small children. And the purpose of the fund will be to raise money for those kids who lost their fathers that were soldiers in Iraq. Even in death, the eternal spirit of Scott's love and care for others will continue.

We do not forget, as a Nation, Corporal Scott A. McIntosh and all those who sacrificed their lives on the altar of freedom. Scott's memory will live on in the hearts and minds of friends and family, while his life will always be an inspiration to Americans.

We can honor his sacrifice by following his example, to live life to the fullest and to take care of those people around us.

In 1940, a reporter, right before the great World War II, made this comment, he said, ''This nation will remain the land of the free only so long as it is the home of the brave.''

Our country, Mr. Speaker, will long survive and live free because of the likes of Scott McIntosh and his band of brothers.

And that's just the way it is.

□ 1930

THE BIGGEST BURDEN OF THE IRAQ CONFLICT

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

Ms. WOOLSEY. Mr. Speaker, I'm really glad to be back in the House. I've been away for over 6 weeks because of back surgery. I've been patched up, and I'm going to be just fine. I'm not worried about myself. But I'm worried, and I hope every Member of the House is worried about the hundreds of thousands of American soldiers and civilians who have been injured in the conflict in Iraq.

Nearly 30,000, probably many, many more of our brave troops have been wounded.

Many have injuries that will rack their bodies and their minds for the rest of their lives.

Yet Vice President CHENEY said last week that President Bush carries the biggest burden of this conflict. Tell that to the widows and widowers, Mr. Vice President. Tell that to the families who have been devastated by the injuries to their loved ones. Tell that to the children who see their mother or father in a hospital bed without a limb or with a terrible head wound. Tell that to the veterans who have not gotten the care they need and the care they deserve, the care we promised them.

One of our soldiers in Iraq, Lieutenant Sean Walsh, wrote a piece for Time magazine recently about the human costs of the occupation. He wrote that his fellow soldiers have become his family and that three of them have died. And he asked the question, ''What is worth the lives of three of your loved ones?'' It is a good question.

And so I would like to ask every Member of this House who supports the occupation the very same question: Is our occupation of Iraq worth the lives of three of your loved ones?

We must also remember the Iraq civilians who have been injured. We seem to forget them, and that is truly a disgrace. According to the best estimates, anywhere from 80,000 to 150,000 civilians have been injured. And the real number, the real number is certainly much, much higher.

What kind of health care are they, the Iraqi civilians, getting? The International Committee of the Red Cross reported last month that public hospitals in Iraq now provide 30,000 beds. Mr. Speaker, that is less than half of the 80,000 that are needed.

In addition, 2,200 doctors and nurses have been killed since the year 2003, and another 250 have been kidnapped. And the current conflict has worsened the impact of the previous war and the years of international sanctions. Of the 34,000 doctors registered in Iraq in 1990, 20,000 have fled the country, some by choice and others by force. What about their burden, Mr. Vice President?

Meanwhile, the administration continues to play its cynical game with troop levels. It is clear that the administration intends to keep 140,000 troops in Iraq until it leaves office in order to put an artificial lid on this violence. That way, the outgoing administration can say that it improved the security situation and that we are on the road to victory in Iraq.

But the truth is, all that has been achieved is a temporary military and

political stalemate, new explosions of violence coming as I stand here speaking on the floor of the House of Representatives.

And while we continue to be bogged down in a civil war in Iraq, a conflict that began centuries before 9/11, the real enemy, al Qaeda, grows stronger in its cozy, safe haven in Pakistan.

The administration is often criticized for not having an exit strategy in Iraq. But in my view, the reason the President never had an exit strategy is because he never intended to exit Iraq. Permanent occupation has always been his game plan.

So, Mr. Speaker, it's up to the Congress to implement the will of the American people and end the occupation with a responsible redeployment of our troops. The best way to honor those who have died or have been injured in this occupation is to ensure that more won't die and more won't be injured.

That is why I will continue to speak up for our brave troops and for the innocent Iraqis who are, despite what the Vice President may think, the ones who are carrying the biggest burden.

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.)

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 March 31, 2008, in the land of the free and the home of the brave. And before the sun sets today in America, almost 4,000 more defenseless, unborn children were killed by abortion on demand. That's just today, Mr. Speaker. That is more than the number of innocent American lives that were lost on September 11 times 15,000, the total number that were lost on September 11.

It has now been exactly 12,852 days since the travesty called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of our own children. Some of them, Mr. Speaker, died and cried and screamed as they died. But because it was amniotic fluid passing over the vocal cords rather than air, we couldn't hear them.

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

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

Mr. Speaker, perhaps it's important for those 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 innocent 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 they are endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness.

Every conflict 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 we failed our God-given responsibility as we broke faith with the nearly 4,000 more innocent American babies who died today without the protection that we should have given them. And it seems so sad, Mr. Speaker, to me that this Sunset Memorial may be the only remembrance that these children who died today will ever have in this Chamber.

And so just as small a gesture as it might be, I would ask those who are inclined for just a moment of silence at this time for these little, lost Americans.

Mr. Speaker, let me conclude in the hope that perhaps someone new who hears this Sunset Memorial tonight will finally realize that abortion really does kill little babies, that it hurts mothers in ways that we can never express and that 12,852 days spent killing nearly 15 million children in America is enough and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust is still courageous and compassionate enough to find a better way for mothers and their babies than abortion on demand.

So tonight, Mr. Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon, each of us will walk through 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.

Mr. Speaker, it is March 31, 2008, 12,852 days since Roe v. Wade first stained the foundation of this Nation with the blood of its own children. This, in the land of the free and the home of the brave.

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.)

ECONOMIC PLIGHT OF THE AMERICAN PEOPLE

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

Ms. KAPTUR. Mr. Speaker, the American people are desperately struggling to understand why our Federal Government is ignoring their economic plight. The average price of gasoline now sits at $3.28 and it is rising. Only a month ago, Americans paid $3.16. A year ago, they paid $2.67. Months away from the peak of the summer driving season, the American people can expect to see this trend get only worse.

In 1996, the United States began its plunge into nearly total dependence on imported petroleum. With 10 years of oil deficits continuing to plague our economy, we have spent too much time talking and not enough time acting. Our lack of energy independence translates into a true loss of liberty.

Since the Bush administration assumed office, our Nation is importing a billion more barrels of petroleum a year. A billion barrels more. By 2007, the trade deficit of oil imports had risen to $293 billion, accounting for a third, over a third, of the total $815 billion U.S. trade deficit.

This last statistic is truly sobering. But for this year of 2008, 51 percent of the total U.S. trade deficit, over half, is now the result of imported oil. Over half of our structural trade deficit flows directly from the increasing cost of oil.

Again, this equals dependence for America, not independence. It is an abrogation of our birthright as a Nation to allow us to continue in this position.

Based on 2007 numbers, the United States is adding $808 million a day to the trade deficit just from our imbalance in oil. The rising cost of oil added an estimated $50 billion to the Nation's trade deficit in 2006 and, on top of that, another $28 billion in 2007.

Our country imported 4.8 billion barrels of oil in total energy-related products in 2007 valued at $319 billion. Imagine if we would have been able to spend those dollars here at home what an injection that would be into this economy with the value of the dollar falling, so much related to imports, the economy tanking, the housing market in freefall and Americans feeling the true pinch of all of this. Our government here in Washington has not provided the leadership needed to end this plunge into national subservience.

The solution is clear: energy independence now. First, we have to look to our natural resources and pass a good farm bill to unleash the power of the earth and nature as a key part of the solution. And while there has been plenty of talk from our President about energy independence, the insistence on vetoing a bill, that does not live within artificial budget limits that he has declared, is an absurdity that threatens to destroy our progress. A good farm bill invests in rural America, providing an investment in infrastructure and research, including the energy technologies of tomorrow.

Second, we must continue to rely on the advanced research technology organized by the National Renewable Energy Lab and give this lab the resources to define and help redefine our new energy future. We need no less a commitment than we envisioned when we created NASA and space exploration. With that came security, and now we need energy security. It is that high a priority. This Congress, this President should be working to that end.

And third, we must pass legislation to fund the energy bill that passed the House last year, and then again this year, and call on our brethren in the other body to take action.

Unless we commit to providing leadership to transform our economy, this discussion remains the rhetoric of the last century really leaving us with a confused and unfulfilled daydream that has repeated itself for the last three decades.

As the American people face $4 gasoline and see our wealth drained from us, we must take a new course. We are past the point of words. Real deeds are required. And we must stop our economic hemorrhaging and begin investing in our own Midwest, in our own country, not the Middle East, and pass on a free republic to our posterity worthy of the sacrifices of our founders and all those who gave their all in freedom's cause.

Liberty's call in this new century demands energy independence now.

□ 1945

SALUTING JORDAN LEEN, NATIONAL CHAMPION

The SPEAKER pro tempore (Mr. WELCH of Vermont). Under a previous order of the House, the gentleman from Tennessee (Mr. WAMP) is recognized for 5 minutes.

Mr. WAMP. Mr. Speaker, I rise tonight because every now and then a person's story will so inspire us that the example is set for all young people to look up to, to follow in their footsteps. And that happened 9 days ago to a young man from East Tennessee whom so many people are so very proud of today.

His name is Jordan Leen. And 9 days ago, in the 157 pound weight class at Cornell University, Jordan Leen achieved his life's ambition of becoming a national champion. Among all universities from sea to shining sea, against some very difficult odds, this young man became a national champion.

He has moved up weight classes in his last couple of years at Cornell until he got comfortable and didn't have to lose weight to wrestle. So this is probably about his natural weight. He's what my son would call a ''beast.'' I've seen him in all ways of his life.

He beat the number one seed, even though he was seeded eighth going into the tournament in the quarter finals, and he beat the number two seed in the finals just 3–2 in the most hard-fought match you've ever seen. And it was glorious. It was electric. He was distinguished through his high school career. And I want to focus on three things that made Jordan Leen a champion so others can look up to him and know that these are some of the ingredients for success.

One is family. His father, Mark; his mother, Tammy; his sisters, Andrea and Tara, they're a unit. The scriptural principle is that a cord of three strands is not easily broken; and with the Leens, a cord of five strands is not broken. They're a unit. They're a team. I know this because this young champion grew up across the street from me. He and my son, Weston, are best friends. This was a glorious moment not just in my family's life but in all of these Tennesseeans' because this family was represented on the mat in front of the national ESPN audience a week ago Saturday, and we all took joy in this accomplishment from this fighter. He had been sick the week of the national championship, but he battled through that to become a national champion.

Ingredient number two, a foundation. He got it at the Baylor School with an outstanding wrestling program, an incredible tradition, and the foundation was there for him to become a collegiate athlete and a scholar athlete. He was the greatest wrestler in the history of the State of Tennessee by anyone's standard: a 4-year State champion; 215 victories; 9th, 10th, 11th, and 12th State champion all the way through high school at the Baylor School. He had the foundation from the program, and Baylor School is proud.

And, third, faithfulness. He was faithful through the years. He had a goal and he stuck with it. His work ethic was greater than anyone's. He worked out harder. He fought harder. He suffered more through injuries. He was faithful all the way through. His father in the account said that that whole week of the championship he knew something was different because Jordan had turned the week over to the Lord. He was faithful. He gave it to God and said, I'm here to do my best. I'm sick, but I am here to do my best. And he was honored. And he was faithful.

He's an incredible young man. He's an inspiration to all. He's an excellent student, making a 3.3 at Cornell in premed, and a national collegiate champion in the 157 pound weight class.

Jordan Leen, East Tennessee salutes you. You're one of the greatest athletes in the history of our region. You have reached the climax, but you're still the same guy. And we love you for the example you have set for young people.

Young people, if you want to be a student athlete, follow Jordan Leen. Follow Jordan Leen.

Thank you, Jordan. Your family loves you, and we salute you on the floor of the House tonight.

STAFF SERGEANT MATTHEW MAUPIN

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

Mrs. SCHMIDT. Mr. Speaker, I rise tonight to offer my sincere condolences to the family of Staff Sergeant Keith Matthew Maupin. Yesterday, Keith and Carolyn Maupin learned that the United States Army had positively identified the remains found last week in Iraq as that of their son, Matt Maupin. After nearly 4 years of suffering the torment of not knowing the status of their missing son, I pray that this news may bring some closure to the Maupins and allow them to begin to mourn their loss and celebrate the life that Matt lived.

Keith Matthew Maupin was born in Batavia, Ohio, on July 13, 1983, and was a student at Glen Este High School in Union Township, Clermont County, Ohio, where he played football and was a rower on the county's high school crew team. Matt graduated in 2001 and enrolled in the University of Cincinnati's Aerospace Engineering Program. He joined the United States Army Reserve in 2002, attending basic training at Fort Jackson, South Carolina, and completed his advanced individual training at Fort Leonard Wood, Missouri, in the spring of 2003.

After completing his training, Matt continued his studies at the University of Cincinnati while fulfilling his obligations as an Army reservist. In November 2003, Matt received orders to transfer to the recently mobilized 724th Transportation Company based out of Bartonville, Illinois. Matt and the 724th arrived in Kuwait on February 20,

2004. The following month Matt's unit was moved to the Logistics Support Center Anaconda in Balad, Iraq, to begin missions delivering fuel to various coalition bases.

On April 9, 2004, Matt's convoy was ambushed near Baghdad International Airport. The convoy came under fire from small arms, RPGs, and mortar fire. When the convoy was able to move clear of the attack, it was found that nine people were unaccounted for. Later, five civilians and one soldier were found dead, presumed to have been killed during the ambush. One civilian driver had been taken hostage during the ambush but managed to escape his captors a few weeks later. Matt and one civilian contractor remained missing.

On April 16, 2004, Matt appeared in a videotaped broadcast aired on al Jazeera television surrounded by his armed captors. During the brief interview, Matt identified himself as Private First Class Keith Matthew Maupin. From that day forward, Matt's status was listed as a prisoner of war. And the men and women of the Armed Forces, as well as those from various Federal agencies, worked tirelessly to find Matt and secure his return.

The Army has a creed. And within that creed there are four stanzas referred to as the warrior's ethos. This ethos is the standard by which all soldiers conduct themselves. They read as follows:

I will always place the mission first. I will never accept defeat. I will never quit. I will never leave a fallen comrade.

I believe that it was these four stanzas that directed and guided the search for Matt. The mission was to find Matt and return him to his family. I thank Secretary Gates, Secretary Geren, General George Casey, General Petraeus, and all the leaders in the Multi National Forces-Iraq and Joint Special Forces Command for making the mission of finding Matt the number one priority in this Nation. I also think it's important that we thank all the soldiers, sailors, Marines, and airmen who patrolled the streets of Iraq every day refusing to accept defeat, refusing to quit, and refusing to leave behind our fallen Matt.

I would also like to thank General Jim Campbell, recently retired, who visited with the Maupins on numerous occasions, providing them with updates on the status of the search for Matt. I would also like to thank Major General Galen Jackman and Joe Guzowski for their efforts to keep me informed on the details of their search.

It has been almost 4 years since Matt went missing in Iraq, and through the joint efforts of all these extraordinary people, Matt can finally come home. As Matt's father told me, ''Matt is coming home. He has completed his mission.'' My thoughts and prayers are with his family and his friends. Their torment is replaced with a broken heart, and I ask this Nation to pray that that heart is healed.

May God bless Matt and Matt's family, and may Matt rest in peace.

THE DEMOCRATS' ''MAGIC PLAN'' TO LOWER GAS PRICES HAS NOT WORKED

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

Mr. WESTMORELAND. Mr. Speaker, this morning the price of a barrel of oil fell to $105 after hitting an all-time high of nearly $112 in the middle of March. Less than 2 years ago, the Democrats promised Americans that they had a magic plan for lowering gas prices, but since they have been in control of Congress, prices have simply gone higher and higher. But at the time, those prices were enough to alarm Americans when Republicans were in the majority.

On the floor of the House and on the campaign trail in districts throughout the Nation, the Democrats seized on those anxieties and pointedly blamed the Republican White House and Congress for rising gas prices. Time and time again, they said they had a magic formula for lowering the cost.

On April 16, 2006, the then-minority leader NANCY PELOSI said in a press release, ''The Republican rubber stamp Congress has passed two energy bills, costing taxpayers $12 billion for giveaways to big oil companies. But the Republican bills clearly have done nothing to lower gas prices, as the price of a barrel of oil has settled above $70 a barrel, the highest price in our history.'' The release went on to say, ''Democrats have a plan to lower gas prices.''

Then the next week another Pelosi release said, ''Democrats have a commonsense plan to help bring down skyrocketing gas prices . . . ''

When in 2006 the House considered the energy bill to increase domestic production, the Democrats took to this floor in outrage. A Democrat congressman from California said on the floor about the Republican energy bill of 2006, ''It is no wonder their initials are G-O-P: gas, oil, and petroleum . . . It is time House Republicans join us in providing some real relief to the American consumer.''

That same day a Democratic Member from Connecticut said, ''When it comes to solving the energy crisis, President Bush and his Republican Congress have no credibility. If they had only spent the last 5 years working to reduce demand,'' like the Democrats have proposed, ''by raising fuel standards, rolling back the billions of dollars in tax breaks and royalty relief to the big oil companies, and if they were about promoting alternative fuels, as the Democrats have proposed, we might today be on the road to energy independence instead of bracing ourselves for $4 gas prices.

Let me put this rhetoric into context, Mr. Speaker. When the Democrats took over both Houses of Congress in January of 2007, gas prices that month ranged from $50 to $60 a barrel for oil. But at the end of 2007, the Democrats' magic plan for lowering gas prices apparently hasn't worked out because today oil is closing at over $100 a barrel.

But wait, Mr. Speaker. It gets even crazier. A House Appropriations subcommittee this week will be looking at raising gas taxes 25 to 40 cents a gallon.

□ 2000

Seems to me that that makes prices go up 25 to 40 cents a gallon. But what do I know? I've never professed to understand the Democrats' magic formula for lowering gas prices.

On gas prices, as on earmarks, spending, and ethics, the Democrats ran as the Great Crusaders. But they've governed as the Great Pretenders. Democrats have proposed nothing that would do anything but raise gas prices at the pump. Just last month, the House Democrats passed another ''no-energy'' energy bill in the form of an $18 billion tax increase on American energy. This marks the fourth time the Democrats have held a vote to raise energy taxes. This sort of agenda will only slow the economy by discouraging domestic energy production and increasing our dependence on foreign nations for our energy.

Our Nation needs energy production to keep our competitive edge in the global marketplace. We all want to achieve breakthroughs in alternative energies that will have a growing importance in the future. But we can't pretend that oil isn't by far the most important fuel in our economy. We have to increase domestic production. We need to give American companies incentive to produce, rather than demonizing them for providing a commodity that our livelihoods depend on.

Let's put American ingenuity to work in the field. And let's put the Democrat's magic formula back on the shelf.

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

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

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

(Ms. LINDA T. SÁNCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will

appear hereafter in the Extensions of Remarks.)

WOMEN'S HISTORY MONTH

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. Mr. Speaker, I rise tonight in honor of women's history month, and to pay tribute to the countless mothers and grandmothers, sisters and daughters, friends and neighbors that are active across our communities, cities, and our Nation. Women who inspire us, who are the conscience of our communities, and, most of all, women who are the unsung heroes of our shared historical past.

In the early days of our great Nation, women were relegated to second-class status. Women were considered sub-sets of their husbands, and after marriage they did not have the right to own property, maintain their wages, or sign a contract, much less vote. It was expected that women be obedient wives, never to hold a thought or opinion independent of their husbands. It was considered improper for women to travel alone or to speak in public.

The fight for women's suffrage was formally begun in 1848, and, in 1919, after years of petitioning, picketing, and protest parades, the Nineteenth Amendment was passed by both houses of Congress and in 1920 it became ratified under the presidency of Woodrow Wilson.

However, the right to vote did not give women equal rights, and subsequent decades saw an ongoing struggle for equality. A major success came in with Title IX of the Education Amendments of 1972, also known as the Patsy T. Mink Equal Opportunity in Education Act, in honor of its principal author. This law, enacted on June 23, 1972, states "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title XI, introduced by Congresswoman Patsy Mink (also notable as the first Asian American woman elected to Congress), has opened the doors to countless educational activities, perhaps most prominently high school and collegiate athletics, to women. Congresswoman Mink's legacy lives on as, each year, hundreds of women across the Nation participate in NCAA athletics, learn teamwork and perseverance, earn scholarships enabling them to study at college, and enjoy equal footing with men in the academic arena.

Mr. Speaker, I am proud to pay tribute to the women, local heroes, of my district. Women like Ramona Tolliver, long time Fifth Ward resident, former Precinct Chair, founding board member of Fifth Ward Community Redevelopment Corporation, member of Our Mother of Mercy Catholic Church, and member of the Metropolitan Organization member, who is still actively advocating for her community. Women like Nellie Joyce Punch, long time Fifth Ward resident, retired educator at Phyllis Wheatley High School, former Precinct Chair, founding board member of Fifth Ward Community Redevelopment Corporation, member of Methodist Church, also still actively working on behalf of her community. Both Ms. Tolliver and Ms. Punch are active in Houston's Fifth Ward, where they act as the conscience for the community, calling for change and actively working to better our city.

Women like Dr. Charlesetta Deason, principal of Houston's DeBakey High School for Health Professions. Dr. Deason helms a school that offers students interested in science and health careers an alternative to the traditional high school experience, located in the renowned Texas Medical Center and boasting an ethnically diverse faculty and an excellent introductory study of medicine.

Or women like Harris County Commissioner Sylvia Garcia, the first Hispanic and first woman to be elected in her own right to the office. Commissioner Garcia is active in the Houston community, and she has served on more than 25 community boards and commissions, including the San Jacinto Girl Scouts, the Houston Hispanic Forum, the American Leadership Forum, the Texas Southern University Foundation and the Institute of Hispanic Culture.

As a Nation, we have come a long way toward recognizing the important role women play, not only in our local communities, but in our Nation as a whole. Since 1917, when Representative Jeannette Rankin of Montana became the first woman to serve in Congress, 243 more women have served as U.S. Representatives or Senators. In 1968, Shirley Chisholm became the first African American woman elected to Congress; I am now proud to be one of 13 African American women serving in this body.

In addition, we are now, for the first time, under the leadership of a woman Speaker of the House. Speaker PELOSI has led this Democratic Congress in a New Direction, listening to the will of the American people, as it was clearly expressed last November. We are also currently in the midst of a groundbreaking Presidential campaign, which, for the first time, sees a woman seriously vying for the nomination of one of the two major political parties.

Mr. Speaker, the great tragedy of women's history is that, many times, the history of women is not written down. Too often, throughout the course of history, the contributions of women have gone unrecorded, unheralded, and are now forgotten. And so, Madam Speaker, during Women's History Month, we do not stand here only to remember the Eleanor Roosevelts, Harriet Tubmans, Barbara Jordans, and Rosa Parks, women who are celebrated in our schools and history books, but also the millions of female unsung heroes who built this Nation, and who made it truly great.

I would like to pay special tribute to women, mothers, and grandmothers across the country. In particular, I would like to draw attention to the growing phenomenon of grandparents raising children. As of 1996, 4 million children were being raised by their grandparents, and statistics published the following year indicated that over one-tenth of all grandparents provided the primary care for their grandchildren for at least six months and typically much longer. These numbers continue to grow, and these grandparents, generally ineligible for financial or social support, often suffer greatly to provide a safe and loving home for these children.

In addition, Mr. Speaker, we pay tribute to the brave women who serve proudly in our Nation's military. We have come a long way since the first American woman soldier, Deborah Sampson of Massachusetts, who enlisted as a Continental Army soldier under the name of "Robert Shurtlief." Women served with distinction in World War II: 350,000 American women served during World War II, and 16 were killed in action. In total, they gained over 1,500 medals, citations and commendations. In December 1989, CPT Linda L. Bray, 29, became the first woman to command American soldiers in battle, during the invasion of Panama.

The war in Iraq marks the first time in American history that a substantial number of the combat wounded are women. 350,000 women are serving in the U.S. military—almost 15 percent of active duty personnel, and one in every seven troops in Iraq is a woman. Women play a role in nearly all types of military operation, and they have time and time again demonstrated extreme bravery, courage, and patriotism.

I would particularly like to honor one our heroic daughters: Army SPC Monica L. Brown. Brown is the first woman in Afghanistan and only the second female soldier since World War II to receive the Silver Star, the Nation's third-highest medal for valor. Army SPC Monica Brown was part of a four-vehicle convoy patrolling near Jani Kheil in the eastern province of Paktia on April 25, 2007, when a bomb struck one of the Humvees. After the explosion, in which five soldiers in her unit were wounded, Brown ran through insurgent gunfire and used her body to shield wounded comrades as mortars fell less than 100 yards away. Army Specialist Brown, a native Texan, represents the best of our Nation's fighting men and women, and she clearly demonstrates that the admirable qualities of patriotism, valor, and courage know no gender.

Mr. Speaker, Women's History Month is an opportunity for all Americans to reflect on the women who have built, strengthened, and maintained this great Nation. Women who have often gone unrecognized, unheralded, and unlauded for their great achievements, sacrifices, and contributions. I ask my colleagues to join me in paying tribute to the women in their communities, in their families, and in their lives.

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

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

FISA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. MCCAUL) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCCAUL of Texas. Forty-five days ago, the Protect America Act expired. Forty-five days ago, we began to lose critical intelligence overseas that could help better protect this Nation. Forty-five days ago, al Qaeda began to have the upper hand in this war on terror. Forty-five days ago, we started to

go dark in parts of the world. Why? Because the Democratic leadership will not allow this body to vote to make the Protect America Act permanent, as the Senate did many months ago.

Mr. Speaker, this is a dangerous and reckless partisan play with the safety of the American people. It endangers the American people, both here at home and the warfighter abroad. We took an oath of office when we were sworn in to protect and defend the Constitution against all enemies, foreign and domestic. These are the foreign enemies. We are talking about foreign terrorists in a foreign country communicating foreign communications. This has nothing to do with the United States citizens. And yet, what the Democrats are allowing is to extend constitutional protections to people like Osama bin Laden and Khalil Sheikh Mohammad, al Qaeda leaders who are communicating about how they can perpetrate an act of evil like on September 11th.

Mr. Speaker, there is a reason why this has not occurred since 9/11. It is because we have had good intelligence. Good intelligence is the best weapon we have in this war on terror. Without good intelligence, we cannot protect this Nation. And this is what this debate is all about. We all remember where we were on this day. But many of us don't remember where we were when the London arrests were made to stop airplanes from being blown up over the United States. Many of us don't remember the countless acts of heroism our intelligence community has performed in protecting the American people from plots against the United States.

I, myself, when I worked at the Justice Department, worked on Foreign Intelligence Surveillance Act warrants. They had to do with agents of informed power in the United States. Through the use of good intelligence overseas, without having to go through the FISA Court, we were able to stop a terrorist plot to blow up 10 American cities on the 4th of July. The voice that was intercepted said, ''Roast the Americans on Independence Day.''

Mr. Speaker, this is real. This is a real-life threat to the American people. You don't have to take my word for it. I want to read for you a letter that was sent to the chairman of the Intelligence Committee, Mr. REYES, from the Attorney General and the Director of National Intelligence about the expiration of the Protect America Act. What he says, he says, ''Our experience since Congress allowed the Protect America Act to expire without passing a bipartisan Senate bill,'' the bipartisan bill that was passed overwhelmingly in the Senate, that Senator ROCKEFELLER supported, he says, ''demonstrates why the Nation is now more vulnerable to a terrorist attack and other foreign threats.''

He explained that both the Attorney General and the Director of National Intelligence say in this letter to Chairman REYES that the expiration of the authorities in the Protect America Act would plunge, would plunge critical intelligence programs into a state of uncertainty, which could cause us to delay the gathering of, or simply miss critical foreign intelligence information, and then underlined and highlighted in this letter, they warn the chairman, the Democratic chairman of the Intelligence Committee, that is exactly what has happened since the Protect America Act expired 6 days ago without enactment of the bipartisan Senate bill. We have lost intelligence information this past week as a direct result of the uncertainty created by Congress's, by Congress's failure to act.

What is the response from the Democrat leadership here in the House in response to a letter that says that we have failed to act in the Congress, a dereliction of duty, in my view, by Members of the House. STENY HOYER, the majority leader says, there really is no urgency. Let's all just calm down. Intelligence agencies have all the tools they need. Really? When the Director of National Intelligence says just the opposite.

Chairman SILVESTRE REYES says, you know, things will be just fine. Things will be just fine. Tell the American people that if we get hit again. Tell the three American soldiers who were kidnapped by insurgents in Iraq, and because we had to get ''lawyered up'' and go through a court in the United States because the time expired, one of those soldiers was killed and two we have not heard from since. You tell the families that there is no urgency and that things will be just fine.

Winning this war on terror, as the 9/11 Commission said, has everything to do with connecting the dots. But if we are not allowed to collect the dots, there is no way we can connect the dots. That is what this debate is all about. It's about being able to capture overseas foreign intelligence by terrorists, by people who wish to do us harm, who every day are hoping that this will happen again.

With that, I would like to yield to the gentlelady from New Mexico, who has really led the fight in the House on this issue, Congresswoman HEATHER WILSON from New Mexico. I would also be interested in your account of when this intelligence gap, if you will, this terrorist loophole first came to your attention.

With that, I yield.

Mrs. WILSON of New Mexico. I thank my colleague from Texas for yielding the time. It was actually a year ago in May when I became absolutely determined to get this fixed, and it was a result of a series of cases in what I saw as a growing problem in intelligence collection.

But so that people understand, in 1978 the Congress passed a law that governed intelligence collection here in the United States, and it was in response to a bunch of abuses that happened in the 1950s and the 1960s. Someone gave me a copy of a declassified memorandum signed by Robert Kennedy and J. Edgar Hoover authorizing the wiretapping of Martin Luther King. Intelligence agencies were involved in abuses and violating the civil liberties of Americans in the 1950s and 1960s, and this law in 1978 set up a special court called the Foreign Intelligence Surveillance Court. They meet in secret session. But in order to listen and to do a wiretap for the collection of foreign intelligence in the United States, you need to get a warrant from this court.

The problem is that the law was written specific to the technology of the time. 1978 was the year that I graduated from high school. The telephone was connected to the wall in the kitchen. The Internet did not exist. Cell phones were Buck Rogers stuff. At that time, almost all international calls went over the air. They bounced off satellites. And the law does not require a warrant to collect any of that information. Almost all local calls were on a wire. And the focus was if you touched a wire, you needed a warrant because that was presumed to be a local call.

Now, technology has completely changed. There are over 220 million cell phones in the United States. And now, almost all international calls go over a wire or a fiberoptic cable, not bounced off of satellites. So all of the foreign intelligence collection, foreign intelligence information which we used to collect over the air, without requiring any warrants at all, has migrated to wires; even more than that, because of global telecommunications.

Telecommunications flow on the path of least resistance. So somebody making a phone call from the Horn of Africa into Pakistan, let's say, that call has a significant probability of actually being routed through the United States. Even a call from northern Spain to southern Spain may actually end up getting routed through the United States.

Early last year, there was a series of court decisions that found that even if we are intending to listen to a foreigner in a foreign country, if the point of access required touching a wire in the United States, then you needed a warrant. This threw a complete monkey wrench into intelligence collection. By the summer of last year, the Director of National Intelligence has testified in open session that we had lost two-thirds of our intelligence collection on terrorism.

The problem was becoming critical, and as a result, we passed something called the Protect America Act in the first week of August that said very clearly if you were in the United States, you needed to get a warrant. If your target was outside of the United States, then you did not need to get a warrant. It went back to the original intention of the Foreign Intelligence Surveillance Act of 1978.

We worked through the backlog in the 6 months that that temporary act

was in place. Unfortunately, that act was allowed to expire on the 16th of February, and now we have gone back to the old system for all new tips and tips that are coming into the intelligence agencies. Anything that was already under a warrant, was covered for a year. But intelligence is a dynamic thing. There are new tips that come in every day. It's a little bit like law enforcement. You're going after the bad guys every day. There are things that happen and you get new tips and new leads, and all of those new leads have to be dealt with under an old and cumbersome system that does not allow America to keep pace with the terrorists we are trying to track.

The key here is to prevent another terrorism attack, and our strongest and most important tool in the war against terrorism is good intelligence. If we can figure out what they are doing, we can stop them. The key is to figure out what they are doing, and that means good and timely intelligence.

I yield back to my colleague.

Mr. MCCAUL of Texas. If I can ask the gentlelady that serves on the Intelligence Committee, we are talking, are we not, about foreign communications by a foreign target in a foreign country, but just because of the new technology, that it may touch a wire in the United States, it requires us to get attorneys to go before the FISA court to get a warrant. Is that correct?

Mrs. WILSON of New Mexico. That is correct. Under the law that we are trying to get passed, that passed the Senate by a bipartisan vote with 68 votes, it would not be required to get a warrant to listen to a foreigner in a foreign country. Unfortunately, the leadership here in the House will not allow that bill to come up for a vote.

Twenty-one Democrats, over 20 State Attorney Generals have asked the leadership of this House to allow that bill to be brought up for a vote.

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I think it would pass with an overwhelming, bipartisan majority.

So we have the liberal Democratic leadership thwarting the majority of this House and compromising the safety and security of this country, and I believe they are doing it largely at the behest of trial lawyers who are eager to sue telephone companies, who can't defend themselves in civil court without compromising the way we collect intelligence.

Mr. MCCAUL of Texas. I thank the gentlewoman. So the threat is not only to the safety of American lives, in my view it is a threat to democracy. If this bill was allowed to come to the floor, it would pass overwhelmingly, as it did in the Senate.

Briefly before I yield, the gentlewoman talked a lot about the Foreign Intelligence Surveillance Act. I practiced law under that.

Admiral Inman, who is a supporter of mine, a friend in Austin, Texas, was the Deputy Director of the CIA, Director of the NSA. He was one of the principal authors of the FISA statute. When we talked about the application of this, having to apply the FISA overseas to foreign terrorists, that we are extending constitutional protections to terrorists in foreign countries, what he said, and he wrote an op-ed with me, he said, ''To apply FISA to monitoring foreign communications of suspected terrorists operating overseas, such as Osama bin Laden and other key al Qaeda leaders, turns the original intent of the FISA statute on its head. Contrary to some of the rhetoric coming from the Democrats, it is the members of al Qaeda, not American citizens, who are the target of these intelligence gathering activities.''

As the gentlewoman mentioned, in my view the driving force behind this dereliction of duty, this stopping democracy, is driven by a narrow special interest, and that is the ACLU and the trial lawyers pushing their agenda in a dangerous way that will put the American people at grave risk.

With that, I would like to yield to my good friend, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I would like to thank the gentleman from Texas and the gentlewoman from New Mexico for their strong leadership and advocacy on this critical national security issue. I think the colloquy engaged in really does represent the essence of the issue.

Former Director Bobby Inman was just quoted saying that it seems that there is greater concern around this Congress by a minority, frankly, to grant constitutional protections to foreign terrorists, really at the expense of protecting Americans.

I think we all know that is wrong. I think the colloquy you both just engaged in, and I heard the frustration expressed in your voice, I think that is also the frustration we are hearing from the American people. The American people do believe that Washington is broken, and I have said this many times. They are angry because Congress is not getting things done on their behalf, and this issue is just proof positive of this terrible failure.

It has been pointed out that we have a bipartisan agreement in the Senate, 68 votes. We have more than a majority in this House to pass this critical legislation, the Protect America Act. It will pass, if only the Speaker will allow this legislation to come up for a vote. They simply want us to put the national interests ahead of the special interests.

As you pointed out, the most litigious among us in this society are driving this issue and preventing the protection of the American people. I think it is just wrong, and we all know it is wrong. The bipartisan solution on FISA has been reached. There really are no more excuses. It is time for this leadership of the House to take ''yes'' for an answer. It is time to get the job done.

It has been 45 days, 45 days, since the Protect America Act has expired. Senator ROCKEFELLER, the Chair of the Intelligence Committee in the Senate, the Democrat from West Virginia, has made a plea, and I am going to quote him. He said, ''What people have to understand around here is that the quality of the intelligence we are going to be receiving is going to be degraded. It is going to be degraded. It is already going to be degraded as telecommunication companies lose interest.'' That was Senator ROCKEFELLER, not me.

The gentleman from Texas pointed out earlier too the letter that was sent to the chairman of the House Intelligence Committee, SILVESTRE REYES, from the Director of National Intelligence, Mr. MCCONNELL, and Attorney General Mukasey, essentially saying something very, very similar. I will read a quote from them in that letter of February 27, 2008. I will be happy to submit that letter for the RECORD here this evening.

But I am going to quote what they said about the degradation of our intelligence capabilities, pretty much agreeing with what Senator ROCKEFELLER said, a Democrat. What they said is, ''That is exactly what has happened since the Protect America Act expired 6 days ago without enactment of the bipartisan Senate bill. We have lost intelligence information this past week as a direct result of the uncertainty created by Congress' failure to act.'' That was 6 days after the act. It is 45 days today.

They go on to say, ''Because of this uncertainty, some partners have reduced cooperation. In particular they have delayed or refused compliance with our requests to initiate new surveillances of terrorists and other foreign intelligence targets under existing directives issued pursuant to the Protect America Act.''

Mr. Speaker, I include the letter for the RECORD.

FEBRUARY 22, 2008.

Hon. SILVESTRE REYES,

Chairman, House Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAER CHAIRMAN REYES, the President asked us to respond to your letter of February 14, 2008, concerning the urgent need to modernize the Foreign Intelligence Surveillance Act of 1978 (FISA). Your assertion that there is no harm in allowing the temporary authorities provided by the Protect America Act to expire without enacting the Senate's FISA reform bill is inaccurate and based on a number of misunderstandings concerning our intelligence capabilities. We address those misunderstandings below. We hope that you find this letter helpful and that you will reconsider your opposition to the bill passed last week by a strong bipartisan majority in the Senate and, when Congress returns from its recess, support immediately bringing the Senate bill to the floor, where it enjoys the support of a majority of your fellow members. It is critical to our national security that Congress acts as soon as possible to pass the Senate bill.

Intelligence collection

Our experience since Congress allowed the Protect America Act to expire without passing the bipartisan Senate bill demonstrates why the Nation is now more vulnerable to

terrorist attack and other foreign threats. In our letter to Senator Reid on February 5, 2008, we explained that: ''the expiration of the authorities in the Protect America Act would plunge critical intelligence programs into a state of uncertainty which could cause us to delay the gathering of, or simply miss, critical foreign intelligence information.'' That is exactly what has happened since the Protect America Act expired six days ago without enactment of the bipartisan Senate bill. We have lost intelligence information this past week as a direct result of the uncertainty created by Congress' failure to act. Because of this uncertainty, some partners have reduced cooperation. In particular, they have delayed or refused compliance with our requests to initiate new surveillances of terrorist and other foreign intelligence targets under existing directives issued pursuant to the Protect America Act. Although most partners intend to cooperate for the time being, they have expressed deep misgivings about doing so in light of the uncertainty and have indicated that they may well cease to cooperate if the uncertainty persists. We are working to mitigate these problems and are hopeful that our efforts will be successful. Nevertheless, the broader uncertainty caused by the Act's expiration will persist unless and until the bipartisan Senate bill is passed. This uncertainty may well continue to cause us to miss information that we otherwise would be collecting.

Thus, although it is correct that we can continue to conduct certain activities authorized by the Protect America Act for a period of one year from the time they were first authorized, the Act's expiration has and may well continue to adversely affect such activities. Any adverse effects will result in a weakening of critical tools necessary to protect the Nation. As we explained in our letter to Senator Reid, expiration would create uncertainty concerning:

The ability to modify certifications and procedures issued under the Protect America Act to reflect operational needs and the implementation of procedures to ensure that agencies are fully integrated protecting the Nation;

The continuing validity of liability protection for those who assist us according to the procedures under the Protect America Act;

The continuing validity of the judicial mechanism for compelling the assistance of private parties needed to protect our national security;

The ability to cover intelligence gaps created by new communication paths or technologies.

Our experience in the past few days since the expiration of the Act demonstrates that these concerns are neither speculative nor theoretical: allowing the Act to expire without passing the bipartisan Senate bill has had real and negative consequences for our national security. Indeed, this has led directly to a degraded intelligence capability.

It is imperative that our intelligence agencies retain the tools they need to collect vital intelligence information. As we have explained before, the core authorities provided by the Protect America Act have helped us to obtain exactly the type of information we need to keep America safe, and it is essential that Congress reauthorize the Act's core authorities while also extending liability protection to those companies who assisted our Nation following the attacks of September 11, 2001. Using the authorities provided in the Protect America Act, we have obtained information about efforts of an individual to become a suicide operative, efforts by terrorists to obtain guns and ammunition, and terrorists transferring money. Other information obtained using the authorities provided by the Protect America Act has led to the disruption of planned terrorist attacks. The bipartisan Senate bill would preserve these core authorities and improve on the Protect America Act in certain critical ways, including by providing liability protection to companies that assisted in defending the country after September 11.

In your letter, you assert that the Intelligence Community's ability to protect the Nation has not been weakened, because the Intelligence Community continues to have the ability to conduct surveillance abroad in accordance with Executive Order 12333. We respectfully disagree. Surveillance conducted under Executive Order 12333 in a manner that does not implicate FISA or the Protect America Act is not always as effective, efficient, or safe for our intelligence professionals as acquisitions conducted under the Protect America Act. And, in any event, surveillance under the Protect America Act served as an essential adjunct to our other intelligence tools. This is particularly true in light of the changes since 1978 in the manner in which communications are transmitted. As a result of these changes, the Government often has been required to obtain a FISA Court order prior to surveillance of foreign terrorists and other national security threats located outside the Untied States. This hampered our intelligence collection targeting these individuals overseas in a way that Congress never intended, and it is what led to the dangerous intelligence gaps last summer. Congress addressed this issue temporarily by passing the Protect America Act but long-term FISA reform is critical to the national security.

We have provided Congress with examples in which difficulties with collections under the Executive Order resulted in the Intelligence Community missing crucial information. For instance, one of the September 11th hijackers communicated with a known overseas terrorist facility while he was living in the Untied States. Because that collection was conducted under Executive Order 12333, the Intelligence Community could not identify the domestic end of the communication prior to September 11, 2001, when it could have stopped that attack. The failure to collect such communications was one of the central criticisms of the Congressional Joint Inquiry that looked into intelligence failures associated with the attacks of September 11. The bipartisan bill passed by the Senate would address such flaws in our capabilities that existed before the enactment of the Protect America Act and that are now resurfacing. We have provided Congress with additional and detailed examples of how the Protect America Act temporarily fixed this problem and have demonstrated the operational need to provide a long-term legislative foundation for these authorities by passing the bipartisan Senate bill.

In your letter, you also posit that our intelligence capabilities have not been weakened, because the Government can employ the outdated provisions of FISA as they existed before the Protect America Act. We respectfully disagree. It was that very framework that created dangerous intelligence gaps in the past and that led Congress to pass the Protect America Act last summer.

As we have explained in letters, briefings and hearings, FISA's requirements, unlike those of the Protect America Act and the bipartisan Senate bill, impair our ability to collect information on foreign intelligence targets located overseas. Most importantly, FISA was designed to govern foreign intelligence surveillance of persons in the United States and therefore requires a showing of ''probable cause'' before such surveillance can begin. This standard makes sense in the context of targeting persons in the United States for surveillance, where the Fourth Amendment itself often requires probable cause and where the civil liberties of Americans are most implicated. But it makes no sense to require a showing of probable cause for surveillance of overseas foreign targets who are not entitled to the Fourth Amendment protections guaranteed by our Constitution. Put simply, imposing this requirement in the context of surveillance of foreign targets located overseas results in the loss of potentially vital intelligence by, for example, delaying intelligence collection and thereby losing some intelligence forever. In addition, the requirement to make such a showing requires us to divert our linguists and analysts covering al-Qa'ida and other foreign threats from their core role—protecting the Nation—to the task of providing detailed facts for FISA Court applications related to surveillance of such foreign targets. Our intelligence professionals need to be able to obtain foreign intelligence from foreign targets with speed and agility. If we revert to a legal framework in which the Intelligence Community needs to make probable cause showings for foreign terrorists and other national security threats located overseas, we are certain to experience more intelligence gaps and miss collecting information.

You imply that the emergency authorization process under FISA is an adequate substitute for the legislative authorities that have lapsed. This assertion reflects a basic misunderstanding about FISA's emergency authorization provisions. Specifically, you assert that the National Security Agency (NSA) or the Federal Bureau of Investigation (FBI) ''may begin surveillance immediately'' in an emergency situation. FISA requires far more, and it would be illegal to proceed as you suggest. Before surveillance begins the Attorney General must determine that there is probable cause that the target of the surveillance is a foreign power or an agent of a foreign power and that FISA's other requirements are met. As explained above, the process of compiling the facts necessary for such a determination and preparing applications for emergency authorizations takes time and results in delays. Again, it makes no sense to impose this requirement in the context of foreign intelligence surveillance of targets located overseas. Because of the hurdles under FISA's emergency authorization provisions and the requirement to go to the FISA Court within 72 hours, our resource constraints limit our use of emergency authorizations to certain high-priority circumstances and cannot simply be employed for every foreign intelligence target.

It is also inaccurate to state that because Congress has amended FISA several times, there is no need to modernize FISA. This statement runs counter to the very basis for Congress's passage last August of the Protect America Act. It was not until the passage of this Act that Congress amended those provisions of FISA that had become outdated due to the communications revolution we have experienced sine 1978. As we explained, those outdated provisions resulted in dangerous intelligence gaps by causing constitutional protections to be extended to foreign terrorists overseas. It is critical that Congress enact long-term FISA modernization to ensure that the Intelligence Community can collect effectively the foreign intelligence information it needs to protect the Nation. The bill passed by the Senate would achieve this goal, while safeguarding the privacy interests of Americans.

Liability protection

Your assertion that the failure to provide liability protection for those private-sector firms that helped defend the Nation after the September 11 attacks does not affect our intelligence collection capability is inaccurate

and contrary to the experience of intelligence professionals and to the conclusions the Senate Select Committee on Intelligence reached after careful study of the matter. It also ignores that providing liability protection to those companies sued for answering their country's call for assistance in the aftermath of September 11 is simply the right thing to do. Through briefings and documents, we have provided the members of your committee with access to thei nformation that shows that immunity is the fair and just result.

Private party assistance is necessary and critical to ensuring that the Intelligence Community can collect the information needed to protect our country from attack. In its report on S. 2248, the Intelligence Committee stated that ''the intelligence community cannot obtain the intelligence it needs without assistance'' from electronic communication service providers. The Committee also concluded that ''without retroactive immunity, the private sector might be unwilling to cooperate with lawful Government requests in the future without unnecessary court involvement and protracted litigation. The possible recution in intelligence that might result from this delay is simply unacceptable for the safety of our Nation.'' Senior intelligence officials also have testified regarding the importance of providing liability protection to such companies for this very reason.

Even prior to the expiration of the Protest America Act, we expereinced significant difficulties in working with the private sector because of the continued failure to provide liability protection for such companies. These difficultures have only grown since expiration of the Act without passage of the bipartisan Senate bill, which would provide fair and just liability protection. Exposing the private sector to the continued risk of billion-dollar class action suites for assisting in efforts to defend the country understandably makes the private sector much more reluctant to cooperate. Without their cooperation, our efforts to protect the country cannot succeed.

Pending legislation

Finally, as you note, the House passed a bill in November to amend FiSA, but we immediately made clear that the bill is unworkable and unaceptable. Over three months ago, the Administration issued a Statement of Administration Policy (SAP) that stated that the House bill ''falls far short of providing the Intelligence Community with the tools it needs to collect effecively the foreign intelligence information vital for the security of the Nation'' and that ''the Director of National Intelligence and the President's other senior advises would recommend that the President veto the bill.'' We adhere to that view today.

The House bill has several grave deficiencies. First, although numerous senior intelligence officials have testified regarding the improtance of affording liability protection for companies that assisted the Government in the aftermath of September 11, the House bill does not address the critical issue of liability protection. Second, the House bill contains certains provisions and serious technical flaws that would fatally undermine our ability to collect effectively the intelligence needed to protect the Nation. In contrast, the Senate bill deals with the issue of liability protection in a way that is fair and that protects the national security. In addition, the Senate bill is carefully drafted and has been amended toa void technical flaws similar to the ones in the House bill. We note that the privacy protections for Americans in the Senate bill exceed the protections contained in both the Protect America Act and the House bill.

The Department of Justice and the Intelligence Community are taking the steps we can to try to keep the country safe during this current period of uncertainty. These measures are remedial at best, however, and do not provide the tools our intelligence professionals need to protect the Nation or the certainty needed by our intelligence professionals and our private partners. The Senate passed a strong and balanced bill by an overwhelming and bipartisan margin. That bill would modernize FISA, ensure the future cooperation of the private sector, and guard the civil liberties we value. We hope that you will support giving your fellow members the chance to vote on this bill.

Sincerely,

MICHAEL B. MUKASEY,
Attorney General.
J.M. MCCONNELL,
Director of National Intelligence.

Mr. DENT. I think that really says it all. Everybody agrees, both Republican and Democrat alike agree that the intelligence product is being degraded. This really isn't a partisan issue. It should not even be an ideological issue. This is simply an issue of common sense, doing what is right for the American people, putting their interests ahead of the special interests.

With that, I would be happy to yield back to the gentleman from Texas, because I know there are others who would like to participate in this colloquy.

Mr. MCCAUL of Texas. I appreciate the gentleman's comments. Yet when it comes to national security, it should be bipartisan. We are Americans first, before we are Republican or Democrat, yet there is a special interest driving this agenda, as the gentleman mentioned. The trial lawyers have filed a lawsuit in San Francisco against the telecommunication companies, and I would like for the gentleman from Pennsylvania maybe to expand a little bit on that.

I think most Americans don't quite understand how trial lawyers could drive the agenda with the Democratic leadership such that they will be placing the American people at grave risk and jeopardizing the safety of Americans.

Mr. DENT. What I would respond is that the telecommunication companies at the request of their government were asked to cooperate and help us pursue terrorists. Obviously they have much of the infrastructure that we need to pursue these terrorists.

I would have to put this whole issue under the category of ''no good deed goes unpunished,'' where people who are acting in good faith to help their government are now being sued for their efforts, again to protect the most litigious elements of our society.

Because of that, because of the failure to provide a retroactive immunity as contained in the Protect America Act, when we do not provide that retroactive immunity, we know that these telecommunications can no longer be good partners. Even though they want to be helpful, they can't be. They have to protect themselves from lawsuits. They have a fiduciary responsibility to their shareholders to protect themselves and their organizations. I think that is really what is driving us.

I would yield back to you, because you have been a distinguished member of the bar, you are a former U.S. Attorney, so you understand these issues probably better than just about anybody in this building.

Mr. MCCAUL of Texas. I think we should be thanking these companies for their patriotic service in a time of war, not slapping lawsuits on them or putting the trial lawyers' interests above the warnings of the Director of National Intelligence and the Attorney General. Not just the U.S. Attorney General, but 25 State Attorneys General have signed a letter calling upon this Congress to act and pass the Protect America Act and make it permanent. So I would put more stock in the top law enforcement leaders in 25 of our States and the U.S. Attorney General over the special interests.

Mr. DENT. If the gentleman would yield briefly on that point, in fact my own Attorney General of the Commonwealth of Pennsylvania, Tom Corbett, came down to Washington to meet me and expressly asked me to support the Protect America Act. He too, like you, was a U.S. Attorney, and he was emphatic in his support for this legislation, and seemed a bit incredulous that Congress would not provide these necessary tools to our law enforcement and intelligence officials.

Mr. MCCAUL of Texas. With that, I would like to yield to the gentlewoman from Tennessee (Mrs. BLACKBURN) who sits on the Energy and Commerce Committee, which has jurisdiction and deals with a lot of the issues regarding telecommunications companies.

Mrs. BLACKBURN. I thank the gentleman from Texas for his leadership on this issue, as well as the leadership that has come from the gentlewoman from New Mexico and also the gentleman from Pennsylvania. It is an issue that does need to be addressed. I would remind our constituents who are watching that we are talking about the Foreign Intelligence Surveillance Act, FISA. That is what it stands for.

As the gentlewoman from New Mexico said, the changes in technology may mean that someone in the Horn of Africa who is calling in to a Middle Eastern country, their call ends up being routed through this country. What we are talking about is foreign intelligence and talking about getting information, gathering that intelligence that will keep Americans safe. As the gentleman from Pennsylvania said, our constituents are wanting to know, are we in danger? Are we in danger? Where is the next threat? Are you making certain that in our communities, in our homes, in our neighborhoods, in our schools, that we are going to be safe?

We were just discussing a bit about the trial bar and their part in this issue, if you will. In mid-March I noticed an editorial in Investors Business

Daily and it was titled ''FISA Fix For Lawyers.'' Not my words, Investors Business Daily from a mid-March issue, ''FISA Fix For Lawyers.''

Mr. Speaker, that kind of peaked my curiosity, so I read a bit about it. Basically what it goes on to say is that pretty much this bill could be considered an earmark for the trial bar.

Well, I did a little bit of investigating on that issue, once I read that article, Mr. Speaker, and it seems that $72,440,904 had been given to the Democrats by the trial bar this cycle so far. That was through mid-March. So we will see what else happens with that figure.

But it appears, as we have just discussed the lawsuits that are filed with the Ninth Circuit in San Francisco, that that may have a little bit to do, Mr. Speaker, with why Investors Business Daily would write an article and look at FISA as a fix for lawyers. Certainly something we do not want to do is have the integrity and the security of every single community in this great land of ours compromised in any way, shape or form because of that.

Now, the gentleman from Texas mentioned that 45 days has passed since the Protect America Act expired, and that does cause some question from our constituents. As the gentleman from Pennsylvania mentioned, Attorneys General from 25 different States support the bipartisan Protect America Act, and independent intelligence reports support this.

Mr. Speaker, I think there is indeed a reason. It is because we all know that protecting this Nation and our Nation's interests should rise above partisan debate on this floor. Of course, the bill that was brought to this floor before we departed for our Easter recess was a bill that the leadership knew was not going to go anywhere, but they felt like they had to do something.

Mrs. WILSON mentioned that intelligence is dynamic. I think that is an important part of the debate that we have before us as we talk about FISA. It is indeed dynamic, because it doesn't stay the same. The individuals who are seeking to do us harm do not stay in the same places, nor are their camps nor are their cells stationary or stagnant. Because of that, we have to look at electronic surveillance as going about this a different way.

The gentleman from Texas mentioned the situation that occurred last year with three American soldiers that were kidnapped in Iraq and the wrangling that had to go on to get through the courts, as he said, to get ''lawyered up,'' to get in there and to get a warrant. By that time, 9 hours had passed, and by that time we had one individual who was dead and we still have two who are missing as of this point in time.

So, looking at 21st century technology, understanding how that technology works on a global basis, and understanding that if we are to stay ahead of the game on this, Mr. Speaker, it is imperative, it is imperative, that we realize that our enemies are using satellite phones. They are not using rotary phones. They are using text messages. They are not sending telegrams.

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They are moving constantly; they are not in the same place. And it is imperative that we adjust our laws so that we have the ability to stay ahead of them, and ahead of their desire to do harm to us, our constituents, and our great Nation.

Mr. MCCAUL of Texas. I thank the gentlelady. And I couldn't agree more that real-time intelligence is the best weapon we have. We can get the intelligence; but if it is not in real-time, it endangers our ability to protect the American people, as the gentlelady pointed out with the three American soldiers from the 10th Mountain Division who, unfortunately, one now is no longer alive and two are missing.

But I think it is important to give this an historical context and maybe take you back to a gentleman named Ramsey Yusef who came into the United States in 1992. He was detained; but because there wasn't enough detention space at the time, they let him go. And, from there, he conspired with the first al Qaeda cell in New York to take down the Twin Towers. And the idea of the plot was that one tower would fall, toppling over the other, and bring down the symbol of the economic superpower. They got a Ryder van, they loaded it up with explosives, went into the underground parking garage, and blew it up. Fortunately, the Towers survived that day. Although several people were killed, they didn't achieve that goal. That day would come later.

Ramsey Yusef escaped afterwards, went to Islamabad where he was in Pakistan, the Philippines. Then he hooked up with his uncle Khalid Sheikh Mohammed. It is all in the family. Khalid Sheikh Mohammed, we would find out, would be the mastermind of September 11th. When they talked about in the mid-1990s flying airplanes into buildings, wouldn't it have been good to have that real-time intelligence? They talked about that. They talked about how they could take down the United States of America. And when Ramsey Yusef was finally arrested, he was arrested in a hotel room in Islamabad, they found something very eery. And I have worked with the FBI agents who arrested him, and it always left a very chilling sort of view in my mind, and that was, they found about a dozen baby dolls and these baby dolls were stuffed with chemical explosives. Mr. Yusef gives you great insight into the mind of the terrorists: Simple, brilliant, but evil genius. The same evil geniuses that perpetrated 9/11. He was planning to take those baby dolls on airplanes and blow them up. Of course, with the London arrests, later we would find they were back to their same game of using chemical explosives to blow up airplanes. Fortunately, our intelligence stopped that plot against the United States.

But we all know what happened on September 11th. We also know there was a secret meeting that took place overseas, and that the CIA was possibly aware of two of these people entering our country. And at that time, the left hand didn't know what the right hand was doing all the time because the criminal division couldn't talk to the foreign counterintelligence division in the FBI. And I will never forget a quote from an FBI agent, because his words prior to 9/11 about his frustration apply the situation that I find and I think we find ourselves here in the House.

He wrote to FBI Headquarters, which was a gutsy move for a line FBI agent, and he said, ''Someday, someone will die, and the public will not understand why we were not more effective at throwing every resource we had at certain problems, especially since the biggest threat to us now, Osama bin Laden, is getting the most protection.''

We are not throwing every resource that we can now at this problem. We are turning a blind eye to this problem. And if American blood is spilled while our watch is down, while we have allowed this Act to expire, that blood will be on the heads of Members of Congress who did not allow this to go to the floor for a vote. And, yes, the foreign terrorists now are getting protection. They are getting constitutional protection that the FISA statute never intended for them to get in the first place.

With that, I would like to yield to the gentlelady from New Mexico who is on the Intelligence Committee, Ms. Heather Wilson.

Mrs. WILSON of New Mexico. I thank my colleague from Texas.

One of the things that I think is important for people to understand is the importance of intelligence in keeping this country safe. In any war, I think intelligence is underestimated; and the reason is that we see the old newspaper headlines of the victory of the Navy at Midway, but you don't learn until years after that it was the breaking of the Japanese code that allowed our ships to be in the right place in the first place. We see the tremendous success of the Battle of Normandy, but we never knew until years later when it was finally declassified that we had broken the German code.

So intelligence is often underrated. But in the war on terror, trying to prevent the next terrorist attack, intelligence is even more important than it ever was in the Cold War.

I served in the Air Force during the Cold War, and the great thing about the Soviets was that they were certainly easy to find. They were easy to find, or as the military would say, they would have been hard to fix, easy to find. They had the same exercises at the same time of year using the same barracks and the same rail lines and

the same radio frequencies. We knew where they were. They would have been extremely difficult to defeat had they ever attacked the West, but we knew where they were.

When we are fighting against terrorism, the problem is completely reversed. If we can find them, we can stop them. The difficult part is finding them. It is more like a Where's Waldo problem, you know, the cartoon books where you get all of these pictures and you are trying to find the little guy hidden in among all the rest of the clutter. Terrorists generally use commercial communications. They have no territory. They are hiding in the civil population, hiding in plain sight as it were. So, the intelligence problem is the most important and most difficult problem.

All of us remember where we were the morning of 9/11. We remember who we were with, what we were wearing, who we called first, what we had for breakfast. But very few Americans remember where they were the day the British Government arrested 16 people who were within 48 hours of walking onto airliners at Heathrow and blowing them up over the Atlantic. If they had succeeded, more people would have died that day than died the morning of 9/11; but you don't remember it because it didn't happen, and it didn't happen because British, American, and Pakistani intelligence were able to uncover the plot and arrest those who were going to carry it out before they had an opportunity to.

Good intelligence allows us to prevent another terrorist attack, and electronic surveillance is one of our strongest intelligence tools. The Protect America Act just allowed Americans to listen to foreigners in foreign countries without a warrant. If we don't have that authority, it is sometimes impossible to get to the standard required to get a warrant. It is almost a waste of time. It is an incredible frustration for our people who are working in intelligence.

I mean, you think about this. If you are going to get a warrant on somebody who is a narcotics trafficker in Chicago, you can send the FBI out to talk to their neighbors; you can go to their place that they are working; you can talk to their landlady. You can develop probable cause for a warrant. But if you think you have got somebody on the Horn of Africa who is affiliated with al Qaeda, you can't send the FBI to talk to their neighbors. Sometimes you can't reach that standard of probable cause. So, intelligence doesn't get collected against people who are foreigners in foreign countries who have no rights at all under the Constitution of the United States, and the people who are hurt by that are the American citizens we are failing to protect.

The majority of this House wants to pass a bipartisan bill that has already cleared the Senate that would make the provisions of the Protect America Act permanent, and the Democratic leadership of this House is blocking consideration of that bill, to the detriment of the people of this country.

I yield back to the gentleman from Texas.

Mr. MCCAUL of Texas. I thank the gentlelady for her eloquence on this issue. And I think it is worth repeating again that we are talking about foreign targets in foreign countries overseas. I think the American people want us to be listening to what al Qaeda has to say. In fact, I think they expect that, and I think they would be shocked if they learned that our capabilities were put in jeopardy because of partisan politics and special interests. It is irresponsible. And, as the gentleman from Pennsylvania has often said, it is a dereliction of our duties here in the House to protect and defend the American people from enemies overseas.

The gentlelady talked about the war with the Soviets. In some ways it was a more predictable enemy, and the concept of mutually assured destruction applied to the Soviets because they valued their own life. The concept of mutually assured destruction does not apply to the Islamic jihadists, because they won't think twice about blowing themselves up if it means they can take other lives, particularly American lives. They won't think twice about flying airplanes into buildings and killing almost 3,000 people, including themselves, because, in their extreme fanatical view, that means the rewards in heaven are greater. That is the mindset of the enemy that we are working with.

Satellite imagery was very important in the Cold War. But in this war, this war on terror, intelligence is the best weapon that we have. And if that is taken away from the intelligence community, as the Democratic leadership is trying to do, if they take that capability away, as they did when they allowed the Protect America Act to expire, they are tying the hands of our intelligence community to better protect the United States of America. And I believe that is treasonness.

With that, I yield to the gentleman from Pennsylvania.

Mr. DENT. I want to thank both of you for your eloquence on this critical issue. And with all these references to 9/11, I really believe it is important that we take seriously what this Congress did after 9/11. It created a commission, the 9/11 Commission, to make recommendations about how we can improve upon our Nation's homeland security and our national security. They made many recommendations; we are familiar with many. And, indeed, when the 110th Congress was first organized a little over 1 year ago, we were told by the new leadership under Speaker PELOSI that fulfilling those 9/11 Commission recommendations was a top priority. As it should be. And it is time that we equate those words with action. As you and I have both said, failure to do that is a dereliction of duty.

I believe that we have it within our means now to do what that 9/11 Commission wanted us to do, and I believe passing the Protect America Act is entirely consistent and compatible with what those folks who wrote the 9/11 Commission want us to do. And I believe that, again, failure to pass the Protect America Act really contravenes and contradicts what the 9/11 Commission stands for.

We also talked about this issue of liability and who is getting protected. One thing I guess I find particularly appalling is that, because of this approach to homeland security and national security to intelligence, many of our intelligence officials and officers have been forced to buy personal liability insurance to protect themselves from lawsuits from us, from Congress, from others who may choose to sue them. The phone companies are getting sued. Why not sue the intelligence officials? So what is happening is they are worried about being sued, and that is why they have had to find this type of insurance.

Mr. MCCAUL made a very interesting observation. He read an interesting quote a few minutes ago by that FBI agent, and I would like to put that quote into some context. In fact, at the time of the PATRIOT Act reauthorization a little over 2 years ago, there was an article written in the Wall Street Journal by a woman named Debra Burlingame. Who is Debra Burlingame? I guess she is best known because of her brother, Chic Burlingame, who was the pilot of one of the planes that crashed that day on 9/11, 2001 into the Pentagon. She had written this in the Wall Street Journal on January 30, 2006: Critics contend that the PATRIOT Act was rushed into law in a moment of panic. And there is relevant to our PAA here. The truth is, the policies and guidelines it corrected had a long troubled history, and everybody who had to deal with them knew it. The wall was a torturous set of rules promulgated by the Justice Department lawyers in 1995 and imagined into law by the Foreign Intelligence Surveillance Act Court, or the FISA Court, conceived as an added protection for civil liberties provisions already built into the statute that was the wall and its real world ramifications that hardened the failure to share culture between agencies, allowing early information about 9/11 hijackers Khalid al-Midhar and Nawaf al Hashmi to fall through the cracks. More perversely, even after the significance of these terrorists and their presence in the country was known by the FBI's intelligence division, the wall prevented it from talking to its own criminal division in order to hunt them down.

□ 2045

In other words, the FBI criminal division and the FBI intelligence division couldn't communicate because of what was going on pre-9/11.

''Furthermore,'' she writes, ''it was the impenetrable FISA guidelines and

fear of provoking the FISA court's wrath if they were transgressed that discouraged risk-averse FBI supervisors from applying for a FISA search warrant in the Zacarias Moussaoui case.'' And we all remember him.

''The search, finally conducted on the afternoon of 9/11, produced names and phone numbers of people in the thick of the 9/11 plot, so many fertile clues that investigators believe that at least one airplane, if not all four, could have been saved.''

That is what Debra Burlingame wrote.

Further on in that article where Mr. MCCAUL began, and this is the woman whose brother was the pilot who crashed into the Pentagon on 9/11, she concludes by saying: ''Three weeks before 9/11, an FBI agent with the bin Laden case squad in New York learned that al-Mihdhar and al-Hazmi were in this country. He pleaded with the national security gatekeepers in Washington to launch a nationwide manhunt and was summarily told to stand down. When the FISA Court of Review tore down the wall in 2002, it included in its ruling the agent's August 29, 2001, e-mail to FBI headquarters,'' and I am going to restate what you just stated a few moments ago. The quote was from this FBI agent: ''Whatever has happened to this—someday someone will die—and wall or not—the public will not understand why we were not more effective in throwing every resource we had at certain problems. Let's hope that the National Security Law Unit will stand behind their decisions then, especially since the biggest threat to us now, bin Laden, is getting the most protection.''

Not my words, and how can anybody not be moved by this? How can anybody somehow think that our own FBI is a greater threat to the American people than is al Qaeda or Osama bin Laden?

Mr. MCCAUL, you are an attorney. You understand this issue well. We want to protect everyone's civil liberties, and at the same time we have legitimate security threats we must deal with.

Mrs. WILSON of New Mexico. I think my colleague from Pennsylvania raises a good point. What are the protections for America's civil liberties, and there has been a lot of misinformation out there about the protections in the Protect America Act for American civil liberties. In fact, in the Senate bill that we would like to have a vote on here in the House, the civil liberties protections for Americans are more than exist under current law, under the current FISA law.

What are those protections? First, you have to have a warrant to target anyone in the United States, American or foreigner. So you must have a warrant if someone is reasonably believed to be in the United States.

It is a felony to do what some have called reverse targeting. In other words, you think somebody may be affiliated with a terrorist group. They are in the United States and they have a brother in Lebanon. So gee, let's wiretap their brother in Lebanon and maybe we can pick up some of their conversations back to the guy in the United States. That is a felony. You can't do that. You have to have a warrant if your target is reasonably believed to be in the United States, and you cannot do reverse targeting.

It also extends the protection of the Constitution to Americans traveling overseas. This is something that doesn't exist in current law. If I am an American stationed overseas, which I was in a past life, and I in some way bump into American intelligence collection overseas, their procedures in regulations is to ''minimize'' or ''screen out'' that information, to destroy information that is of no intelligence value. But the act that has now passed the Senate actually goes further than that. If you are an American overseas, the American government would also have to get a warrant in order to target your communications.

These provisions apply irrespective of the communications technology used. So to collect foreign intelligence over the air on a wire, it doesn't matter. All that matters is whether somebody is reasonably believed to be in the United States or is an American citizen. If they are, you have to go to court and get a warrant. If you do not, if they are a foreigner in a foreign country, we do not extend the protections of the Constitution to them.

Mr. MCCAUL of Texas. The gentlelady is correct. The Constitution applies to persons in the United States. The Constitution doesn't apply to foreign terrorists in a foreign country. I think that is the central heart of this debate that we are having here tonight.

As the gentleman from Pennsylvania pointed out, Mr. Moussaoui retained information on his computer that could have helped prevent this from happening. He is a person in the United States; and as such, properly the FBI and the Department of Justice went through the FISA court. The initial FISA application was turned down by the Office of Intelligence Policy Review. We lost critical time in processing that application. My point being, the FISA court is very document intensive, cumbersome and time-consuming.

We should not apply FISA court standards to foreign terrorists in a foreign country when real-time intelligence can stop something like this from happening here in the United States.

You know, when the wall was in place, one intelligence community was aware of these two individuals in the U.S., yet the FBI was not made aware and they could not track them down.

The FISA Court of Review issued an opinion about the wall when it finally struck it down and said that effective counterintelligence, we have learned, requires the whole-hearted cooperation of all of government's personnel who can be brought to the task. A standard which punishes such cooperation could well be thought dangerous to national security. So a lack of coordination and cooperation is dangerous to national security.

And if we can't work with the private sector, and in fact we cannot obtain this intelligence without the private sector; and if we will subject them to liability and to lawsuits for doing their American patriotism, we indeed will lose the private sector as a partner.

Mrs. WILSON of New Mexico. Would the gentleman yield?

Mr. MCCAUL of Texas. I would be happy to yield to the gentlelady.

Mrs. WILSON of New Mexico. Is it true that we depend on telephone companies not only for their cooperation for foreign intelligence, but also in the case of crimes like kidnappings here in the United States? Do we depend on their cooperation there?

Mr. MCCAUL of Texas. The gentlelady is correct. What is at grave risk is not only in the war on terror capturing intelligence overseas, but if the private sector would be subject to liability and lawsuits, and they say to the government, ''I am not going to cooperate with you anymore,'' they don't have to. Then we place at jeopardy domestic investigations that could include child predators, organized crime, and a whole myriad of criminal activity in the United States. So this is setting a very dangerous precedent.

Mrs. WILSON of New Mexico. If the gentleman would yield, you are an attorney and have dealt with these things and I haven't. Is it true that a district attorney can go in an emergency situation and say to the telephone company, this is an emergency, we have a kidnapped child, we think we know who did it, will you cooperate with us and we will followup with the paperwork later? Can that happen?

Mr. MCCAUL of Texas. The gentlelady is correct. Then you have real-time information that is relevant to a case to stop a criminal act from occurring.

What the Democrat leadership has done in this case is prevented us from obtaining intelligence critical to the safety of the United States overseas in a foreign country.

Mrs. WILSON of New Mexico. Is it reasonable to expect that if these telephone companies get sued for voluntary cooperation, that they will just stop doing voluntary cooperation no matter what the issue is?

Mr. MCCAUL of Texas. The grave risk is that they will not cooperate on any investigation, whether it be overseas or domestically, because there is no incentive for them to cooperate with the FBI here or with our intelligence community abroad if we are going to subject them to liability and to lawsuits.

If there is wrongdoing on the part of the government, that is one issue. But

when the telecommunication companies are told that they need to cooperate in the interest of the national security, I don't think we should be slapping them with a lawsuit, we should be thanking them for protecting this Nation.

I want to go back to the gentleman's comments about the 9/11 Commission. After this occurred, we all were scrambling to do everything within our power to prevent this from happening again. The President met with his advisors, and the 9/11 Commission met. And they made recommendations and they talked about connecting the dots. The problem is that we cannot connect the dots, and we are not putting this information together.

What is at risk here tonight, as every hour passes that the Protect America Act has expired, is we cannot collect the dots to connect them.

I would like to draw on a quote, a letter from Attorney General Muskasey and the Director of National Intelligence McConnell to Chairman REYES. He says, ''Our experience in the past few days since the expiration of the act demonstrates that these concerns are neither speculative nor theoretical. Allowing the act to expire without passing the bipartisan Senate bill has had real and negative consequences for our national security. Indeed, this has led directly to a degraded intelligence capability.''

I don't know about you, but when I read that language from the experts in the intelligence community and our top law enforcement officer, it sends a chill up my spine. We need to pass this bill, and we need to do it now.

Mr. DENT. Again, a powerful quote, the degradation and degrading of our intelligence capacities, stated by a Republican Attorney General and a Republican Director of National Intelligence, but also stated by the Democratic chairman of the Senate Intelligence Committee, that the intelligence product will be degraded as a result of our failure to enact the Protect America Act.

I can't help but note, the gentleman from Texas having served in law enforcement, many of the arguments I just heard you talking about in your colloquy with Mrs. WILSON were also some of the arguments that I heard at the time of the PATRIOT Act reauthorization.

Remember it was being said that somehow our library records were going to be looked into. Several of the 9/11 terrorists made their airplane reservations on public library computers, and they confirmed those reservations on public library computers.

I am not aware that anybody has ever sought a library record under the law. But I also remember, too, after meeting with some folks from the Attorney General's Office, and this is not a classified issue, I remember them telling me that a terrorist, when interrogated, they asked: Why were you constantly on the New York Public Library computers? His response was they clean their hard drives at the end of the day. Interesting point.

Another issue we heard at the time of the PATRIOT Act had to do with roving wiretaps, a tool I believe you, as a prosecutor, used over the years, and that we use in drug cases against organized criminals. We use that type of method. When we talk about using it for counterterrorism purposes, it seems as if we were creating some new structure. Do you want to address that.

Mr. MCCAUL of Texas. Reclaiming my time, this issue goes well beyond what the gentleman is referring to. This issue goes to our capability to intercept communications from foreign terrorists in foreign countries. Again, I think the American people would like to know what al Qaeda is saying when they conspire to perpetrate something like this. They would like to know what Osama bin Laden is saying, and what his lieutenants are saying.

I know my time is starting to run out.

Mr. DENT. Quickly, the bottom line is we should be listening to this foreign-to-foreign communication of people who are not American citizens who are suspected terrorists because you want to prevent what happened on 9/11 of 2001. For some of us, it was quite personal.

You mentioned what happened in 1993. My cousin spent the whole day on the top of that building, the South Tower, spent the entire day on the roof after what exploded in the basement, the garage of that building.

□ 2100

You know, he was there, also, on September 11, 2001. I remember that, too. He was on the 91st floor of the north tower when the plane entered the 93rd floor. Everybody above him was killed.

And for many of us it's personal. But if we have information, actionable intelligence, I would certainly hope that our counter terrorism officials, that our intelligence officials would do everything in their power to prevent such terrible events like 9/11 from ever occurring.

And again, I just want to state one more time that enacting the Protect America Act will help improve our intelligence capabilities, will protect Americans, and it's time that we get the job done. We have a bipartisan consensus to do it. Let's do it. The time for games is over. It's time to get the job done.

I yield back to my friend.

Mr. MCCAUL of Texas. I thank the gentleman.

Before we passed the Protect America Act, the Director of National Intelligence came to us and he said, ''I'm losing two-thirds of the intelligence out there.'' Well, now with the expiration of the Protect America Act, we can only imagine going back to that scenario. We were going dark in parts of the world. We were losing critical foreign intelligence from our enemy to better protect this Nation from another terrorist attack.

And to put to you, I think, one of the best quotes I've read, it really puts you in the mindset of who is the enemy and what is the real threat to the United States, I'd like to leave you tonight with the following words. And this is in their words, not mine.

''The confrontation that we are calling for with the apostate regimes does not know Socratic debates, Plutonic ideals, nor Aristotle's diplomacy. But it does know the dialogue of bullets, the ideals of assassination, bombing and destruction, and the diplomacy of the cannon and the machine gun.

The Islamic governments have never and will never be established through peaceful solutions and cooperate councils. They are established, as they always have been, through pen and gun, by word and bullet, and by tongue and teeth.''

The words that I just read to you are the words found in the preface of the al Qaeda training manual. They are the words of the enemy. That is what the enemy is telling us. We need to win in this war on terror and stop this enemy and protect the United States from this ever happening on American soil again. It is time to pass a bipartisan Senate bill.

CONGRESSIONAL BLACK CAUCUS MESSAGE HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Ohio (Mrs. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mrs. JONES of Ohio. Mr. Speaker, it gives me great pleasure this evening to have an opportunity to stand in the well of this wonderful House of Representatives on behalf of the Congressional Black Caucus and our Chair, CAROLYN CHEEKS KILPATRICK.

This evening I will be joined by several of my colleagues to talk about the black community, the African American community, and the economy and the impact that this downturn in the economy has had on the African American community.

Before I go to that subject matter, I just want to take a moment. One of the things that we have an opportunity, as Members of Congress, to do is to travel all around the United States, meeting people who say, oh, we watch you on television, we've seen you on television. And the fact is this weekend I had the opportunity to be in Orlando, Florida, on behalf of my sorority, Delta Sigma Theta. And I met one of the finest families in Orlando, headed by Janet McDowell-Travis and her husband, Michael Travis, son Jordan, who is 10 years old, who drew me this really, really nice card, Janet's mother, Vergnoustene, my soror as well, and Janet's aunt, Aunt Romelda. So, I just want to take a moment this evening, Mr. Speaker, to have an opportunity to

say hello to that McDowell-Travis family and say to them, thank you so much for making my weekend in Orlando so great. And hopefully I'll have another chance to see you in July, when I come back to Florida for our national convention. Hi, everybody. Hope you're doing well.

Back to the reason that I'm here on floor to talk about the Congressional Black Caucus message hour, the declining economy and its impact on the African American community.

GENERAL LEAVE

Mrs. JONES of Ohio. Madam Speaker, let me begin by seeking unanimous consent that my colleagues have 5 days in which to revise and extend their remarks, to allow other Members to have the opportunity to submit their remarks in writing. In fact, I have in my hand a signed statement by my colleague and good friend from the great State of Texas, EDDIE BERNICE JOHNSON, which I will choose to submit for the RECORD.

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

There was no objection.

Mrs. JONES of Ohio. Let me begin with a quote. ''At the bottom of education, at the bottom of politics, even at the bottom of religion, there must be economic independence.'' Booker T. Washington from 1903. These words, spoken more than a century ago by one of our foremost African American thinkers and educators, perhaps might be more relevant today than they were in 1903.

For far too long, the current administration has danced around this issue, hoping that it would go away. But it is time that we state the truth. Our economy is in decline. Today, hardworking African American families are struggling to make ends meet in this slowing economy. Wages are flat, prices are high, and for many, jobs are hard to come by.

These problems are even greater in the African American community. Unemployment rates for African Americans are consistently almost double for white Americans. The median family earnings of full-time African American workers is consistently over $130 less than white workers who are similarly educated and situated.

The poverty rate for African Americans is almost double the national poverty rate, 24 percent versus 12.5 percent. And more than triple, 33 percent versus 9.8 percent, for children under the age of 18.

Home ownership for African Americans is 48 percent compared to 72 percent for white Americans. And African Americans are more than two times more likely to have been denied a mortgage, and more than two times more likely to receive predatory loans.

In this most recent research around foreclosures, it has been shown that African Americans who, in fact, qualified for prime mortgages were, in fact, steered to subprime mortgages, predatory loans because the advantage for the lender was greater, they could make more money on the predatory subprime loan than they could on a prime loan.

Minority-owned businesses received only 57 cents of each dollar they would be expected to receive based on the percentage of ''ready, willing and able'' businesses that are minority owned.

The Congressional Black Caucus remains committed to economic empowerment in the African American community. This includes, but it is not limited to:

One, eradicated employment discrimination and ensuring the employment of a diverse workforce by employers in the private sector and in government, including staff of committees and Members of Congress.

Two, protecting the rights and working conditions of all employees.

Three, providing support to enable people to work, such as child care, transportation, health care, job retraining and a living wage.

Four, promoting the advancement of African Americans into management, executive and director positions.

Five, providing equal access to capital for individuals and businesses, and the elimination of redlining and predatory lending practices.

Six, expanding affordable rental and ownership of housing.

Seven, achieving aggressive minority business goals and participation in government and private contracting.

So, tonight you will hear from various members of the Congressional Black Caucus as we discuss the many economic problems facing the African American community, as well as our plans to address those issues.

If I can go back to my experience in Orlando this weekend. I had an opportunity to participate in this wonderful ceremony involving 10 young African American men and women that were juniors and seniors in high school. And the experiences and backgrounds of these young men and women were just fantastic. And one of the things I reminded them of was, no deposit, no return. I talked to them about, we used the expression, birds of a feather flock together, and that eagles do not fly with sparrows. And I suggested to them that they needed to be eagles so that they could fly far above and do more. But even in the midst of all of flying higher, doing more, in an economy like we are experiencing today it would be difficult for these young men and women to be successful.

So, I'm going to take a break for a moment and yield to my colleague and good friend from the great State of California, the honorable gentlewoman from California, Congresswoman BARBARA LEE, such time as she may consume.

Ms. LEE. Let me thank the gentlelady for her leadership and for yielding and for organizing these very important special orders, also, really, for reminding us tonight of much of this unfinished business of our great country, and laying out the glaring disparities that we're witnessing in the African American community; but also, what our economic empowerment agenda is of the Congressional Black Caucus. So, thank you, Congresswoman TUBBS JONES.

Millions of Americans are one paycheck, that is, if they have a paycheck, away from poverty. Now, the numbers speak for themselves. Gas prices are at record levels, averaging, in my district, $3.73 a gallon, even as oil is traded at over $100 a barrel and big oil companies are reaping in record profits. Foreclosures have skyrocketed, putting hundreds of thousands of people out on the street. The American dream of homeownership is quickly turning into a nightmare for many hardworking individuals and families in our country.

In my district, in Alameda County, we are projected to lose nearly 4,700 homes to foreclosures due to the subprime mortgage crisis, eliminating $3.2 billion in home equity value. That's equal to a drop in home equity by almost $8,500 for each homeowner in my district. Meanwhile, food prices have risen, squeezing recipients of food stamps even as the number of people expected to enroll in the program will reach a record 28 million people in the next fiscal year.

Health care costs are going through the roof, even as this administration is posing massive cuts in funding for Medicare and Medicaid, and African Americans continue to be the hardest hit. As of February 2008, the unemployment rate for African Americans was over 8.3 percent, nearly double the national average of 4.3 percent. Among the African American community, poverty rates are 2.5 times higher than the national average. Even more disturbing, almost 40 percent of African American children under 5 years of age live in poverty. And all the while, African Americans continue to be the target for, as we talked about earlier, subprime loans.

African Americans are three times more likely to have a subprime loan than whites, accounting for 52 percent of all subprime loans. And as the housing market has collapsed, estimates indicate that African Americans alone will lose between 164 to $213 billion in home equity value during this recession.

It's long past time for Congress to address the burden of this economic downturn on the African American community and other communities of color and address the ongoing lack of opportunity in minority communities in America. Even in the face of this massive housing crisis and impending recession, growing unemployment and the highest number of applicants for food stamps since the program's inception, the Bush administration wants to cut funding, mind you, cut funding for the most vital programs so that he can continue to fund his failed occupation in Iraq. This is partly due to Iraq, billions of dollars that have been spent,

this economic downturn. I personally call this ''The Iraq Recession.''

At nearly half a trillion dollars, the occupation of Iraq and the resulting Iraq recession has wasted too much of American treasure, drained too much of our American resources, and most importantly, claimed too many American lives. And we cannot dismiss the toll that this occupation has had on the economic security of our Nation and on the average American family who will feel the impact of these expenses for years to come.

The Joint Economic Committee estimates the total bill for the war through 2008 will cost the typical family of four a full $16,500. Can you imagine what a family of four can do with $16,500? This conflict has claimed the lives of more than 4,000 brave members of our Armed Forces and has resulted in injuries to more than 28,000 others.

Five years after the invasion and occupation of Iraq, 47 million Americans are living without health insurance, 47 million. And more than 36 million people continue to live in poverty, at least 2 million of which have fallen into poverty since 2003.

Five years later, it is projected that more than 2 million American families will lose their homes to foreclosure, primarily over the next 2 years. And worse, as the demand is increasing for programs serving children, the elderly and the poor, and those facing the loss of their income, more than half of our States face serious budget shortfalls that will force them to cut back or even eliminate programs that serve the most vulnerable of our populations.

□ 2115

So, Mr. Speaker, we must address the needs and the will of our country by bringing an end to this occupation and to the immeasurable costs that will continue to be exacted on the physical and economic security of the American people for generations to come.

Forty-one years ago, Dr. Martin Luther King was, as he said, ''compelled to see the war as the enemy of the poor and attack it as such.'' Of course Dr. King was referring to the Vietnam War. But his understanding of the relationship between the vast sums spent dropping bombs in a foreign country, and the resulting lack of funding for programs that relieve hunger and poverty are just as true today as they were back then, especially now with this economic downturn.

A recent survey revealed that 68 percent of Americans believe that ending the war and occupation in Iraq is an important step the United States Government must take to respond to the current economic recession. So we must put an end to this occupation, and we must fund a real economic stimulus plan that expands unemployment assistance and food stamp benefits, provides housing assistance and foreclosure relief for homeowners, and expands Medicaid payments to States through the Federal medical assistance percentage.

We need to pass a real bankruptcy reform bill. I believe this one that we're working on now is H.R. 3609. It's called the Emergency Home Ownership and Mortgage Equity Protection Act of 2007, that will give struggling homeowners a fighting chance to stay in their homes.

We've got to reauthorize and realize that HOPE VI is an important, important housing initiative, and pass H.R. 3524, to finally stop putting an end to predatory lending. And instead of spending billions to bail out Bear Stearns, we should really be investing that money to train our workforce and to expand green jobs and eradicate poverty.

So as we remember 3 years ago, Hurricane Katrina served as a real rude wake up call to the Nation and the continuing inequality that plagues minority communities, especially the African communities in America. Katrina opened the eyes of many Americans about the continuing burden of poverty that often isolates and traps generations of Americans of color, African Americans, in a cycle of poverty and disenfranchisement. So we cannot ignore the legacy of Katrina, nor can we ignore the legacy of Dr. King's words.

So this week, as we approach the 40th anniversary of Dr. King's assassination, let us all make a commitment to honor his vision and his life's work. We must end this occupation of Iraq, and we must enact a real economic stimulus plan, so that the American people can move forward, take care of their families, come out of this downturn and really begin to live the type of life, the quality of life that they so deserve in the wealthiest and most powerful country in the world.

Thank you, Congresswoman STEPHANIE TUBBS JONES, for giving us the opportunity tonight to talk about the real suffering that people are feeling; but giving people some hope that there are many here in Washington, D.C. on the battlefield trying to turn this around.

Mrs. JONES of Ohio. I want to thank my colleague, Congresswoman BARBARA LEE, for her leadership, and hope that she will decide to hang around a little while with me as we go through a few more issues. If you can't, I absolutely understand.

I want to go back to the housing crisis for a moment. The loss of a home is both devastating for the family and the community. For a family, owning a home is often their only piece of the ''American Pie.'' The equity from owning their home is often the only means to secure funding for a new business, college tuition or retirement. For the community, increased foreclosures often turn neighborhoods that once were vibrant into neglected, blighted areas which ultimately raise costs for local governments.

In the State of Ohio alone, 90,000 homes are in foreclosure. In fact, one of the things that we often talk about is that working class families usually pass their biggest asset from 1 generation to the next, and that is a house. So not only are we devastating the income and wealth of this generation, we may well be devastating the income and wealth of future generations.

Predatory lending is the leading cause of the foreclosures across this country. And I need not go on and on about the issue, but let me just point out a few statistics.

The Nonprofit Center for Responsible Lending projects that as this year ends, 2.2 million households in the subprime market will either have lost their homes to foreclosure or hold subprime mortgages that will fail over the next several years. The real dilemma that many of the families face is the amount of mortgage that they own on the home far exceeds the real value of the home.

Additionally, only about 1.4 million of 15.1 million loans analyzed from 1998 through 2006 were for first-time home buyers. Most were refinancing. And all of us got those calls from people calling up, Mrs. Jones, you have a unique opportunity right in your community to refinance your home, and this program is just for your neighborhood. And a lot of people got fooled by those calls. To date, more than 500,000 of those subprime borrowers have lost their homes to foreclosure. An additional 1.8 million are likely to follow as the market deteriorates. That's nearly 2.4 million lost homes.

And predatory lending has expanded its reach beyond mortgage lending. Predatory practices are becoming increasingly prevalent in refund anticipation, auto and payday loans. There were over 12 million Refund Anticipation Loan borrowers in 2003. In other words, anticipating what your income tax checks would be, people borrowed on those tax checks.

Tax preparers and lenders strip about $1.57 billion in fees each year from the earned income tax credits paid to working parents, according to the 2005 study by the National Consumer Law Center.

And imagine what the new programs are going to be as we come up with these rebates that the President has proposed for working families in order for us to shore up Wal-Mart or Target or one of these other stores. In fact, I think it is pretty scary that we are now going to try and shore up the economy by taking the money of people who have worked hard for it.

I bet that many people are going to pay attention; they're not going to stick it back in the economy. They, in fact, may in fact put it in a savings account or try to make some money on behalf of their families, or pay off an existing debt.

In December, the Congress enacted the Mortgage Forgiveness Debt Relief Act which, for 3 years, stops the tax on phantom income when a lender forgives some part of the family's mortgage in foreclosure. Under prior law, the debt forgiven following mortgage foreclosure or renegotiation was considered

income for tax purposes, resulting in a tax liability for individuals and families meaning, at a time when people were down and out, they were then required to pay tax on something that was forgiven by a lender. It was crazy, and thank God this whole Congress understood the impact, and we passed that legislation.

In December, the Congress included $180 million for housing counseling in the Fiscal Year 2008 Omnibus Appropriations Bill to assist many distressed homeowners who are trapped in unaffordable loans in avoiding foreclosure on their homes.

The Economic Stimulus Bill, which the President will sign this week, increases the FHA loan limits up to $729,750 to expand affordable mortgage loan opportunities through the FHA for families in danger of losing their homes. This was done because in areas like the area in which Congresswoman BARBARA LEE lives in, housing, middle income housing costs as much as $800,000 to $1 million. In Cleveland, an $800,000 home would buy you a lot of house, but not California.

Both the House and Senate have passed an FHA reform bill which would enable FHA to serve more subprime borrowers at affordable rates and terms to attract borrowers that have been turned to predatory lenders in recent years.

The House has passed a mortgage lending reform bill which cracks down on predatory lending, making sure that consumers get mortgages they can repay, strengthening consumer protections against reckless and abusive lending practices, and giving consumers the ability to seek redress.

I have to say that in 2001 I introduced the Predatory Lending Reduction Act, and this act was focused on mortgage brokers. And the reason I focused on mortgage brokers was because mortgage brokers were not licensed, they were not required to be registered. They were not required to give notice to a purchaser or a borrower that they were not representing that borrower; they weren't their agent. They were not required to tell the borrower that they were going to get a percentage or a commission on the loans that they made. So you had a lot of mortgage brokers operating out here without any licensing, without any registration, without being required to give notices to, like banking persons, to borrowers. So it was very important for us, and that was included in the Mortgage Lending Reform Act, number 3915.

In October, the House passed the National Affordable Housing Trust Fund Bill, 2895, which establishes a trust fund, at no cost to the taxpayer, to build or preserve 1.5 million affordable homes or apartments over the next 10 years. The trust fund is financed by fees paid by Fannie Mae and Freddie Mac and by increased FHA loans.

The fact is that we have needed a national affordable housing trust fund for many, many years and finally, in 2007, 2008, we have one that's available.

At this time, if my colleague is interested, I'd like to yield to her for some additional commentary, Congresswoman BARBARA LEE.

Ms. LEE. Thank you. And you know, as I was listening to your very clear presentation, Congresswoman TUBBS JONES, I kept thinking of all of the people who really believe in the American dream, who want to send their kids to college, who perhaps may want to start a small business and who know and recognize that the path to wealth in our country is through home ownership. And now, given that the equity has just about eroded, their dreams being shattered.

You know, most Americans don't play in the stock market. You know, the only way they can acquire wealth is through home ownership. The only way they can live the American dream is through leveraging the equity in their homes to realize some of their dreams. And now, given this fiasco that we're experiencing, so many people will not realize their dreams. And so the legislation that you mentioned and more that are being talked about and introduced, will, in many ways help stop the hemorrhaging.

But, you know, we have to look at this not only in the short-term perspective, but also the long term has to be addressed. And some of this has to do with the deregulation of the financial services industry. And we really need to look at some regulatory reform also in the long haul to make sure that this never happens again. It's almost been the ''Wild West'' in terms of the financial industry.

Mrs. JONES of Ohio. I'd like to thank my colleague. There are just a few more things that I'd like to point out and point to, and if there is another person coming behind me with some, a special order, I would suggest that we should probably be finished in about 15 minutes.

I, first of all, would like to focus in on some of the legislation I've been working on around wealth building, because one of the most difficult things for families in the downturn of an economy is to try and put aside savings. And one of the things that we see happening right now in our country are a number of companies that are closing down, and people are placed in a situation where they are now being required to retire and they're being given lump sum benefits in order to lessen the weight or the impact that the retirement has on them.

And as a proponent of wealth building, I've been working on a couple of pieces of legislation in that area. One of them is the Retirement Security for Life Act.

Last year I, along with Congressman PHILIP ENGLISH, a Republican from Pennsylvania, reintroduced the bipartisan tax legislation that would encourage Americans to select life annuities and ensure requirement security. The Retirement Security for Life Act provides a tax incentive available to all retirees when they elect to receive a guaranteed stream of income for life from their annuity. The bill will exclude Federal taxes on half of the income generated by the annuity, up to a maximum of $20,000 annually. For the typical retiree, it would provide a tax break of up to $5,000.

The bill is designed to help Americans who have savings maintain their pre-retirement standard of living. Research indicates that many future retirees, including an estimated 77 million baby boomers, will have difficulty maintaining an adequate standard of living. By providing incentives, the Retirement for Security for Life Act will encourage Americans to invest in their own retirement.

□ 2130

The periodic payments from a life annuity would guarantee income throughout retirement as a complement to Social Security and pension benefits. A life annuity provides beneficiaries with guaranteed lifelong monthly payments. After-tax dollars, such as the proceeds from the sale of a house or small business, can be used to purchase the annuity. Income from employers' sponsored plans that already enjoy a tax advantage, such as IRAs and 401(k)s, are not eligible. This bipartisan legislation encourages Americans to select lifetime annuity payments, thereby generating a steady income for life and helping them manage their savings.

One of the limits that happens when people receive a lump sum is it seems like a lot of money at the time when you receive it, but it very easily wanes away by the time you lend your cousin $2,000, your son $5,000, your aunt or uncle a couple of dollars, and that $50,000 is gone very quickly. And that is one of the reasons that I'm encouraging our Retirement for Security for Life Act.

Another piece of legislation is called Savings for Working Families Act. This legislation was introduced, and it's H.R. 1514. It provides a tax credit to financial institutions that match the savings of low-income families through individual development accounts, or IDAs. The individual savings in an IDA are matched on a one-to-one basis, up to $500 per person per year; although, personal contributions into an IDA are not limited. The match only goes up to $500. It is a unique way and a great way that we could have low-income families begin to understand the importance of saving and receive a match for their dollars.

Thousands of working families across the country currently take advantage of IDA matched savings and asset accumulation. They are run by community-based organizations in partnership with a qualified financial institution that holds the deposits. IDA funds can be used for college and post-secondary education, purchasing a home or starting a small business. Those who save in IDAs also receive financial planning

education. Nationally, 500,000 Americans are presently enrolled in 500 IDA programs. In the State of Ohio, nearly 5,000 benefit from 15 IDA programs.

The goal of the Savings for Working Families Act is to encourage low-income families to save.

Cleveland's Save program, which is a program in the City of Cleveland where I live, is a national social marketing campaign that encourages individuals, particularly low and moderate income, to save. It was launched in 2001 in the City of Cleveland. America Saves now has 53 local and State national campaigns which include locations in Philadelphia, Pennsylvania; San Diego, California; and New York State. More than 1,000 nonprofit organizations participate. They recently celebrated American Saves Week, which is a new and expanded effort which is aimed at reaching more institutions.

Let me now give any further time to my colleague and friend, Congresswoman BARBARA LEE.

Ms. LEE. Let me applaud you for laying out these very important and very thoughtful bills. Hopefully, people who are listening to the Special Order tonight will understand the importance of them and ask their Members of Congress to support them because they actually should be passed and signed into law.

Also, I think it's important that we recognize tonight we are talking also with regard to the Congressional Black Caucus' economic empowerment agenda, and what you have laid out is central to an economic empowerment agenda of the African American community throughout our country, but also, in addition, we have talked a lot about the disparities and why we have to have this economic empowerment agenda because we are still faced with many, many disparities in health care and education and economic development.

And when you look at the African American business community and the lack of capital, when you look at the small business administration and the type of problems and difficulties we have had over the years, you can see that, in many ways, many of the initiatives that have begun over the years that would have helped during this economic recession have been just about cut out. So it is about time we go back to the drawing board and regroup and not only resurrect some of the strategies that actually work but come forth with new legislation such as we are talking about tonight.

So, in closing, I just want to thank the Congressional Black Caucus, again under Congresswoman KILPATRICK's leadership, for making sure that the overall agenda of the CBC is put forth every Monday night under Congresswoman TUBBS JONES' leadership, because this is so important. In fact, we were in recess over the last couple of weeks, and I ran into many, many people who thanked us for getting the word out, sounding the alarm, providing the information with regard to what we are doing here because so often, the American people, the public, our communities, have no idea what type of legislation is being proposed to help with some of the burdens that they are forced to bear at this point in our history.

The $16,500 I mentioned earlier that this Iraq occupation is costing the American people, just think of what they could do with $16,500. And so I have to say, part of what we have to continue to do is to try to end this occupation, end this $3 trillion that's being projected with regard to the war in Iraq and make sure that immediately the American people though can realize some benefits from their tax dollars and also make sure that we can expand unemployment compensation and food stamps and just help them survive through this until we can do something big and something that makes their lives much better.

Thank you again.

Mrs. JONES of Ohio. I want to associate myself with the comments of my colleague with regard to ending the war in Iraq and the devastation that it has had not only on more than 4,000 families but as well as the economy of America and the infrastructure of America. All you need to do is pick up a paper any day and see that in any city there is a bridge that's fallen down, there's a sewer that's blowing up, there's streets that are in trouble, et cetera, et cetera, et cetera. And I want to close on this particular note.

It is so important to the improvement of this economy and the status of America that we make sure there are good-paying jobs that come back to America. I keep hearing these discussions about, well, there are jobs, and there are not people in America who want to do these jobs. That is not correct. There are good, hardworking people. The people of America work harder than people in any other country. They have less vacation, less time off, and they work very, very hard.

The dilemma that's faced is the offering of jobs that do not pay good salaries; that do not, in fact, provide appropriate benefits. And the people of America are going to want go to work, and the innovation agenda that was passed last fall in this Congress and signed into law by the President speaks to some of those issues.

And it is so important that we do things to improve the education of our young people so they are better qualified to work on jobs, and that was done through the College Opportunity and Affordability Act of 2008.

It is also important that we encourage young men and women to go into the sciences. The statistics show that, in 2000, only 4 percent of the science and engineering jobs in the United States were held by African Americans. Nearly 40 percent of Americans under the age of 18 are African Americans or other minorities. So we need to do more and more and more to encourage young people to go to college to be able to get the kind of degrees where they can get a great job such as we talked about with the children in Orlando in the Eminence Program.

And finally, we need to support and strengthen small businesses. Two-thirds of American jobs are supported, are given by small business, and we need to encourage small business to continue.

African Americans own an estimated 1.2 billion small businesses with annual revenues of more than $88 billion. Legislation enacted in 2007 included provisions cutting taxes for small business by $4 billion over the next 10 years. And the economic stimulus package also speaks to those issues as well.

I want to close with this. The Congressional Black Caucus is tirelessly working on issues that are important to the African American community but as to the greater community as well, and the economy is the issue that's in the forefront of everybody's mind right now, regardless of their color, regardless of their background. And this evening, it was our job to point out to America, those of you listening here on C–SPAN, to the issues that are facing the African American community and the economy and to help people understand that, if it hits the greater community in one way, it doubly impacts the African American community.

And on behalf of my colleagues at the Congressional Black Caucus and our Chairwoman, CAROLYN C. KILPATRICK, I'm pleased to close this message hour out and thank the Speaker, NANCY PELOSI, for the opportunity to present.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, for millions of American families it is becoming more and more difficult to make ends meet. Our economic outlook is grim in light of the recent housing crisis, fluctuating interest rates, and increasing prices. Working Americans are feeling a serious squeeze on their family finances, because for too long, Republicans and this administration ran up big deficits and ignored priorities here at home.

With the economy continuing to decline, African American households are suffering disproportionately. In 2006, African Americans were two times more likely to get high-cost subprime loans. In my district, more than half of loans given to working Americans were subprime; of these loans, 80 percent were African American. One in six resulted in foreclosure; this is unacceptable.

In 2007, the Democratic led Congress passed an increase to the minimum wage, but this does not help Americans who cannot find jobs. The African American unemployment rate has climbed from 8 percent this fall to 9.2 percent in January, with 1.6 million African Americans currently looking for work.

I applaud the Congressional Democrat Leadership for their rapid agreement on an economic stimulus package to aid families across America. While I feel that this stimulus package is a step in the right direction, I am disappointed that there was no aggressive plan for job training programs such as: adult education and literacy, welfare-to-work, and vocational education.

As a senior member of the House Science Committee, I feel it is important to invest in our children's futures. This Congress has led the fight to address access to higher education, enrichment programs in STEM fields, advancement in educational programs for minorities, and spur critical research and development to meet the needs of the country. Education is the foundation to building a better and brighter future for all Americans.

Mr. Speaker, honest, hard-working men and women are struggling to make a decent living as they go about their daily routines. The economic disparities of African American and other minorities are truly hurting this country. I am hopeful that the President will join this Congress to help find long-term, comprehensive measures as opposed to a temporary bandaid to our economic problems.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRALEY of Iowa (at the request of Mr. HOYER) for today on account of travel delays.

Mr. HONDA (at the request of Mr. HOYER) for today on account of official business in district.

Mr. KIND (at the request of Mr. HOYER) for today on account of travel delays.

Ms. GRANGER (at the request of Mr. BOEHNER) for today through April 11, 2008, on account of medical reasons.

Mr. WHITFIELD of Kentucky (at the request of Mr. BOEHNER) for today on account of unforeseen travel difficulties.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. WAMP) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today, April 1, 2, and 3.

Mr. JONES of North Carolina, for 5 minutes, today, April 1, 2, and 3.

Mr. FRANKS of Arizona, for 5 minutes, today, April 1, 2, and 3.

Mr. DREIER, for 5 minutes, today, April 1, 2, and 3.

Mr. WAMP, for 5 minutes, today.

Mrs. SCHMIDT, for 5 minutes, today.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today, April 1, 2, and 3.

ADJOURNMENT

Mrs. JONES of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 1, 2008, at 10 a.m., for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the fourth quarter of 2007 and the first quarter of 2008, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PATRICK J. ALWINE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 31 AND FEB. 3, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Patrick J. Alwine	1/31	2/1	Turkey		140.00				46.00		186.00
	2/1	2/2	Afghanistan		75.00						75.00
	2/2	2/3	Austria		209.00				295.29		504.29
Committee total											765.29

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PATRICK J. ALWINE, Mar. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, KENNETH A. KRAFT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 31 AND FEB. 3, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Kenneth A. Kraft	1/31	2/1	Turkey		140.00				46.00		186.00
	2/1	2/2	Afghanistan		75.00						75.00
	2/2	2/3	Austria		209.00				295.29		504.29
Committee total											765.29

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KENNETH A. KRAFT, Mar. 3, 2008.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL MURPHY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 16 AND FEB. 21, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Daniel Murphy	2/16	2/21	Cape Verde		1,600,000		6,845.60				8,445.60
Committee total					1,600.00		6,845.60				8,445.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANIEL MURPHY, Mar. 10, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL MURPHY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 16 AND FEB. 21, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Daniel Murphy	2/16	2/16	Portugal		1,600.00		6,845.60				8,445.60
	2/16	2/21	Cape Verde								
Committee total					1,600.00		6,845.60				8,445.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANIEL MURPHY, Mar. 10, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 1 AND DEC. 31, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ed Perlmutter	11/30	12/2	Jordan		139.65		6815.13		174.00		7128.78
	12/2	12/4	Iraq		9.63		4432.90		5.00		4447.53
Hon. Yvette Clarke	11/24	12/26	Italy		954.00		(3)				954.00
	11/27	11/27	Chad		286.00		(3)				286.00
	11/28	11/30	Ethiopia		610.00		(3)				610.00
	12/1	12/2	Belgium		452.00		(3)				452.00
Committee total					2,451.28		11,248.03		179.00		13,878.31

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BENNIE G. THOMPSON, Chairman.

OFFICE OF COMPLIANCE NOTICE OF ADOPTION OF SUBSTANTIVE REGULATIONS AND SUBMISSION FOR CONGRESSIONAL APPROVAL

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, March 21, 2008.

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

DEAR MADAM SPEAKER: On March 14, 2008, The Board of Directors of the Office of Compliance sent to your office the Text of Adopted Veterans' Employment Opportunities Regulations and a Notice of Adoption of Substantive Regulations and Submission for Congressional Approval. We have been advised that there are a few typographical errors in the Text of the Regulations and in the Notice and Submission. Please accept the attached documents and disc as the corrected versions of both the Text of the Regulations and the Notice and Submission.

The Notice and Submission has been corrected to show that it is in Section 1.118(c), rather than Section 1.117(c) that the Board has clarified that an applicant's request for information must be made in writing. In addition, the Notice and Submission has been corrected to show that it is Section 1.118(d), rather than Section 1.118(e) that has been revised to provide that employing offices are expected to answer applicant questions concerning the employing office's veterans' preference policies and practices only if such questions are ''relevant and non-confidential.''

The Text of the Regulations has also been corrected to be consistent with the Notice and Submission and modifies Section 1.108(b) to require employing offices to consider veterans' preference as ''an affirmative factor in the employing office's determination of who will be appointed from among qualified applicants.''

The Board requests that the accompanying corrected Notice be published in both the House and Senate versions of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal. The Board also requests that Congress approve the proposed Regulations, as corrected and further specified in the accompanying Notice.

An inquiries regarding the accompanying Notice should be addressed to Tamara E. Chrisler, Executive Director of the Office of Compliance, 110 2nd Street, SE., Room LA–200, Washington, DC. 20540; 202–724–9250, TDD 202–426–1912.

Sincerely,

SUSAN S. ROBFOGEL,
Chair.

ADOPTION OF THE OFFICE OF COMPLIANCE REGULATIONS IMPLEMENTING CERTAIN SUBSTANTIVE EMPLOYMENT RIGHTS AND PROTECTIONS FOR VETERANS, AS REQUIRED BY 2 U.S.C. 1316a, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED (CAA)

PROCEDURAL SUMMARY

Issuance of the board's initial notice of proposed rulemaking

On February 28, 2000, and March 9, 2000, the Office of Compliance published an Advanced Notice of Proposed Rulemaking (''ANPR'') in the Congressional Record (144 Cong. Rec. S862 (daily ed., Feb. 28, 2000), H916 (daily ed., March 9, 2000)). On December 6, 2001, upon consideration of the comments to the ANPR, the Office published a Notice of Proposed Rulemaking (''NPR'') in the Congressional Record (147 Cong. Rec. S12539 (daily ed. Dec. 6, 2001), H9065 (daily ed. Dec. 6, 2001)). The Board took no action on those earlier Notices and instead, after extensive consultation with stakeholders, issued a subsequent Notice on December 1, 2001.

Why did the Board propose these new Regulations? Section 4(c) of the CAA, 2 U.S.C. 1316a (4), requires that the Board of Directors propose substantive regulations implementing the rights and protections relating to veterans' employment which are ''the same as the most relevant substantive regulations (applicable with respect to the executive branch) promulgated to implement the statutory provisions . . . except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.''

What procedure followed the Board's December 1, 2001 Notice of Proposed Rulemaking? The December 1, 2001 Notice of Proposed Rulemaking included a thirty day comment period, which began on December 2, 2001. A number of comments to the proposed substantive regulations were received by the Office of Compliance from interested parties. The Board of Directors has reviewed the comments from interested parties, engaged in extensive discussions with stakeholders to obtain input and suggestions into the drafting of the regulations, made a number of changes to the proposed substantive regulations in response to comments, and has adopted the amended regulations.

What is the effect of the Board's ''adoption'' of these proposed substantive regulations? Adoption of these substantive regulations by the Board of Directors does not complete the promulgation process. Pursuant to section 304 of the CAA, 2 U.S.C. 1384, the procedure for promulgating such substantive regulations requires that:

(1) the Board of Directors issue proposed substantive regulations and publish a general notice of proposed rulemaking in the Congressional Record (the December 1 Notice);

(2) there be a comment period of at least 30 days after the date of publication of the general notice of proposed rulemaking; and

(3) after consideration of comments by the Board of Directors, that the Board adopt regulations and transmit notice of such action together with the regulations and a recommendation regarding the method for Congressional approval of the regulations to the Speaker of the House and President pro tempore of the Senate for publication in the Congressional Record.

This Notice of Adoption of Substantive Regulations and Submission for Congressional Approval completes the third step described above.

What are the next steps in the process of promulgation of these regulations? Pursuant to section 304(b)(4) of the CAA, 2 U.S.C. 1384(b)(4), the Board of Directors is required to ''include a recommendation in the general notice of proposed rulemaking and in the regulations as to whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution.'' The Board of Directors recommends that the House of Representatives

adopt the ''H'' version of the regulations by resolution; that the Senate adopt the ''S'' version of the regulations by resolution; and that the House and Senate adopt the ''C'' version of the regulations applied to the other employing offices by a concurrent resolution.

Are there regulations covering veterans' rights currently in force under the CAA? No.

ADDITIONAL GENERAL INFORMATION

Why are there substantive differences in the proposed regulations for the House of Representatives, the Senate, and the other employing offices? Because the Board of Directors has identified ''good cause'' to modify the executive branch regulations to implement more effectively the rights and protections for veterans, there are some differences in other parts of the proposed regulations applicable to the Senate, the House of Representatives, and the other employing offices.

Are these proposed regulations also recommended by the Office of Compliance's Executive Director, the Deputy Executive Director for the Senate, and the Deputy Executive Director for the House of Representatives? Yes, as required by section 304(b)(1) of the CAA, 2 U.S.C. 1384(b)(1), the substance of these regulations have also been recommended by the Executive Director and Deputy Executive Directors of the Office of Compliance.

Are these proposed CAA regulations available to persons with disabilities in an alternate format? This Notice of Adoption of Substantive Regulations, and Submission for Congressional Approval is available on the Office of Compliance web site, www.compliance.gov, which is compliant with section 508 of the Rehabilitation Act of 1973 as amended, 29 U.S.C. 794d. This Notice can also be made available in large print or Braille. Requests for this Notice in an alternative format should be made to: Annie Leftwood, Executive Assistant, Office of Compliance, 110 2nd Street, S.E., Room LA–200, Washington, DC 20540; 202–724–9250; TDD: 202–426–1912; FAX: 202–426–1913.

Supplementary Information: The Congressional Accountability Act of 1995 (CAA), PL 104–1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 12 federal labor and employment statutes to covered employees and employing offices within the Legislative Branch of Government. Section 301 of the CAA (2 U.S.C. 1381) establishes the Office of Compliance as an independent office within the Legislative Branch.

THE BOARD'S RESPONSES TO COMMENTS

Summary of major comments

Covered employees

Section 1.102 sets forth general definitions that apply throughout the Board's veterans' preference regulations. The Committee on House Administration expressed the concern that readers might find the definitions that determine coverage of the regulations confusing. The definition of ''covered employee'' in Section 1.102(f) traces the definition of the same term in the Congressional Accountability Act, and then applies the differently worded and potentially more limited exception to that term as provided in the VEOA. Because these two aspects of the definition in Section 1.102(f) are based on statutory language, we have not revised the definition itself. However, the final regulations include a new Section 1.101(c) entitled ''Scope of Regulations'' that contains a clear statement that the regulations shall not apply to an employing office that only employs individuals excluded from the definition of ''covered employee'' under the VEOA, including employees whose appointment is made by a member of Congress or by a Committee or Subcommittee of either House of Congress or a Joint Committee of the House of Representatives and the Senate.

In view of the selection process for certain Senate employees, the words ''or directed'' have been added to the definition of ''covered employee'' to include any employee who is hired at the direction of a Senator, but whose appointment form is signed by an officer of either House of Congress. Including the words ''or directed'' in the definition has the effect of excluding such employees from the definition of ''covered employee'' for purposes of the veterans' preference provisions in the regulations to be made applicable to the Senate. A reference to 2 U.S.C. §43d(a) also has been added to the definition of ''covered employee''. Including the reference to 2 U.S.C. §43d(a) has the effect of excluding employees whose appointment is allowed under that statutory provision from the definition of ''covered employee'' in the regulations to be made applicable to the Senate. These changes will give full effect to the exclusion in 2 U.S.C. §1316(5)(B).

Similar additions were not made in the definition of ''covered employee'' that appears in the regulations to be made applicable to the House of Representatives. It appears that this language would be overreaching for the House. As the House has different methods of making appointments and selections, this language appears to be unnecessary and may create confusion given the practices of the House. Employees of members' offices are excluded from coverage, and section 1.101(c) of the draft regulations provides a number of additional exceptions to coverage that otherwise are applicable to the House:

(1) whose appointment is made by the President with the advice and consent of the Senate;

(2) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or

(3) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of Section 3132(a)(2) of title 5, United States Code).

We believe the exceptions to coverage listed above will exclude from coverage all employees of the House who by statute were not meant to be covered under the VEOA provisions, without creating unintended exceptions due to the selection procedures under HEPCA.

The ''or directed'' language has not been made to the definition of ''covered employee'' in the regulations to be made applicable to the other employing offices. Employees of those other employing offices are included in the definition of ''covered employee'' even if their appointment form is signed or subject to final approval by a Member or Members of Congress.

Definition of ''appointment''

Section 1.102(d) defines the term ''appointment''. As initially proposed the term excluded ''inservice placement actions such as promotions''. This exclusion was derived from OMB regulations applicable in the executive branch. See 5 CFR 211.102(c). Senate stakeholders noted that the term ''inservice placement actions'' is not commonly used in the legislative branch and questioned whether the veterans' preference would apply in any post-employment decisions other than reductions in force as that term is defined in these regulations. In the executive branch, the preference afforded to preference eligibles in the appointment process only applies to original appointments in the competitive service. See 5 U.S.C. §3309. It is possible, therefore, for an executive branch employee who has initially been employed in a position that is not within the competitive service to later seek appointment to a position in the competitive service. The employing offices within the legislative branch do not have a ''competitive service'' and therefore do not recognize the notion that an initial appointment to the competitive service could be made by an employee holding a position that is not in the competitive service. For these reasons, the Board agreed that use of the phrase ''inservice placement actions'' was confusing and possibly misleading. In the final regulations, the definition of ''appointment'' has been modified to exclude ''any personnel action that an employing office takes with regard to an existing employee of the employing office''.

Definition of employing office

In addition to the changes discussed above, technical corrections were made to the definition of ''employing office'', to clarify that the term includes the Capitol Police Board.

Veterans' preference in appointments to restricted positions

Section 1.107 addresses the application of veterans' preference in appointments to the restricted positions of custodian, elevator operator, guard and messenger. As proposed, Section 1.107 provided that, for these positions, the employing office ''shall restrict competition to preference eligibles as long as preference eligibles are available.'' The Committee on House Administration suggested that the requirement of an absolute preference for veterans (and other preference eligibles) to fill guard positions without regard to experience, quality of work or employment references would undermine the efforts of various congressional entities to provide the most secure environment possible for the employees of and visitors to the Congressional office buildings. For this reason, the Committee requested that the Board find ''good cause'' for deviating from the executive branch regulations and exclude the position of guard from Section 1.107.

Section 1.107 derives from statutory language made applicable to the legislative branch by the VEOA. Removing one of the four restricted positions from the regulations would represent a significant deviation from the VEOA's goal of applying the veterans' preference principles currently applicable in the executive branch in the legislative branch. However, the Board agrees that employing offices should not be required to appoint individuals who are not qualified to perform the role of a guard, particularly where unique security concerns are present, simply because the individual is preference eligible. Accordingly, the final regulation clarifies that with respect to the four statutory restricted positions, the employing office ''shall restrict competition to preference eligible applicants as long as qualified preference eligible applicants are available.'' This reference to ''qualified ... applicants'' is intended to refer to the definition of ''qualified applicant'' in Section 1.102(q). Section 1.102(q) defines the term as an applicant for a covered position whom an employing office deems to satisfy the requisite minimum job-related requirements of the position. Employing offices are provided flexibility in devising the minimum job-related requirements for a particular covered position. The unique security concerns on Capitol Hill may result in additional or more stringent requirements for the position of guard. Accordingly, we have revised Section 1.107 to clarify that preference eligibles must be qualified to be considered for any restricted position, be it that of custodian, elevator operator, guard, or messenger.

Senate Employment Counsel noted that the definitions of three of the four listed restricted positions include the limiting words ''primary duty,'' and suggested that the definition of ''guard'' also include the primary duty limitation. We agree that this is important given that the definition of guard includes those who ''make observations for detection of fire, trespass, unauthorized removal of public property or hazards to federal personnel or property'' and any manager responsible for insuring a safe work environment may engage in these activities. Accordingly, we have included the limiting words ''primary duty'' in the definition of guard.

Veterans' preference in appointments to nonrestricted covered positions

Section 1.108(a) requires employing offices who use numerical examination or rating systems to add points to the ratings of preference eligibles in a manner that is comparable to the points added in accordance with the provisions of 5 U.S.C. §3309. Comments submitted by the Committee on House Administration express the concern that a ''numerical examination or rating system'' may be interpreted to apply whenever one interviewer ''rates'' or gives numerical ''grades'' to interviewees even though other interviewers and decision makers are not using a similar system. To address this concern, Section 1.108(a) has been revised to provide that the addition of veterans' preference points is required only when the employing office has ''duly adopted a policy requiring the numerical scoring or rating of applicants for covered positions. . . .''

As proposed, Section 1.108(b) would have required employing offices to consider veterans' preference eligibility as an affirmative factor that would be ''given weight in a manner proportionately comparable to the points prescribed in 5 U.S.C. §3309 in the employing office's determination of who will be appointed from among qualified applicants.'' Several commenters expressed concern with respect to the manner in which Section 1.108(b)'s requirements would be administered. For example, some expressed the concern that application of a factor ''proportionately comparable'' to a point system would, in itself, require the adoption of a point system to ensure compliance. Others expressed concern with respect to when the preference should be afforded to qualified applicants, and suggested that Section 1.108(b) simply require that the preference be the deciding factor if all other factors among the applicants considered most qualified were equal. After careful consideration, the Board has modified Section 1.108(b) to require employing offices to consider veterans' preference eligibility as ''an affirmative factor in the employing office's determination of who will be appointed''. This change has been adopted to confirm that these regulations are not intended to require employing offices that do not use point-based rating systems to adopt them simply to be able to comply with their VEOA obligations. The Board reiterates that, because Section 1.108(b) is derived from the statutory provisions in 5 U.S.C. §3309, veterans' preference will not be the only factor, and, depending upon the relative merits of the candidates, may not be the most important factor in the employing office's appointment decision. Section 3309 affords preference eligibles 5 or 10 points when a 100-point rating scale is used, and employing offices are not required to afford any greater weight to veterans' preference in their appointment decisions. The Board notes that all preference eligibles who are found by the employing office to be ''qualified applicants'' must be afforded the preference. The Board expects that in cases where all other factors are relatively equal, consideration of the preference as an affirmative factor may result in the preference eligible being appointed. In other cases, consideration of the preference as an affirmative factor may boost the applicant further along in the appointment process but ultimately not be sufficient to overcome the other favorable attributes of the final candidate or even of the others within a final pool of candidates.

Waiver of physical requirements in appointments to covered positions

As proposed, Section 1.110(b) required an employing office to notify an otherwise qualified preference eligible applicant who has a compensable service-connected disability of 30% or more if the employing office determines that the applicant is not able to fulfill the physical requirements of the position. The employing office must inform the applicant of the reasons for the employing office's determination and allow the applicant 15 days to respond and submit additional information to the employing office. Thereafter, the ''highest level'' of the employing office must consider any response and additional information supplied by the applicant and notify the applicant of its findings regarding the applicant's ability to perform the duties of the position.

The Committee on House Administration inquired whether an employing office must engage in the prescribed dialogue if the applicant is clearly not the most qualified applicant for the position. A concern regarding the timing of the required dialogue was also raised in the comments received from the Senate Employment Counsel. In those comments, Counsel raised the concern that engaging in the required dialogue before a conditional offer of employment is made would conflict with the provisions of the Americans with Disabilities Act regarding pre-employment disability-related inquiries. Section 1.110 does not require or allow employing offices to engage in any inquiries that would be unlawful under the Americans with Disabilities Act. In accordance with 5 U.S.C §3312, Section 1.110(a)(2) requires an employing office to waive physical requirements on the basis of ''the evidence before it'', including any recommendation of an accredited physician submitted by the preference eligible applicant. It is presumed that such evidence will come before the employing office through means allowed under the Americans with Disabilities Act, whether this occurs through an applicant's request for accommodation or through lawful pre-employment inquiries. Similarly, Section 1.110(b) does not require an employing office to make a determination regarding preference eligible applicants' physical ability to perform the duties of the position, but only describes the procedures that must be followed if and when such a determination is made.

The Committee on House Administration also expressed the concern that a 15-day response period would impair an employing office's operations if there is a need to fill a particular covered position quickly. To respond to this concern, the final regulation includes the statement, ''The director of the employing office may, by providing written notice to the preference eligible applicant, shorten the period for submitting a response with respect to an appointment to a particular covered position, if necessary because of a need to fill the covered position immediately.''

The Committee on House Administration inquired about the definition of the ''highest level'' within the employing office. Consistent with the Committee's suggestions, the final regulation refers to the ''highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office.''

Comments submitted by the Capitol Police inquired about the definition of ''accredited physician'' as used in Section 1.110(a)(2). The final regulations contain a definition of this term at Section 1.102(a).

Definitions applicable in reductions in force

Senate Employment Counsel raised a concern with respect to the proposed Section 1.111(b) provision that the ''minimum competitive area'' be a department or subdivision of the employing office ''under separate administration.'' Counsel raised the concern that this definition could be interpreted in a manner inconsistent with the definition of ''competitive area'' as ''that portion of the employing office's organizational structure, as determined by the employing office, in which covered employees compete for retention.'' Counsel notes that certain employing offices, such as the Sergeant-At-Arms and the Secretary of the Senate, have multiple departments that are headed by different individuals, but some personnel decisions may be centralized with the executive office of the employing office. To address this concern, the final regulation deletes the reference to ''separate administration'' such that the minimum competitive area is a ''department or subdivision of the employing office within the local commuting area.''

In addition, Senate Employment Counsel suggested that the definition of ''reduction in force'' in Section 1.111(e) is broader in scope than the regulations applicable to the executive branch. In this respect, Counsel suggested that the executive branch regulations in 5 C.F.R. §351.201(a)(2) exclude any layoff or other personnel action that might otherwise be considered a ''reduction in force'' if at least 180 days prior notice is given. However, the executive branch regulations apply the 180-day exception only to ''the reclassification of an employee's position due to erosion of duties when such action will take effect after an agency has formally announced a reduction in force in the employee's competitive area and when the reduction in force will take effect within 180 days.'' As a result, the Board does not consider Section 1.111(e) to be broader in scope than the executive branch regulations.

The Board also considered the application of a veterans' preference in connection with terminations and other reductions attributable to a change in party leadership or majority party status within the House of Congress in which a covered employee is employed. The Board has determined that positions affected by such changes are subject to the same considerations applicable to positions in which appointment is made or directed by a Member of Congress. The Board therefore has excluded terminations and reductions attributable to such changes from the definition of reduction in force in Section 1.111(e) in the regulations applicable to the House and Senate, in order to give full effect to the exclusion in 2 U.S.C. §1316(5)(B). These changes have not been made to the definition of ''reduction in force'' contained in the regulations applicable to the other employing offices.

The Committee on House Administration suggested that the requirement of ''objectively quantifiable evidence'' be stricken from the definition of ''undue interruption'' in Section 1.111(f). The concept of ''undue interruption'' is used in Section 1.111(c) in determining whether various covered positions must be included within a particular position classification or job classification. Section 1.111(c) states that position classifications or job classifications ''shall refer to all covered positions within a competitive area that are in the same grade, occupational level or classification, and which are similar enough in duties, qualification requirements, pay schedules, tenure (type of

employment) and working conditions so that an employing office may reassign the incumbent of one position to any of the other positions in the position classification without undue interruption.'' The Committee noted that the definition of ''undue interruption'' in Section 1.111(f) allows an employing office to consider quality of work when assessing whether an employee transferred into the position would need more than 90 days to complete required work, and expressed concern with the requirement in the proposed regulation that an employing office prove ''undue interruption'' by ''objectively quantifiable evidence.'' In this respect, the Committee noted that quality of work is often a subjective determination which, by its nature, cannot always be proven by ''objectively quantifiable evidence.'' The Board agrees that the proposed ''objectively quantifiable evidence'' requirement could create unnecessary confusion with respect to the burden of proof applicable in a claim brought under the VEOA and has, therefore, deleted the reference to ''objectively quantifiable evidence'' in the final regulations.

The Committee also questioned Section 1.111(f)'s reference to ''work programs.'' Although the Committee requested that the Board provide a definition of ''work program,'' the Board considered it more prudent to make this provision consistent with other references in Section 1.111(f) to ''work'' as opposed to ''work programs.''

The Committee on House Administration also inquired whether the definition of reduction in force in Section 1.111(e) applies to temporary employees. The final regulation clarifies that the term ''reduction in force'' does not encompass a termination or other personnel action ''involving an employee who is employed by the employing office on a temporary basis.''

Application of preference in reductions in force

Section 1.112 makes veterans' preference the controlling factor in retention decisions if the preference eligible's performance has not been rated unacceptable. As noted by Senate Employment Counsel, the Board's proposed regulation is based upon 5 U.S.C. §3502(c), which provides that an employee is entitled to such preference if the employee's ''performance has not been rated unacceptable under a performance appraisal system implemented under Chapter 43 of this Title. . . .'' The Supreme Court has interpreted analogous language in the predecessor legislation to mean that preference eligible veterans have preference over all non-preference eligible employees, without regard to tenure, length of service, or efficiency of performance. Hilton v. Sullivan, 334 U.S. 323, 335 (1948). Counsel notes that the Senate is not subject to the performance appraisal system set forth in Chapter 43 of Title 5 and asserts that it is improper to use 5 U.S.C. 3502(c) as the basis for a regulation requiring the retention of veterans over non-veterans in all cases. Counsel suggests that the regulation should be based on 5 U.S.C. §3502(a), which requires that any implementing regulation give ''due effect'' to tenure of employment, military preference (subject to §3501(a)(3)), length of service and efficiency or performance ratings. The Board has carefully considered these comments and continues to believe that because the VEOA makes 5 U.S.C. §3502(c) applicable to the legislative branch, the absolute veterans' preference embodied in that section also must be made applicable to the legislative branch. The Board notes that the Supreme Court's finding in Hilton was not based on the unique elements and attributes of the performance appraisal system implemented under Chapter 43 of Title 5, but on its understanding that ''Congress passed the bill with full knowledge that the long standing absolute retention preference of veterans would be embodied in the Act.'' Hilton, 334 U.S. at 339. The Board considers its task in devising these regulations to implement veterans' preference in the legislative branch in a manner that mirrors, as closely as possible, the veterans' preference principles applicable in the executive branch. Accordingly, the final regulation retains Section 1.112 in substantially the form proposed, because the primary purpose of 5 U.S.C. §3502(c) is to make veteran's preference the controlling factor in retention decisions. An additional concern was expressed that use of the term ''rated'' in Section 1.112 suggests that employing offices must adopt formal rating systems in order to comply with the regulation. The Board agrees that the term may lead to confusion and has modified the provisions in Section 1.112 so that the veterans' preference will apply only if the preference eligible employee's performance has not been ''determined to be'' unacceptable.

Good cause for requirements in subpart E

The regulations in Subpart E contain various informational requirements. Section 1.116 requires an employing office with covered employees to adopt a written veterans' preference policy. Section 1.117 requires employers to retain certain information regarding their veterans' preference decisions for specified periods of time. Sections 1.118 and 1.119 address the dissemination of information to applicants for covered positions. Section 1.120 addresses the dissemination of information to covered employees generally, and Section 1.121 describes the notice that must be given before a reduction in force.

Senate Employment Counsel and the Capitol Police note that no corresponding executive branch regulation would require either the adoption of a written policy or the other informational and record keeping requirements in Subpart E. These commenters express the concern that the regulations in Subpart E are not consistent with the directive in Section 4(c)(4)(B) of the VEOA, which states in relevant part, ''The regulations issued ... shall be the same as the most relevant substantive regulations (applicable with respect to the executive branch) promulgated to implement the statutory provisions . . . except insofar as the Board may determine for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.''

The Board has carefully considered these concerns and reaffirms its previous determination that there is good cause for adopting the requirements described in Subpart E of the regulations. We note first that the very structure of the statutory provisions made applicable to the legislative branch by the VEOA presumes that uniformly applicable policies and procedures will be used in applying veterans' preference in hiring and retention decisions. We also continue to believe that the requirements in Subpart E of the regulations are a necessary counterpart to the approach reflected in the veterans' preference regulations, which affords employing offices with significant discretion and flexibility in implementing their own veterans' preference policies and procedures. For example, the regulations do not mandate a particular policy or practice in implementing veterans' preference, such that applicants cannot turn to published regulations to fully determine their rights. Further, since the regulations do not mandate the maintenance of retention registers, covered employees will not be able to inspect such registers to determine their retention status vis-à-vis other employees. Because OPM-like regulations will not be adopted, the Board has determined that the creation of a policy, dissemination of information and record keeping are necessary to insure the effective implementation of the rights and protections provided under the VEOA. This approach meets the requirements of Section 4(c)(4)(B) of the VEOA and is also consistent with the purposes of the Congressional Accountability Act (see Section 301(h) of the Act, 2 U.S.C. §1381(h), which charges the Office of Compliance with carrying out a program of education ''. . . to inform individuals of their rights under laws made applicable to the legislative branch of the Federal Government'').

Adoption of Veterans' Preference Policy

Senate Employment Counsel and other commenters suggest that, as proposed, Section 1.116 was overbroad to the extent that it would require employing offices to make their veterans' preference policies available to the public upon request. Senate Employment Counsel notes that ''unlike executive branch agencies, Senate employing offices are not subject to the Freedom of Information Act and therefore have no duty to make available to the public any records regarding their employment practices.'' (Citing 5 U.S.C. §551, which defines ''agency'' as excluding the Congress.) The Board agrees that effective implementation of the rights and protections under the VEOA only requires dissemination of information regarding an employing office's veterans' preference policies to covered employees and applicants for covered positions. Accordingly, the final Section 1.116 has deleted the requirement that these policies be made available to the public upon request.

Record keeping

Senate Employment Counsel suggests that the record retention period described in Section 1.117 be shortened from one year to nine months or perhaps 275 days, given the deadlines by which an employee must request counseling and mediation under Sections 402 and 403 of the Congressional Accountability Act, 2 U.S.C. §1402 and §1403. In this respect, Counsel suggests that an employing office will always be informed about a possible claim within 8 months or approximately 240 days after notice of hiring or a reduction in force is provided to the employee. Counsel has not suggested that the requirement that applicable records be retained for one year, or 90 to 120 days longer than may be required given the CAA deadlines, will work a significant hardship on employing offices, and the Board finds it prudent to allow additional time from the date on which the employing office is formally notified of a claim for that notice to reach the individual representatives of the employing office who have maintained records relative to the claim.

Dissemination of veterans' preference policies to applicants for covered positions

As proposed, Section 1.118 required that employing offices disseminate their veterans' preference policies and procedures to ''all qualified applicants'' for a covered position. Several of the commenters expressed concern with the burden and cost attendant to such a requirement. The final regulation, in Section 1.118(c), requires that the described information be provided ''upon request'' from an applicant for a covered position, and does note require dissemination to ''all qualified applicants.'' In Section 1.118(c) of the final regulations, the Board has also clarified that an applicant's request for information must be made in writing. To ensure that preference eligible applicants will know that they may request information from an employing office, we have added

Section 1.118(b)(3), which requires that invitations to self-identify oneself as veterans' preference eligible applicants ''state clearly that applicants may request information about the employing office's veterans' preference policies as they relate to appointments to covered positions and . . . describe the employing office's procedures for making such requests.''

The Committee on House Administration also suggested that Section 1.118(d) be modified to provide that employing offices are expected to answer applicant questions concerning the employing office's veterans' preference policies and practices only if such questions are ''relevant and non-confidential.'' The Board agrees and has revised Section 1.118(d) as suggested.

Dissemination of veterans' preference policies to covered employees

Several comments were received regarding Sections 1.119 (dissemination of veterans' preference policies to covered employees), 1.120 (written notice prior to a reduction in force), and 1.121 (informational requirements regarding veterans' preference determinations). In the final regulations, these provisions have been modified in several ways. Requirements regarding information that must be provided to preference eligible applicants as a result of appointment determinations have been moved from Section 1.121(a) and now appear in Section 1.119.

Section 1.119 of the final regulations addresses requests for information by applicants for a covered position. The requirements of this Section have been limited to providing the employing office's veterans' preference policy or a summary of the policy as it relates to appointments to covered positions, a statement of whether the applicant is preference eligible and, if the applicant is not preference eligible, the reasons for the employing office's determination that the applicant is not preference eligible. After further consideration, the Board removed from the final regulations the requirements that the employing office provide additional information about its appointment decision. As noted previously, these regulations are intended to implement veterans' preference in the legislative branch in a manner that mirrors as closely as possible the veterans' preference principles applicable in the executive branch. The Board has removed the additional informational requirements because they exceeded OPM requirements and were not deemed critical to the implementation and enforcement of the veterans' preference principles made applicable to the legislative branch by the VEOA.

Section 1.120 of the final regulations addresses the dissemination of veterans' preference policies to covered employees. For the reasons addressed above, Section 1.120(c) limits an employing office's responsibility to answer questions from covered employees to those questions that are ''relevant and non-confidential'' concerning the employing office's veterans' preference policies and practices.

Section 1.121 of the final regulations addresses the written notice required prior to a reduction in force. Under Section 1.121(b)(6)(A) and (B) of the final regulations, the written notice must include a list of all covered employees in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible, and a list of all covered employees in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible. Along with the information required under Section 1.121(b)(4) (the covered employee's competitive area) and Section 1.121(b)(5) (the covered employee's eligibility for the veterans' preference in retention and how that status was determined) of the final regulations, these lists are intended to replace the provisions in 5 U.S.C. §3502(d)(2)(D), which require that the notice include ''the employee's ranking relative to other competing employees, and how that ranking was determined.'' Because this information will be provided in the notice required before a reduction in force, the Board has determined that it is unnecessary to require that additional information be provided to employees affected by a reduction in force, as had been contemplated by Section 1.121(b) of the proposed regulations.

The changes in Sections 1.118, 1.119, 1.120 and 1.121 of the final regulations are intended to reduce the burden and cost to employing offices in providing information to applicants for covered positions, and to reduce the burden and cost to employing offices in providing information to covered employees in the event of a reduction in force.

TEXT OF ADOPTED VETERANS' EMPLOYMENT OPPORTUNITIES REGULATIONS

When approved by the House of Representatives for the House of Representatives, these regulations will have the prefix ''H.'' When approved by the Senate for the Senate, these regulations will have the prefix ''S.'' When approved by Congress for the other employing offices covered by the CAA, these regulations will have the prefix ''C.''

In this draft, ''H&S Regs'' denotes the provisions that would be included in the regulations applicable to be made applicable to the House and Senate, and ''C Reg'' denotes the provisions that would be included in the regulations to be made applicable to other employing offices.

PART 1—Extension of Rights and Protections Relating to Veterans' Preference Under Title 5, United States Code, to Covered Employees of the Legislative Branch (section 4(c) of the Veterans Employment Opportunities Act of 1998)

Subpart A—Matters of General Applicability to All Regulations Promulgated under Section 4 of the VEOA

Sec.
1.101 Purpose and scope.
1.102 Definitions.
1.103 Adoption of regulations.
1.104 Coordination with section 225 of the Congressional Accountability Act.

SEC. 1.101. PURPOSE AND SCOPE.

(a) Section 4(c) of the VEOA. The Veterans Employment Opportunities Act (VEOA) applies the rights and protections of sections 2108, 3309 through 3312, and subchapter I of chapter 35 of title 5 U.S.C., to certain covered employees within the Legislative branch.

(b) Purpose of regulations. The regulations set forth herein are the substantive regulations that the Board of Directors of the Office of Compliance has promulgated pursuant to section 4(c)(4) of the VEOA, in accordance with the rulemaking procedure set forth in section 304 of the CAA (2 U.S.C. §1384). The purpose of subparts B, C and D of these regulations is to define veterans' preference and the administration of veterans' preference as applicable to Federal employment in the Legislative branch. (5 U.S.C. §2108, as applied by the VEOA). The purpose of subpart E of these regulations is to ensure that the principles of the veterans' preference laws are integrated into the existing employment and retention policies and processes of those employing offices with employees covered by the VEOA, and to provide for transparency in the application of veterans' preference in covered appointment and retention decisions. Provided, nothing in these regulations shall be construed so as to require an employing office to reduce any existing veterans' preference rights and protections that it may afford to preference eligible individuals.

H Regs: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congress within an employing office, as defined by Sec. 101 (9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

S Regs: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made or directed by a Member of Congress within an employing office, as defined by Sec. 101(9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed pursuant to 2 U.S.C. §43d(a); or (5) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

C Reg: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congres or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (3) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

SEC. 1.102. DEFINITIONS.

Except as otherwise provided in these regulations, as used in these regulations:

(a) Accredited physician means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices. The phrase ''authorized to practice by the State'' as used in this section means that the provider must be authorized to diagnose and

treat physical or mental health conditions without supervision by a doctor or other health care provider.

(b) Act or CAA means the Congressional Accountability Act of 1995, as amended (Pub. L. 104–1, §§109 Stat. 3, 2 U.S.C. §§1301–1438).

(c) Active duty or active military duty means full-time duty with military pay and allowances in the armed forces, except (1) for training or for determining physical fitness and (2) for service in the Reserves or National Guard.

(d) Appointment means an individual's appointment to employment in a covered position, but does not include any personnel action that an employing office takes with regard to an existing employee of the employing office.

(e) Armed forces means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

(f) Board means the Board of Directors of the Office of Compliance.

H Regs: (g) Covered employee means any employee of (1) the House of Representatives; and (2) the Senate; (3) the Capitol Guide Board; (4) the Capitol Police Board; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; and (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of the Senate; (bb) whose appointment is made by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (dd) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

S. Regs: (g) Covered employee means any employee of (1) the House of Representatives; and (2) the Senate; (3) the Capitol Guide Board; (4) the Capitol Police Board; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; and (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of the Senate; (bb) whose appointment is made or directed by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (dd) who is appointed pursuant to 2 U.S.C. §43d(a); or (ee) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

C Reg: (g) Covered employee means any employee of (1) the Capitol Guide Service; (2) the Capitol Police; (3) the Congressional Budget Office; (4) the Office of the Architect of the Capitol; (5) the Office of the Attending Physician; or (6) the Office of Compliance, but does not include an employee: (aa) whose appointment is made by the President with the advice and consent of the Senate; or (bb) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (cc) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

(h) Covered position means any position that is or will be held by a covered employee.

(i) Disabled veteran means a person who was separated under honorable conditions from active duty in the armed forces performed at any time and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pensions because of a public statute administered by the Department of Veterans Affairs or a military department.

(j) Employee of the Office of the Architect of the Capitol includes any employee of the Office of the Architect of the Capitol, the Botanic Gardens, or the Senate Restaurants.

(k) Employee of the Capitol Police Board includes any member or officer of the Capitol Police.

(l) Employee of the House of Representatives includes an individual occupying a position the pay of which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (dd) of paragraph (g) above.

(m) Employee of the Senate includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (ee) of paragraph (g) above.

H Regs: (n) Employing office means: (1) the personal office of a Member of the House of Representatives; (2) a committee of the House of Representatives or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

S Regs: (n) Employing office means: (1) the personal office of a Senator; (2) a committee of the Senate or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, or be directed by a Member of Congress to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

C Reg: (n) Employing office means: the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance.

(o) Office means the Office of Compliance.

(p) Preference eligible means veterans, spouses, widows, widowers or mothers who meet the definition of ''preference eligible'' in 5 U.S.C. §2108(3)(A)–(G).

(q) Qualified applicant means an applicant for a covered position whom an employing office deems to satisfy the requisite minimum job-related requirements of the position. Where the employing office uses an entrance examination or evaluation for a covered position that is numerically scored, the term ''qualified applicant'' shall mean that the applicant has received a passing score on the examination or evaluation.

(r) Separated under honorable conditions means either an honorable or a general discharge from the armed forces. The Department of Defense is responsible for administering and defining military discharges.

(s) Uniformed services means the armed forces, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.

(t) VEOA means the Veterans Employment Opportunities Act of 1998 (Pub. L. 105–339, 112 Stat. 3182).

(u) Veterans means persons as defined in 5 U.S.C. §2108(1), or any superseding legislation.

SEC. 1.103. ADOPTION OF REGULATIONS.

(a) Adoption of regulations. Section 4(c)(4)(A) of the VEOA generally authorizes the Board to issue regulations to implement section 4(c). In addition, section 4(c)(4)(B) of the VEOA directs the Board to promulgate regulations that are ''the same as the most relevant substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)'' of section 4(c) of the VEOA. Those statutory provisions are section 2108, sections 3309 through 3312, and subchapter I of chapter 35, of title 5, United States Code. The regulations issued by the Board herein are on all matters for which section 4(c)(4)(B) of the VEOA requires a regulation to be issued. Specifically, it is the Board's considered judgment based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other ''substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)'' of section 4(c) of the VEOA that need be adopted.

(b) Modification of substantive regulations. As a qualification to the statutory obligation to issue regulations that are ''the same as the most substantive regulations (applicable with respect to the Executive branch)'', section 4(c)(4)(B) of the VEOA authorizes the Board to ''determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under'' section 4(c) of the VEOA.

(c) Rationale for Departure from the Most Relevant Executive Branch Regulations. The Board concludes that it must promulgate regulations accommodating the human resource systems existing in the Legislative branch; and that such regulations must take into account the fact that the Board does not possess the statutory and Executive Order based government-wide policy making authority underlying OPM's counterpart VEOA regulations governing the Executive branch. OPM's regulations are designed for the competitive service (defined in 5 U.S.C. §2102(a)(2)), which does not exist in the employing offices subject to this regulation. Therefore, to follow the OPM regulations would create detailed and complex rules and procedures for a workforce that does not exist in the Legislative branch, while providing no VEOA protections to the covered Legislative branch employees. We have chosen to propose specially tailored regulations, rather than simply to adopt those promulgated by OPM, so that we may effectuate Congress' intent in extending the principles of the veterans' preference laws to the Legislative branch through the VEOA.

SEC. 1.104. COORDINATION WITH SECTION 225 OF THE CONGRESSIONAL ACCOUNTABILITY ACT.

Statutory directive. Section 4(c)(4)(C) of the VEOA requires that promulgated regulations must be consistent with section 225 of

the CAA. Among the relevant provisions of section 225 are subsection (f)(1), which prescribes as a rule of construction that definitions and exemptions in the laws made applicable by the CAA shall apply under the CAA, and subsection (f)(3), which states that the CAA shall not be considered to authorize enforcement of the CAA by the Executive branch.

Subpart B—Veterans' Preference—General Provisions

Sec.
1.105 Responsibility for administration of veterans' preference.
1.106 Procedures for bringing claims under the VEOA.

SEC. 1.105. RESPONSIBILITY FOR ADMINISTRATION OF VETERANS' PREFERENCE.

Subject to section 1.106, employing offices with covered employees or covered positions are responsible for making all veterans' preference determinations, consistent with the VEOA.

SEC. 1.106. PROCEDURES FOR BRINGING CLAIMS UNDER THE VEOA.

Applicants for appointment to a covered position and covered employees may contest adverse veterans' preference determinations, including any determination that a preference eligible applicant is not a qualified applicant, pursuant to sections 401–416 of the CAA, 2 U.S.C. §§1401–1416, and provisions of law referred to therein; 206a(3) of the CAA, 2 U.S.C. §§1401, 1316a(3); and the Office's Procedural Rules.

Subpart C—Veterans' Preference in Appointments

Sec.
1.107 Veterans' preference in appointments to restricted covered positions.
1.108 Veterans' preference in appointments to non-restricted covered positions.
1.109 Crediting experience in appointments to covered positions.
1.110 Waiver of physical requirements in appointments to covered positions.

SEC. 1.107. VETERANS' PREFERENCE IN APPOINTMENTS TO RESTRICTED POSITIONS.

In each appointment action for the positions of custodian, elevator operator, guard, and messenger (as defined below and collectively referred to in these regulations as restricted covered positions) employing offices shall restrict competition to preference eligible applicants as long as qualified preference eligible applicants are available. The provisions of sections 1.109 and 1.110 below shall apply to the appointment of a preference eligible applicant to a restricted covered position. The provisions of section 1.108 shall apply to the appointment of a preference eligible applicant to a restricted covered position, in the event that there is more than one preference eligible applicant for the position.

Custodian—One whose primary duty is the performance of cleaning or other ordinary routine maintenance duties in or about a government building or a building under Federal control, park, monument, or other Federal reservation.

Elevator operator—One whose primary duty is the running of freight or passenger elevators. The work includes opening and closing elevator gates and doors, working elevator controls, loading and unloading the elevator, giving information and directions to passengers such as on the location of offices, and reporting problems in running the elevator.

Guard—One whose primary duty is the assignment to a station, beat, or patrol area in a Federal building or a building under Federal control to prevent illegal entry of persons or property; or required to stand watch at or to patrol a Federal reservation, industrial area, or other area designated by Federal authority, in order to protect life and property; make observations for detection of fire, trespass, unauthorized removal of public property or hazards to Federal personnel or property. The term guard does not include law enforcement officer positions of the Capitol Police Board.

Messenger—One whose primary duty is the supervision or performance of general messenger work (such as running errands, delivering messages, and answering call bells).

SEC. 1.108. VETERANS' PREFERENCE IN APPOINTMENTS TO NON-RESTRICTED COVERED POSITIONS.

(a) Where an employing office has duly adopted a policy requiring the numerical scoring or rating of applicants for covered positions, the employing office shall add points to the earned ratings of those preference eligible applicants who receive passing scores in an entrance examination, in a manner that is proportionately comparable to the points prescribed in 5 U.S.C. 3309. For example, five preference points shall be granted to preference eligible applicants in a 100–point system, one point shall be granted in a 20-point system, and so on.

(b) In all other situations involving appointment to a covered position, employing offices shall consider veterans' preference eligibility as an affirmative factor in the employing office's determination of who will be appointed from among qualified applicants.

SEC. 1.109. CREDITING EXPERIENCE IN APPOINTMENTS TO COVERED POSITIONS.

When considering applicants for covered positions in which experience is an element of qualification, employing offices shall provide preference eligible applicants with credit:

(a) for time spent in the military service (1) as an extension of time spent in the position in which the applicant was employed immediately before his/her entrance into the military service, or (2) on the basis of actual duties performed in the military service, or (3) as a combination of both methods. Employing offices shall credit time spent in the military service according to the method that will be of most benefit to the preference eligible applicant.

(b) for all experience material to the position for which the applicant is being considered, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether he/she received pay therefor.

SEC. 1.110. WAIVER OF PHYSICAL REQUIREMENTS IN APPOINTMENTS TO COVERED POSITIONS.

(a) Subject to (c) below, in determining qualifications of a preference eligible for appointment, an employing office shall waive:

(1) with respect to a preference eligible applicant, requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) with respect to a preference eligible applicant to whom it has made a conditional offer of employment, physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, the preference eligible applicant is physically able to perform efficiently the duties of the position;

(b) Subject to (c) below, if an employing office determines, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, that an applicant to whom it has made a conditional offer of employment is preference eligible as a disabled veteran as described in 5 U.S.C. §2108(3)(c) and who has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible applicant of the reasons for the determination and of the right to respond and to submit additional information to the employing office, within 15 days of the date of the notification. The director of the employing office may, by providing written notice to the preference eligible applicant, shorten the period for submitting a response with respect to an appointment to a particular covered position, if necessary because of a need to fill the covered position immediately. Should the preference eligible applicant make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office shall render a final determination of the physical ability of the preference eligible applicant to perform the duties of the position, taking into account the response and any additional information provided by the preference eligible applicant. When the employing office has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible applicant.

(c) Nothing in this section shall relieve an employing office of any obligations it may have pursuant to the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the Act, 2 U.S.C. §1302(a)(3).

Subpart D—Veterans' preference in reductions in force

Sec.
1.111 Definitions applicable in reductions in force.
1.112 Application of preference in reductions in force.
1.113 Crediting experience in reductions in force.
1.114 Waiver of physical requirements in reductions in force.
1.115 Transfer of functions.

SEC. 1.111. DEFINITIONS APPLICABLE IN REDUCTIONS IN FORCE.

(a) Competing covered employees are the covered employees within a particular position or job classification, at or within a particular competitive area, as those terms are defined below.

(b) Competitive area is that portion of the employing office's organizational structure, as determined by the employing office, in which covered employees compete for retention. A competitive area must be defined solely in terms of the employing office's organizational unit(s) and geographical location, and it must include all employees within the competitive area so defined. A competitive area may consist of all or part of an employing office. The minimum competitive area is a department or subdivision of the employing office within the local commuting area.

(c) Position classifications or job classifications are determined by the employing office, and shall refer to all covered positions within a competitive area that are in the same grade, occupational level or classification, and which are similar enough in duties, qualification requirements, pay schedules, tenure (type of appointment) and working conditions so that an employing office may reassign the incumbent of one position to any of the other positions in the position classification without undue interruption.

(d) Preference Eligibles. For the purpose of applying veterans' preference in reductions in force, except with respect to the application of section 1.114 of these regulations regarding the waiver of physical requirements, the following shall apply:

(1) ''active service'' has the meaning given it by section 101 of title 37;

(2) ''a retired member of a uniformed service'' means a member or former member of a uniformed service who is entitled, under statute, to retired, retirement, or retainer pay on account of his/her service as such a member; and

(3) a preference eligible covered employee who is a retired member of a uniformed service is considered a preference eligible only if (A) his/her retirement was based on disability—

(I) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(ii) caused by an instrumentality of war and incurred in the line of duty during a period of war as defined by sections 101 and 1101 of title 38;

(B) his/her service does not include twenty or more years of full-time active service, regardless of when performed but not including periods of active duty for training; or

(C) on November 30, 1964, he/she was employed in a position to which this subchapter applies and thereafter he/she continued to be so employed without a break in service of more than 30 days.

The definition of ''preference eligible'' as set forth in 5 U.S.C 2108 and section 1.102(o) of these regulations shall apply to waivers of physical requirements in determining an employee's qualifications for retention under section 1.114 of these regulations.

H&S Regs: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term ''reduction in force'' does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis, or (3) attributable to a change in party leadership or majority party status within the House of Congress where the employee is employed.

C Reg: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term ''reduction in force'' does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis.

(f) Undue interruption is a degree of interruption that would prevent the completion of required work by a covered employee 90 days after the employee has been placed in a different position under this part. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, work generally would not be considered to be unduly interrupted if a covered employee needs more than 90 days after the reduction in force to perform the optimum quality or quantity of work. The 90-day standard may be extended if placement is made under this part to a program accorded low priority by the employing office, or to a vacant position.

SEC. 1.112. APPLICATION OF PREFERENCE IN REDUCTIONS IN FORCE.

Prior to carrying out a reduction in force that will affect covered employees, employing offices shall determine which, if any, covered employees within a particular group of competing covered employees are entitled to veterans' preference eligibility status in accordance with these regulations. In determining which covered employees will be retained, employing offices will treat veterans' preference as the controlling factor in retention decisions among such competing covered employees, regardless of length of service or performance, provided that the preference eligible employee's performance has not been determined to be unacceptable. Provided, a preference eligible employee who is a ''disabled veteran'' under section 1.102(h) above who has a compensable service-connected disability of 30 percent or more and whose performance has not been determined to be unacceptable by an employing office is entitled to be retained in preference to other preference eligible employees. Provided, this section does not relieve an employing office of any greater obligation it may be subject to pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. §2101 et seq.) as applied by section 102(a)(9) of the CAA, 2 U.S.C. §1302(a)(9).

SEC. 1.113. CREDITING EXPERIENCE IN REDUCTIONS IN FORCE.

In computing length of service in connection with a reduction in force, the employing office shall provide credit to preference eligible covered employees as follows:

(a) a preference eligible covered employee who is not a retired member of a uniformed service is entitled to credit for the total length of time in active service in the armed forces;

(b) a preference eligible covered employee who is a retired member of a uniformed service is entitled to credit for:

(1) the length of time in active service in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized; or

(2) the total length of time in active service in the armed forces if he is included under 5 U.S.C. §3501(a)(3)(A), (B), or (C); and

(c) a preference eligible covered employee is entitled to credit for:

(1) service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Allotment Act or of a committee or association of producers described in section 10(b) of the Agricultural Adjustment Act; and

(2) service rendered as an employee described in 5 U.S.C. §2105(c) if such employee moves or has moved, on or after January 1, 1966, without a break in service of more than 3 days, from a position in a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard to a position in the Department of Defense or the Coast Guard, respectively, that is not described in 5 U.S.C. §2105(c).

SEC. 1.114. WAIVER OF PHYSICAL REQUIREMENTS IN REDUCTIONS IN FORCE.

(a) If an employing office determines, on the basis of evidence before it, that a covered employee is preference eligible, the employing office shall waive, in determining the covered employee's retention status in a reduction in force:

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the employee, the preference eligible covered employee is physically able to perform efficiently the duties of the position.

(b) If an employing office determines that a covered employee who is a preference eligible as a disabled veteran as described in 5 U.S.C. §2108(3)(c) and has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible covered employee of the reasons for the determination and of the right to respond and to submit additional information to the employing office within 15 days of the date of the notification. Should the preference eligible covered employee make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office, shall render a final determination of the physical ability of the preference eligible covered employee to perform the duties of the covered position, taking into account the evidence before it, including the response and any additional information provided by the preference eligible. When the employing office has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible covered employee.

(c) Nothing in this section shall relieve an employing office of any obligation it may have pursuant to the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

SEC. 1.115. TRANSFER OF FUNCTIONS.

(a) When a function is transferred from one employing office to another employing office, each covered employee in the affected position classifications or job classifications in the function that is to be transferred shall be transferred to the receiving employing office for employment in a covered position for which he/she is qualified before the receiving employing office may make an appointment from another source to that position.

(b) When one employing office is replaced by another employing office, each covered employee in the affected position classifications or job classifications in the employing office to be replaced shall be transferred to the replacing employing office for employment in a covered position for which he/she is qualified before the replacing employing office may make an appointment from another source to that position.

Subpart E—Adoption of Veterans' preference policies, recordkeeping & informational requirements.

Sec.
1.116 Adoption of veterans' preference policy.
1.117 Preservation of records made or kept.
1.118 Dissemination of veterans' preference policies to applicants for covered positions.
1.119 Information regarding veterans' preference determinations in appointments.
1.120 Dissemination of veterans' preference policies to covered employees.
1.121 Written notice prior to a reduction in force.

SEC. §1.116. ADOPTION OF VETERANS' PREFERENCE POLICY.

No later than 120 calendar days following Congressional approval of this regulation, each employing office that employs one or more covered employees or that seeks applicants for a covered position shall adopt its written policy specifying how it has integrated the veterans' preference requirements of the Veterans Employment Opportunities Act of 1998 and these regulations into its employment and retention processes. Upon timely request and the demonstration of good cause, the Executive Director, in his/her discretion, may grant such an employing office additional time for preparing its policy. Each such employing office will make

its policies available to applicants for appointment to a covered position and to covered employees in accordance with these regulations. The act of adopting a veterans' preference policy shall not relieve any employing office of any other responsibility or requirement of the Veterans Employment Opportunity Act of 1998 or these regulations. An employing office may amend or replace its veterans' preference policies as it deems necessary or appropriate, so long as the resulting policies are consistent with the VEOA and these regulations.

SEC. 1.117. PRESERVATION OF RECORDS MADE OR KEPT.

An employing office that employs one or more covered employees or that seeks applicants for a covered position shall maintain any records relating to the application of its veterans' preference policy to applicants for covered positions and to workforce adjustment decisions affecting covered employees for a period of at least one year from the date of the making of the record or the date of the personnel action involved or, if later, one year from the date on which the applicant or covered employee is notified of the personnel action. Where a claim has been brought under section 401 of the CAA against an employing office under the VEOA, the respondent employing office shall preserve all personnel records relevant to the claim until final disposition of the claim. The term ''personnel records relevant to the claim'', for example, would include records relating to the veterans' preference determination regarding the person bringing the claim and records relating to any veterans' preference determinations regarding other applicants for the covered position the person sought, or records relating to the veterans' preference determinations regarding other covered employees in the person's position or job classification. The date of final disposition of the charge or the action means the latest of the date of expiration of the statutory period within which the aggrieved person may file a complaint with the Office or in a U.S. District Court or, where an action is brought against an employing office by the aggrieved person, the date on which such litigation is terminated.

SEC. 1.118. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO APPLICANTS FOR COVERED POSITIONS.

(a) An employing office shall state in any announcements and advertisements it makes concerning vacancies in covered positions that the staffing action is governed by the VEOA.

(b) An employing office shall invite applicants for a covered position to identify themselves as veterans' preference eligible applicants, provided that in doing so:

(1) the employing office shall state clearly on any written application or questionnaire used for this purpose or make clear orally, if a written application or questionnaire is not used, that the requested information is intended for use solely in connection with the employing office's obligations and efforts to provide veterans' preference to preference eligible applicants in accordance with the VEOA; and

(2) the employing office shall state clearly that disabled veteran status is requested on a voluntary basis, that it will be kept confidential in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3), that refusal to provide it will not subject the individual to any adverse treatment except the possibility of an adverse determination regarding the individual's status as a preference eligible applicant as a disabled veteran under the VEOA, and that any information obtained in accordance with this section concerning the medical condition or history of an individual will be collected, maintained and used only in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

(3) the employing office shall state clearly that applicants may request information about the employing office's veterans' preference policies as they relate to appointments to covered positions, and shall describe the employing office's procedures for making such requests.

(c) Upon written request by an applicant for a covered position, an employing office shall provide the following information in writing:

(1) the VEOA definition of veterans' ''preference eligible'' as set forth in 5 U.S.C. 2108 or any superseding legislation, providing the actual, current definition in a manner designed to be understood by applicants, along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions, including any procedures the employing office shall use to identify preference eligible employees;

(3) the employing office may provide other information to applicants regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(d) Employing offices are also expected to answer questions from applicants for covered positions that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.119. INFORMATION REGARDING VETERANS' PREFERENCE DETERMINATIONS IN APPOINTMENTS.

Upon written request by an applicant for a covered position, the employing office shall promptly provide a written explanation of the manner in which veterans' preference was applied in the employing office's appointment decision regarding that applicant. Such explanation shall include at a minimum:

(a) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions; and

(b) a statement as to whether the applicant is preference eligible and, if not, a brief statement of the reasons for the employing office's determination that the applicant is not preference eligible.

SEC. 1.120. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO COVERED EMPLOYEES.

(a) If an employing office that employs one or more covered employees provides any written guidance to such employees concerning employee rights generally or reductions in force more specifically, such as in a written employee policy, manual or handbook, such guidance must include information concerning veterans' preference under the VEOA, as set forth in subsection (b) of this regulation.

(b) Written guidances described in subsection (a) above shall include, at a minimum:

(1) the VEOA definition of veterans' ''preference eligible'' as set forth in 5 U.S.C. 2108 or any superseding legislation, providing the actual, current definition along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to reductions in force, including the procedures the employing office shall take to identify preference eligible employees.

(3) the employing office may provide other information in its guidances regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(c) Employing offices are also expected to answer questions from covered employees that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.121. WRITTEN NOTICE PRIOR TO A REDUCTION IN FORCE.

(a) Except as provided under subsection (c), a covered employee may not be released due to a reduction in force, unless the covered employee and the covered employee's exclusive representative for collective-bargaining purposes (if any) are given written notice, in conformance with the requirements of paragraph (b), at least 60 days before the covered employee is so released.

(b) Any notice under paragraph (a) shall include -

(1) the personnel action to be taken with respect to the covered employee involved;

(2) the effective date of the action;

(3) a description of the procedures applicable in identifying employees for release;

(4) the covered employee's competitive area;

(5) the covered employee's eligibility for veterans' preference in retention and how that preference eligibility was determined;

(6) the retention status and preference eligibility of the other employees in the affected position classifications or job classifications within the covered employee's competitive area, by providing:

(A) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible, and

(B) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible.

(7) a description of any appeal or other rights which may be available.

(c) The director of the employing office may, in writing, shorten the period of advance notice required under subsection (a), with respect to a particular reduction in force, if necessary because of circumstances not reasonably foreseeable.

(d) No notice period may be shortened to less than 30 days under this subsection.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5728. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 07-09, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

5729. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 07-08, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

5730. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 07-06, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

5731. A letter from the Secretary, Department of Homeland Security, transmitting a report of a violation of the Antideficiency Act in the Treasury Appropriation Fund, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

5732. A letter from the Director, Selective Service System, transmitting a report of a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

5733. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting report on the Family Subsistence Supplemental Allowance (FSSA) program, covering the period October 1, 2006, through September 30, 2007, pursuant to 37 U.S.C. 402(a) Public Law 106-398, section 604(a); to the Committee on Armed Services.

5734. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's Commercial Activities Report for 2007, pursuant to 10 U.S.C. 2462(b); to the Committee on Armed Services.

5735. A letter from the Director, Pentagon Renovation and Construction Program Office, Department of Defense, transmitting the eighteenth annual report on the Pentagon Renovation and Construction Program Office (PENREN), pursuant to 10 U.S.C. 2674; to the Committee on Armed Services.

5736. A letter from the Director, Army National Guard, Department of Defense, transmitting a report on the Army National Guard's Annual Financial Statement for FY 2007; to the Committee on Armed Services.

5737. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a copy of a report entitled ''Fiscal Year 2007 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

5738. A letter from the Federal Co-Chairman, Delta Regional Authority, transmitting in compliance with the Accountability for Tax Dollars Act of 2002 (ATDA), a copy of the Authority's Audited Financial Statements for FY 2007, pursuant to Public Law 106-554, section 382L; to the Committee on Oversight and Government Reform.

5739. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's annual report on the implementation of Pub. L. 106-107, the Federal Financial Assistance Management Improvement Act of 1999; to the Committee on Oversight and Government Reform.

5740. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5741. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5742. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5743. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5744. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5745. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5746. 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.

5747. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's Federal Information Security Management Act and Agency Privacy Management Report, pursuant to Public Law 107-296; to the Committee on Oversight and Government Reform.

5748. A letter from the Assistant Secretary for Administration and Mgmt., Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5749. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5750. A letter from the Assistant Secretary for Policy and Planning, Department of Veterans Affairs, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Department's inventory of commercial activities for calendar year 2006; to the Committee on Oversight and Government Reform.

5751. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2008 Annual Performance Plan, in accordance with the Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

5752. A letter from the Chairman, Federal Election Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2008 through 2013, pursuant to 5 U.S.C. 306; to the Committee on Oversight and Government Reform.

5753. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on Internal Controls and the 2007 Audited Financial Statements, pursuant to Public Law 101-73, section 511(a) (103 Stat. 404); to the Committee on Oversight and Government Reform.

5754. A letter from the Administrator, General Services Administration, transmitting notification of the new mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel, pursuant to 5 U.S.C. 5707(b)(1)(A); to the Committee on Oversight and Government Reform.

5755. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled, ''Attracting the Next Generation: A Look at Federal Entry-Level New Hires,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Oversight and Government Reform.

5756. A letter from the General Counsel, National Labor Relations Board, transmitting the Board's report on the amount of acquisitions made from entities that manufacture the articles, materials, or supplies outside the United States in Fiscal Year 2007; to the Committee on Oversight and Government Reform.

5757. A letter from the Chief Executive Officer, Neighborhood Reinvestment Corporation, transmitting the Corporation's 2007 Annual Performance Plan, in accordance with the Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

5758. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Corporation'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.

5759. A letter from the Chief Operating Officer/President, Resolution Funding Corporation, transmitting a copy of the Resolution Funding Corporation's Statement on Internal Controls and the 2007 Audited Financial Statements, pursuant to Public Law 101-73, section 511(a) (103 Stat. 404); to the Committee on Oversight and Government Reform.

5760. A letter from the Chair, Office of Compliance, transmitting the Office's report on the adoption of regulations implementing employment rights and protection for Veterans, as required by the Congressional Accountability Act of 1995, pursuant to 2 U.S.C. 1316a; jointly to the Committees on Education and Labor and House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 4933. A bill to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, and for other purposes (Rept. 110–551). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3891. A bill to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation (Rept. 110–552). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2675. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; with an amendment (Rept. 110–553). Referred to the Committee of the Whole House of the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3651. A bill to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; with an amendment (Rept. 110–554). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2515. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; with an amendment (Rept. 110–555). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3352. A bill to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes; with an amendment (Rept. 110–556). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1187. A bill to expand the

boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary; with amendments (Rept. 110–557). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2342. A bill to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes; with an amendment (Rept. 110–558, Pt. 1). Ordered to be printed.

Mr. GORDON: Committee on Science and Technology. H.R. 4847. A bill to reauthorize the United States Fire Administration, and for other purposes; with an amendment (Rept. 110–559). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 5551. A bill to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes (Rept. 110–560). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the Committee on Science and Technology discharged from further consideration. H.R. 2342 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than May 2, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HENSARLING (for himself and Mr. CONAWAY):

H.R. 5656. A bill to repeal a requirement with respect to the procurement and acquisition of alternative fuels; to the Committee on Oversight and Government Reform.

By Mr. COHEN:

H.R. 5657. A bill to clarify the authority of States to use funds as the non-Federal share of Medicaid expenditures for certain regional medical centers; to the Committee on Energy and Commerce.

By Mr. SKELTON (for himself and Mr. HUNTER) (both by request):

H.R. 5658. A bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes; to the Committee on Armed Services.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. SESSIONS, Mr. WALSH of New York, Mr. CHABOT, Mr. WILSON of South Carolina, and Mr. SENSENBRENNER):

H.R. 5659. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for recycling or remanufacturing equipment; to the Committee on Ways and Means.

By Mr. MEEK of Florida:

H.R. 5660. A bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable credit for mentoring and housing young adults; to the Committee on Ways and Means.

By Mr. PEARCE:

H.R. 5661. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects; to the Committee on Natural Resources.

By Mr. REYES:

H.R. 5662. A bill to enhance the safety of ports of entry in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Agriculture, and Transportation and Infrastructure, 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. RODRIGUEZ:

H.R. 5663. A bill to amend title 38, United States Code, to provide for an increase in the rates of basic educational assistance payable under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. RODRIGUEZ:

H.R. 5664. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary; to the Committee on Veterans' Affairs.

By Mr. TURNER:

H.R. 5665. A bill to impose limitations on investment and certain operations by foreign entities in the United States; to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 5666. A bill to amend the Internal Revenue Code of 1986 to increase the earned income tax credit to taxpayers who exceed 40 hours of wage work per week; to the Committee on Ways and Means.

By Ms. JACKSON-LEE of Texas (for herself, Mr. PAUL, Mr. MCCAUL of Texas, Mr. POE, Mr. ORTIZ, Mr. HENSARLING, Ms. GRANGER, Mr. REYES, Mr. CUELLAR, Mr. BURGESS, Mr. EDWARDS, Mr. GENE GREEN of Texas, Mr. CONAWAY, Mr. CULBERSON, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL of Texas, Mr. GONZALEZ, Mr. SESSIONS, Mr. LAMPSON, Mr. NEUGEBAUER, and Mr. AL GREEN of Texas):

H. Con. Res. 320. Concurrent resolution honoring Army Specialist Monica L. Brown, extending gratitude to her and her family, and pledging continuing support for the men and women of the United States Armed Forces; to the Committee on Armed Services.

By Mr. LEWIS of Georgia (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. NADLER, Mr. SCOTT of Virginia, Mr. COHEN, Mr. ELLISON, Ms. ZOE LOFGREN of California, Mr. CUMMINGS, Mr. RANGEL, Mr. SCOTT of Georgia, Mr. CLAY, Ms. NORTON, Mr. RUSH, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VAN HOLLEN, Mr. CLEAVER, Mr. BISHOP of Georgia, Ms. MCCOLLUM of Minnesota, and Mr. DONNELLY):

H. Res. 1061. A resolution commemorating the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and encouraging people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr., and for other purposes; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H. Res. 1062. A resolution expressing support for National Facial Protection Month; to the Committee on Energy and Commerce.

By Mr. WU (for himself, Mr. PETRI, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. GALLEGLY, and Mr. CHANDLER):

H. Res. 1063. A resolution marking the 225th anniversary of the Treaty of Paris of 1783, which ended the Revolutionary War with the Kingdom of Great Britain and recognized the independence of the United States of America, and acknowledging the shared values and close friendship between the peoples and governments of the United States and the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. SHEA-PORTER introduced a bill (H.R. 5667) to provide for the liquidation or reliquidation of certain entries of newspaper printing presses and components thereof; which was referred to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 211: Mr. SARBANES.

H.R. 333: Mr. MURPHY of Connecticut.

H.R. 406: Mrs. GILLIBRAND, Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. RANGEL, Mr. MCCOTTER, Mr. RUSH, Mr. YOUNG of Alaska, Mr. RUPPERSBERGER, Mr. MACK, and Mr. TANNER.

H.R. 549: Mr. WAMP and Mr. BOSWELL.

H.R. 579: Mr. BURGESS, Mr. PAYNE, Mr. ELLISON, and Mr. MICA.

H.R. 601: Mr. JOHNSON of Georgia.

H.R. 734: Mr. BARROW.

H.R. 769: Mr. HERGER.

H.R. 780: Mr. SHAYS.

H.R. 864: Mr. SMITH of Nebraska.

H.R. 1023: Mr. MICHAUD.

H.R. 1032: Mr. BOREN and Mr. MEEK of Florida.

H.R. 1043: Mr. HOLDEN, Mr. WILSON of Ohio, Mr. GUTIERREZ, and Mr. RYAN of Ohio.

H.R. 1072: Mr. TOWNS.

H.R. 1073: Mr. SARBANES.

H.R. 1076: Mr. WILSON of Ohio and Mr. BISHOP of Georgia.

H.R. 1078: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1110: Mr. MCHENRY, Mr. CUELLAR, Ms. CASTOR, and Mr. GONZALEZ.

H.R. 1142: Mr. GORDON, Mr. BUCHANAN, Mr. ROTHMAN, and Mr. CUELLAR.

H.R. 1188: Mr. ROTHMAN.

H.R. 1192: Mr. GONZALEZ, Mr. COHEN, Mr. ROGERS of Alabama, Mr. JOHNSON of Georgia, and Mr. BOUSTANY.

H.R. 1228: Mr. DEFAZIO and Mr. KUHL of New York.

H.R. 1237: Mr. LATOURETTE, Mr. EHLERS, Ms. TSONGAS, Mr. HOEKSTRA, Mr. BOREN, Mr. FEENEY, and Ms. SHEA-PORTER.

H.R. 1273: Mr. WEINER.

H.R. 1282: Mr. MOORE of Kansas.

H.R. 1283: Mr. CHABOT, Mr. EMANUEL, Mr. HOEKSTRA, Mr. INSLEE, Mr. LAMPSON, Mr. MCCOTTER, Mr. RODRIGUEZ, and Mr. STUPAK.

H.R. 1359: Mr. JONES of North Carolina.
H.R. 1422: Mrs. MUSGRAVE.
H.R. 1514: Ms. RICHARDSON and Ms. SOLIS.
H.R. 1553: Mrs. BIGGERT and Mr. EMANUEL.
H.R. 1576: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1589: Mr. HOLDEN.
H.R. 1606: Mr. GONZALEZ.
H.R. 1609: Mr. VISCLOSKY.
H.R. 1621: Mr. GERLACH.
H.R. 1653: Mr. MCGOVERN, Ms. CASTOR, Mr. GUTIERREZ, and Ms. GIFFORDS.
H.R. 1707: Mr. HARE and Ms. CLARKE.
H.R. 1738: Mr. BUTTERFIELD and Mr. GORDON.
H.R. 1783: Mr. BOSWELL.
H.R. 1791: Mr. REHBERG.
H.R. 1823: Mr. ENGLISH of Pennsylvania and Mr. LAMBORN.
H.R. 1843: Mr. FORTUÑO.
H.R. 1846: Mr. GORDON.
H.R. 1964: Mr. ENGEL.
H.R. 1968: Mr. BERMAN.
H.R. 1973: Ms. JACKSON-LEE of Texas.
H.R. 1975: Mr. CAPUANO.
H.R. 1992: Mrs. CAPPS, Mr. MURPHY of Connecticut, and Mr. KENNEDY.
H.R. 2091: Mr. PERLMUTTER and Ms. FOXX.
H.R. 2116: Mr. DAVIS of Alabama, Mr. DUNCAN, Mr. MICA, and Mr. PITTS.
H.R. 2138: Mr. BERMAN.
H.R. 2160: Mr. SHULER.
H.R. 2188: Mr. FRANK of Massachusetts.
H.R. 2205: Mr. COHEN.
H.R. 2236: Ms. SLAUGHTER and Mr. ALLEN.
H.R. 2266: Ms. SHEA-PORTER, Mr. LAHOOD, and Mr. FARR.
H.R. 2391: Mr. JONES of North Carolina.
H.R. 2392: Mr. ABERCROMBIE.
H.R. 2421: Mrs. JONES of Ohio.
H.R. 2452: Mr. KLEIN of Florida and Mr. ISRAEL.
H.R. 2458: Mr. YOUNG of Alaska.
H.R. 2470: Mr. JOHNSON of Georgia and Mr. SHIMKUS.
H.R. 2475: Mr. JONES of North Carolina.
H.R. 2593: Mr. BLUMENAUER and Mr. FARR.
H.R. 2676: Mr. GORDON.
H.R. 2694: Mr. FILNER.
H.R. 2702: Mr. WALDEN of Oregon, Mr. PORTER, and Mr. MCCOTTER.
H.R. 2744: Ms. ESHOO, Mr. SHERMAN, and Mr. ORTIZ.
H.R. 2770: Mr. ALTMIRE.
H.R. 2792: Mr. BERMAN and Mr. EMANUEL.
H.R. 2800: Mr. FORTUÑO.
H.R. 2818: Mr. SOUDER, Mr. LEWIS of Georgia, and Mr. BURGESS.
H.R. 2878: Mr. MCCOTTER.
H.R. 3089: Mr. BURGESS.
H.R. 3109: Mr. SHADEGG.
H.R. 3114: Mr. TOWNS, Mr. AL GREEN of Texas, Mr. HINOJOSA, and Mr. STARK.
H.R. 3158: Mr. VAN HOLLEN.
H.R. 3175: Mr. VAN HOLLEN, Ms. LEE, Mr. COHEN, and Mr. GONZALEZ.
H.R. 3212: Mr. GORDON, Ms. MOORE of Wisconsin, Mr. GONZALEZ, and Mr. ROTHMAN.
H.R. 3282: Mr. PETERSON of Minnesota and Mr. HOEKSTRA.
H.R. 3309: Mr. CUMMINGS and Mr. SARBANES.
H.R. 3366: Mr. KUCINICH.
H.R. 3429: Mr. PLATTS.
H.R. 3453: Mr. YOUNG of Alaska.
H.R. 3457: Mr. HOLDEN, Mr. BARROW, and Mr. JONES of North Carolina.
H.R. 3533: Mr. CRENSHAW, Mr. AKIN, Mr. ORTIZ, and Mr. EHLERS.
H.R. 3543: Mr. SESTAK and Mr. ETHERIDGE.
H.R. 3544: Mr. WALZ of Minnesota and Mr. HOLDEN.
H.R. 3559: Mr. GORDON.
H.R. 3622: Mr. GARRETT of New Jersey and Mr. WALZ of Minnesota.
H.R. 3646: Mr. FALEOMAVAEGA.
H.R. 3658: Mr. SERRANO, Ms. JACKSON-LEE of Texas, Ms. WATSON, Mr. MACK, and Mr. PENCE.
H.R. 3660: Mr. DENT.
H.R. 3726: Mrs. BIGGERT.
H.R. 3769: Mr. PERLMUTTER.
H.R. 3799: Mr. VAN HOLLEN, Ms. MCCOLLUM of Minnesota, Mr. PASTOR, Mr. GRIJALVA, Mr. KUCINICH, and Mr. BERMAN.
H.R. 3842: Mr. PASTOR.
H.R. 3846: Mr. LEWIS of Georgia, Ms. LEE, Mr. CLEAVER, Ms. SUTTON, and Mr. RANGEL.
H.R. 3892: Ms. MCCOLLUM of Minnesota, Mr. PASTOR, and Mr. GONZALEZ.
H.R. 3934: Ms. NORTON and Mr. HOBSON.
H.R. 3980: Mr. PASTOR.
H.R. 4008: Mr. BOREN, Mr. SAM JOHNSON of Texas, Ms. BALDWIN, and Mr. KANJORSKI.
H.R. 4052: Mr. MCHUGH, Mr. ARCURI, and Mr. MCCOTTER.
H.R. 4053: Mr. CARNAHAN and Mr. WAXMAN.
H.R. 4055: Mr. TOWNS, Ms. LEE, and Mr. BERMAN.
H.R. 4105: Mr. BOYD of Florida and Mr. MEEK of Florida.
H.R. 4109: Ms. LEE and Mr. LEWIS of Georgia.
H.R. 4139: Mr. LINCOLN DAVIS of Tennessee.
H.R. 4176: Mr. CANTOR.
H.R. 4188: Ms. SCHAKOWSKY.
H.R. 4236: Mr. PAYNE, Ms. CASTOR, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mr. PERLMUTTER, Mr. MICHAUD, Mr. ALLEN, and Mr. KAGEN.
H.R. 4280: Mr. PEARCE.
H.R. 4283: Mr. LEWIS of Georgia.
H.R. 4449: Mr. GRIJALVA.
H.R. 4450: Ms. ZOE LOFGREN of California and Mr. ROTHMAN.
H.R. 4790: Mr. GRIJALVA.
H.R. 4838: Ms. GIFFORDS, Mr. ROTHMAN, and Mr. WEINER.
H.R. 4847: Mr. GORDON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COSTELLO, Mrs. BIGGERT, Mr. HALL of New York, Mr. LIPINSKI, Mr. ETHERIDGE, Mr. CHANDLER, Mr. WILSON of Ohio, Mr. UDALL of Colorado, Mr. EHLERS, Mr. BILBRAY, Mr. MATHESON, Mr. BARTLETT of Maryland, Mr. GERLACH, Ms. SUTTON, Mr. GALLEGLY, and Mr. MICHAUD.
H.R. 4900: Mr. LAMBORN, Mr. LATOURETTE, Mr. WILSON of South Carolina, Mr. PETERSON of Minnesota, Mr. LAMPSON, Mr. DEAL of Georgia, Mrs. MILLER of Michigan, and Mr. MORAN of Kansas.
H.R. 5028: Mrs. GILLIBRAND.
H.R. 5036: Mr. BOUCHER, Mr. UDALL of Colorado, Ms. LEE, Mr. MURTHA, and Mr. SNYDER.
H.R. 5128: Mr. ELLISON.
H.R. 5155: Mr. FILNER.
H.R. 5157: Mr. DOYLE and Mr. ANDREWS.
H.R. 5173: Mr. WILSON of South Carolina and Ms. ZOE LOFGREN of California.
H.R. 5180: Mrs. MCCARTHY of New York, Mr. SPACE, Mr. HINCHEY, and Mr. THOMPSON of California.
H.R. 5193: Mr. ABERCROMBIE.
H.R. 5223: Mr. GORDON of Tennessee and Mr. COHEN.
H.R. 5229: Mr. PLATTS.
H.R. 5244: Mr. HONDA, Ms. SUTTON, Mr. SARBANES, Ms. ROYBAL-ALLARD, Ms. BALDWIN, and Ms. ESHOO.
H.R. 5265: Mr. INSLEE, Mr. BISHOP of New York, Mr. CAPUANO, and Mr. RUPPERSBERGER.
H.R. 5315: Mr. HALL of Texas.
H.R. 5435: Mr. FILNER.
H.R. 5440: Mr. CANTOR.
H.R. 5442: Mr. WAXMAN.
H.R. 5443: Mr. MCKEON.
H.R. 5447: Mr. ELLISON, Mr. ROSS, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, Mr. ALLEN, and Mr. FILNER.
H.R. 5454: Mr. CLAY.
H.R. 5461: Mr. GEORGE MILLER of California.
H.R. 5465: Ms. ZOE LOFGREN of California, Mr. SIRES, Mr. WYNN, Ms. SUTTON, and Mr. HINCHEY.
H.R. 5469: Mr. FATTAH and Mr. RYAN of Ohio.
H.R. 5472: Mr. CARSON.
H.R. 5510: Mr. ENGLISH of Pennsylvania, Mr. SCOTT of Georgia, and Mr. SIRES.
H.R. 5513: Ms. WATSON and Mr. PITTS.
H.R. 5554: Ms. BORDALLO and Mr. LEVIN.
H.R. 5560: Mr. PRICE of North Carolina, Ms. DEGETTE, Mrs. LOWEY, and Ms. LORETTA SANCHEZ of California.
H.R. 5561: Mrs. BOYDA of Kansas and Mr. FORTUÑO.
H.R. 5567: Mr. SHAYS.
H.R. 5573: Mr. PLATTS, Ms. WATERS, Mr. REYES, Mr. ANDREWS, Mr. GORDON of Tennessee, Mr. GONZALEZ, and Mr. ROTHMAN.
H.R. 5591: Mr. GERLACH and Mr. MICHAUD.
H.R. 5609: Mr. SAM JOHNSON of Texas, Mr. LAMPSON, Mr. CARNAHAN, and Mr. HINOJOSA.
H.R. 5641: Ms. GINNY BROWN-WAITE of Florida and Mr. BURGESS.
H. J. Res. 68: Mr. PAYNE.
H. J. Res. 70: Mr. BARTLETT of Maryland.
H. Con. Res. 13: Mr. PETERSON of Minnesota, Mr. GORDON, and Mr. BOYD of Florida.
H. Con. Res. 81: Mr. EHLERS.
H. Con. Res. 163: Mr. CLEAVER.
H. Con. Res. 195: Mr. YOUNG of Florida.
H. Con. Res. 223: Mr. JOHNSON of Illinois and Mr. LARSON of Connecticut.
H. Con. Res. 276: Mr. TOWNS.
H. Con. Res. 299: Mr. MELANCON, Mr. COSTELLO, Mr. KUHL of New York, Mrs. SCHMIDT, Mr. ALLEN, Mr. DOOLITTLE, Mr. COBLE, Mr. DENT, Mr. GRIJALVA, Mr. UPTON, Mr. KING of New York, Mr. GOODLATTE, Mr. RODRIGUEZ, and Mr. GENE GREEN of Texas.
H. Con. Res. 314: Mr. MARCHANT.
H. Con. Res. 318: Mr. DELAHUNT, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, Mr. HINCHEY, and Mr. BUTTERFIELD.
H. Res. 49: Ms. KILPATRICK, Mr. UPTON, Mr. MCCOTTER, and Mr. LEWIS of Kentucky.
H. Res. 102: Mr. GONZALEZ and Mrs. BACHMANN.
H. Res. 259: Mr. LEWIS of Georgia.
H. Res. 543: Mr. BOREN.
H. Res. 896: Ms. WATERS, Ms. KILPATRICK, Ms. NORTON, Mr. FATTAH, Mr. RANGEL, Mr. JEFFERSON, Mr. COHEN, Mr. SCOTT of Virginia, Mr. LEWIS of Georgia, Mr. SERRANO, Mr. MCGOVERN, and Ms. BERKLEY.
H. Res. 911: Mr. KAGEN, Mr. HILL, and Mr. JOHNSON of Georgia.
H. Res. 939: Mr. MCCOTTER and Mr. GARRETT of New Jersey.
H. Res. 968: Mr. LAMPSON.
H. Res. 981: Mr. ALTMIRE, Mr. KIRK, Mr. JOHNSON of Georgia, Mr. SARBANES, Mrs. DAVIS of California, Ms. SCHAKOWSKY, Ms. HIRONO, Mr. SERRANO, Ms. ESHOO, Mr. ORTIZ, Mr. MORAN of Virginia, Mr. RANGEL, Mr. WEXLER, Mr. OLVER, Ms. SUTTON, Mr. LATTA, Mr. BOSWELL, Mr. COHEN, Mr. CUMMINGS, Mr. HALL of Texas, Mr. FALEOMAVAEGA, and Mr. BARTLETT of Maryland.
H. Res. 985: Mr. ROGERS of Michigan and Mr. MCDERMOTT.
H. Res. 997: Mr. PRICE of North Carolina.
H. Res. 1019: Mr. TOWNS, Mr. RANGEL, Mr. OBERSTAR, and Mr. JEFFERSON.
H. Res. 1021: Ms. GRANGER and Mr. VAN HOLLEN.
H. Res. 1022: Mr. NADLER, Ms. ZOE LOFGREN of California, and Mr. SCOTT of Virginia.
H. Res. 1026: Mr. YOUNG of Alaska and Mrs. EMERSON.
H. Res. 1028: Mr. MCDERMOTT and Mr. ELLISON.
H. Res. 1044: Mr. PASCRELL and Mr. COBLE.
H. Res. 1048: Mr. LAMPSON.
H. Res. 1053: Mr. HOLDEN, Mr. WYNN, Mr. CHABOT, Mr. SHADEGG, Mr. MOORE of Kansas, Mr. MCCAUL of Texas, Mr. GENE GREEN of Texas, Mr. REICHERT, Ms. MATSUI, Ms. JACKSON-LEE of Texas, Mr. MCCOTTER, and Mr. MORAN of Virginia.
H. Res. 1054: Mr. SKELTON, Ms. CORRINE BROWN of Florida, Mr. FILNER, Ms. SUTTON,

Ms. MCCOLLUM of Minnesota, Mrs. NAPOLITANO, Ms. KAPTUR, and Mr. MORAN of Virginia.

H. Res. 1056: Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, and Mr. TOWNS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Berman of California or a designee to H.R. 5501, the Tom Lantos and Henry J. Hyde Global Leadership Against HIV/AIDS, Tuberculosis and Malaria Reauthorization Act of 2008, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, MONDAY, MARCH 31, 2008 No. 49

Senate

(Legislative day of Thursday, March 13, 2008)

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Sovereign Lord of all, help our Senators to remember today that they serve here by divine appointment and are accountable to You for their work. Give them wisdom as they wrestle with complex issues. Empower them with clarity in debate and courage to vote their convictions. Deliver them from any compromises that sacrifice principles, as You help them make just and compassionate decisions. Let Your grace guide their deliberations and Your blessings crown their labors for the glory of Your Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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, March 31, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if he chooses to make some, there will be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each. As previously announced, there will be no rollcall votes today. Senators should be prepared to vote tomorrow at about 2:15 p.m. or thereabouts on the motion to invoke cloture on the motion to proceed to H.R. 3221, the legislative vehicle for the housing bill.

HOUSING AND THE ECONOMY

Mr. REID. Mr. President, 76 years ago, Franklin Roosevelt, who was then the Governor of New York, was engaged in a fierce Presidential campaign. The country was reeling from the stock market crash of 1929. Consumer confidence in banks had plummeted. The Great Depression was in full force at that time, and the American people had lost confidence that President Herbert Hoover had what it took to lead the country out of economic darkness.

In April 1932, Governor Roosevelt, seeking the Democratic nomination for President, took to the radio waves and said this:

I do not want to limit myself to politics. I do not want to feel that I am addressing an audience of Democrats or that I speak merely as a Democrat myself. The present condition of our national affairs is too serious to be viewed through partisan eyes for partisan purposes.

He went on to say that troubled times call for us to:

put [our] faith once more in the forgotten man at the bottom of the economic pyramid. . . . The two billion dollar fund which President Hoover and Congress have put at the disposal of big banks, the railroads and the corporations is not for [the average person].

Here should be an objective of government itself—to provide at least as much assistance to the little fellow as it is now giving to the large banks and corporations. This is [an] example of building from the bottom up.

Mr. President, the more things change, the more they seem to stay the same. Recently, the Federal Reserve provided taxpayers' money to prevent the collapse of Bear Stearns. The Fed took the additional unprecedented step of opening its discount lending window to securities firms, even though—unlike banks—those firms aren't regulated by the Fed.

I understand the need to take some bold steps. I believe the Federal Reserve is doing what they think is best in the face of a deep and growing economic crisis. While on principle the spirit of capitalism would call for Wall Street firms to shoulder the burden of loss along with the spoils of profit, it is incumbent upon our Government to look for the greater good. But we must not neglect the lessons of history. If we agree that it is a responsibility of Government to provide liquidity and security to the titans of Wall Street—and we do—then how can we think it is any less our responsibility to do the same for Main Street?

The American people are suffering. We are paying more than ever for gasoline, groceries, and heat for our homes. Home values are falling—in January

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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alone, almost 13 percent. Millions face foreclosure, and communities are suffering because of the housing meltdown. This crisis is real, it is immediate, and it calls for Congress to take action. Every day that Congress and the President do nothing is another day closer to another American family losing their home. This is not the time for politics or partisanship. It is, as President Roosevelt said, time to give some ''assistance to the little fellow''—those were his words—it is time to do the right thing, the responsible thing, for the American people—the little fellow.

Last work period, Democrats introduced a housing bill. The President and his Republican Senators filibustered and blocked this much needed legislation. This legislation is not a catch-all or a silver bullet, but financial experts agree it is a good start. If passed, it would have an immediate positive impact on struggling homeowners and hard-hit neighborhoods.

Mr. President, I have talked in length about this legislation to Chairman Bernanke. I have spoken to Secretary Paulson. I think they have done good work. But I think if they were asked point blank—and I am not going to, certainly, state here publicly any of the things they said to me, but someone can ask them themselves—I think they would say our legislation is a step in the right direction. If this law passed today, it would have an immediate positive impact on struggling homeowners and hard-hit neighborhoods.

These are the five points of our plan:

First, we help families keep their homes by increasing funds for preforeclosure counseling. It is imperative we do that.

Second, we expand refinancing opportunities for homeowners stuck in bad loans. Mortgage revenue bonds—the President said he liked that in his State of the Union Message.

Third, we provide funds to help the highest need communities purchase and rehabilitate foreclosed properties, as well as tax relief to struggling businesses affected by the housing downturn.

Fourth, we help families avoid foreclosure in the future by improving loan disclosures and transparency during the original loan and refinancing process.

Fifth, we amend the Bankruptcy Code to allow home loans on primary residences to be modified in certain circumstances, with very strict guidelines. We have a tax provision which is extremely important to the homebuilding industry: loss carryback. We have a program that allows the bankruptcy courts to step in on primary residences and, if necessary, help adjust those loans.

It is time we pass this bill.

Last work period, Republicans blocked a vote on this, as I have said before. One Republican Senator said that all Republicans wanted was the opportunity to propose amendments. Mr. President, I have said on this floor, I have said privately, I have said at press conferences—the record will clearly show—Democrats are happy to allow amendments. Democrats want to offer amendments. Republicans want to offer amendments. We would like nothing more than an open debate on this bill and how we might be able to make it better. I have told my distinguished counterpart, Senator MCCONNELL, if Republicans object to parts of our bill, they are welcome to seek enough votes to amend it, to change it. That is how the legislative process is supposed to work.

It would be a fool's errand to put our proposal up and the Republican proposal up and move to invoke cloture on each one of those. It would take 60 votes. That is not what we need to do. It would be failure for sure.

Why don't we move forward on our bill? There will be a vote at 2:15 tomorrow. If my colleagues want to have a limited number of amendments, fine, let's have a limited number of amendments dealing with this problem. Experts say we are in a crisis and have to do something now.

I respect Secretary Paulson very much. I like Secretary Paulson. The proposals he made at 10 o'clock today are certainly worth considering, but they are not going to do one simple thing to help the people who are now in foreclosure—nothing. It is for the future. That deals with the future. We need to deal with the present. But so far my Republican friends have not allowed this bill to proceed to the point at which amendments can be offered. In short, they have stalled this necessary help to working Americans.

Tomorrow, we will have another opportunity to work on this piece of legislation. We cannot sit on our hands. We cannot take a wait-and-see approach. And we cannot embrace the status quo as the economy continues to deteriorate. Let's legislate. Let's work to help beleaguered Americans. Democrats have no agenda but to get this bill passed quickly and fairly so the American people can reap the benefits. If we are able to pass this legislation, it will be one where credit can go to everybody. This is something we need to do. We cannot do it alone. We have 51 Senators. They have 49. We have to do this together or it will not be done at all. In America's darkest economic hour, that was the leadership Franklin Roosevelt showed—and that is what we must do as we face our own crisis today.

IRAQ

Mr. REID. Mr. President, in this work period, we will, once again, because of the supplemental, turn to the raging civil war in Iraq.

To say that the Bush-Cheney spin machine lacks credibility is an understatement as it relates to the war in Iraq.

Last week, the President marked the beginning of the sixth year of this war by delivering more of the same disconnected rhetoric. But at the same time he was giving this talk of progress, the facts on the ground betrayed this happy-talk. As Republican Senator CHUCK HAGEL said, the President's words—compared with the real facts on the ground—are like ''Alice in Wonderland.'' That is what Senator HAGEL said. The situation on the ground in Iraq is fluid and rapidly changing.

Mr. President, I was stunned this morning when I got up and listened to the radio. Sadr has said: OK, lay down your arms on a couple conditions—release all the prisoners, don't do any more arrests, and leave us alone.

Mr. President, within a couple of months after this war started, the commanders on the ground in Iraq came and told us that this man was a criminal and he would be in jail within a matter of a couple weeks. Now, whether that is true or not, that is up for others to decide, but that is what we were told. And here is this man now, 5 years later, who in effect is telling the elected leader of Iraq what to do and what not to do.

It is clear that the Iraqi civil war persists. Within the past few days, nearly 1,000 Iraqis have been killed in Basra alone. This war is a war of Shiite versus Shiite, al-Maliki versus al-Sadr, Iraqi versus Iraqi, Sunni versus Shia, Shia versus Sunni. Who is in the middle of all of this? The American troops.

The President's spokesperson said: This is it. We are now in a situation where the Iraqis are going to take care of their own. But, of course, the police, when confronted, turned over their arms to al-Sadr and walked away. They gave them their guns—I assume their badges—and walked away. The American troops were called in; air power and ground troops were called in. The Iraqis could not handle the situation.

As one Iraq teacher said in the New York Times this weekend, in the closing paragraphs of a very long article:

> ''Unfortunately we were expecting one thing but we saw something else,'' said Ali Hussam, 48, a teacher, who said that after Saddam Hussein the people of Basra hoped for peace. ''But unfortunately with the presence of this new government and this democracy that was brought to us by the invader it made us kill each other.''
>
> ''And the war is now between us,'' he said. But, unfortunately, with the presence of this new government and this democracy that was brought to us by the invader, it made us kill each other.
>
> And the war is now between us.

That is what he said:

> And the war is now between us.

When the Vice President of the United States goes to Iraq, it is secret. No one knows he is going there. It is not on his schedule. He is under very high security. When the President of Iran goes to Iraq, he announces 2 weeks in advance he is coming—not in the dead of the night, 2 weeks in advance.

I support our troops. Whenever I say something like that, I think of the Presiding Officer and others in this Chamber who know what it means to support our troops, as someone who has carried weapons in support of his country and as someone who has been injured as a result of wearing the uniform of this country. So I say this with a lot of humility, but I, along with everyone in this Senate, support our troops. Every one of us is honored by their sacrifice and grateful beyond expression for their outstanding work.

When it comes to judging the Iraq war, only one question matters: Are we safer? The answer is undeniably no, and no amount of spin from the White House can change that.

Because of Iraq, our military is stretched thin and its ability to address new threats is compromised. Many of our troops are now on their third, fourth, and some are on their fifth tours of duty in Iraq.

Are we safer with bin Laden free and al-Qaida strengthening? Of course not.

Because of Iraq, our National Guard—the brave men and women charged with protecting us from disastrous threats here at home—don't have the manpower or the equipment to do their job effectively at home. Are we safer with a weakened National Guard to protect us at home? Of course not.

Because of Iraq and the Bush administration's shoot first, talk later style of cowboy diplomacy, our moral authority in the world is shattered, and to talk about this being cowboy diplomacy is an insult to cowboys. Our former allies are unwilling to stand by our side. Our ability to solve conflicts through diplomacy are diminished.

Are we safer as a weakened moral force in the world? Of course not. The American people know this by overwhelming numbers. They continue to oppose this war, and with good reason: We are objectively less safe because of Iraq.

The cost of the war to our country has been enormous, not only in the loss of lives—now more than 4,000—but also tens of thousands wounded, a third of them gravely. We are now spending $5,000 every second in Iraq—every second—$12 billion a month. No weekends off. No holidays off. We are spending $5,000 a second of borrowed taxpayers' money. The President told us the war would cost no more than $60 billion. Nobel Prize-winning economist Joseph Stiglitz said it is going to cost us $3 trillion.

In Iraq, we—the American taxpayers—are building hospitals, roads, bridges, dams, water systems, sewer systems, barracks for the Iraqis, when we should be helping millions of Americans avoid losing their homes to foreclosure. We are policing the streets in Baghdad when we should be investing in health care and a better education system. We are protecting oilfields in Basra when we should be funding renewable energy production to help stem the tide of global warming.

When all is finally said and done, experts say the war is going to cost as much as $3 trillion or more, as I have said. Where does this come from? It is all borrowed for future generations to pay back. The legacy of our generation could be to leave our children and grandchildren with a safer, cleaner, and more prosperous country. Instead, the war in Iraq will ensure that we leave future generations with trillions of dollars in debt.

Instead of making our country safer, we are greasing the pocketbooks of corrupt Iraqi politicians and buying their temporary cooperation. Let's not forget this: Iraq is a rich country. It is not a poor country—far from it. Its oil resources make it one of the world's wealthiest countries. With the price of oil skyrocketing as it has, think of the money that is going into their coffers. Record-high oil prices have supplied Iraq with literally more money than they know what to do with, but we keep spending $5,000 a second in Iraq. As we borrow and spend billions of dollars to provide the security that the Iraqi Government has failed to create for themselves, Iraq is bringing in billions of oil money faster than they can open bank accounts to store it all.

If a parent gives a teenager the choice of either getting a job or receiving an allowance for doing nothing, the teenager will often choose to do nothing. As long as we guarantee to the Iraqi Government that our troops and our money will support them, they will never have an incentive to do the job themselves. The security welfare state we have created will go on and on forever.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SOLVING PROBLEMS OR POLITICAL POSITIONING

Mr. MCCONNELL. Mr. President, the Senate certainly has a lot of work to do, and we have a good stretch of time in front of us in which to do it. First and foremost, Americans are waiting on Congress to address the housing crisis and the broader economy as well. They are waiting for us to give intelligence officials the tools they need in the hunt for terrorists. They are waiting on us to confirm qualified judges. Farmers are waiting for a farm bill that has been in limbo for literally months. All of us are eager to hear next week's report from General Petraeus and Ambassador Crocker on political and military progress over in Iraq.

In all of these areas, the Democratic leadership has an option: It can work with Republicans to deliver help to the American people or it can follow the partisan path that views every piece of legislation as an opportunity not to solve problems but to position itself for the next election.

Some on the other side are talking openly about a grand strategy for picking up more seats in November, but their vision seems to end right there. They seem to forget that once these seats are filled, people expect us to accomplish something. The political route, as we have seen time and time again, doesn't accomplish much.

America faces urgent problems, and most people care more about addressing them than about anybody's elective prospects. We came together earlier this year on an economic growth package and had an accomplishment. It was a good start, but it didn't last. As the Senate began to address the housing slump, our friends on the other side shut Republicans out of the debate and offered a proposal of their own that was guaranteed to fail. They proposed an ill-conceived plan that will substantially increase monthly mortgage payments on everyone who buys a new home or refinances. But why would Congress want to raise mortgages at a time like this? There is simply no way that proposal is going to fly. If our friends on the other side want to help homeowners, they need to work with Republicans on proposals that will draw substantial bipartisan support.

Republicans have put a number of sensible ideas on the table, including $10 billion to refinance distressed subprime mortgages and $15,000 tax credits for people who buy foreclosed homes as their primary residence—a proposal that will raise the value of homes and increase the stability and security of neighborhoods that have been hit hard by foreclosures. We have proposed new tax benefits for struggling businesses, new truth-in-lending requirements, expanded protections against foreclosure for returning veterans, and FHA reform to assist struggling homeowners who are trying to stay in their homes.

Our proposals to address the current housing crisis have broad bipartisan support. Unlike the Democratic bill which skipped the committee process, the FHA reform piece we proposed passed in committee by a vote of 20 to 1.

For the good of the economy, we asked our friends on the other side to allow a vote on these sensibly, targeted provisions. The partisan housing bill Democrats put forward failed. Why not give our bipartisan alternative, which will help homeowners without raising their mortgages, a chance to succeed?

Another thing Congress can do to help the economy is to expand markets for U.S. goods abroad, and that is what the Colombian Free Trade Agreement would do. The Colombian Free Trade Agreement is more than an act of friendship between allies; it would also strengthen our economy, and it would send a strong signal to Colombia and our other Latin American allies that the United States stands with those who support strong markets and free societies in the face of intimidation and threats.

Our friends on the other side can help American farmers by finishing the

farm bill. More than 3 months has passed since the Senate completed action on this legislation. Yet House Democrats still have yet to appoint conferees to put together a final product. With the short-term extension of current law expiring in just a few weeks, American farmers are about to enter the planting season without any certainty about legislation that significantly affects their lives.

Turning to national security, it has been nearly a year since the Director of National Intelligence asked Congress to modernize our Nation's electronic surveillance laws. The House had a chance to make the necessary changes before the recess, but it chose an irresponsible path instead, passing an amendment to the bipartisan Senate bill that included none of the things the National Director of Intelligence had called for. Ignoring the carefully crafted Senate bill, the House decided it was more important to let people sue phone companies that stepped up when the country needed them. The clock is ticking on the legal authorities contained in the current temporary fix, and a burden has been placed on House leadership to show that it can be trusted in matters of national security.

General Petraeus and Ambassador Crocker will be here next week, and Americans are eager to hear what they have to say.

Under the leadership of these two men, our prospects for protecting America's national security interests in the Persian Gulf have vastly improved. Last year's bold decision to launch a counterinsurgency plan under the direction of General Petraeus has renewed our hopes for a unified Iraq that can govern, defend, and sustain itself as an ally in the war on terror. Our men and women in uniform have protected the Iraqi people, scattered al-Qaida, deterred militias, and helped create an environment that has led to progress not only at the tactical level but in governing and reconciliation as well.

Six months ago, General Petraeus proposed a plan for bringing counterinsurgency forces back home and transitioning their mission from combat to partnership and oversight. A reduction in forces is underway, and the Iraqi people are now preparing for provincial elections, hopefully this October. Thanks to the efforts of the counterinsurgency forces, Sunni allies now serving as sons of Iraq will have a real stake in these elections.

Last week's decision by the Maliki government to go on offense against Shiite militias in Basra and Baghdad showed us that we have come a long way from the days when the Iraqi security forces wouldn't even show up for a fight. Now they are taking the lead in major combat operations, with recent offensives against the Iranian-trained Special Groups, al-Qaida in Iraq, and the militias.

Next week, we will learn more about the pace of transitioning the mission. But with U.S. forces still in harm's way, the Senate needs to quickly approve the supplemental spending bill without any unrelated nondefense spending. It would be pointless to repeat the partisan battles over the supplemental that consumed so much of our time and our energy last year. We should set aside policy prescriptions and withdrawal timelines based on political calculations in Washington and deliver the funds our troops in Iraq and Afghanistan need.

As we seek to help the Iraqi people stand up a stable government, we should not neglect our own by allowing vacancies on Federal courts to go unfilled. Three months into the new year, the Senate has not confirmed a single judicial nominee of any kind. Let me say that again. Three months into the new year, the Senate has not confirmed a single judicial nominee of any kind, and it has held only one hearing on a circuit nominee since September of last year. The process, it appears, has ground to a complete halt. This is unacceptable, it is unfair, and the excuses we have heard are not convincing.

Some nominees have waited hundreds of days for a simple hearing, including those who satisfy the specific criteria of the chairman of the Judiciary Committee for quick action, such as strong support of home State senators. These vacancies need to be filled, especially in places that have been declared judicial emergencies such as the Fourth Circuit, where one of every three seats is currently vacant. Nominees for seats on the Fourth Circuit—which covers North Carolina, Virginia, Maryland, West Virginia, and South Carolina—are ready, well qualified, and they have been waiting and waiting.

Since the committee has nearly stopped holding even simple hearings for circuit court nominees for the last several months, it should make up for lost time by holding hearings on more than one circuit court nominee at a time, as both Democratic and Republican chairmen have done in the past. That way, we can get these nominees confirmed.

It is time our friends on the other side stop blaming others for their failures to act on judicial nominations. If they don't, regretfully, Republicans will be forced to consider other options.

The Senate faces difficult challenges domestically and internationally. Conventional wisdom says we want to address them because it is an election year. Experience suggests some of our friends on the other side will prefer political efforts to bipartisan accomplishments. We saw signs of hope for a more responsible and productive path in a rush of bipartisan accomplishments at the end of last year and in a bipartisan economic growth bill this year, and we have an immediate opportunity in the work period that starts today to choose the better path on an issue that is vexing millions of homeowners.

Knowing that public patience with partisan political games is wearing thin, I am confident we will seize the opportunity and deliver something soon for the American people. Then, hopefully, we can follow it up with other accomplishments. We have the potential for a very productive work period. Why don't we get to work and see what we can accomplish over the next 8 weeks.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, the first indication we have to move forward and have a productive work period is to see if we can do something to help the beleaguered people who are losing their homes as we speak. We have the opportunity to do that tomorrow.

For those within the sound of my voice, before we can move to a piece of legislation, the Republicans have to sign off on that. They can do it by approving what we call a motion to proceed. That motion to proceed failed before because the Republicans voted no on our ability to proceed. We need 60 votes to do that. I hope they will join with us to move to this housing package and work to help us come up with a good piece of legislation to show there must be some merit to our legislation.

I have seen Senator BOND's legislation. It has most of our stuff in it. It is a pretty good piece of legislation. It also has some other things in it. It seems to me we are at a good starting point if we have one of the main Republican proponents of housing legislation who includes in his legislation much of what we want to go forward on. So I think that is a good start. So I hope we can do that tomorrow. If we move forward on the piece of legislation we have, we will finish this. We can do it this week and send it to the House and I think they can work much more quickly than we do. That would be a good indication we are going to work together.

Let me say this about a couple of other things. As to the confirmation of judges, Josh Bolten, the President's Chief of Staff, and I spent a lot of time the week before we went on the Easter recess. We were able to accomplish a lot of good things. I don't know the exact number, but we were able to work through scores of Republican nominations the President sent forward. I think the Democrats got 5 or 6 and the Republicans got 50 or 60. We don't have the opportunity to send as many names to the President as he sends to us. The President's Chief of Staff wrote a nice letter, which I received last week, saying we have established a working facility. He is assigning one of his people at the White House, and I have assigned my Chief of Staff. If there are things we cannot work out, Mr. Bolten and I will work on it face to face. Part of that is judges. We are going to do our best to work out something on judges. That is part of the entire package.

Now, even Mr. Bolten would recognize the number of judges being sent to us has been pretty slow. But that is no excuse. We will be happy to move forward on nominations, generally. The White House needs a lot of these people, and we understand that. There has to be a give and take on this, as the White House showed the week before the recess, which Mr. Bolten and I worked on.

So I am convinced there are a lot of things we can do. The farm bill is something where we also need the cooperation of the White House. The managers of this bill have worked very hard—the Senator from Georgia and the Senator from Iowa—along with the two managers of the bill, as it relates to finance, who have worked with their counterparts in the House. We need to get a little better work from the White House. We have basically worked out the numbers. We cut back the President's numbers. We are working on the offsets now. That should be something we can do. We need to have the White House engaged in this, but more so than they have been.

The farm bill is important. I tell my distinguished counterpart that I heard about this farm bill during the break. I had calls from many of my Senators asking what can be done about this. We are trying. As Senator MCCONNELL notes, Senator CHAMBLISS, the ranking member on the Agriculture Committee, has worked with Senator HARKIN. We are doing our best to work through this. I hope we can get something done so we don't have to extend it again. The bill expires again on April 18. We cannot go on without renewing this bill and/or passing a new bill. If we do not renew this legislation, the price of milk will basically go back to 1949 levels. Based on that, a half gallon of milk would be about $5. So we have a lot of work to do.

I appreciate the constructive attitude of the Senator from Kentucky. I don't agree with a lot of his illustrations, but I think it was a positive statement. I hope we can work something out on these and other issues.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I appreciate the spirit in which the majority leader addressed my remarks on the housing issue. I think it is safe to say there is interest on both sides in moving forward. Whatever reservations we have on this side relate to how the minority will be treated once we have made the decision to move forward. This is something the majority leader and I will continue to discuss, as we have in the last few weeks.

With regard to judges, with the best of intentions, the majority leader and I both came up with what we thought was a reasonable goal for the number of circuit judges that ought to be approved in this Congress based on the pattern of each of the last three Presidents, which had, from their point of view, the misfortune of ending their terms with the opposition in control of the Senate. The lowest number achieved in circuit judges was under President Clinton. It was 15. We currently have six. If we are going to have any chance of getting to what the majority leader and I agreed was at least a modest, achievable goal in this Congress, we have a ways to go. I am not blaming him for that. It strikes me that the Judiciary Committee simply isn't functioning. But it remains the goal of mine—and I hope it is still his goal—to meet a sort of minimal threshold of an acceptable level of circuit judge confirmations.

I appreciate the attitude in which the majority leader has pursued that issue from the beginning of this Congress. I hope we can continue to work to try to get to some level that would be widely considered by any objective standard as a fair number in this situation.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Georgia is recognized.

Mr. DORGAN. Will the Senator yield?

Mr. ISAKSON. Yes.

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, I ask unanimous consent that I be recognized to speak for 30 minutes in morning business following the presentation of the Senator from Georgia.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Georgia is recognized.

SOCIAL SECURITY AND MEDICARE

Mr. ISAKSON. Mr. President, today, I will pay tribute and make some celebratory remarks about two exciting lives in my community. First is the upcoming celebration of the 80th birthday of Mack Henderson, a man in my community who, besides being a leader, has been a warm and trusted friend. He and his wife Jean have been pillars of our community. The women's health care facility in Kennesaw was named after them as a tribute. Mack's daughter lives in this area, in Alexandria, VA. She has been a great friend to me. The entire Henderson family is going to gather to celebrate the 80th birthday of Mack Henderson, a great American and a great citizen of Cobb County. I wish him a most happy birthday.

On March 10, another birthday occurred—the very first of my grandson, William Edwin Isakson, born to my son Kevin and his wife Katherine Isakson. William is our eighth grandchild. He weighed 7 pound 9 ounces. He has a great future ahead, and I wish him the very best.

It occurred to me, when I was coming to the floor to pay tribute to Mack Henderson on his 80th birthday and to recognize the birth of my eighth grandchild, that as I look into the future, I wonder about what has been said in recent months about Social Security and Medicare and about what Mack Henderson has enjoyed in his life and what I hope we can save and procure for the life of young William Edwin Isakson.

In Mack's early years, Social Security was created. It was a promise to Mack and to every citizen in America that when you reach the age of 65, and when you sign up and are declared eligible, you will receive a supplement to help you in your retirement years. Mack has been retired for 15 years and is enjoying the benefit of that.

Last week, the Social Security Administration sent out a mailer notifying us that the time the Social Security goes bust is now moved forward to 2041. So in Mack's lifetime, Social Security was created, and by the 33rd birthday of my new grandson, Social Security will be gone. Even worse, Medicare, created after Social Security, has benefitted Mack. He has had a heart transplant and other medical problems, and he came through them with the help and assistance of Medicare. As for my grandson William, before he is a teenager, Medicare will be broke, inverted, and gone. As a Member of the Senate who takes a privilege to come to this floor and celebrate the birthday of a great friend and the birth of a new grandson, I know I have some work to do. So do the other 99 Senators and the 435 Representatives on the other side of this building.

The President who serves now, and who will go out of office in January, has made an effort on Social Security, and it was rejected by organizations and others. It was an effort of privatization.

The next President will not be so lucky to be able to neglect this. Time is running out. The next President will probably serve for 8 years. When they are out, it will be 2018, 1 year before Medicare goes broke. I don't think we can afford to allow that to happen.

As I come to the floor and pay tribute to these great lives which are so meaningful and significant to me, it is also an early warning for all of us to get to work on Medicare and Social Security. I commend JUDD GREGG, the Senator from New Hampshire, for his efforts time and again to get us to deal forthrightly with these issues. They are not going to be easy.

I don't want to ever face seeing Medicare go out of business and Social Security go broke. I am willing to stand up and take the heat and make the recommendations and work hand in glove with my fellow Republicans and with Democrats to see to it that the events on those two dates—the date of the death of Medicare in 2019 and end of Social Security in 2041—never take place. Between the two sides of the political spectrum, we can find common ground if we have a willingness to establish a goal and achieve it. I will never forget when President John F. Kennedy came forth to the people in America and declared that one day—8 years later—the United States would launch a man to the Moon, land him on the Moon, and bring him home safely. We didn't know how to do that; we didn't have the foggiest idea. We were getting beaten badly by the Soviet Union in mathematics, science, exploration and technology, and he was daring us to do something nobody knew how to do. We did it by July of 1969.

I don't think saving Medicare and Social Security is as difficult or as technical as getting a man to the Moon and bringing him home. But it is equally as important—maybe more so—for the health, welfare, and livelihoods of our oldest friends who are in the twilight of their years and our children born to us this year; and it is very important to the United States.

So this Senator pledges to his newest grandson that I will stand up anytime, anyplace, or anywhere and work with my colleagues in the Senate to begin the job of seeing that we fix Medicare and Social Security and that we preserve the promise for our grandchildren that our grandfathers have enjoyed and prospered with.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I congratulate my friend, the Senator from Georgia, on his new grandson. We all hope this country continues to hold the promise it has held for so many decades now for all American children.

Mr. ISAKSON. I thank the Senator.

THE ECONOMY

Mr. DORGAN. Mr. President, I have come today to talk a bit about the economy and where we find ourselves. This week we are going to talk about housing.

The effort we have made in the Senate in the majority party to pass emergency housing legislation is very important. I want to put up some charts that show what was happening in this country with respect to housing and what was happening at least to begin to cause the partial collapse we have seen.

This is an advertisement by a company called Millennia Mortgage. Here is what it said to the American people. I don't know this company, but they said:

> Twelve months, no mortgage payment. That's right. We will give you the money to make your first 12 payments if you call in the next 7 days. We pay it for you. . . . Our loan program may reduce your current monthly payment by as much as 50 percent and allow you no payments for the first 12 months. Call us today.

Millennia Mortgage. Come over here and get a mortgage from us. You don't have to make a payment for 12 months, they said.

Here is a company appropriately named. I don't know this company either—Zoom Credit. They told the American people:

> Credit approval is just seconds away. Get on the fast track at Zoom Credit. At the speed of light, Zoom Credit will preapprove you for a car loan, a home loan, or a credit card. Even if your credit's in the tank. Zoom Credit is like money in the bank. Zoom Credit specializes in credit repair, debt consolidation, too, bankruptcy, slow credit, no credit—who cares?

That is what Zoom Credit had to say to the American people.

Then Countrywide, the country's largest mortgage lender, said:

> Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us . . .

Just call us; that is not a problem. If you are a bad risk, you don't pay your bills, call us. This from the largest mortgage lender in this country.

And then we wonder what happened? What could have caused all of this economic trouble? Everyone understands this does not work. Mortgage revenue companies advertising: Come to us if you have bad credit; let us give you a loan of some type. And by the way, the same companies, in many cases, applied what is called predatory lending—high-pressure, cold-call telephone sales to people who say: I know you have a mortgage, but we will give you a different mortgage. We will give you one with a 2-percent interest rate, not telling them it will reset to 7 percent or 9 percent or, in some cases, more with prepayment penalties. And the broker who was able to convince someone to do that got a big fat bonus. The mortgage company, well, they got mortgages with big interest rates once they reset, and prepayment penalties so the people could not get out of them. Then what they were able to do was slice them up and put them into—like they did in the old days, like they would pack sawdust into sausages for filler—they would take good mortgages, bad mortgages, subprime, potentially bad, put them all together, slice them up, dice them, and ship them off to a hedge fund that buys them—in some cases the mortgage banks had their own mortgage sides to purchase these securitized investments—and no one knew what was in them. Very much like sausage, I might say. Nobody knew what was there.

Now all of a sudden, they have all of this paper out there and we have about 7.2 million families with what are called subprime mortgages, an outstanding value of $1.3 trillion. It is estimated that 2 million families will lose their homes in the next 2 years. By the way, 2 million families, that is 5.4 million people who will be affected by the loss of their home in the next couple of years.

We put together legislation to try to address this issue in the Senate, and we have had great difficulty moving it. We hope in the next day or so we will at least be able to get a motion to proceed.

It is interesting, when we are talking about trying to help some people avoid losing their homes, they say: Well, we don't want to help folks such as that. I agree that those who were buying houses for the sake of flipping them, making a bunch of money in the bubble of housing prices, I am not interested very much in them, but I am very interested in someone who was a victim of predatory lending by a bunch of folks who were getting rich, making a lot of money and those folks are now threatened with losing their house. I am very interested in seeing if we can help them a bit.

It is interesting, the big folks always get help. The Federal Reserve Board and the administration, with Treasury Secretary Paulson, have rushed in. They arranged for JP Morgan to buy Bear Stearns, a big old investment bank. Bear Stearns was worth about $20 billion a couple of months ago. It was acquired by JP Morgan for $1.3 billion in the last couple of weeks and the Federal Government, through the Federal Reserve Board, will put up $29 billion to pick up the risks on the assets. Think of that. One investment bank gets a $1.3 billion acquisition of another investment bank that was worth $20 billion a couple of weeks ago, and the Federal taxpayers come in to provide $29 billion as a safety net for the risk JP Morgan assumes.

On top of that, the Fed comes in and says for the first time since the Great Depression that they will make direct loans to investment banks. They have previously made loans to depository banks over which they have regulatory control, but now they will make direct loans to investment banks.

In addition, they will make a $200 billion loan available to Wall Street bond dealers. It is kind of a form of no-fault capitalism.

I don't know whether the Fed and the Bush administration are doing the right thing. I don't know. I know we cannot, none of us—the administration or the Fed or the Congress—decide to do nothing. We are trying to decide on behalf of families who are about to lose homes to see if we can't do something to give them some help. Obviously, a lot of help has been extended to the Wall Street interests—a lot of help, $30 billion, $200 billion, direct lending to investment banks. That is a lot of help. But when it comes to the homeowners, well, not so fast; let's worry about that, they say.

The Secretary of the Treasury has made the point that the problem has

not been the lack of regulation. That has exactly been the problem, lack of regulation. We must have some kind of regulatory authority to look over the shoulder and watch and see what is happening. But the fact is there has been no regulation.

The fact is the Federal Reserve Board in the Greenspan era, more recently Bernanke, and the Bush administration have watched while all of these financial engineers have created the most sophisticated of securities and devices. The financial engineers created things such as derivatives, collateralized debt obligations, called CDOs, credit default swaps—$23 trillion of notional values out there in credit default swaps—loan syndications, securitization, off-the-balance-sheet debt vehicles. It is unbelievable what has been going on, all in the name of financial engineering, and while the economy was going up, everybody thought they were all geniuses. And now as it is collapsing like a house of cards, the Federal Reserve and the head of the Treasury Department rush to try to help the big interests. The question is, what about the rest of the folks who are getting hurt? There are a lot of them. What about the rest?

I mentioned Bear Stearns was about to go belly up and the Fed and the Treasury Department assessed that could not happen because it would affect the entire financial system. I don't know whether they are right. I know it has become a kind of no-fault capitalism when the investment banks can take very big risks, and then when it comes time that it does not work out, the taxpayers come in and say: Don't worry, we will put up a safety net.

About 16 months ago, Bear Stearns gave the chairman of Bear Stearns, James Cayne, a stock bonus of $14.8 million. The year before, he had gotten $30.3 million in compensation. This company that went belly up over the last 5 years, the chairman, Mr. Cayne, made $156 million in income. Let me say that again. This is a company that went belly up because it took risks that were way outside the norm, in my judgment. The chairman received $156 million between 2002 and 2006. The CEO, Alan Schwartz, received $141 million in income during that same period, and the former company president, Warren Spector, $168 million.

Let me say that again. Three top officials at Bear Stearns, 15, 16 months ago received very large bonuses, and in the last 5 years received the following compensations: $156 million, $141 million, and $168 million. This is like hogs in a trough, all except for the grunting and shoving, which we cannot yet hear, but we will, I assume. It is unbelievable. There is unbelievable greed in this system.

We are told again by the Secretary of the Treasury that this was not the fault of a lack of regulation. Of course, it was the fault of no regulation.

This is from the Wall Street Journal, March 2008:

> A year ago at a Honolulu hotel, the heads of three Federal regulatory agencies charged with guarding the soundness of America's banks delivered this message: We're the ones you want regulating you.

Essentially telling them, we are going to compete for lax regulations. It doesn't matter what you do, we are not going to watch very much because we believe in deregulation.

So we have an unbelievable amount of hedge fund activity that did not use to exist in this country. It is now completely deregulated—hedge funds involved in derivatives way behind the curtain, and nobody knows what is going on; mortgage companies advertising that you ought to get a mortgage from them if you have bad credit because they wish to give you a mortgage, and then they slice it up in securities and send it around the world and no one knows what is in these securities. All of a sudden that piece of sausage explodes and we wonder why? It exploded because it never made good business sense, and now the American taxpayers are going to bail them all out.

We cannot begin to address this problem unless we understand that when the big interests are going to make hundreds of millions, even billions of dollars as a result of almost unprecedented greed, there needs to be some regulation. That is a fact. Regulation is not a four-letter word. It is an essential part of good government.

Long ago, I and others have been on the floor of the Senate talking about need for some regulation with respect to hedge funds, but we have not been able to get legislation through the Congress. But this is not just about regulating hedge funds; it is about the agencies that are already empowered to regulate refusing to do their jobs.

The Secretary of the Treasury today announced a series of steps that he portrays as a substantial addressing of the issues that are now involved in subprime lending and the other financial difficulties. But in many ways, it is moving the boxes around and, it appears to me to be deregulation rather than the need for additional regulation and additional oversight.

It is not just in this area of housing, it is not just in the area of investment banking or hedge funds. I have mentioned on the floor previously that there is unbelievable speculation in a range of areas. Oil—the fact is I believe, and there are some experts who believe, that the price of oil at the moment is about $30 above where it ought to be. Why? Because for the first time hedge funds and investment banks are hip deep in the oil futures market, driving up the price of oil, having nothing at all to do with the supply and demand of oil. Once again, unbelievable speculation. For what purpose? For the purpose of unbelievable profitability.

We have not had investment banks previously buying oil storage capability so they can buy oil on the futures market and take it off the market and put it in storage and wait until the price goes up. We have not had that before. That is the kind of speculation that I think is counter to the interests of this country's economy. It is not counter to the interests of those who want very large profits, even if the rest of the American people have to pay for that unbelievable speculation.

There are some who say, if we can address this issue now, the issue of housing, the issue of predatory lending, if we can address the issue of investment banks, the issues of some hedge funds, that will all be fine. That is not the case either. There are some other underlying problems that almost everyone in this world knows but no one is interested in doing anything about it. The dollar is losing value substantially for a number of reasons, but at least two of those reasons are obvious: No. 1, an $800 billion trade deficit; No. 2, the $700 billion required additional borrowing this year because of budget policy.

I know the President says the deficit is a projected $410 billion. That is not true. Take a look at what our country is going to be required to borrow in the coming years—$700 billion. You add an $800 billion trade deficit to a $700 billion borrowing requirement because of a reckless budget policy and you have $1.5 trillion borrowing in 1 year against a $14 trillion economy. People know that doesn't work.

I mean, the fact is, we have to fix this system, and we start, it seems to me, this week, with the proposition that if we can deal with the housing piece, at least you start trying to help some of the American people who really deserve some help at this point in order to keep their homes. That is the first piece of legislation on the floor of the Senate this week. That is a reasonable thing to do. If this Government, at its highest levels, can take billions and tens of billions of dollars around Wall Street and say to the Wall Street firms, here is $29 billion if you will pay $1.3 billion for a firm that used to be worth $20 billion a couple weeks ago—if we can do that and assume all that risk on behalf of the American taxpayers for the kind of activities on Wall Street that represent, in my judgment, unsound business practices and unbelievable speculation, this Congress can certainly reach out to home owners across this country to say that we want to give them some help. We will see tomorrow or the next day what might or might not happen with respect to the willingness of this Senate to address this housing issue.

WASTE, FRAUD, AND ABUSE

Mr. DORGAN. Mr. President, 2 weeks ago, I had a chance to meet Herman Wouk, who is one of America's greatest authors. He wrote ''Caine Mutiny'' and he wrote ''War and Remembrance.'' He is 91 years old and a remarkable man, just a remarkable man. He was telling me something kind of in jest. He said:

You know, I don't know much about what happened after 1945, but I know everything that happened before 1945. He was talking about his body of work, his research on the Second World War and prior to that period of time. And he wrote wonderful books, as all of us know. He is one of America's greatest authors.

Herman Wouk and I were talking about the Iraq war and talking about the stories about the Iraq war, and he said to me: Do you know anything about the Truman Committee? Do you know anything about what happened in the Second World War with President Harry Truman, then-Senator Harry Truman, who created a committee, a special committee in the United States Senate, bipartisan, to go after this issue of contract fraud that was going on with respect to defense contracting? I told him I certainly did know about the Truman committee, and we have had, I believe, four votes in the Senate that I offered as amendments to establish a Truman committee.

At this point I want to show my colleagues a photograph of a man. I don't know this man personally. This comes from a Thursday, March 27, edition of the New York Times.

I read an article about this man on an airplane, and I was struck by it because it is such an unbelievable story, and it is another chapter of, in my judgment, a shameful series of chapters of abuse of the American people by contractors with respect to the Iraq war.

The New York Times published this article, and this is a picture of a 22-year-old man from Miami Beach. He had gotten contracts worth over $300 million in U.S. taxpayers' dollars, and he had signed a contract with the U.S. Army to provide arms to Afghan soldiers.

Apparently, we, as taxpayers, and the U.S. Army, were trying to provide additional arms for the Afghan Army with which to fight and defend itself. So this 22-year-old man got a $300 million contract from the Army Sustainment Command, through a company that had been a shell for a number of years established by this man's father. Mr. Diveroli is his name. This is a mug shot from the Miami Dade Police Department. He had allegedly assaulted a parking lot attendant and had a forged driver's license when he was arrested, which made him out to be 4 years older than he really was. He told police he had gotten the forged driver's license to buy alcohol, but now that he was over 21 he didn't need it any longer.

So this is a 22-year-old man who was the CEO of a company called AEY based in Miami Beach. And this is a picture of the building that was headquarters for his company, but there was nothing on any door in the building. Apparently, in one part of this building an office was supposed to be his office, but there was nothing that identified his office.

And here is a picture of his vice president, the vice president of this company, this company to which the U.S. Army gave a $300 million contract. The vice president is a 25-year-old masseur named David Packouz. He is the former vice president of the firm that got $300 million. So you have a 22-year-old and a 25-year-old masseur who get $300 million from the U.S. Army.

Now, what did they do with the $300 million? Well, the next photograph, again from the New York Times, shows outdated ammunition sold to Afghan forces, including 40-year-old Chinese-made cartridges. So these folks got $300 million and they were providing mid-1960s cartridges to the Afghan Army, which the Afghan Army was receiving in cardboard boxes that had not been properly taped and were falling apart. The Afghan Army described these armaments as junk. Here is an Afghan policeman surveying 42-year-old Chinese ammunition that arrived in crumbling boxes.

Again, American taxpayers, through the Army Sustainment Command, paid hundreds of millions of dollars to a company that previously had been a shell company, a shell corporation, now run by a 22-year-old who says that he is the only employee of the corporation.

Now, Mr. President, I have spent a lot of time on the floor of the Senate on these kinds of issues. It is pretty unbelievable when you think about it. I don't know Mr. Diveroli personally. Never met him. I do know that three reporters from the New York Times did some extraordinary work—C.J. Chivers, Eric Schmitt, and Nicholas Wood, to expose his activities. I don't know how long it took them to do this investigative piece, but it is two full pages inside the New York Times. They obviously traveled to Afghanistan and other countries to finish this investigative piece. We wouldn't know about this issue were it not for investigative reports by the New York Times.

In January of 2007, that is just 14 months ago, the most recent award, which I believe was $150 million, was given by the Army Sustainment Command, and the Army Sustainment Command said:

> AEY's proposal represented the best value to the government.

I am telling you, this part of the U.S. Army has a lot of explaining to do to this Congress and to the American people. This is the same Army Sustainment Command and, incidentally, the same general in charge of the Army Sustainment Command who went to a hearing here in the Senate, and following my testimony before a hearing about the water problems in Iraq and about Halliburton Corporation providing water to the troops, nonpotable water that was twice as contaminated as raw water from the Euphrates River, we had the evidence, internal Halliburton memorandums, saying it was a near miss. It could have caused mass sickness or death. This is the same general who went to that Senate committee and said: Never happened.

Well, now the inspector general has finished an investigation and said in fact it did happen. It did happen. This general has some explaining to do.

I have asked Secretary Gates, the Defense Secretary, to ask this general to explain himself, and so should this Congress.

But I don't understand, I just don't understand how even following information sent to this country, to the Army Sustainment Command by U.S. military officers in Afghanistan, saying what they are sending over here in the form of armaments under this contract is junk and it needs to stop, even following that it continued. It is an unbelievable amount of government waste.

This is but one issue. And we wouldn't know about it if it were not for the New York Times. This has been going on for years. We have been fighting in Iraq longer than we were fighting in the Second World War.

Now, let me go back to something they did in the Second World War. Harry Truman, in this Chamber, stood up and offered a proposal to create the Truman Committee, bipartisan. For $15,000, they created a committee, and it worked for 7 years and saved $15 billion investigating waste, fraud, and abuse in defense spending during the Second World War. Now, Mr. President, I have been trying for 4 years to get this Congress to empower a committee and to impanel a bipartisan committee to go after this kind of waste, fraud, and abuse.

Let me go over just a few of the things. I have held, I believe, about 12 hearings in the Policy Committee, but the Democratic Policy Committee does not have subpoena power, and I have only held these hearings because other committees have not. Oversight is a responsibility of this Congress.

Mr. President, I want to show a photograph of Bunnatine Greenhouse. I have done it on many occasions. But the reason I wanted to show the photograph is because Bunnatine Greenhouse is a very courageous woman. This woman rose to become the highest civilian official at the U.S. Army Corps of Engineers. This is a remarkable woman. By all accounts, according to people outside of government, she was the finest purchasing agent and an unbelievable public servant. But she blew the whistle on abusive Halliburton contracts. She said it was the most significant abuse of contracting authority she had seen in her career.

Guess what happened to her. It is what happens to too many whistleblowers. She got demoted and lost her job. She got demoted because she had the guts to speak out.

This whole issue has now been subsumed behind the wall in the Defense Department. We can't talk about it now because it is under investigation. This woman lost her job nearly 4 years

ago and was replaced, by the way, by someone who had no experience, not a day's worth of experience in contracting authority. That is the way it works over there. You blow the whistle, you pay for it with your career.

I called the person that hired Bunnatine Greenhouse one night at his home—LTG Joe Ballard. He had since retired from the military. And I said: General Ballard, Bunnatine Greenhouse spoke out about the billions of dollars given the Halliburton Corporation and the abuse and the way those contracts were let and she was demoted. Tell me about Bunnatine Greenhouse. You hired her.

He said: She is the best. She got a raw deal.

This is from General Ballard, since retired. Well, the Pentagon decided to award a big no-bid, sole-source contract to the Halliburton Corporation. It is called Restore Iraqi Oil, the RIO–C, and then they had other contracts—the LOGCAP contract. The waivers that were required were not given. This was short-circuited, and we have seen the result of this now for a long period of time.

Mr. President, I have been to the floor a good many times to talk about the hearings I have held, and I don't mean to single out Halliburton, it is just the company that has gotten the biggest contracts. But when a company gets hundreds of millions of dollars, or billions of dollars and then, in my judgment, is not performing and is taking all the money, we have a right to ask questions. We had $85,000 brand new trucks left beside the road in a zone that was not considered hostile at all, to be torched and set on fire because they didn't have enough equipment, or didn't have a wrench to fix a tire; $85,000 brand new trucks left to be torched beside the road in safe areas because they had a plugged fuel tank. The attitude is that it doesn't matter, the taxpayers will pay for that. It doesn't matter, it is a cost-plus contract. A cost-plus contract, taxpayers will pay for that.

Let me show a towel. It is sometimes the smallest issues that make the biggest points. Henry Bunting came and testified for the Halliburton Corporation. He worked in Kuwait. He was the purchasing agent for our troops in Iraq.

One of his jobs was to purchase towels, so he wrote out a purchase order for towels for the troops and his supervisor looked at that and said no, you can't buy those towels. Bunting wanted to buy plain white towels. He was told that he needed to buy a towel that has KBR's logo, Kellogg Brown & Root, a subsidiary of Halliburton, embroidered on it. He said the problem is that will triple the cost of the towels they are buying for the troops. His supervisor said you don't understand, it doesn't matter. These are cost-plus contracts. It doesn't matter.

Henry Bunting told us about tripling or quadrupling the cost of towels, about paying $45 for a case of Coca-Cola, about $7,600 for a 1-month lease of an SUV, about 25 tons of nails sitting on the ground, on the sand of Iraq, because somebody ordered 50,000 pounds of nails and ordered them too short. It doesn't matter, the taxpayer pays for all that. Throw them on the sand and reorder.

How about charging for 42,000 meals for the soldiers, a day, and serving only 14,000 meals a day? Missing, 28,000 meals. It doesn't look like an innocent mistake to me. Rory Mayberry came to testify at a hearing I held. He was a supervisor of food service for the Halliburton subsidiary. He said we were told that when an auditor came by, don't you dare talk to an auditor. We forbid you to speak to a government auditor. He said they were routinely charging for more food for soldiers than solders existed—routinely. He said they were routinely serving expired, date-stamped food. The supervisor said it doesn't matter, serve it to the troops.

I mentioned the issue of water quality; again, the issue of requirement in the contract to provide water to our troops at the military bases in Iraq. That was a Halliburton contract. A couple of whistleblowers came to me and gave me the internal memorandum in the company. They were providing water that was twice as contaminated as raw water from the Euphrates River. I had it in writing. Yet Halliburton denied it and so did the U.S. Army. Only when the inspector general did the investigation I requested did we find out Halliburton was not telling the truth, nor was the U.S. Army. That is a sad comment.

I want to show a picture of some money. The fellow who was holding this cash came to testify. I believe I have a chart that shows the money. These are one-hundred dollar bills, in bricks, wrapped with Saran Wrap. This guy, named Frank—this was in a building in Baghdad. Down below in the vault of that building were several billion dollars.

By the way, $18 billion of cash was loaded on C–130s, from this country, to go to Iraq—$18 billion in cash. It was not accounted for.

There was a man who was contracted to be able to do the accounting. His name was Howell. His address was a residential home in San Diego, CA, and his company allegedly was NorthStar Consulting. No one has ever been able to find anything NorthStar Consulting did, except we know they got $1.4 million and there is no evidence they had any accounting on staff, any accountant at all. There is no evidence that any of the $18 billion in cash that was moved by C–130 airplanes to Iraq was accounted for.

This is $2 million. This $2 million.

By the way, Frank said from time to time they would throw these around as footballs in the office because there was a lot of cash around there. He said the refrain in their office was: You bring a bag because we pay in cash. He said it was like the Wild West.

This belonged to Custer Battles, by the way, this cash. They showed up in Iraq with no experience, a new company. They got $100 million in new contracts very quickly and then a whistleblower—at least the whistleblower says they threatened to kill him. He said you can't do this. They took forklift trucks that belonged to the Baghdad Airport, allegedly painted them blue, and then sold them back to the Coalition Provisional Authority. That was us, by the way. We were paying for all of that. Custer Battles, this was one of their payments. I expect they have been under criminal investigation now for some while—and if they have not, they should be. That was only $2 million, but they got $100 million.

There is so much to say about these issues. The Parsons Corporation is a company that was to build health clinics in Iraq. The Parsons Corporation was provided $243 million in a contract by us to build or repair 142 health clinics in the country of Iraq. Three years later the $200 million was gone, but there were only 20 health clinics and those that existed were of shoddy construction. A man who was an Iraqi physician, a doctor, came and talked to me about it. He said he went to the Iraqi health minister because he knew this money was supposed to go to address health issues in Iraq. He said to the Iraqi health minister, I understand an American company got $200-plus million. I want to tour all these healthcare facilities that were supposed to be built. The Iraqi health minister said you don't understand. Many of these were imaginary clinics.

The money is gone. The American taxpayer got fleeced again. The money is all gone, but the clinics don't exist.

We have shoveled money out the door here in this Congress. This President has said I want to send soldiers to war but I do not intend to pay for it. Not a cent of it has been paid for. Since the war started, every single dollar has been requested as an emergency by the President, emergency spending. It is unbelievable; nearly two-thirds of a trillion dollars emergency spending. A substantial amount of money has been shoveled out the door here for contracting, very big contracts in Iraq—some reconstruction, some replenishment of military accounts, but very large contracts with almost no oversight. The American taxpayer has been stolen blind. This is easy to say, in my judgment, the largest amount of waste, fraud, and abuse in the history of this country.

It has gone on for over 5 years. There is no excuse, none, for this Congress not creating a Truman committee with subpoena power, bipartisan, to investigate and bring justice and provide the oversight necessary on this kind of contract abuse. There is no excuse.

I know some over the years have made excuses. I have offered the amendment three times, perhaps four, but we voted on it three times. I have people stand up in the Senate and say

we are doing the oversight hearings, we are doing hearings. We are not. That is not true. The Appropriations Committee did one a month ago after I pushed and pushed. I appreciate the Appropriations Committee doing it. We will do another one in about a month, a little less than a month. That is fine. That is not a substitute for doing 60 hearings a year for 7 years, as the Truman committee did.

American taxpayers deserve better than they have gotten from this President and from the Congress for the last 5 years.

Senator REID and I have talked about this a great deal. Senator REID has aggressively supported the creation of a special committee, a bipartisan committee to investigate this kind of waste, fraud, and abuse. It is long past the time we do it.

I come back to the point I made originally. When I pick up a New York Times and see that $300 million of contracts is given to a shell corporation in Miami, FL, with no name on the door of the building, a corporation headed by a 22-year-old as president, a 26-year-old masseur as vice president, I ask the question: Who makes those judgments? Who is responsible? Who is accountable?

From that several hundred million dollars, 50-year-old weaponry is sent to Afghanistan in the name of American taxpayers, in boxes that are not taped up properly, weaponry that comes, in some cases, from the 1960s, in China.

That is unbelievable to me. Some might be able to read the New York Times piece and say that is all right, I have read this before. I have read we were double charged for gasoline for our American troops in Iraq. I have read we were overcharged for meals. I read we paid for health clinics that did not get built. I read all these things. You know what, it is not such a big deal.

It is a big deal with me. It ought to be a big deal with this Congress. The American people, I think, are sick and tired of this and they deserve a Congress that is going to do something about it.

I obviously wish I didn't have to come to the floor to talk about this. I wish instead my energy was devoted to a committee that had subpoena power. The very first thing we should do—and, by the way, I am writing a letter to the appropriate subcommittee saying I want you to subpoena the principals in this contract and I want you to subpoena the general in charge of the Army Sustainment Command and I want them to come to testify and explain to the American people and explain to us how is it during wartime that we seem to blink and turn our head to what is, I believe, war profiteering. Who has allowed us be that immune to the interests of the American troops? This undermines and disserves the American soldiers. It certainly disserves the American taxpayers and does not represent the best interests of this country.

In the coming days I intend to come to the floor a good many times to speak about this and be a general burr under the saddle—which is a term that people are perhaps more acquainted with in my home State because we raise a lot of horses. But it seems to me the only way to get this sort of thing done is to be a problem and to embarrass those who do not want to do it, and I am prepared to do that. I think it is long past the time to say to the American people: You don't have to read it anymore in the newspaper. The newspaper is not going to be required to do oversight for this Congress. The Congress finally, at long last, will do its own oversight and will do a good job and tell the American people you can count on us. That has not been the case earlier when this war started because no one wanted to do the necessary kind of oversight because it was the kind of oversight that would probably raise some hackles and embarrass some folks.

I might also say, there was a piece of legislation passed—in fact, the Presiding Officer, Senator WEBB, and Senator MCCASKILL and others put it together last year, which I supported—which deals with a Truman commission. It is not the equivalent of a Truman committee. A Truman committee is a standing committee with subpoena power, but the Truman Commission is a step forward and I supported it. It will be a commission that operates on a one-time basis to develop recommendations and take a look at what is happening.

The Wartime Contracting Commission has a 2-year sunset, and I commend my colleagues for trying to put together and for successfully putting together a commission, but I do say that we need in this Congress a committee, a bipartisan select committee, with subpoena power and we need it now.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. KYL. Mr. President, I ask unanimous consent that I may speak for such time as I might consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

AMERICAN HISTORY

Mr. KYL. Mr. President, in the Senate, we are surrounded by history. The same can be said of the Capitol itself and, of course, of Washington, DC. It is very humbling to think that when we travel around the Nation's Capital, we are following the paths that many great statesmen walked before us.

Reflecting on our past can be a source of great pleasure, and it can lead to great insight. Learning about the lives of great Americans—the grand accomplishments and humanizing habits—is both entertaining and educational. Indeed, it is emblazoned in the rotunda in the Library of Congress that ''History is the biography of great men.'' The accomplishments of great Americans give us heights to which to aspire, and their failures give us guidance for our own pursuits.

Unfortunately, the pleasure of knowing history escapes many younger Americans. Study after study has shown that our students lack even a rudimentary knowledge of American history.

The most recent National Assessment of Education Progress found that elementary, middle, and high school students fall short in terms of what they know about U.S. history. According to the NAEP, the Nation's report card, roughly a third of fourth graders and eighth graders fall below what is deemed a ''basic'' level of proficiency in U.S. history. Our high schoolers fare much worse. More than half of 12th graders fall below the ''basic level.''

The news does not improve as students move on to college. Older students fare poorly as well, even those who attend what are considered our top universities and colleges. A recent survey of college freshmen and seniors revealed that many students are ignorant of what many of us consider basic facts of American history. For instance, only 47 percent of freshmen knew that Yorktown brought the Revolutionary War to an end. Seniors did even worse—only 45 percent knew. Another example: 42 percent of college freshmen could not identify on a multiple-choice test the 25-year period during which Abraham Lincoln was elected President. And another: 15 percent of seniors did not know that the Declaration of Independence denotes the inalienable rights of life, liberty, and the pursuit of happiness.

The results are disappointing, to say the least. They reveal that younger Americans have a poor concept of what is necessary for good citizenship. What is the basis for the social compact of Americans? Many younger Americans do not know that our Government was founded on principles and values of innate equality and liberty. We have known about these deficiencies for a long time. Yet very little progress has occurred. This must change if American voters are to be able to evaluate candidates and issues on the basis of American principles and values.

It was 13 years ago that the Senate debated the national illiteracy of U.S. history. At that time, the Senate was considering controversial national U.S. history standards. These standards were flawed, neglecting important individuals, ideas, and events for the sake

of politically correct subjects. As poor as the standards were, they did respond to what many recognized as a serious and legitimate problem: the Nation's children were not learning U.S. history.

As Senator Slade Gorton noted during that debate:

> The founding truths of this country may have been self-evident to the Founders, but as studies have demonstrated again and again, they are not genetically transmitted.

Studies have continued to demonstrate just that.

So what to do about it? Most of what we learn about our country we learn in school, but today's curricula does little to interest our students. So says former Secretary of Education William Bennett. In an article in National Review last year, he wrote:

> It's not our children's fault. . . .Many of our history books are either too tendentious—disseminating a one-sided, politically correct view of history of the greatest nation that ever existed; or, worse, they are boring—providing a watered down, anemic version of a people who have fought wars at home and abroad for the purposes of liberty and equality, conquered deadly diseases, and placed men on the moon.

Today's textbooks, say scholars like Bennett, do not relate the drama of our Nation, they are lifeless and boring, and they shy away from conveying the uniqueness and the extraordinary nature of America. Ours is a very special Nation based on what our Founders called ''truths.'' Is it conceivable that our unprecedented freedom, success, and leadership is influenced by these truths and the governmental structures designed to reflect them? You would not know it from some histories.

I believe our students would be well served by reading texts such as ''A Patriot's History of the United States.'' I like the way the authors of this book describe their approach to writing a volume of American history. They say:

> We remain convinced that if the story of America's past is told fairly, the result cannot be anything but a deepened patriotism, a sense of awe at the obstacles overcome, the passion invested, the blood and tears spilled, and the nation that was built.

That is the spirit we should convey to our children. And it does not have to be politically correct—just fair. Of course, American history cannot ignore the bad, but it also should not neglect individuals, ideas, and events that inspire.

My colleague, Senator LIEBERMAN, had it right in 1995. He said:

> We do not need sanitized history that only celebrates our triumphs. . . .But we also do not need to give our children a warped and negative view of Western civilization, of American civilization, of the accomplishments, the extraordinary accomplishments and contributions of both.

Why is this important today? First, to quote my colleague from Connecticut again:

> History is important. We learn from it. It tells us who we are, and from our sense of who we are, we help determine who we will be by our actions.

It is especially important in an election year, where knowledge of the past can help us evaluate events and candidates of today.

It is imperative that in these times Americans understand who we are as Americans. Americans must comprehend the principles and values on which this country was built because we are engaged in a great ideological confrontation with people who are dedicated to destroying us—a confrontation that will be arduous and difficult. The terrorist conflict in which we are engaged is one of values and principles, and future generations cannot act on these values if they are ignorant of American history.

When citizens begin to grow ignorant of who they are, one of the first symptoms is a loss of willpower. Learning about our past tells us who we are, and with that knowledge we are equipped to face the challenges and fight the wars we face today and in the future. Indeed, if future generations do not appreciate what we have—why it is so precious, why it needs defending—they will not do the hard things necessary to defend it.

In a speech to Harvard University's graduating class of 1978, Alexander Solzhenitsyn confronted the West's weak confrontation of communism.

It is probably worth noting here another item in the survey of college students I mentioned earlier. That survey found that about a quarter of freshmen were unable to complete this sentence correctly: ''The major powers at odds with each other in the 'Cold War' were the United States and [blank].'' A quarter of the students could not come up with the name—Soviet Union—and it was a multiple-choice quiz.

Solzhenitsyn's speech is particularly instructive even as we face a different ideological threat today. He warned:

> No weapons, no matter how powerful, can help the West until it overcomes its loss of willpower.

Some of the debates we have been having in the Senate raise the question of whether we are there again.

Thirty years after Solzhenitsyn, we need to summon willpower for this new conflict. We are engaged in a struggle against a radical ideology whose adherents want to eradicate us. The enemy we are fighting hates us because of our values and our principles, the origins of which are unknown to many young Americans. But a lack of willpower has inhibited our struggle against these global terrorists.

Last year, the Senate spent many hours debating whether to withdraw from Iraq before we had completed our mission. We have spent too much time arguing over terrorists' civil rights. Solzhenitsyn, in fact, presaged our current debate in 1978 when he observed:

> When a government starts an earnest fight against terrorism, public opinion immediately accuses it of violating the terrorist's civil rights.

Such accusations are a sign of a lack of will to defeat an implacable enemy.

This brings me to a final figure, another Soviet dissident and another witness to the destructive power of dangerous ideologies, like Solzhenitsyn. These are both men who understand the necessity of willpower in the face of evil.

A couple of years ago, writing in the journal ''The New Criterion,'' Roger Kimball, in his essay ''After the suicide of the West,'' discussed the insights of the Polish philosopher Leszek Kolakowski, who lived both through the fascism of the Nazis and the communism of the Soviet Empire. He was also active in the Polish Solidarity movement. Kimball paraphrases Kolakowski and illuminates why knowledge of our history is so key for the maintenance of our willpower. Kimball writes:

> Kolakowski is surely right that our liberal, pluralistic democracy depends for its survival not only on the continued existence of its institutions, but also ''on belief in their value and a widespread will to defend them.''

One can surely question whether the next generation of Americans really believes in the value of our institutions. After all, what is it they have to base their judgment on when they know very little about the institutions themselves?

A few years ago, in 2003, the Library of Congress recognized Kolakowski for his intellectual achievements. After receiving his award, he made a speech in which he passionately explained why history is so important and why it is an important matter for discussion.

He said:

> Historical knowledge is crucial to each of us: to schoolchildren and students, to young and to old. We must absorb history as our own, with all its horrors and monstrosities, as well as its beauty and splendor, its cruelties and persecutions, as well as all the magnificent works of the human mind and hand; we must do this if we are to know our proper place in the universe, to know who we are and how we should act.

And he goes on:

> One might ask what is the point of repeating these banalities? The answer is that it is important to keep on repeating them again and again, because these are banalities we often find it convenient to forget; and if we forget them and they fall into oblivion, we will be condemning our culture, that is to say ourselves, to ultimate and irrevocable ruin.

Studies of our young people's knowledge of history confirm the wisdom of this observation and raise questions about the risk to our history of falling into oblivion.

''Thankfully, historical amnesia still has a cure,'' Secretary Bill Bennett reminds us. ''Let us begin the regimen now.''

We need a cure, because as long as we suffer from this amnesia, we will be fighting two wars: a war against our enemies who wish to do us harm and a war against our will, the loss of which will let them.

The fate of future generations depends on how we answer the enemy's challenge today. To do that, we must

clearly understand the values and principles that make us who we are. The truth is no one will fight long, either literally or figuratively, for values and principles he doesn't understand.

Americans must know what is worth fighting for, must maintain the willpower to do it, and must apply the lessons of our past to our current threats. So we must find a way to help students understand the values and the principles upon which our Nation is founded. The solution begins at a fundamental level of learning and education. Our students need textbooks that capture the life of history—Bill Bennett suggests a national contest for better history textbooks—and draw young people to the study of our Nation's story.

The solution, however, must go beyond changes to curriculum. As a nation, we must learn to embrace our history again and discard the politically correct, relativistic version of our history that has persisted for far too long. We must act now to preserve for future generations what we know to be so important. Let us get about the job.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING CRISIS

Mrs. MURRAY. Mr. President, over the last year, Americans across the country have watched as our economy has faltered, and for far too many families the economic downturn has hit home in the form of a foreclosure. This is a time when we badly need a strong and effective response from the administration led, in part, by the Department of Housing and Urban Development.

But instead of helping the millions of families who are struggling to stay above water, HUD has been almost constantly distracted by the ethical questions that have been facing its Secretary, Alphonso Jackson. Ten days ago, I felt the problem had reached a breaking point, so I called for Secretary Jackson's resignation. Today, Mr. Jackson announced he has decided to move on, and President Bush must now nominate a new Housing Secretary with the experience and the credibility to attack this crisis rather than hide from it.

Mr. President, I hope this development is a sign that the administration wants to finally make the needs of American families a priority. I hope it is a sign that the administration wants to work with Congress on a meaningful response to the crisis that has swept across this Nation. I hope President Bush will change his position and support our effort to pass legislation that will help millions of families who are facing foreclosure today.

This week, we will give President Bush and the Republican Senators that chance again as we take up the Foreclosure Prevention Act for the second time this year. Until now, it seems that some on the other side of the aisle have been more responsive to Wall Street than Main Street.

So I hope my colleagues who were home over the break have listened, as I have, to the concerns of their constituents and have now returned ready to work and address our Nation's housing crisis. This truly is a crisis. I wish to spend a couple minutes talking about why we have to take action now.

As many as 2 million American families are going to lose their homes to foreclosure this year. Each foreclosure represents a family whose dream of a comfortable home and secure future has been dashed. Each foreclosure weakens the foundation of our entire economy and our communities. Foreclosures have left our neighborhoods full of vacant homes. Foreclosures have left our families distressed and troubled, and communities are now reporting a higher crime rate as a result of this crisis. State and local governments are seeing their tax revenues drop even as their needs are piling up. We in Congress can help prevent this by investing in our communities and providing support for families who risk losing everything.

The Foreclosure Prevention Act would make changes in bankruptcy laws so that more financially troubled families could keep their homes. It would change lending laws to prevent more borrowers from accepting terms they don't understand and cannot afford. It would provide an additional $200 million to help housing counselors continue to reach out to families who are at risk of foreclosure.

I wish to focus on the last point because it is extremely important. Too many homeowners today don't know they can get help when they get behind on their mortgage. Too many of them don't contact their lender when they miss their first payment. Too many are just intimidated or don't feel they can trust anyone. The Foreclosure Prevention Act would give counseling agencies the resources they need to reach out and let borrowers know they have options. Counseling can help families negotiate with their lenders, readjust their payments, or learn how to budget their expenses better.

Last month, I had the opportunity to meet a single mother from Ohio. She had fallen on hard times which, in turn, led her to fall behind in her mortgage. Luckily, with housing counseling made possible by NeighborWorks America, she and her children were able to stay in their home. She explained to me that when she got behind, she was simply overwhelmed; she didn't know what to do. She said this is not something about which they teach you in school.

Our economic health in this country depends on Americans having a safe and stable place to live and raise their families. We want every family to know there is help out there. The Foreclosure Prevention Act would help make sure families that risk losing everything get the help they need before it is too late.

Across this country, people are worried about whether they are going to be able to keep their homes, whether their jobs will be eliminated, and how they are going to pay for health care when they or their children get sick. These are real families, and these are real communities in need of help.

We need to pass this reform immediately. Americans want action. We wanted to pass it last month, and we were stopped by Republican efforts to block this bill. So I hope now, as we have returned from the recess, President Bush and our Republican colleagues will support our efforts. I hope they will come with us tomorrow, stand with us, and pass meaningful reform that will give homeowners the help they need, allow them to keep their homes, give their families hope, and ultimately make our communities strong again.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak in morning business for as long as I may need.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska is recognized.

UNITED STATES COAST GUARD

Ms. MURKOWSKI. Mr. President, many of my fellow Americans are very aware of the exhilaration but also the dangers and risks of commercial fishing in Alaska's Bering Sea. The pictures and the stories—and even the sounds—are brought into our living rooms every week on the Discovery Channel program ''The Deadliest Catch.'' Many have seen it.

When the Bering Sea fishing fleet finds itself in trouble, they rely on the men and women of the U.S. Coast Guard to truly make order from the chaos. These stories have not escaped Hollywood's attention. It is not only seen on ''The Deadliest Catch,'' but there was a 2006 feature film, ''The Guardian,'' starring Kevin Costner and Ashton Kutcher, which paid tribute to the Coast Guard search and rescue teams based at Air Station Kodiak in Alaska. Coast Guard Air Station Kodiak is home to aircrews and rescue swimmers who endure some of the

harshest winds and seas in the world. They put their own lives on the line every day so that others may live.

The events that were depicted in ''The Guardian'' were fictional, but the events that transpired this past Easter morning in the Bering Sea were very real. I rise today to honor the men and women of the U.S. Coast Guard who participated in efforts to rescue the 47-member crew of the fishing vessel *Alaska Ranger*. As a direct result of these heroic efforts, 42 members of the *Ranger's* crew survived. There were no Coast Guard lives lost. In the words of RADM Arthur Brooks, commander of the Seventeenth Coast Guard District, it was ''one of the greatest search and rescue efforts in modern history.''

Let me kind of paint the scene for you. It was 2:52 a.m. local time on Easter Sunday, March 23, that the *Alaska Ranger*, a Seattle-based factory trawler, radioed the Coast Guard Communications Station Kodiak with a distress call. The vessel at that time was located 120 miles west of Dutch Harbor at the end of the Aleutian Chain. The vessel was taking on water. There were 25-knot winds and seas 6 to 8 feet high.

The Coast Guard immediately launched a rescue effort. There was a cutter, two helicopters, and a C–130. The crew of the *Ranger* had to abandon ship before the first Coast Guard asset arrived.

First to arrive on the scene is a Coast Guard Jayhawk Rescue Helicopter, deployed from St. Paul Island, located about 230 miles to the north of where the *Alaska Ranger* was at the time.

The Jayhawk carried a crew of four men. There was no backup. The Jayhawk arrives on the scene about 5:30 a.m. This is about 2½ hours after the first distress call. This helps put in perspective the distances with which we are dealing. By this point in time, the *Alaska Ranger* has already sunk in the water. The vessel is completely gone. It has already sunk in water that is more than 6,300 feet deep.

The air crew flies in and looks upon this sea of flashing strobe lights. Keep in mind, this is 5:30 in the morning. It is still dark. They have wind and sleet and waves coming up, and they see this sea of flashing strobe lights, probably a mile end to end. They are looking down at this scene through the helicopter thinking there is a light there: Is that a liferaft? Yet another light and another light. Each light is a member of the *Ranger's* crew wearing a survival suit. Some are in liferafts, but others were literally in this human chain stretching almost a mile in length. Others are floating alone. The water temperature in the sea is about 32 degrees.

Rescue swimmer O'Brien Hollow is lowered into the water to triage the survivors. One by one, he positions the survivors to be hoisted into the helicopter above. The helicopter is tossing above in these very heavy winds. Hollow is tethered to the helicopter from above.

We also have then the Coast Guard cutter *Munro*. It has been diverted from its position 130 nautical miles south of the incident. It is racing to the scene at the speed of about 30 knots.

The *Munro* carries a Dolphin rescue helicopter which lifts off the *Munro* some 80 miles before the cutter arrives at the scene.

Rescue swimmer Abram Heller is lowered into the water and begins to gather victims to be hoisted into the basket to be lifted up into the helicopter. Heller stays in the water to make room on the Dolphin for survivors.

One has to remember, they have some 47 men in the water. They are trying to lift them into the basket and then into the helicopter, but the helicopter can only accommodate so many people. The rescue swimmer is saying: I am going to stay down here; move this group to safety.

The Jayhawk then departs the scene for the *Munro*, but the Jayhawk cannot land on the cutter's deck because it is too big. So the Jayhawk crew hoists the survivors down to the *Munro's* deck one by one. Just as they have been lifting survivors out of the sea into this helicopter that is pitching around in the air, they now have to be dropped down to the deck one at a time in the basket.

In the meantime, a fuel line is sent up from the *Munro's* deck to refuel the Jayhawk, and it then departs to the scene.

The Jayhawk recovers Heller, the rescue swimmer who has been down there with the survivors, and rescues more survivors. In total, the Jayhawk is responsible for saving 15 lives. The Dolphin saves five lives.

The third player in this supremely heroic effort is a Coast Guard C–130, which circled over the scene serving as an airborne coordination and communications platform.

The Coast Guard also received substantial assistance from the *Ranger's* sister fishing vessel, the *Alaska Warrior*. The *Alaska Warrior* also had been out on the Alaska fishing grounds. They left their fishing grounds to pick up 22 survivors from the *Ranger* who were in liferafts and then returned them to Dutch Harbor.

Unfortunately, four of the *Ranger's* crew members could not be saved. One still remains unaccounted for. The Coast Guard sent the Jayhawk and a C–130 back to the scene with fresh crews to search for the missing mariner but without success. The search for the missing crew member was suspended on Tuesday, March 25.

The Coast Guard uses the maritime phrase ''Bravo Zulu'' to recognize a job well done, and this was truly a job well done. While the Coast Guard rigorously trains its people to perform this mission, it is very rare to undertake a mission of this intensity and this complexity.

Rescue swimmers Hollow and Heller had participated in rescues before but nothing approaching this kind of a rescue. In fact, rescues of this nature are extremely rare. After very carefully examining the records dating back over 30 years, the Coast Guard could only find a couple mass rescue cases that were even remotely similar to what we experienced on Easter.

While dramatic search-and-rescue cases are no stranger to Alaska, most involve 10 victims or less. Others involve a much more orderly abandonment of a vessel. This was the case in 1980, when the cruise ship *Prinsendam* went down near Yakutat, AK. But large numbers of people abandoning ship directly into the water hardly ever happens. That is one more reason why this rescue effort was remarkable. But it is not the only reason.

The risks that were involved in this case were extreme. They had, again, darkness, extremely high winds, high seas, ice, freezing temperatures, extremely long distances from any supporting infrastructure, and all these conditions present unique hazards to the rescuers.

Success such as this could not occur without the commitment of a great many people. The crews of the Jayhawk, the Dolphin, and the *Munro* will long be remembered for their heroism.

Backing them were the watch standers at Coast Guard Communications Station Kodiak. These were the folks who answered the *Alaska Ranger's* mayday call. The C–130 crews, the Kodiak Air Station duty officers, and the District 17 command center controllers in Juneau also contributed. In total, something on the order of 170 Alaska-based Coast Guard men and women were involved in this effort.

ADM Thad Allen has already expressed ''Bravo Zulu'' to all the men and women involved with this effort. I am honored to take a few minutes from the Senate's day to praise these men and women of the U.S. Coast Guard on a job well done. Our Nation is always well served by these highly trained individuals who stand ''always ready.''

AMERICAN ENERGY INDEPENDENCE AND SECURITY ACT OF 2008

Ms. MURKOWSKI. Mr. President, I wish to take a few minutes today to speak about legislation I introduced before we went on our 2-week recess. This is legislation that is cosponsored by my colleague, the senior Senator from Alaska, Mr. STEVENS.

It made great sense when the price of oil hit $111.72 a barrel, which is an all-time record high, and it still makes sense today, even with the price of oil having declined to $101, as it is today. It is a bill that will call for the United States to actually take steps to produce more oil, to actually help increase global supplies of petroleum to lower prices, and to use all the Federal revenues from the oil production to fund many forms of alternative energy and the programs that help Americans deal with high energy and food prices.

The legislation is entitled the ''American Energy Independence and Security Act of 2008.'' This legislation would automatically open the Coastal Plain of the Arctic National Wildlife Refuge in northern Alaska if the world price of oil tops $125 a barrel for 5 days. In return, it allocates all the Federal revenues that would come from that oil to both alternative energy development and to provide programs to help improve energy efficiencies to those in need.

The revenue includes the estimated $3.5 billion of Federal lease, bonus, and royalty revenues within the first 5 years, plus all the oil production tax revenues over the life of the field.

This is an estimated $191 billion to $297 billion to fund wind, solar, biomass, geothermal, ocean, landfill gas—everything covered by the two Energy bills we passed in 2005 and 2007, plus programs such as LIHEAP, the Low-Income Home Energy Assistance Program, that provides aid to help low-income residents pay for home heating and cooling, the weatherization program that helps people improve their insulation to cut energy costs, and also to the Women, Infants, and Children's nutrition program that provides a safety net for nutrition costs, when energy prices rise so high women cannot afford to buy food for their babies and young infants. By the way, the estimates of those total revenues are not my estimates that I have worked up; they were developed by the Congressional Research Service.

We know there is a lot of hand-wringing in Washington about what to do about record-high oil prices that are strangling our economy from the east coast all the way west and certainly up to Alaska. Rather than begging Arab oil sheiks to produce more oil, America should produce our own oil to send a signal that we are willing to increase our own supplies and drive down prices.

Alaska's Arctic Coastal Plain is likely to hold the largest reserve of traditional oil left on land in Northern America. If the price rises any higher, we should explore the area and find out if there is oil there. And if there is, we ought to produce it and use the revenues to wean ourselves from the fossil fuels and to promote energy conservation.

We know so many Americans are hurting every time they fill up their cars at the pump. And while prices may moderate fractionally, the AAA early this month reported gasoline prices have risen 26.9 cents nationwide since February 10. In Alaska, my home State, the average price of gasoline is $3.36 a gallon for regular. This is trailing California and Hawaii by a little bit.

Americans are having an equally hard time affording their winter heating bills and will have similar problems with their summer air-conditioning bills. So it only makes sense the revenues from finding and producing U.S. oil go to help the people who are having trouble making ends meet, given the high fuel prices we are facing.

By this legislation, only 2,000 acres of the 1.5 million acres of the Arctic Coastal Plain can be physically disturbed. The bill includes a host of environmental protections. It requires directional drilling to be used to minimize disturbance to the wildlife. That means wells can be drilled from a single oil pad that can go underground up to 8 miles away to find the oil pockets. That means that there will be nearly 100 square miles of habitat for caribou and musk oxen and the birds between these well pads.

The bill mandates exploration only occurs in winter, when there are no animals on the Coastal Plain to be disturbed. It requires the use of ice roads that disappear in the summer to protect the wildlife. It allows special areas to be designated to protect key habitat to keep any activity out. It contains dozens of other stipulations to guard against noise, flight disturbances, spills or land-use problems.

The bill also sets up a special fund to help protect Alaska and Canadian Natives should they face any disruptions because of the limited development that would be allowed.

The bill earmarks not just the $3.5 billion of expected initial Federal lease royalties and the potential $192 billion to $297 billion of total Federal income taxes from the first 30 years of energy production, to be split evenly, half would be going then to alternative energy projects contained in the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007 that we approved in December. The other half would be allocated evenly to LIHEAP, weatherization, and to the WIC programs.

In a hearing we held earlier this month, there was a discussion about LIHEAP and LIHEAP funding. We recognized that LIHEAP needs $2 billion a year in additional funding to be fully funded. This legislation could do this for 30 years if we were to pass it.

We need a balanced program to increase alternative energy development and improve energy efficiency, but we also need to fund these programs without increasing our Federal debt. Look at the fights we are having to find the offsets to pay for extending tax breaks to further alternative energy. The best way to fund alternatives is by raising new revenue. Look at the pain we are having in crafting and approving the ongoing budget resolution.

We know this pain is going to continue for years if we don't do something, and the best way is by using the funds from the fossil fuels to build alternatives. By doing that, we are using domestic oil as a bridge, as a bridge to pay for the alternative fuels that will allow us to reduce our use of fossil fuels and cut our carbon emissions.

Opening ANWR does so many things. It makes us less dependent on foreign oil, it cuts our balance of payments deficit, it improves our economy, it keeps our jobs at home instead of exporting them to foreign oil producers such as Venezuela and the Middle East. More importantly, signaling we are finally serious about helping ourselves, that we will produce oil from ANWR, will help to drive down the psychology and the speculation that is currently acting to drive up world oil prices.

Admittedly, if we were to open ANWR tomorrow, it is not going to produce more oil tomorrow, but it will or it can dampen the speculation that is helping to fuel higher prices. It is absolutely the right thing to do today, and it is vital if prices rise higher, as we believe they will.

The U.S. economy is at risk if prices rise, not counting the health of our low- and middle-income residents. Folks are drowning under the high cost of gasoline and the high cost of heating oil. This bill helps to reduce that pain. If the prices get any higher, we have to produce more oil as a means of driving down market forces.

This bill contains all of the environmental safeguards that will allow us to open a tiny fraction of the 40 million acres of the Arctic Coastal Plain in Alaska without harming the wildlife or the environment. It won't hurt the polar bears. It won't hurt the yellow loon. And doing onshore development certainly protects the marine environment and the whale and the walrus and the polar bear that spends 90 percent of its life offshore on the Arctic ice pack.

This bill is cautious. It doesn't open the refuge tomorrow, but it simply says if oil prices rise much further we have to take action to show markets that we are serious about helping ourselves and producing more domestic supplies of oil and natural gas. It responsibly takes all the proceeds and puts them toward alternatives and safety net program for those who can't afford these prices. Using these monies for these existing programs will free up funds in the Federal budget to help reduce the debt or fund other vital services.

I am realistic about the fate of this legislation. I doubt that the leadership in this body will allow this bill to come up for a vote right now. But everyone here, from Senators who represent farmers who won't be able to afford to till their fields this spring during the planting season due to the high prices, to those who represent cold States, where home heating oil is a problem, to those Senators who represent warm States, where air-conditioning costs will be a concern, to those of us who represent fishermen who are worried about how they will afford the fuel to go out and earn their living, we should come together to support this commonsense way to help reduce prices and to actually help provide a real long-term solution to our supply problems.

We owe to it our constituents to do what is right, and I believe this is what is right for our Nation's future.

IN HONOR OF CÉSAR CHÁVEZ DAY

Mr. REID. Mr. President, I rise today in appreciation of the life and lasting legacy of civil rights activist and labor leader, César Chávez.

César Chávez came from humble beginnings, born on March 31, 1927, in a small farm outside of Yuma, AZ. Through his experiences as a laborer and migrant worker in the fields of the southwest United States, he recognized a need for change; change that would bring social and economic equality to those who tilled America's soil and harvested America's crops. The exploitation and discrimination experienced and observed by Mr. Chávez energized his courageous fight for fair and equal treatment for his hardworking colleagues of all backgrounds.

As a member of the U.S. Navy he served in the western Pacific during the end of World War II to protect the freedoms that he often did not enjoy. He demonstrated his dedication to two great values—community and compassion—by building a powerful coalition of grass roots organizations and inspiring individuals of all backgrounds to join a campaign for social equality.

César Chávez is not only an icon for Mexican-American communities across this great country, but also an American icon for all those who have felt the pain of injustice and for those who recognize the continuing need to allow equal access to the resources of our great Nation. His tireless efforts to help bring our country closer to its ideals of freedom and equality of opportunity shall be recognized today as they were when he posthumously received the Presidential Medal of Freedom. His legacy inspires hope, action, and prosperity for those who are often burdened by marginalization and discrimination. Our society owes gratitude to the indelible mark that Mr. Chávez has left on our Nation.

I appreciate the Clark County Commission for commemorating the legacy of a giant in our Nation's labor movement by declaring March 31, 2008, as César Chávez Day. I join the Commission, and many throughout Nevada, in honoring Mr. Chávez's visionary leadership. We must continue to recognize the value in César Chávez's legacy, which has become a symbol of dignity and perseverance for all workers, whether in the fields, in the factories, or behind the counter.

VETERANS EMPLOYMENT OPPORTUNITIES REGULATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the attached from the Office of Compliance be printed in the RECORD today pursuant to section 304(b)(3) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(b)(3)).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TEXT OF ADOPTED VETERANS' EMPLOYMENT OPPORTUNITIES REGULATIONS

When approved by the House of Representatives for the House of Representatives, these regulations will have the prefix ''H.'' When approved by the Senate for the Senate, these regulations will have the prefix ''S.'' When approved by Congress for the other employing offices covered by the CAA, these regulations will have the prefix ''C.''

In this draft, ''H&S Regs'' denotes the provisions that would be included in the regulations applicable to be made applicable to the House and Senate, and ''C Reg'' denotes the provisions that would be included in the regulations to be made applicable to other employing offices.

PART 1—Extension of Rights and Protections Relating to Veterans' Preference Under Title 5, United States Code, to Covered Employees of the Legislative Branch (section 4(c) of the Veterans Employment Opportunities Act of 1998)

Subpart A—Matters of General Applicability to All Regulations Promulgated under Section 4 of the VEOA

Sec.
1.101 Purpose and scope.
1.102 Definitions.
1.103 Adoption of regulations.
1.104 Coordination with section 225 of the Congressional Accountability Act.

SEC. 1.101. PURPOSE AND SCOPE.

(a) Section 4(c) of the VEOA. The Veterans Employment Opportunities Act (VEOA) applies the rights and protections of sections 2108, 3309 through 3312, and subchapter I of chapter 35 of title 5 U.S.C., to certain covered employees within the Legislative branch.

(b) Purpose of regulations. The regulations set forth herein are the substantive regulations that the Board of Directors of the Office of Compliance has promulgated pursuant to section 4(c)(4) of the VEOA, in accordance with the rulemaking procedure set forth in section 304 of the CAA (2 U.S.C. §1384). The purpose of subparts B, C and D of these regulations is to define veterans' preference and the administration of veterans' preference as applicable to Federal employment in the Legislative branch. (5 U.S.C. §2108, as applied by the VEOA). The purpose of subpart E of these regulations is to ensure that the principles of the veterans' preference laws are integrated into the existing employment and retention policies and processes of those employing offices with employees covered by the VEOA, and to provide for transparency in the application of veterans' preference in covered appointment and retention decisions. Provided, nothing in these regulations shall be construed so as to require an employing office to reduce any existing veterans' preference rights and protections that it may afford to preference eligible individuals.

H Regs: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congress within an employing office, as defined by Sec. 101 (9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

S Regs: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made or directed by a Member of Congress within an employing office, as defined by Sec. 101(9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed pursuant to 2 U.S.C. §43d(a); or (5) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

C Reg: (c) Scope of Regulations. The definition of ''covered employee'' in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term ''covered employee'' excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (3) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

SEC. 1.102. DEFINITIONS.

Except as otherwise provided in these regulations, as used in these regulations:

(a) Accredited physician means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices. The phrase ''authorized to practice by the State'' as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions without supervision by a doctor or other health care provider.

(b) Act or CAA means the Congressional Accountability Act of 1995, as amended (Pub. L. 104–1, 109 Stat. 3, 2 U.S.C. §§1301–1438).

(c) Active duty or active military duty means full-time duty with military pay and allowances in the armed forces, except (1) for training or for determining physical fitness and (2) for service in the Reserves or National Guard.

(d) Appointment means an individual's appointment to employment in a covered position, but does not include any personnel action that an employing office takes with regard to an existing employee of the employing office.

(e) Armed forces means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

(f) Board means the Board of Directors of the Office of Compliance.

H Regs: (g) Covered employee means any employee of (1) the House of Representatives; and (2) the Senate; (3) the Capitol Guide Board; (4) the Capitol Police Board; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; and (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of

the Senate; (bb) whose appointment is made by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (dd) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

S. Regs: (g) Covered employee means any employees of (1) the House of Representatives; and (2) the Senate; (3) the Capitol Guide Board; (4) the Capitol Police Board; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; and (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of the Senate; (bb) whose appointment is made or directed by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (dd) who is appointed pursuant to 2 U.S.C. §43d(a); or (ee) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

C Reg: (g) Covered employee means any employee of (1) the Capitol Guide Service; (2) the Capitol Police; (3) the Congressional Budget Office; (4) the Office of the Architect of the Capitol; (5) the Office of the Attending Physician; or (6) the Office of Compliance, but does not include an employee: (aa) whose appointment is made by the President with the advice and consent of the Senate; or (bb) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (cc) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

(h) Covered position means any position that is or will be held by a covered employee.

(i) Disabled veteran means a person who was separated under honorable conditions from active duty in the armed forces performed at any time and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pensions because of a public statute administered by the Department of Veterans Affairs or a military department.

(j) Employee of the Office of the Architect of the Capitol includes any employee of the Office of the Architect of the Capitol, the Botanic Gardens, or the Senate Restaurants.

(k) Employee of the Capitol Police Board includes any member or officer of the Capitol Police.

(l) Employee of the House of Representatives includes an individual occupying a position the pay of which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (dd) of paragraph (g) above.

(m) Employee of the Senate includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (ee) of paragraph (g) above.

H Regs: (n) Employing office means: (1) the personal office of a Member of the House of Representatives; (2) a committee of the House of Representatives or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

S Regs: (n) Employing office means: (1) the personal office of a Senator; (2) a committee of the Senate or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, or be directed by a Member of Congress to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

C Reg: (n) Employing office means: the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance.

(o) Office means the Office of Compliance.

(p) Preference eligible means veterans, spouses, widows, widowers or mothers who meet the definition of ''preference eligible'' in 5 U.S.C. §2108(3)(A)–(G).

(q) Qualified applicant means an applicant for a covered position whom an employing office deems to satisfy the requisite minimum job-related requirements of the position. Where the employing office uses an entrance examination or evaluation for a covered position that is numerically scored, the term ''qualified applicant'' shall mean that the applicant has received a passing score on the examination or evaluation.

(r) Separated under honorable conditions means either an honorable or a general discharge from the armed forces. The Department of Defense is responsible for administering and defining military discharges.

(s) Uniformed services means the armed forces, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.

(t) VEOA means the Veterans Employment Opportunities Act of 1998 (Pub. L. 105–339, 112 Stat. 3182).

(u) Veterans means persons as defined in 5 U.S.C. §2108(1), or any superseding legislation.

SEC. 1.103. ADOPTION OF REGULATIONS.

(a) Adoption of regulations. Section 4(c)(4)(A) of the VEOA generally authorizes the Board to issue regulations to implement section 4(c). In addition, section 4(c)(4)(A) of the VEOA generally authorizes the Board to issue regulations to implement section 4(c). In addition, section 4(c)(4)(B) of the VEOA directs the Board to promulgate regulations that are ''the same as the most relevant substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)'' of section 4(c) of the VEOA. Those statutory provisions are section 2108, sections 3309 through 3312, and subchapter I of chapter 35, of title 5, United States Code. The regulations issued by the Board herein are on all matters for which section 4(c)(4)(B) of the VEOA requires a regulation to be issued. Specifically, it is the Board's considered judgment based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other ''substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)'' of section 4(c) of the VEOA that need be adopted.

(b) Modification of substantive regulations. As a qualification to the statutory obligation to issue regulations that are ''the same as the most substantive regulations (applicable with respect to the Executive branch)'', section 4(c)(4)(B) of the VEOA authorizes the Board to ''determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under'' section 4(c) of the VEOA.

(c) Rationale for Departure from the Most Relevant Executive Branch Regulations. The Board concludes that it must promulgate regulations accommodating the human resource systems existing in the Legislative branch; and that such regulations must take into account the fact that the Board does not possess the statutory and Executive Order based government-wide policy making authority underlying OPM's counterpart VEOA regulations governing the Executive branch. OPM's regulations are designed for the competitive service (defined in 5 U.S.C. §2102(a)(2)), which does not exist in the employing offices subject to this regulation. Therefore, to follow the OPM regulations would create detailed and complex rules and procedures for a workforce that does not exist in the Legislative branch, while providing no VEOA protections to the covered Legislative branch employees. We have chosen to propose specially tailored regulations, rather than simply to adopt those promulgated by OPM, so that we may effectuate Congress' intent in extending the principles of the veterans' preference laws to the Legislative branch through the VEOA.

SEC. 1.104. COORDINATION WITH SECTION 225 OF THE CONGRESSIONAL ACCOUNTABILITY ACT.

Statutory directive. Section 4(c)(4)(C) of the VEOA requires that promulgated regulations must be consistent with section 225 of the CAA. Among the relevant provisions of section 225 are subsection (f)(1), which prescribes as a rule of construction that definitions and exemptions in the laws made applicable by the CAA shall apply under the CAA, and subsection (f)(3), which states that the CAA shall not be considered to authorize enforcement of the CAA by the Executive branch.

Subpart B—Veterans' Preference—General Provisions

Sec.
1.105 Responsibility for administration of veterans' preference.
1.106 Procedures for bringing claims under the VEOA.

SEC. 1.105. RESPONSIBILITY FOR ADMINISTRATION OF VETERANS' PREFERENCE.

Subject to section 1.106, employing offices with covered employees or covered positions are responsible for making all veterans' preference determinations, consistent with the VEOA.

SEC. 1.106. PROCEDURES FOR BRINGING CLAIMS UNDER THE VEOA.

Applicants for appointment to a covered position and covered employees may contest adverse veterans' preference determinations,

including any determination that a preference eligible applicant is not a qualified applicant, pursuant to sections 401–416 of the CAA, 2 U.S.C. §§1401–1416, and provisions of law referred to therein; 206a(3) of the CAA, 2 U.S.C. §§1401, 1316a(3); and the Office's Procedural Rules.

Subpart C—Veterans' Preference in Appointments

Sec.
1.107 Veterans' preference in appointments to restricted covered positions.
1.108 Veterans' preference in appointments to non-restricted covered positions.
1.109 Crediting experience in appointments to covered positions.
1.110 Waiver of physical requirements in appointments to covered positions.

SEC. 1.107. VETERANS' PREFERENCE IN APPOINTMENTS TO RESTRICTED POSITIONS.

In each appointment action for the positions of custodian, elevator operator, guard, and messenger (as defined below and collectively referred to in these regulations as restricted covered positions) employing offices shall restrict competition to preference eligible applicants as long as qualified preference eligible applicants are available. The provisions of sections 1.109 and 1.110 below shall apply to the appointment of a preference eligible applicant to a restricted covered position. The provisions of section 1.108 shall apply to the appointment of a preference eligible applicant to a restricted covered position, in the event that there is more than one preference eligible applicant for the position.

Custodian—One whose primary duty is the performance of cleaning or other ordinary routine maintenance duties in or about a government building or a building under Federal control, park, monument, or other Federal reservation.

Elevator operator—One whose primary duty is the running of freight or passenger elevators. The work includes opening and closing elevator gates and doors, working elevator controls, loading and unloading the elevator, giving information and directions to passengers such as on the location of offices, and reporting problems in running the elevator.

Guard—One whose primary duty is the assignment to a station, beat, or patrol area in a Federal building or a building under Federal control to prevent illegal entry of persons or property; or required to stand watch at or to patrol a Federal reservation, industrial area, or other area designated by Federal authority, in order to protect life and property; make observations for detection of fire, trespass, unauthorized removal of public property or hazards to Federal personnel or property. The term guard does not include law enforcement officer positions of the Capitol Police Board.

Messenger—One whose primary duty is the supervision or performance of general messenger work (such as running errands, delivering messages, and answering call bells).

SEC. 1.108. VETERANS' PREFERENCE IN APPOINTMENTS TO NON-RESTRICTED COVERED POSITIONS.

(a) Where an employing office has duly adopted a policy requiring the numerical scoring or rating of applicants for covered positions, the employing office shall add points to the earned ratings of those preference eligible applicants who receive passing scores in an entrance examination, in a manner that is proportionately comparable to the points prescribed in 5 U.S.C. §3309. For example, five preference points shall be granted to preference eligible applicants in a 100-point system, one point shall be granted in a 20-point system, and so on.

(b) In all other situations involving appointment to a covered position, employing offices shall consider veterans' preference eligibility as an affirmative factor that is given weight in a manner that is proportionately comparable to the points prescribed in 5 U.S.C. §3309 in the employing office's determination of who will be appointed from among qualified applicants.

SEC. 1.109. CREDITING EXPERIENCE IN APPOINTMENTS TO COVERED POSITIONS.

When considering applicants for covered positions in which experience is an element of qualification, employing offices shall provide preference eligible applicants with credit:

(a) for time spent in the military service (1) as an extension of time spent in the position in which the applicant was employed immediately before his/her entrance into the military service, or (2) on the basis of actual duties performed in the military service, or (3) as a combination of both methods. Employing offices shall credit time spent in the military service according to the method that will be of most benefit to the preference eligible applicant.

(b) for all experience material to the position for which the applicant is being considered, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether he/she received pay therefor.

SEC. 1.110. WAIVER OF PHYSICAL REQUIREMENTS IN APPOINTMENTS TO COVERED POSITIONS.

(a) Subject to (c) below, in determining qualifications of a preference eligible for appointment, an employing office shall waive:

(1) with respect to a preference eligible applicant, requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) with respect to a preference eligible applicant to whom it has made a conditional offer of employment, physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, the preference eligible applicant is physically able to perform efficiently the duties of the position;

(b) Subject to (c) below, if an employing office determines, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, that an applicant to whom it has made a conditional offer of employment is preference eligible as a disabled veteran as described in 5 U.S.C. §2108(3)(c) and who has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible applicant of the reasons for the determination and of the right to respond and to submit additional information to the employing office, within 15 days of the date of the notification. The director of the employing office may, by providing written notice to the preference eligible applicant, shorten the period for submitting a response with respect to an appointment to a particular covered position, if necessary because of a need to fill the covered position immediately. Should the preference eligible applicant make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office shall render a final determination of the physical ability of the preference eligible applicant to perform the duties of the position, taking into account the response and any additional information provided by the preference eligible applicant. When the employing office has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible applicant.

(c) Nothing in this section shall relieve an employing office of any obligations it may have pursuant to the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the Act, 2 U.S.C. §1302(a)(3).

Subpart D—Veterans' preference in reductions in force

Sec.
1.111. Definitions applicable in reductions in force.
1.112. Application of preference in reductions in force.
1.113. Crediting experience in reductions in force.
1.114. Waiver of physical requirements in reductions in force.
1.115. Transfer of functions.

SEC. 1.111. DEFINITIONS APPLICABLE IN REDUCTIONS IN FORCE.

(a) Competing covered employees are the covered employees within a particular position or job classification, at or within a particular competitive area, as those terms are defined below.

(b) Competitive area is that portion of the employing office's organizational structure, as determined by the employing office, in which covered employees compete for retention. A competitive area must be defined solely in terms of the employing office's organizational unit(s) and geographical location, and it must include all employees within the competitive area so defined. A competitive area may consist of all or part of an employing office. The minimum competitive area is a department or subdivision of the employing office within the local commuting area.

(c) Position classifications or job classifications are determined by the employing office, and shall refer to all covered positions within a competitive area that are in the same grade, occupational level or classification, and which are similar enough in duties, qualification requirements, pay schedules, tenure (type of appointment) and working conditions so that an employing office may reassign the incumbent of one position to any of the other positions in the position classification without undue interruption.

(d) Preference Eligibles. For the purpose of applying veterans' preference in reductions in force, except with respect to the application of section 1.114 of these regulations regarding the waiver of physical requirements, the following shall apply:

(1) ''active service'' has the meaning given it by section 101 of title 37;

(2) ''a retired member of a uniformed service'' means a member or former member of a uniformed service who is entitled, under statute, to retired, retirement, or retainer pay on account of his/her service as such a member; and

(3) a preference eligible covered employee who is a retired member of a uniformed service is considered a preference eligible only if

(A) his/her retirement was based on disability—

(i) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(ii) caused by an instrumentality of war and incurred in the line of duty during a period of war as defined by sections 101 and 1101 of title 38;

(B) his/her service does not include twenty or more years of full-time active service, regardless of when performed but not including periods of active duty for training; or

(C) on November 30, 1964, he/she was employed in a position to which this subchapter

applies and thereafter he/she continued to be so employed without a break in service of more than 30 days.

The definition of ''preference eligible'' as set forth in 5 U.S.C §2108 and section 1.102(o) of these regulations shall apply to waivers of physical requirements in determining an employee's qualifications for retention under section 1.114 of these regulations.

H&S Regs: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term ''reduction in force'' does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis, or (3) attributable to a change in party leadership or majority party status within the House of Congress where the employee is employed.

C Reg: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term ''reduction in force'' does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis.

(f) Undue interruption is a degree of interruption that would prevent the completion of required work by a covered employee 90 days after the employee has been placed in a different position under this part. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, work generally would not be considered to be unduly interrupted if a covered employee needs more than 90 days after the reduction in force to perform the optimum quality or quantity of work. The 90-day standard may be extended if placement is made under this part to a program accorded low priority by the employing office, or to a vacant position.

SEC. 1.112. APPLICATION OF PREFERENCE IN REDUCTIONS IN FORCE.

Prior to carrying out a reduction in force that will affect covered employees, employing offices shall determine which, if any, covered employees within a particular group of competing covered employees are entitled to veterans' preference eligibility status in accordance with these regulations. In determining which covered employees will be retained, employing offices will treat veterans' preference as the controlling factor in retention decisions among such competing covered employees, regardless of length of service or performance, provided that the preference eligible employee's performance has not been determined to be unacceptable. Provided, a preference eligible employee who is a ''disabled veteran'' under section 1.102(h) above who has a compensable service-connected disability of 30 percent or more and whose performance has not been determined to be unacceptable by an employing office is entitled to be retained in preference to other preference eligible employees. Provided, this section does not relieve an employing office of any greater obligation it may be subject to pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. §2101 et seq.) as applied by section 102(a)(9) of the CAA, 2 U.S.C. §1302(a)(9).

SEC. 1.113. CREDITING EXPERIENCE IN REDUCTIONS IN FORCE.

In computing length of service in connection with a reduction in force, the employing office shall provide credit to preference eligible covered employees as follows:

(a) a preference eligible covered employee who is not a retired member of a uniformed service is entitled to credit for the total length of time in active service in the armed forces;

(b) a preference eligible covered employee who is a retired member of a uniformed service is entitled to credit for:

(1) the length of time in active service in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized; or

(2) the total length of time in active service in the armed forces if he is included under 5 U.S.C. §3501(a)(3)(A), (B), or (C); and

(c) a preference eligible covered employee is entitled to credit for:

(1) service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Allotment Act or of a committee or association of producers described in section 10(b) of the Agricultural Adjustment Act; and

(2) service rendered as an employee described in 5 U.S.C. §2105(c) if such employee moves or has moved, on or after January 1, 1966, without a break in service of more than 3 days, from a position in a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard to a position in the Department of Defense or the Coast Guard, respectively, that is not described in 5 U.S.C. §2105(c).

SEC. 1.114. WAIVER OF PHYSICAL REQUIREMENTS IN REDUCTIONS IN FORCE.

(a) If an employing office determines, on the basis of evidence before it, that a covered employee is preference eligible, the employing office shall waive, in determining the covered employee's retention status in a reduction in force:

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the employee, the preference eligible covered employee is physically able to perform efficiently the duties of the position.

(b) If an employing office determines that a covered employee who is a preference eligible as a disabled veteran as described in 5 U.S.C. §2108(3)(c) and has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible covered employee of the reasons for the determination and of the right to respond and to submit additional information to the employing office within 15 days of the date of the notification. Should the preference eligible covered employee make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office, shall render a final determination of the physical ability of the preference eligible covered employee to perform the duties of the covered position, taking into account the evidence before it, including the response and any additional information provided by the preference eligible. When the employing office has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible covered employee.

(c) Nothing in this section shall relieve an employing office of any obligation it may have pursuant to the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

SEC. 1.115. TRANSFER OF FUNCTIONS.

(a) When a function is transferred from one employing office to another employing office, each covered employee in the affected position classifications or job classifications in the function that is to be transferred shall be transferred to the receiving employing office for employment in a covered position for which he/she is qualified before the receiving employing office may make an appointment from another source to that position.

(b) When one employing office is replaced by another employing office, each covered employee in the affected position classifications or job classifications in the employing office to be replaced shall be transferred to the replacing employing office for employment in a covered position for which he/she is qualified before the replacing employing office may make an appointment from another source to that position.

Subpart E—Adoption of Veterans' preference policies, recordkeeping & informational requirements.

Sec.
1.116. Adoption of veterans' preference policy.
1.117. Preservation of records made or kept.
1.118. Dissemination of veterans' preference policies to applicants for covered positions.
1.119. Information regarding veterans' preference determinations in appointments.
1.120. Dissemination of veterans' preference policies to covered employees.
1.121. Written notice prior to a reduction in force.

SEC. 1.116. ADOPTION OF VETERANS' PREFERENCE POLICY.

No later than 120 calendar days following Congressional approval of this regulation, each employing office that employs one or more covered employees or that seeks applicants for a covered position shall adopt its written policy specifying how it has integrated the veterans' preference requirements of the Veterans Employment Opportunities Act of 1998 and these regulations into its employment and retention processes. Upon timely request and the demonstration of good cause, the Executive Director, in his/her discretion, may grant such an employing office additional time for preparing its policy. Each such employing office will make its policies available to applicants for appointment to a covered position and to covered employees in accordance with these regulations. The act of adopting a veterans' preference policy shall not relieve any employing office of any other responsibility or requirement of the Veterans Employment Opportunity Act of 1998 or these regulations. An employing office may amend or replace its veterans' preference policies as it deems necessary or appropriate, so long as the resulting policies are consistent with the VEOA and these regulations.

SEC. 1.117. PRESERVATION OF RECORDS MADE OR KEPT.

An employing office that employs one or more covered employees or that seeks applicants for a covered position shall maintain any records relating to the application of its veterans' preference policy to applicants for covered positions and to workforce adjustment decisions affecting covered employees for a period of at least one year from the date of the making of the record or the date

of the personnel action involved or, if later, one year from the date on which the applicant or covered employee is notified of the personnel action. Where a claim has been brought under section 401 of the CAA against an employing office under the VEOA, the respondent employing office shall preserve all personnel records relevant to the claim until final disposition of the claim. The term ''personnel records relevant to the claim'', for example, would include records relating to the veterans' preference determination regarding the person bringing the claim and records relating to any veterans' preference determinations regarding other applicants for the covered position the person sought, or records relating to the veterans' preference determinations regarding other covered employees in the person's position or job classification. The date of final disposition of the charge or the action means the latest of the date of expiration of the statutory period within which the aggrieved person may file a complaint with the Office or in a U.S. District Court or, where an action is brought against an employing office by the aggrieved person, the date on which such litigation is terminated.

SEC. 1.118. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO APPLICANTS FOR COVERED POSITIONS.

(a) An employing office shall state in any announcements and advertisements it makes concerning vacancies in covered positions that the staffing action is governed by the VEOA.

(b) An employing office shall invite applicants for a covered position to identify themselves as veterans' preference eligible applicants, provided that in doing so:

(1) the employing office shall state clearly on any written application or questionnaire used for this purpose or make clear orally, if a written application or questionnaire is not used, that the requested information is intended for use solely in connection with the employing office's obligations and efforts to provide veterans' preference to preference eligible applicants in accordance with the VEOA; and

(2) the employing office shall state clearly that disabled veteran status is requested on a voluntary basis, that it will be kept confidential in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3), that refusal to provide it will not subject the individual to any adverse treatment except the possibility of an adverse determination regarding the individual's status as a preference eligible applicant as a disabled veteran under the VEOA, and that any information obtained in accordance with this section concerning the medical condition or history of an individual will be collected, maintained and used only in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

(3) the employing office shall state clearly that applicants may request information about the employing office's veterans' preference policies as they relate to appointments to covered positions, and shall describe the employing office's procedures for making such requests.

(c) Upon written request by an applicant for a covered position, an employing office shall provide the following information in writing:

(1) the VEOA definition of veterans' ''preference eligible'' as set forth in 5 U.S.C. §2108 or any superseding legislation, providing the actual, current definition in a manner designed to be understood by applicants, along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions, including any procedures the employing office shall use to identify preference eligible employees;

(3) the employing office may provide other information to applicants regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(d) Employing offices are also expected to answer questions from applicants for covered positions that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.119. INFORMATION REGARDING VETERANS' PREFERENCE DETERMINATIONS IN APPOINTMENTS.

Upon written request by an applicant for a covered position, the employing office shall promptly provide a written explanation of the manner in which veterans' preference was applied in the employing office's appointment decision regarding that applicant. Such explanation shall include at a minimum:

(a) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions; and

(b) a statement as to whether the applicant is preference eligible and, if not, a brief statement of the reasons for the employing office's determination that the applicant is not preference eligible.

SEC. 1.120. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO COVERED EMPLOYEES.

(a) If an employing office that employs one or more covered employees provides any written guidance to such employees concerning employee rights generally or reductions in force more specifically, such as in a written employee policy, manual or handbook, such guidance must include information concerning veterans' preference under the VEOA, as set forth in subsection (b) of this regulation.

(b) Written guidances described in subsection (a) above shall include, at a minimum:

(1) the VEOA definition of veterans' ''preference eligible'' as set forth in 5 U.S.C. §2108 or any superseding legislation, providing the actual, current definition along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to reductions in force, including the procedures the employing office shall take to identify preference eligible employees.

(3) the employing office may provide other information in its guidances regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(c) Employing offices are also expected to answer questions from covered employees that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.121. WRITTEN NOTICE PRIOR TO A REDUCTION IN FORCE.

(a) Except as provided under subsection (c), a covered employee may not be released due to a reduction in force, unless the covered employee and the covered employee's exclusive representative for collective-bargaining purposes (if any) are given written notice, in conformance with the requirements of paragraph (b), at least 60 days before the covered employee is so released.

(b) Any notice under paragraph (a) shall include—

(1) the personnel action to be taken with respect to the covered employee involved;

(2) the effective date of the action;

(3) a description of the procedures applicable in identifying employees for release;

(4) the covered employee's competitive area;

(5) the covered employee's eligibility for veterans' preference in retention and how that preference eligibility was determined;

(6) the retention status and preference eligibility of the other employees in the affected position classifications or job classifications within the covered employee's competitive area, by providing:

(A) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible, and

(B) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible.

(7) a description of any appeal or other rights which may be available.

(c) The director of the employing office may, in writing, shorten the period of advance notice required under subsection (a), with respect to a particular reduction in force, if necessary because of circumstances not reasonably foreseeable.

(d) No notice period may be shortened to less than 30 days under this subsection.

REMEMBERING SENATOR HOWARD METZENBAUM

Mr. VOINOVICH. Mr. President, I rise to pay tribute to one of the giants in Ohio history, Senator Howard Metzenbaum. On March 12, Ohio and our Nation lost a public servant who dedicated 19 years of his life to this institution and to defending and advocating the principles and ideals he held so passionately.

Though our political views differed, I admired and respected Howard's tenacious work for those things he felt would make a difference for Ohio and our country. One always knew where he stood.

Much has been said about how Howard was a self-made man. He epitomized the nose-to-the-grindstone, Midwestern work ethic. As a fellow Clevelander, he grew up poor. But that did not prevent Howard from seizing opportunities as they presented themselves. And he seized those opportunities even as a young boy. Howard graduated from the Ohio State University College of Law, working the entire time to put himself through school.

As public servants for Ohio, Howard and I were brought together on many issues and occasions. Many times we did not see eye to eye. However, there were also times when we worked together. While I was Governor of Ohio, then-Senator Metzenbaum, Representative MARCY KAPTUR and I worked together in a bipartisan fashion to plant the seed for the Veteran's Glass City Skyway bridge in Toledo, Ohio. Through his leadership, we were able to dedicate the bridge this past summer.

Some of my colleagues today were here for parts of Howard's 19 years in

the Senate. Those who were here and were on the opposite side of an issue quickly found out what a formidable challenge and powerhouse he could be. Howard did not go along to get along. Howard did what he thought was right and what he thought was in the best interests for the people he represented.

It was with respect for his service and convictions that Howard was honored in 2005 by renaming the renovated United States Courthouse in Cleveland the Howard M. Metzenbaum Courthouse—a fitting tribute to a man who, when he perceived an injustice, fought so hard to make a wrong right. Howard Metzenbaum made a difference.

Howard will be missed. His family, including his wife Shirley and his four daughters, Shelly, Amy, Susan and Barbara, are in our prayers.

• Mr. BROWN. Mr. President, a great son of Ohio, Senator Howard Metzenbaum passed away March 12, in Florida. He was personally inspirational to so many. He changed the lives of Ohioans. He changed the lives of so many Americans through his lifetime commitment to public service. I am honored to hold his seat in the Senate and I am honored to follow in his footsteps. Senate tradition dictates that many Members of the Senate carve their names in the desk drawers of the desks that have been lining the rows of the Senate. Whoever has Senator Metzenbaum's desk can, with all of us, share in the legacy of his greatness.

Senator Metzenbaum and Senator John Glenn, who served together for almost two decades, made an unparalleled team for Ohio. In the Senate, as Senator REID mentioned, Metzenbaum was a child of poverty. He was a child of prejudice growing up in the east side as a Jew and suffered both from his family's poverty and anti-Semitism, in all too many cases. He worked his way at a job, as a 10-year-old. He worked his way through Ohio State.

In the Senate, Senator Metzenbaum was a master of a constant presence in an often empty Chamber. Once, when a 2-week filibuster was cut off, Metzenbaum was still determined to block action on lifting natural gas price controls. He and a partner sent the Senate into round-the-clock sessions by demanding rollcall votes on 500 amendments. He didn't care if he angered his colleagues. He didn't care if he was liked every day by his colleagues. What he cared about is fighting for economic justice and social justice for the 10 million citizens whom he represented and for the 250 million Americans or so when he served in the Senate.

According to the Washington Post, in 1982, the Senator saved $10 million by blocking special interest tax breaks and porkbarrel programs. I remember watching him. I served in the House, the beginning of my House career and the end of his Senate career, and I watched him as a younger elected official in State politics. He stood in front of an audience; the energy just burst from him, and the fiery passion for economic justice and social justice poured forth from him. He would start on the podium, the first politician I saw do this, and as he worked his way into the speech, he would come from the podium and he would walk into the audience. People would always respond with the same kind of passion and be inspired by him. That is my clearest, favorite memory of him.

His legislative record, of course, was so important too. One of the most important things he did was the plant closing legislation, giving a 60-day notice to workers who, too often, have seen their jobs disappear with nothing to show—pensions and more. He fought for people who had less privilege than he did, and he always fought for opportunity for people of both genders. That is what he will be remembered for.

I particularly admire his family. Howard was a great family man, a man who cared very much about Shirley, his wife, and four daughters, Shelly, Amy, Susan, and Barbara. He will be greatly missed. He later became head of the Consumer Federation of America, never giving up his passion for fighting for ordinary people and being a warrior for social and economic justice.•

ADDITIONAL STATEMENTS

RECOGNIZING THE CREATION OF THE 310TH SPACE WING

• Mr. ALLARD. Mr. President, I rise today to honor the 310th Space Wing, which was officially activated on Friday, March 7, 2008. This newly created wing is comprised of 16 subordinate units located at Colorado's Schriever AFB, Peterson AFB, and Buckley AFB, as well as Vandenberg AFB, CA. This wing is an expansion of the 310th Space Group, currently based at Schriever AFB in Colorado Springs, CO.

Over the last 15 years the outstanding members of the 310th Space Group have played a critical role in space operations, providing unrivaled support in operating and defending our space systems. This expansion is a testament to both their performance and mission, while also reinforcing my belief that space is a vital component to fighting and winning our nation's wars.

The 310th's history dates back to World War II when it began as the 310th Bombardment Group on March 15, 1942. The unit flew B–25 ''Mitchell'' bombers in support of operations in Tunisia, Sicily, Italy, Sardinia, France, Austria, and Yugoslavia. During those campaigns, the 310th perfected ''skip bombing'' techniques against bridges, airborne, and rail yard targets. Developed to allow aviators to come into the target area low and fast to avoid deadly anti-aircraft fire, the bombs actually ''skipped'' over the surface of the water in a manner similar to skipping a stone and either bounced into the side of, or exploded over the target, proving extremely effective.

The 310th was reactivated 1997, as the 310th Space Group, and rapidly grew to meet the Air Force Reserve's expanding role in space operations. As the co-chairman of the Congressional Space Power Caucus and a Coloradoan, I am extremely proud of the 310th and all who serve in it and congratulate them on their success in becoming a wing.•

TRIBUTE TO THE NORTHERN KENTUCKY UNIVERSITY WOMEN'S BASKETBALL TEAM

• Mr. BUNNING. Mr. President, I pay tribute to the Northern Kentucky University women's basketball team. The Norse defeated the University of South Dakota 63 to 58 to capture the NCAA Division II Championship on March 29, 2008.

This is the second time the Northern Kentucky University women's basketball team has won the NCAA Division II Championship. The last time the Norse reached the pinnacle of their sport was in the 1999 to 2000 season.

The citizens of Kentucky are proud to have these national champs living and learning in the Northern Kentucky community. Their example of hard work and determination should be followed by all in the Commonwealth.

I congratulate the players for their success in bringing another championship trophy to the campus of Northern Kentucky University. I also want to congratulate their coaches, along with their peers, faculty, administrators, and parents for their support and sacrifices they have made to help them meet their achievements and dreams. They all represent Kentucky honorably.•

20TH ANNIVERSARY OF THE MEYERHOFF SCHOLARSHIP PROGRAM

• Mr. CARDIN. Mr. President, I wish to recognize the 20th anniversary of the Robert and Jane Meyerhoff Scholarship Program at the University of Maryland Baltimore County, UMBC.

The Meyerhoff Scholarship Program is among the most successful undergraduate diversity programs in our Nation, helping thousands of minority students reach their full potential in mathematics, the sciences, and engineering fields. Since its inception, Meyerhoff scholars number more than 800, with 557 graduates across the Nation and 267 undergraduates and graduate fellows enrolled at UMBC.

More than two decades ago, UMBC president Dr. Freeman A. Hrabowski, a mathematician, author, and education innovator, lamented that there were few minorities in the sciences and that the education pipeline did not suggest that that situation would change.

Through the generosity and vision of Robert and Jane Meyerhoff, Dr. Hrabowski was able to establish the Robert and Jane Meyerhoff Scholarship Program at UMBC. The program seeks and attracts top-notch minority high school students and is able to provide

university educational expenses as well as a demanding academic program concentrating in science, math, and engineering. The UMBC corporate community is able to use the talents of the students while providing internships, jobs, and research opportunities.

The Meyerhoff Scholarship Program has become a leading national model for diversifying America's scientific and engineering workforce, preparing large numbers of African Americans and others for careers in science, medicine, engineering, information technology, teaching, and public health.

On April 4 and 5, the Meyerhoff Scholarship students, their mentors, professors, and families will gather for a research symposium to celebrate their 20 years of progress and success. I ask my colleagues to join me in saluting the vision and perseverance of UMBC president Dr. Freeman A. Hrabowski and the generosity of Robert Meyerhoff and his late wife Jane. Together they have changed lives and expectations.●

TRIBUTE TO DR. WALTER PAVASARIS

● Mr. LIEBERMAN. Mr. President, today I wish to honor a visionary in the field of music education, Dr. Walter Pavasaris. Dr. Pavasaris, a native of New Britain, CT, has been selected to receive the Massachusetts Music Educators Distinguished Service Award.

Walter M. Pavasaris has been a music educator and curriculum coordinator in Massachusetts for the past 31 years. During that time he has taught all levels of K–12 music, including both general and instrumental, as well as teaching undergraduate and graduate level courses in various collegiate settings. In Walter's position as coordinator of fine and performing arts for the Lexington Public Schools, he is responsible for the implementation of the K–12 curriculum in the areas of music, visual arts, and drama. He leads a faculty of 41 highly motivated professional artists/educators. In addition to his responsibilities in Lexington, Walter also serves on the music education faculty at the Boston Conservatory of Music.

In 1971, Walter graduated from the University of Hartford, Hartt College of Music, with a bachelor of music education degree. While at Hartt he studied double bass with Bert Turetzky, Leland Tolo, and also traveled to Boston and Tanglewood to study with William Rhein, associate principal double bassist of the Boston Symphony. While completing his undergraduate degree at Hartt, Walter was active as a freelance musician playing in a variety of small combos and big bands in the greater Hartford, CT, area. Additionally, he played in the Smith College Orchestra, Springfield, MA, Symphony and New Britain, CT, Symphony. In his senior year Walter was recognized by Hartt College of Music as an Outstanding Music Educator based on his outstanding leadership, participation, and scholarship in the field of music.

Following his graduation from Hartt College of Music, Walter won an audition and was selected to become a member of the U.S. Military Academy Band at West Point, NY. During the next 3 years he played sousaphone in the marching band and double bass in the concert band and chamber orchestra. While at West Point, Walter was a member of the Hudson Valley Philharmonic Orchestra. During this time, he studied with New York Philharmonic double bassist Orin O'Brien.

Upon his discharge from the Army, Walter began his graduate studies at the University of Michigan majoring in stringed instruments. While at Michigan, he was a teaching fellow in the String Department. He studied double bass with Larry Hurst. During his years at Michigan, Walter played in a variety of orchestral ensembles and was the double bassist in the wind ensemble conducted by H. Robert Reynolds. He earned his master of music in string instruments in December 1976.

In September of 1977, Dr. Pavasaris joined the music faculty of the Belmont, MA, public schools. During his first few years in Belmont, his teaching responsibilities included being the director of orchestras and string teacher for grades 3 to 12, and conducting one of the middle school bands. As string enrollments flourished, his responsibilities shifted to overseeing the entire string and orchestral curriculum in grades 3 to 12. In addition to teaching large heterogeneous grouped weekly string lessons in each of the elementary schools, Walter encouraged his students to also be part of the very popular ''Saturday Morning'' music program, which he administered during many of the years he was in Belmont. It was in this program that all elementary students, studying an instrument, received a small homogenously grouped lesson as well as the opportunity to participate in either the All-Town String Orchestra or Band.

During his years in Belmont, the Belmont High School and Chenery Middle School Orchestras expanded their music making both within and outside the community. Under his baton, the middle and high school orchestra ensembles consistently earned superior ratings at numerous State, regional, and international music festivals. Additionally, the Belmont High School Orchestra was selected to perform at the All-Eastern MENC Conference in Boston in 1983.

In 1990, Walter was appointed coordinator of fine and performing arts for the Lexington Public Schools. His primary responsibilities include advocating for the arts and creating and implementing curricula in the areas of music, visual arts, and drama. Along with advocating for the arts among a wide array of constituencies, he also supervises and evaluates the K–12 fine and performing arts faculty. Throughout his tenure in Lexington, the arts have maintained an integral place within each student's basic education. Coordinating an outstanding professional faculty with a supportive administration and community, Walter has continuously modeled his passion and belief that music is a lifelong endeavor that transcends, gender, age and ethnicity.

Throughout his professional life, Dr. Pavasaris has positively impacted many young music educators while serving on the faculty of many institutions within the greater Boston area, including the Boston Conservatory of Music, New England Conservatory of Music, and Boston University. As a member of the music education faculty at the Boston Conservatory of Music since the late 1980s, Walter has taught a variety of methods classes as well as classes in string pedagogy and conducting. He also had an integral part in redefining, reshaping, and changing the direction of the music education curriculum at TBC to address the needs of the contemporary educator. For 11 years, Dr. Pavasaris enthusiastically conducted the Boston University All-University Orchestra. The orchestra, which was comprised of nonmusic majors, played for the shear enjoyment of making good music. Whether teaching conducting, string pedagogy, or instrumental methods, Walter's students have experienced his enthusiasm and passion for the artistry of being a musician and educator.

As a conductor, Walter has had the distinct privilege of conducting festival orchestras in all four Massachusetts districts as well as throughout New England. In 1992 and from 1999 to 2001 Walter was the guest conductor of the U.S. Youth Ensemble String Orchestra during their European Tours. During the 2004 and 2005 seasons he served as music director of the Nashoba Youth Orchestras. Currently, he is the music director and conductor of the Arlington, MA, Philharmonic Orchestra, a post he has held since 1980; associate music director and associate conductor of the Metrowest Orchestra; and conductor of the northshore Youth Symphony Senior Orchestra. In 1992, Dr. Pavasaris was the recipient of the Paul Smith Memorial Conductor of the Year Award presented by the Massachusetts Instrumental and Choral Conductors' Association. In 1996, the Massachusetts Music Educators' Association named Dr. Pavasaris as a recipient of the Lowell Mason Award acknowledging his numerous contributions to music and music education.

Throughout his career, Walter has had the good fortune to be associated with many wonderful colleagues and students. He is however, most thankful for the patience, understanding, and encouragement of his wife Beverly and son Christopher, who currently works in my office as a staff assistant.

Making music is an endeavor that can be enjoyed, cherished, and celebrated regardless of age, gender or ethnicity. It is inspiring to realize that the personal and professional contributions of Dr. Pavasaris will only continue to grow through the works of

very people that Walter has come into contact with. It is with great pride that I recognize such a dedicated visionary in the field of music education.●

TRIBUTE TO COLONEL MICHAEL P. BARBERO

● Mr. LEVIN. Mr. President, I wish to publicly commend and congratulate COL Michael P. Barbero, U.S. Army, upon his retirement after 26 years of military service. I have come to know and respect Colonel Barbero over the last 4 years, during which time he served as the Chief of the Army Senate Liaison Division in the Office of the Army Chief of Legislative Liaison. In that capacity, Colonel Barbero was instrumental in improving the understanding of senators and staff concerning a vast myriad of Army issues, in particular an understanding of the Army's role in the wars in Iraq and Afghanistan, and the effect of those wars on the Army and its soldiers and their families.

Colonel Barbero escorted over 50 congressional delegations, including 13 to Iraq and 3 to Afghanistan. I myself was privileged to have Colonel Barbero as an escort at my specific request on several of my own trips to both of those areas. He worked tirelessly to ensure my visits were coordinated with all of the relevant agencies and individuals so that I could visit the places, meet with the people, and deal with the issues that were critical for me as the chairman of the Senate Armed Services Committee. I am extremely grateful for the service he provided me and my staff during those trips.

Colonel Barbero's Senate assignment was the capstone to an outstanding career of service to our Nation. After graduating from the U.S. Military Academy at West Point in 1982, Colonel Barbero served as an armor officer in command and staff positions in a number of tank and cavalry units in the United States and Germany. These assignments culminated in a position as the operations officer for the 2nd Brigade of the famed 1st Cavalry Division.

Colonel Barbero also served in a number of high-level positions on both the Army and Joint Staffs at the Pentagon, as an exercise planner, analyst, and strategist. As an assistant professor at the U.S. Military Academy, Colonel Barbero played an important role in the development of the future officers and leaders of the Army.

Colonel Barbero holds a master of science degree in industrial engineering from the Georgia Institute of Technology. His military awards include the Legion of Merit, Defense Meritorious Medal, Meritorious Service Medal, Ranger Tab, Parachutist Badge, and is a holder of the Army Armor Association's Order of St. George.

Colonel Barbero is married to the former Vicki Jo Drake of Storm Lake, IA. They have two children, Mary—14—and Michael—10. I congratulate them too on their husband's and father's retirement from the Army. The demands of military life are such that military families also sacrifice and serve the Nation along with their soldier.

Mr. President, the Army, the Senate, and the Nation are lucky to have had the service of such a great soldier. He will be sorely missed.●

CONGRATULATING LANCE MACKEY

● Ms. MURKOWSKI. Mr. President, today I congratulate Lance Mackey, of Fairbanks, AK, on achieving the incredible feat of twice winning the Iditarod Trail Sled Dog Race and the Yukon Quest Sled Dog Race—two 1,000-mile races—in the same year. Last year, Lance became the first musher ever to win both races in the same calendar year. An achievement, which was previously labeled impossible, has for the second consecutive year been accomplished by Lance Mackey and his team.

For those who are unfamiliar with either the Iditarod or the Yukon Quest, these races are the world's two longest dogsled races. Both races, which span over 1,000 miles of rigid mountains, frozen tundra, and dense forests, are true tests of determination and dedication. Not only does the rugged terrain pose a huge challenge, but so does the weather, which frequently drops to 30 or 40 degrees below zero, and the wind, which can gust up to 100 miles per hour.

The annual Yukon Quest Sled Dog Race is a 1,000-mile international trek from Fairbanks, AK, to Whitehorse, Canada. Lance Mackey and his team of canine athletes crossed this great distance in 10 days, 12 hours, and 14 minutes, claiming victory for the fourth year in a row.

Only 11 days after his Yukon Quest victory, Lance and six of his dogs that competed in the Yukon Quest joined seven of his other dogs and began the 1,100-mile Iditarod Sled Dog Race. This race, which starts in Willow, AK, and ends in Nome, AK, commemorates the 1925 diphtheria serum relay run where dogsled teams had to pass along a vaccine from Anchorage to Nome in order to save countless lives. The Iditarod race is no longer run as a relay but is a race completed by individual dogsled teams.

The 1,100-mile journey travels primarily through the great Alaskan wilderness. Throughout this year's Iditarod, Lance Mackey was challenged by not only the weather and terrain but also by other extraordinary mushers such as the 2006 Iditarod winner, Jeff King, and other previous winners of this great race. On the morning of March 12, 2008, thousands gathered at the famous burled wood arch on Front Street in Nome, AK, to cheer on Lance Mackey, as he sledded to back-to-back wins at the Iditarod, beating the odds as well as the extremely competitive international field. Lance Mackey and his team of canines completed the race in 9 days, 11 hours, and 46 minutes, beating four-time Iditarod champion Jeff King by 1 hour and 19 minutes.

For the past few years, Lance has shown a mastery of working with and training canine athletes for the sport of dog mushing. As the Anchorage Daily News aptly stated:

> A musher doesn't win four straight, 1,000 mile Yukon Quests and two straight Iditarods by making dogs run. He wins by making dogs want to run.

Lance Mackey continues to impress all of us with his remarkable achievements and record-setting performances. It is my honor to stand before this body today to congratulate Lance Mackey and his team of amazing dogs. Lance is a world-class dog musher and a true Alaskan hero, and I wish him and his team all the success in the future.●

TRIBUTE TO WILL ETTA ''WILLIE'' OATES

● Mr. PRYOR. Mr. President, I wish to honor the life of a woman reverend across the State of Arkansas as a humble public servant. Will Etta ''Willie'' Oates, affectionately known as the ''Hat Lady,'' passed away on March 4, 2008. She was loved for her active volunteerism and Arkansas pride.

Although she was born in Kansas, she was an Arkansan through and through. Willie was born to Harry and Fern Long in Arkansas City, KS, on January 14, 1918. She graduated from the University of Arkansas at Fayetteville where she was a cheerleader and met her life-long husband, Dr. Gordon Oates. It was at the university that she earned the nickname Willie.

After World War II, Willie began her career of volunteerism in Little Rock. She was selected as Little Rock Woman of the Year in 1955. In 1959, she became the first woman elected to the Arkansas Legislature in more than 30 years.

Yet, it was her ''hat skits'' that captured people's attention. She traveled across Arkansas and more than 40 States speaking, performing her hat skits, judging various competitions, and serving as a grand marshall at many parades. In 1989, she was officially designated by proclamation of the State legislature as ''Arkansas's Hat Lady.''

During her lifetime, Willie belonged to over 50 national, State, and local organizations, served on over 25 boards, and was active in the First Presbyterian Church of Little Rock.

Willie Oates was my dear friend and an inspiration to all that knew her. I pay tribute to this public servant of Arkansas and express my greatest condolences to her family. She will be missed.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3361. An act to make technical corrections related to the Pension Protection Act of 2006.

The message also announced that the House agrees to the amendment of the Senate to 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 an amendment, in which it requests the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 1593. An act to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3361. An act to make technical corrections related to the Pension Protection Act of 2006.

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–5442. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Community Facilities Grant Program'' (RIN0575–AC75) received on March 17, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5443. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Common Crop Insurance Regulations; Florida Citrus Fruit Crop Insurance Provisions'' (RIN0563–AC01) received on March 14, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5444. A communication from the Administrator, Dairy Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Product Mandatory Reporting'' (Docket No. DA–06–07) received on March 14, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5445. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dates Grown or Packed in Riverside County, California; Decreased Assessment Rate'' (Docket No. AMS–FV–07–0104) received on March 14, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5446. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Decreased Assessment Rate'' (Docket No. AMS–FV–07–0114) received on March 14, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5447. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Disaster Assistance Payment Program III'' (RIN0560–AH74) received on March 17, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5448. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prothioconazole; Pesticide Tolerance'' (FRL No. 8353–2) received on March 17, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5449. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act within the Joint Intelligence Operations Center of the Department of the Navy; to the Committee on Appropriations.

EC–5450. A communication from the Secretary of the Army, transmitting, pursuant to law, an annual report relative to the Recruiter Incentive Pay Pilot Program; to the Committee on Armed Services.

EC–5451. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the scope of the Advanced Extremely High Frequency satellite program; to the Committee on Armed Services.

EC–5452. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2008 Gulf of Alaska Pollock Total Allowable Catch Amount'' (RIN0684–XE84) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5453. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543'' (RIN0684–XF05) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5454. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Using Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0684–XF06) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5455. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel by Vessels in the Amendment 80 Limited Access Fishery in the Eastern Aleutian District and Bering Sea and Aleutian Islands Management Area'' (RIN0684–XF52) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5456. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels in the Amendment 80 Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area'' (RIN0684–XF25) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5457. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Extension of Emergency Fishery Closure Due to the Presence of the Toxin that Causes Paralytic Shellfish Poisoning'' (RIN0648–AT48) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5458. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement the Northeast Region Standardized Bycatch Reporting Methodology'' (RIN0648–AV70) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5459. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment'' (RIN0648–XF39) received on March 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5460. A communication from the Under Secretary of Commerce (Intellectual Property), transmitting, pursuant to law, the report of a rule entitled ''Changes in the Requirement for a Description of the Mark in Trademark Applications'' (RIN0651–AC17) received on March 17, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5461. A communication from the Assistant Secretary of the Interior (Fish and Wildlife and Parks), transmitting, pursuant to law, the report of a rule entitled ''National Park System Units in Alaska—Part 13, Phase II'' (RIN1024–AD38) received on March 12, 2008; to the Committee on Energy and Natural Resources.

EC–5462. A communication from the Secretary of Energy, transmitting, a letter expressing the Administration's strong opposition to efforts to impose suspensions on the acquisition of petroleum for the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

EC–5463. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled, ''Emissions of Greenhouse Gases in the

United States 2006''; to the Committee on Energy and Natural Resources.

EC–5464. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Alternative Fuel Transportation Program; Private and Local Government Fleet Determination'' (RIN1904–AB69) received on March 17, 2008; to the Committee on Energy and Natural Resources.

EC–5465. 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; New Hampshire; Determination of Attainment of the Ozone Standard'' (FRL No. 8543–4) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5466. 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 Implementation Plans; Revisions to the Nevada State Implementation Plan; Stationary Source Permits'' (FRL No. 8543–6) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5467. 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 Ohio SO_2 Air Quality Implementation Plans and Designation of Areas'' (FRL No. 8534–4) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5468. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Nonattainment and Reclassification of the Baton Rouge 8-Hour Ozone Nonattainment Area; State of Louisiana'' (FRL No. 8544–6) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5469. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Nonattainment and Reclassification of the Beaumont/Port Arthur 8-Hour Ozone Nonattainment Area; State of Texas; Final Rule'' (FRL No. 8543–5) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5470. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Ambient Air Quality Standards for Ozone'' (FRL No. 8544–3) received on March 17, 2008; to the Committee on Environment and Public Works.

EC–5471. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Partial Exchange of an Annuity Contract'' (Rev. Proc. 2008–24) received on March 14, 2008; to the Committee on Finance.

EC–5472. A communication from the Acting Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Revised Medical Criteria for Evaluating Immune System Disorders'' (RIN0960–AF33) received on March 17, 2008; to the Committee on Finance.

EC–5473. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amplification of Notice 2006–52; Deduction for Energy Efficient Commercial Buildings'' (Notice 2008–40) received on March 12, 2008; to the Committee on Finance.

EC–5474. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Abandonment of Stock and Other Securities'' ((RIN1545–BE80)(TD 9386)) received on March 12, 2008; to the Committee on Finance.

EC–5475. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report relative to the Medicare Payment Policy; to the Committee on Finance.

EC–5476. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to a public-private competition that will be conducted at the Administration's headquarters in Maryland; to the Committee on Finance.

EC–5477. A communication from the Program Manager, Center for Medicaid and State Operation, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Multiple Source Drug Definition'' (RIN0938–AP26) received on March 14, 2008; to the Committee on Finance.

EC–5478. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license agreement for the export of defense articles to Japan to provide support for the manufacture of fuel control devices; to the Committee on Foreign Relations.

EC–5479. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a copy of the Implementing Agreement of the treaty that was entered into with the Government of Australia relative to Defense Trade Cooperation; to the Committee on Foreign Relations.

EC–5480. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Vietnamese cooperation on accounting for POW/MIAs; to the Committee on Foreign Relations.

EC–5481. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Taiwan's participation as an observer at the World Health Assembly; to the Committee on Foreign Relations.

EC–5482. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008–27—2008–34); to the Committee on Foreign Relations.

EC–5483. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the re-certification of a proposed manufacturing license agreement for the export of defense services to Turkey for the manufacture of the Self Protection Electronic Warfare System; to the Committee on Foreign Relations.

EC–5484. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Arms Traffic in Arms Regulations; Sri Lanka'' (22 CFR Part 126) received on March 14, 2008; to the Committee on Foreign Relations.

EC–5485. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense services to the Republic of Korea to provide support for maintenance services on the J79 and J85 engines; to the Committee on Foreign Relations.

EC–5486. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of an application for a license for the export of defense services to the United Kingdom and France to provide continued support for the installation of the CTS–800–4N gas turbine engine into the Westland Superlynx Helicopter; to the Committee on Foreign Relations.

EC–5487. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of commercial communications satellites to international waters; to the Committee on Foreign Relations.

EC–5488. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the re-certification of a proposed manufacturing license agreement for the export of defense services to Canada for the manufacture and assembly of CF–18 Multi Function Display Indicators; to the Committee on Foreign Relations.

EC–5489. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of firearms to Georgia; to the Committee on Foreign Relations.

EC–5490. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed transfer of eight Patriot missile systems from the Government of Germany to the Government of the Republic of Korea; to the Committee on Foreign Relations.

EC–5491. A communication from the Deputy Director, Office of Health Plan Standards and Compliance Assistance, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Mental Health Parity; Interim Final Amendment to Regulation'' (RIN1210–AA62) received on March 17, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5492. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, a report relative to acquisitions made from foreign entities; to the Committee on Health, Education, Labor, and Pensions.

EC–5493. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Assistant Secretary for Employment and Training, received on March 17, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5494. 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 ''Food Labeling: Health Claims; Soluble Fiber from Certain Foods and Risk of Coronary Heart Disease'' (Docket No. FDA–2008–P–0090) received on March 17, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5495. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report

relative to the Administration's Capital Investment and Leasing Program; to the Committee on Homeland Security and Governmental Affairs.

EC–5496. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a nomination for the position of Deputy Secretary, received on March 13, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5497. A communication from the Director of Congressional Affairs, Central Intelligence Agency, transmitting, pursuant to law, the report of action on a nomination and discontinuation of service in an acting role for the position of General Counsel, received on March 17, 2008; to the Select Committee on Intelligence.

EC–5498. A communication from the Deputy Assistant Administrator, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Authorized Sources of Narcotic Raw Materials'' (RIN1117–AB03) received on March 14, 2008; to the Committee on the Judiciary.

EC–5499. A communication from the Acting General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment for Civil Monetary Penalties Under Sections 274A, 274B, and 274C of the Immigration and Nationality Act'' (RIN1125–AA61) received on March 12, 2008; to the Committee on the Judiciary.

EC–5500. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, its Strategic Plan for fiscal years 2008 through 2013; to the Committee on Rules and Administration.

EC–5501. A communication from the Deputy Secretary, Department of Veterans Affairs, transmitting, pursuant to law, a report relative to the activities and accomplishments of the Department of Veterans Affairs and Department of Defense Joint Executive Council; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2787. A bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes; to the Committee on Finance.

By Mr. VITTER (for himself, Mr. THUNE, Mr. VOINOVICH, and Mr. BROWNBACK):

S. 2788. A bill to impose admitting privilege requirements with respect to physicians who perform abortions; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU:

S. 2789. A bill to amend the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 to authorize the Federal Emergency Management Agency to provide additional assistance to State and local governments for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 2790. A bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive cancer care planning under the Medicare program and to improve the care furnished to individuals diagnosed with cancer by establishing a Medicare hospice care demonstration program and grants programs for cancer palliative care and symptom management programs, provider education, and related research; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. Res. 490. A resolution recognizing the Alvin Ailey American Dance Theater for 50 years of service to the performing arts; to the Committee on the Judiciary.

By Mr. VITTER:

S. Res. 491. A resolution recognizing the need and importance of providing additional Federal funds for the Secretary of the Army to carry out hurricane, coastal, and flood protection and hurricane and flood damage reduction activities and related features in the State of Louisiana; to the Committee on Environment and Public Works.

By Mr. REID:

S. Res. 492. A resolution amending the majority party's membership on the Select Committee on Ethics for the remainder of the 110th Congress; considered and agreed to.

ADDITIONAL COSPONSORS

S. 380

At the request of Mr. WYDEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 557

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 557, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 605

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 605, a bill to amend the Public Health Service Act to promote and improve the allied health professions.

S. 702

At the request of Mr. KOHL, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 702, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 881

At the request of Mrs. LINCOLN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 911

At the request of Mr. REED, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 937

At the request of Mrs. CLINTON, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 991

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 1120

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1120, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine and public health.

S. 1125

At the request of Mr. CONRAD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1125, a bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity.

S. 1301

At the request of Mr. DEMINT, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1301, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 1393

At the request of Mr. ALEXANDER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1393, a bill to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens

of the United States to become citizens, and for other purposes.

S. 1462

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1462, a bill to amend part E of title IV of the Social Security Act to promote the adoption of children with special needs.

S. 1464

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1464, a bill to establish a Global Service Fellowship Program, and for other purposes.

S. 1484

At the request of Mr. ROBERTS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1484, a bill to amend part B of title XVIII of the Social Security Act to restore the Medicare treatment of ownership of oxygen equipment to that in effect before enactment of the Deficit Reduction Act of 2005.

S. 1627

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1655

At the request of Mr. KENNEDY, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 1655, a bill to establish improved mandatory standards to protect miners during emergencies, and for other purposes.

S. 1689

At the request of Mr. BINGAMAN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1689, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1699

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1699, a bill to amend the provisions of the Elementary and Secondary Education Act of 1965 regarding school library media specialists, and for other purposes.

S. 1750

At the request of Mr. SPECTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1750, a bill to amend title XVIII of the Social Security Act to preserve access to community cancer care by Medicare beneficiaries.

S. 1794

At the request of Mr. BAYH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1794, a bill to amend the Federal Direct Loan Program to provide that interest shall not accrue on Federal Direct Loans for active duty service members and their spouses.

S. 1810

At the request of Mr. BROWNBACK, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1810, a bill 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 prenatally and postnatally diagnosed conditions.

S. 1846

At the request of Mr. BOND, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1846, a bill to improve defense cooperation between the Republic of Korea and the United States.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1954

At the request of Mr. BAUCUS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1963

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1963, a bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds.

S. 1995

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 1995, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 2002

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2002, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts, and for other purposes.

S. 2059

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2123

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. KERRY) 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. 2219

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2219, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program.

S. 2347

At the request of Mr. OBAMA, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2347, a bill to restore and protect access to discount drug prices for university-based and safety-net clinics.

S. 2369

At the request of Mr. BAUCUS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2369, a bill to amend title 35, United States Code, to provide that certain tax planning inventions are not patentable, and for other purposes.

S. 2372

At the request of Mr. SMITH, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2372, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear.

S. 2401

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2401, a bill to amend the Internal Revenue Code of 1986 to allow a refund of motor fuel excise taxes for the actual off-highway use of certain mobile machinery vehicles.

S. 2426

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 2426, a bill to provide for congressional oversight of United States agreements with the Government of Iraq.

S. 2460

At the request of Mrs. DOLE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2460, a bill to extend by one year the moratorium on implementation of a rule relating to the Federal-State financial partnership under Medicaid and the State Children's Health Insurance Program and on finalization of a rule regarding graduate medical education under Medicaid and to include a moratorium on the finalization of the outpatient Medicaid rule making similar changes.

S. 2479

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2479, a bill to catalyze change in the care and treatment of diabetes in the United States.

S. 2505

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor 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. 2517

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2517, a bill to amend the Internal Revenue Code of 1986 to provide that the proceeds of qualified mortgage bonds may be used to provide refinancing for subprime loans, to provide a temporary increase in the volume cap for qualified mortgage bonds, and for other purposes.

S. 2575

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2575, a bill to amend title 38, United States Code, to remove certain limitations on the transfer of entitlement to basic educational assistance under Montgomery GI Bill, and for other purposes.

S. 2598

At the request of Mr. DORGAN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2598, a bill to increase the supply and lower the cost of petroleum by temporarily suspending the acquisition of petroleum for the Strategic Petroleum Reserve.

S. 2607

At the request of Ms. SNOWE, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2607, a bill to make a technical correction to section 3009 of the Deficit Reduction Act of 2005.

S. 2618

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. COCHRAN) 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. 2654

At the request of Mr. COLEMAN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2654, a bill to provide for enhanced reimbursement of servicemembers and veterans for certain travel expenses.

S. 2669

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2669, a bill to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes.

S. 2681

At the request of Mr. INHOFE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2681, a bill to require the issuance of medals to recognize the dedication and valor of Native American code talkers.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 2715

At the request of Mr. INHOFE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Louisiana (Mr. VITTER), the Senator from Pennsylvania (Mr. SPECTER), the Senator from South Carolina (Mr. DEMINT), the Senator from Oklahoma (Mr. COBURN), the Senator from Alabama (Mr. SESSIONS), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON), the Senator from Alabama (Mr. SHELBY) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2715, a bill to amend title 4, United States Code, to declare English as the national language of the Government of the United States, and for other purposes.

S. 2721

At the request of Mr. ALEXANDER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2721, a bill to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

S. 2755

At the request of Mrs. MURRAY, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from New York (Mr. SCHUMER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2755, a bill to provide funding for summer youth jobs.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from Rhode Island (Mr. REED), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2766, a bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

S. 2768

At the request of Mr. AKAKA, the names of the Senator from New York (Mr. SCHUMER), the Senator from Washington (Ms. CANTWELL) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2768, a bill to provide a temporary increase in the maximum loan guaranty amount for certain housing loans guaranteed by the Secretary of Veterans Affairs.

S. 2770

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2770, a bill to amend the Federal Meat Inspection Act to strengthen the food safety inspection system by imposing stricter penalties for the slaughter of nonambulatory livestock.

S. 2774

At the request of Mr. LEAHY, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Iowa (Mr. HARKIN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Nebraska (Mr. HAGEL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2774, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 2783

At the request of Mr. ENSIGN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 2783, a bill to allow for additional flights beyond the perimeter restriction applicable to Ronald Reagan Washington National Airport.

S.J. RES. 28

At the request of Mr. DORGAN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S.J. Res. 28, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. RES. 300

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 300, a resolution expressing the sense of the Senate that the Former Yugoslav Republic of Macedonia (FYROM) should stop the utilization of materials that violate provisions of the United Nations-brokered Interim Agreement between FYROM and Greece regarding ''hostile activities or propaganda'' and should work with the United Nations and Greece to achieve longstanding United States and United Nations policy goals of finding a mutually-acceptable official name for FYROM.

S. RES. 455

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. Res. 455, a resolution calling for peace in Darfur.

S. RES. 470

At the request of Mr. FEINGOLD, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Ohio

(Mr. BROWN), the Senator from Maryland (Mr. CARDIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 470, a resolution calling on the relevant governments, multilateral bodies, and non-state actors in Chad, the Central African Republic, and Sudan to devote ample political commitment and material resources towards the achievement and implementation of a negotiated resolution to the national and regional conflicts in Chad, the Central African Republic, and Darfur, Sudan.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2787. A bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are today introducing, by request, the administration's proposed National Defense Authorization Act for fiscal year 2009. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As chairman and ranking member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Ms. LANDRIEU:

S. 2790. A bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive cancer care planning under the Medicare program and to improve the care furnished to individuals diagnosed with cancer by establishing a Medicare hospice care demonstration program and grants programs for cancer palliative care and symptom management programs, provider education, and related research; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, I am pleased today to introduce legislation, the Comprehensive Cancer Care Improvement Act, that holds the promise of empowering cancer survivors and improving the quality of cancer care. Each year, more than one million Americans join the ranks of cancer survivors. Overall, nearly 12 million Americans live as cancer survivors. The legislation I am introducing will provide these cancer survivors with vital tools to help them manage their cancer care during active treatment and in the period of survivorship that follows treatment.

Cancer survivors from the state of Louisiana and their physicians have explained to me in compelling fashion the assistance that cancer survivors need to understand and participate in their treatment, address the side effects of therapy, and transition to cancer survivorship. I am sure that many of my Senate colleagues have heard incredible stories of survivorship from their own constituents. Management of treatment and its potentially serious side effects is a daunting task. The legislation I am introducing seeks to assist cancer survivors in receiving quality care from diagnosis through survivorship.

A dear friend and citizen of Louisiana, Tucker Melancon, has educated me about the necessity that all elements of cancer care be coordinated and that cancer patients be given assistance in managing cancer as a chronic disease. Judge Melancon and I have been friends for more than 20 years, and since 2001 he has demonstrated courage, strength, and good humor as he has undergone treatment for breast cancer. He has inspired me and many others, and it is with pleasure and humility that I introduce a bill that may help cancer survivors like Tucker receive cancer care of the highest quality.

The core provision of the Comprehensive Cancer Care Improvement Act is the establishment of Medicare payment for the development of cancer care plans and survivorship plans for beneficiaries who are diagnosed with cancer. The Institute of Medicine, IOM, in a series of reports issued between 1999 and 2006, has documented the benefits of written plans that explain to cancer survivors all of the elements of active cancer treatment, including the side effects of therapy, and that detail the steps required to monitor the side effects of treatment during survivorship.

What difference does a written plan of care make? Cancer survivors and their caregivers tell us that a written plan facilitates the coordination of care. That means that care plans provide cancer survivors the tools to receive therapy of the highest quality, accompanied by appropriate management of the side effects of treatment and the symptoms of cancer. Most people treated for cancer experience a range of side effects—including depression, pain, nausea, and vomiting—that can be debilitating and difficult to manage. Proper management of those side effects and symptoms can improve cancer survivors' quality of life and optimize their ability to complete treatment. The IOM has described patients who complete cancer treatment as ''lost in transition,'' uncertain how they will receive health care, including essential follow-up care, after active treatment. A written survivorship plan that details all elements of treatment received by a cancer survivor and that provides a roadmap to care after active treatment eases the transition from cancer patient to cancer survivor.

For patients and health care providers, Hurricane Katrina caused significant interruptions in care. Cancer patients in the middle of treatment were left to find their displaced physicians or to find new cancer care teams. In either case, they suffered from a lack of information about their ongoing treatment or about follow-up care plans. Enactment of the legislation I am introducing today would not address all of the health care delivery problems created by a natural disaster like Katrina, but it would at least put in the hands of patients critical information about their care. With that information, cancer survivors would be better able to continue their care without serious dislocation.

The U.S. Congress has provided its enthusiastic support to the National Institutes of Health for research to improve the treatment of cancer. By introducing the Comprehensive Cancer Care Improvement Act, I call on my colleagues to join me in a parallel effort to improve the quality of care for Medicare beneficiaries diagnosed with cancer. It is in our power to improve the quality of cancer care for Medicare beneficiaries. By improving Medicare, we set a standard of care for all Americans diagnosed with cancer.

I am pleased to lead the Senate effort to advance the Comprehensive Cancer Care Improvement Act. A companion measure has been introduced in the House by Representatives LOIS CAPPS and TOM DAVIS and already enjoys the support of more than 90 House cosponsors. I urge my colleagues to join me today in supporting legislation that will provide cancer patients a helping hand in obtaining quality cancer care.

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. 2790

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Cancer Care Improvement Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—COMPREHENSIVE CANCER CARE UNDER THE MEDICARE PROGRAM

Sec. 101. Coverage of cancer care planning services.
Sec. 102. Demonstration project to provide comprehensive cancer care symptom management services under Medicare.

TITLE II—COMPREHENSIVE PALLIATIVE CARE AND SYMPTOM MANAGEMENT PROGRAMS

Sec. 201. Grants for comprehensive palliative care and symptom management programs.

TITLE III—PROVIDER EDUCATION REGARDING PALLIATIVE CARE AND SYMPTOM MANAGEMENT.

Sec. 301. Grants to improve health professional education.
Sec. 302. Grants to improve continuing professional education.

TITLE IV—RESEARCH ON END-OF-LIFE TOPICS FOR CANCER PATIENTS

Sec. 401. Research program.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Individuals with cancer often do not have access to a cancer care system that provides comprehensive and coordinated care of high quality.

(2) The cancer care system has not traditionally offered individuals with cancer a prospective and comprehensive plan for treatment and symptom management, strategies for updating and evaluating such plan with the assistance of a health care professional, and a follow-up plan for monitoring and treating possible late effects of cancer and its treatment.

(3) Cancer survivors often experience the under-diagnosis and under-treatment of the symptoms of cancer, a problem that begins at the time of diagnosis and often becomes more severe at the end of life. The failure to treat the symptoms, side effects, and late effects of cancer and its treatment may have a serious adverse impact on the health, well-being, and quality of life of cancer survivors.

(4) Cancer survivors who are members of racial and ethnic minority groups may face special obstacles in receiving cancer care that is coordinated and includes appropriate management of cancer symptoms and treatment side effects.

(5) Individuals with cancer are sometimes put in the untenable position of choosing between potentially curative therapies and palliative care instead of being assured access to comprehensive care that includes appropriate treatment and symptom management.

(6) Comprehensive cancer care should incorporate access to psychosocial services and management of the symptoms of cancer (and the symptoms of its treatment), including pain, nausea and vomiting, fatigue, and depression.

(7) Comprehensive cancer care should include a means for providing cancer survivors with a comprehensive care summary and a plan for follow-up care after primary treatment to ensure that cancer survivors have access to follow-up monitoring and treatment of possible late effects of cancer and cancer treatment.

(8) The Institute of Medicine report, ''Ensuring Quality Cancer Care'', described the elements of quality care for an individual with cancer to include—

(A) the development of initial treatment recommendations by an experienced health care provider;

(B) the development of a plan for the course of treatment of the individual and communication of the plan to the individual;

(C) access to the resources necessary to implement the course of treatment;

(D) access to high-quality clinical trials;

(E) a mechanism to coordinate services for the treatment of the individual; and

(F) psychosocial support services and compassionate care for the individual.

(9) In its report, ''From Cancer Patient to Cancer Survivor: Lost in Transition'', the Institute of Medicine recommended that individuals with cancer completing primary treatment be provided a comprehensive summary of their care along with a follow-up survivorship plan of treatment.

(10) Since more than half of all cancer diagnoses occur among elderly Medicare beneficiaries, the problems of providing cancer care are problems of the Medicare program.

(11) Shortcomings in providing cancer care, resulting in inadequate management of cancer symptoms and insufficient monitoring and treatment of late effects of cancer and its treatment, are related to problems of Medicare payments for such care, inadequate professional training, and insufficient investment in research on symptom management.

(12) Changes in Medicare payment for comprehensive cancer care, enhanced public and professional education regarding symptom management, and more research related to symptom management and palliative care will enhance patient decision-making about treatment options and will contribute to improved care for individuals with cancer from the time of diagnosis of the individual through the end of the life of the individual.

TITLE I—COMPREHENSIVE CANCER CARE UNDER THE MEDICARE PROGRAM

SEC. 101. COVERAGE OF CANCER CARE PLANNING SERVICES.

(a) IN GENERAL.—Section 1861 of the Social Security Act, as amended by section 114 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) is amended—

(1) in subsection (s)(2)—

(A) by striking ''and'' at the end of subparagraph (Z);

(B) by adding ''and'' at the end of subparagraph (AA); and

(C) by adding at the end the following new subparagraph:

''(BB) comprehensive cancer care planning services (as defined in subsection (ddd));''; and

(2) by adding at the end the following new subsection:

''Comprehensive Cancer Care Planning Services

''(ddd)(1) The term 'comprehensive cancer care planning services' means—

''(A) with respect to an individual who is diagnosed with cancer, the development of a plan of care that—

''(i) details, to the greatest extent practicable, all aspects of the care to be provided to the individual, with respect to the treatment of such cancer, including any curative treatment and comprehensive symptom management (such as palliative care) involved;

''(ii) is furnished in written form to the individual in person within a period specified by the Secretary that is as soon as practicable after the date on which the individual is so diagnosed;

''(iii) is furnished, to the greatest extent practicable, in a form that appropriately takes into account cultural and linguistic needs of the individual in order to make the plan accessible to the individual; and

''(iv) is in accordance with standards determined by the Secretary to be appropriate;

''(B) with respect to an individual for whom a plan of care has been developed under subparagraph (A), the revision of such plan of care as necessary to account for any substantial change in the condition of the individual, if such revision—

''(i) is in accordance with clauses (i) and (iii) of such subparagraph; and

''(ii) is furnished in written form to the individual within a period specified by the Secretary that is as soon as practicable after the date of such revision;

''(C) with respect to an individual who has completed the primary treatment for cancer, as defined by the Secretary (such as completion of chemotherapy or radiation treatment), the development of a follow-up cancer care plan that—

''(i) describes the elements of the primary treatment, including symptom management, furnished to such individual;

''(ii) provides recommendations for the subsequent care of the individual with respect to the cancer involved;

''(iii) is furnished in written form to the individual in person within a period specified by the Secretary that is as soon as practicable after the completion of such primary treatment;

''(iv) is furnished, to the greatest extent practicable, in a form that appropriately takes into account cultural and linguistic needs of the individual in order to make the plan accessible to the individual; and

''(v) is in accordance with standards determined by the Secretary to be appropriate; and

''(D) with respect to an individual for whom a follow-up cancer care plan has been developed under subparagraph (C), the revision of such plan as necessary to account for any substantial change in the condition of the individual, if such revision—

''(i) is in accordance with clauses (i), (ii), and (iv) of such subparagraph; and

''(ii) is furnished in written form to the individual within a period specified by the Secretary that is as soon as practicable after the date of such revision.

''(2) The Secretary shall establish standards to carry out paragraph (1) in consultation with appropriate organizations representing providers of services related to cancer treatment and organizations representing survivors of cancer. Such standards shall include standards for determining the need and frequency for revisions of the plans of care and follow-up plans based on changes in the condition of the individual and standards for the communication of the plan to the patient.''.

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended by striking ''and'' before ''(V)'' and inserting before the semicolon at the end the following: '', and (W) with respect to comprehensive cancer care planning services described in any of subparagraphs (A) through (D) of section 1861(ddd)(1), the amount paid shall be an amount equal to the sum of (i) the national average amount under the physician fee schedule established under section 1848 for a new patient office consultation of the highest level of service in the non-facility setting, and (ii) the national average amount under such fee schedule for a physician certification described in section 1814(a)(2) for home health services furnished to an individual by a home health agency under a home health plan of care''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after the first day of the first calendar year that begins after the date of the enactment of this Act.

SEC. 102. DEMONSTRATION PROJECT TO PROVIDE COMPREHENSIVE CANCER CARE SYMPTOM MANAGEMENT SERVICES UNDER MEDICARE.

(a) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall conduct a two-year demonstration project (in this section referred to as the ''demonstration project'') under title XVIII of the Social Security Act under which payment shall be made under such title for comprehensive cancer care symptom management services, including items and services described in subparagraphs (A) through (I) of section 1861(dd)(1) of the Social Security Act, furnished by an eligible entity, in accordance with a plan developed under subparagraph (A) or (C) of section 1861(ddd)(1) of such Act, as added by section 101(a). Sections 1812(d) and 1814(a)(7) of such Act (42 U.S.C. 1395d(d), 1395f(a)(7)) are not applicable to items and services furnished under the demonstration project. Participation of Medicare beneficiaries in the demonstration project shall be voluntary.

(b) QUALIFICATIONS AND SELECTION OF ELIGIBLE ENTITIES.—

(1) QUALIFICATIONS.—For purposes of subsection (a), the term ''eligible entity'' means

an entity (such as a cancer center, hospital, academic health center, hospice program, physician practice, school of nursing, visiting nurse association, or other home health agency) that the Secretary determines is capable, directly or through an arrangement with a hospice program (as defined in section 1861(dd)(2) of the Social Security Act (42 U.S.C. 1395x(dd)(2))), of providing the items and services described in such subsection.

(2) SELECTION.—The Secretary shall select not more than 10 eligible entities to participate in the demonstration project. Such entities shall be selected in a manner so that the demonstration project is conducted in different regions across the United States and in urban and rural locations.

(c) EVALUATION AND REPORT.—

(1) EVALUATION.—The Secretary shall conduct a comprehensive evaluation of the demonstration project to determine—

(A) the effectiveness of the project in improving patient outcomes;

(B) the cost of providing comprehensive symptom management, including palliative care, from the time of diagnosis;

(C) the effect of comprehensive cancer care planning and the provision of comprehensive symptom management on patient outcomes, cancer care expenditures, and the utilization of hospitalization and emergent care services; and

(D) potential savings to the Medicare program demonstrated by the project.

(2) REPORT.—Not later than the date that is one year after the date on which the demonstration project concludes, the Secretary shall submit to Congress a report on the evaluation conducted under paragraph (1).

TITLE II—COMPREHENSIVE PALLIATIVE CARE AND SYMPTOM MANAGEMENT PROGRAMS

SEC. 201. GRANTS FOR COMPREHENSIVE PALLIATIVE CARE AND SYMPTOM MANAGEMENT PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall make grants to eligible entities for the purpose of—

(1) establishing a new palliative care and symptom management program for cancer patients; or

(2) expanding an existing palliative care and symptom management program for cancer patients.

(b) AUTHORIZED ACTIVITIES.—Activities funded through a grant under this section may include—

(1) securing consultative services and advice from institutions with extensive experience in developing and managing comprehensive palliative care and symptom management programs;

(2) expanding an existing program to serve more patients or enhance the range or quality of services, including cancer treatment patient education services, that are provided;

(3) developing a program that would ensure the inclusion of cancer treatment patient education in the coordinated cancer care model; and

(4) establishing an outreach program to partner with an existing comprehensive care program and obtain expert consultative services and advice.

(c) DISTRIBUTION OF FUNDS.—In making grants and distributing the funds under this section, the Secretary shall ensure that—

(1) two-thirds of the funds appropriated to carry out this section for each fiscal year are used for establishing new palliative care and symptom management programs, of which not less than half of such two-thirds shall be for programs in medically underserved communities to address issues of racial and ethnic disparities in access to cancer care; and

(2) one-third of the funds appropriated to carry out this section for each fiscal year are used for expanding existing palliative care and symptom management programs.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible entity'' includes—

(A) an academic medical center, a cancer center, a hospital, a school of nursing, or a health system capable of administering a palliative care and symptom management program for cancer patients;

(B) a physician practice with care teams, including nurses and other professionals trained in palliative care and symptom management;

(C) a visiting nurse association or other home care agency with experience administering a palliative care and symptom management program;

(D) a hospice; and

(E) any other health care agency or entity, as the Secretary determines appropriate.

(2) The term ''medically underserved community'' has the meeting given to that term in section 799B(6) of the Public Health Service Act (42 U.S.C. 295p(6)).

(3) The term ''Secretary'' means the Secretary of Health and Human Services.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

TITLE III—PROVIDER EDUCATION REGARDING PALLIATIVE CARE AND SYMPTOM MANAGEMENT.

SEC. 301. GRANTS TO IMPROVE HEALTH PROFESSIONAL EDUCATION.

(a) IN GENERAL.—The Secretary of Health and Human Services shall make grants to eligible entities to enable the entities to improve the quality of graduate and postgraduate training of physicians, nurses, and other health care providers in palliative care and symptom management for cancer patients.

(b) APPLICATION.—To seek a grant under this section, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the Secretary shall require that each such application demonstrate—

(1) the ability to incorporate palliative care and symptom management into training programs; and

(2) the ability to collect and analyze data related to the effectiveness of educational efforts.

(c) EVALUATION.—The Secretary shall develop and implement a plan for evaluating the effects of professional training programs funded through this section.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible entity'' means a cancer center (including an NCI-designated cancer center), an academic health center, a physician practice, a school of nursing, or a visiting nurse association or other home care agency.

(2) The term ''NCI-designated cancer center'' means a cancer center receiving funds through a P30 Cancer Center Support Grant of the National Cancer Institute.

(3) The term ''Secretary'' means the Secretary of Health and Human Services.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

SEC. 302. GRANTS TO IMPROVE CONTINUING PROFESSIONAL EDUCATION.

(a) IN GENERAL.—The Secretary of Health and Human Services shall make grants to eligible entities to improve the quality of continuing professional education provided to qualified individuals regarding palliative care and symptom management.

(b) APPLICATION.—To seek a grant under this section, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the Secretary shall require that each such application demonstrate—

(1) experience in sponsoring continuing professional education programs;

(2) the ability to reach health care providers and other professionals who are engaged in cancer care;

(3) the capacity to develop innovative training programs; and

(4) the ability to evaluate the effectiveness of educational efforts.

(c) EVALUATION.—The Secretary shall develop and implement a plan for evaluating the effects of continuing professional education programs funded through this section.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible entity'' means a cancer center (including an NCI-designated cancer center), an academic health center, a school of nursing, or a professional society that supports continuing professional education programs.

(2) The term ''NCI-designated cancer center'' means a cancer center receiving funds through a P30 Cancer Center Support Grant of the National Cancer Institute.

(3) The term ''qualified individual'' means a physician, nurse, social worker, chaplain, psychologist, or other individual who is involved in providing palliative care and symptom management services to cancer patients.

(4) The term ''Secretary'' means the Secretary of Health and Human Services.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

TITLE IV—RESEARCH ON END-OF-LIFE TOPICS FOR CANCER PATIENTS

SEC. 401. RESEARCH PROGRAM.

(a) IN GENERAL.—The Director of the National Institutes of Health shall establish a program of grants for research on palliative care, symptom management, communication skills, and other end-of-life topics for cancer patients.

(b) INCLUSION OF NATIONAL RESEARCH INSTITUTES.—In carrying out the program established under this section, the Director should provide for the participation of the National Cancer Institute, the National Institute of Nursing Research, and any other national research institute that has been engaged in research described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) The term ''Director'' means the Director of the National Institutes of Health.

(2) The term ''national research institute'' has the meaning given to that term in section 401(g) of the Public Health Service Act (42 U.S.C. 281(g)).

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 490—RECOGNIZING THE ALVIN AILEY AMERICAN DANCE THEATER FOR 50 YEARS OF SERVICE TO THE PERFORMING ARTS

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 490

Whereas the Alvin Ailey American Dance Theater (AAADT) is widely recognized as one of the world's premier modern dance companies;

Whereas AAADT is dedicated to promoting the uniqueness of the African-American cultural experience, to preserving the heritage of modern dance, and to brining modern dance to people around the globe;

Whereas, over its 50-year history, AAADT has performed for an estimated 21,000,000 people in 48 States and in 71 countries on 6 continents;

Whereas AAADT tours more than any other performing arts company in the world;

Whereas AAADT's signature work, ''Revelations'', has been seen by more people around the globe than any other work of dance;

Whereas AAADT performs works by both emerging and established choreographers from throughout the United States and the world;

Whereas AAADT's home in New York City, The Joan Weill Center for Dance, is the largest facility dedicated exclusively to dance in the United States;

Whereas Alvin Ailey, founder of AAADT, received the United Nations Peace Medal in 1982;

Whereas President George W. Bush recognized AAADT and Artistic Director Judith Jamison with the National Medal of Arts in 2001, making AAADT the first dance company to be so honored;

Whereas AAADT has performed for United States Presidents and foreign leaders throughout the company's 50-year history, including performances in 1968 for President Johnson, in 1977 at the inaugural gala for President Carter, in 1993 at the inaugural gala for President Clinton, and in 2003 at a state dinner honoring President Mwai Kibaki of Kenya;

Whereas, over the years, AAADT has brought the culture of the United States to audiences around the world with performances at such historic events as the Rio de Janeiro International Arts Festival in 1963, the first Negro Arts Festival in Dakar, Senegal, in 1966, the fabled New Year's Eve performance for the Crown Prince of Morocco in 1978, the Paris Centennial performance at the Grand Palais Theatre in 1989, 2 unprecedented engagements in South Africa in 1997 and 1998, the 1996 and 2002 Olympic Games, the 2005 Stars of the White Nights festival in St. Petersburg, Russia, and the 2006 Les étés de la danse de Paris festival in Paris, France;

Whereas AAADT annually provides more than 100,000 young people from diverse cultural, social, and economic backgrounds with the opportunity to explore their creative potential and build their self-esteem through its Arts in Education and Community Programs, which includes 9 AileyCamps in cities across the United States;

Whereas Ailey II, the junior company to AAADT, reaches more than 69,000 people each year through its inspiring performances and outreach activities while touring to smaller communities in more than 50 North American cities; and

Whereas the Ailey School, accredited by the National Association of Schools of Dance, provides the highest quality training consistent with the professional standards of AAADT, including a Certificate Program, a Fellowship Program, and a Bachelor of Fine Arts degree program in conjunction with Fordham University: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the Alvin Ailey American Dance Theater (AAADT) for 50 years of service as a cultural ambassador of the United States to the world, by bringing world-class American modern dance to an estimated 21,000,000 people around the globe;

(2) recognizes that AAADT has been a true pioneer in the world of dance by establishing an extended cultural community that provides dance performances, training, and community programs to all people while using the beauty and humanity of the African-American heritage and other cultures to unite people of all ages, races, and backgrounds; and

(3) recognizes that Ailey II, the prestigious Ailey School, and the extensive and innovative Arts in Education and Community Programs of AAADT train future generations of dancers and choreographers while continuing to expose young people from communities large and small to the arts.

SENATE RESOLUTION 491—RECOGNIZING THE NEED AND IMPORTANCE OF PROVIDING ADDITIONAL FEDERAL FUNDS FOR THE SECRETARY OF THE ARMY TO CARRY OUT HURRICANE, COASTAL, AND FLOOD PROTECTION AND HURRICANE AND FLOOD DAMAGE REDUCTION ACTIVITIES AND RELATED FEATURES IN THE STATE OF LOUISIANA

Mr. VITTER submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 491

Whereas the restoration of the infrastructure, hurricane, flood protection, ecosystem, and habitat of the State of Louisiana is critical to the United States economy because—

(1) Louisiana is the key to United States energy security, providing nearly 30 percent of the energy required to power the United States economy;

(2) Louisiana provides more than 25 percent of the seafood consumed in the United States;

(3) Louisiana provides the largest port system in the world (having 5 of 15 ports with the most total tonnage of all ports in the United States); and

(4) more than 36 States depend on maritime commerce on waterways in Louisiana to receive goods and services;

Whereas, in 2005, Hurricanes Katrina and Rita devastated Louisiana, causing the death of more than 1,400, the loss of 217 square miles of coastal land and wetlands, and destroyed the integrity and performance of the hurricane protection system;

Whereas in Louisiana Hurricanes Katrina and Rita initially caused the evacuation and displacement of 1,300,000 residents of Louisiana, destroyed more than 200,000 homes, 40 schools, and 10 hospitals, damaged 835 schools, flooded more than 16,000 businesses, caused the loss of 179,000 jobs, and resulted in property losses of more than $100,000,000,000 in the State;

Whereas Louisiana had a reduction in gross State product of $7,400,000,000 during the period beginning on the date of occurrence of Hurricane Katrina and ending on June 30, 2006;

Whereas Federal funds are needed, in addition to the fiscal year 2009 budget request of the President, to reduce the risk to the greater New Orleans, Louisiana, area from storm surges to provide at least an updated 100-year protection standard and address associated flood protection needs to meet the President's commitment to complete the Corps of Engineers work necessary for the updated 100-year protection standard for the greater New Orleans area by the 2011 hurricane season;

Whereas, in accordance with section 7012(c) of the Water Resources Development Act of 2007 (121 Stat. 1279), the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate may adopt a resolution to allow for appropriation of additional Federal funds that exceed 25 percent of the authorized level for the activities identified in subsection (a) of that section;

Whereas, the historic cost share for current and future work for the Southeast Louisiana Project is 75 percent Federal and 25 percent non-Federal, in accordance with section 533(d) of the Water Resources Development Act of 1996 (110 Stat. 3775), as reconfirmed by Congress in subsequent supplemental legislation related to the 2005 hurricanes; and

Whereas, the historic cost share for the Lake Pontchartrain and Vicinity project is 70 percent Federal and 30 percent non-Federal, in accordance with section 204 of the Flood Control Act of 1965 (79 Stat. 1077), as reconfirmed by Congress in subsequent supplemental legislation:

Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the urgency for Congress to approve additional Federal funds required by the Corps of Engineers by October 1, 2008, to complete hurricane, coastal, and flood protection and hurricane and flood damage reduction activities and related features to meet the President's commitment to complete the Corps of Engineers work necessary for the updated 100-year protection standard for the greater New Orleans area by the 2011 hurricane season; and

(2) finds that, given the significance and consequences of the 2005 Hurricanes Katrina and Rita, the additional Federal funds to reduce the risk to the greater New Orleans, Louisiana, area from storm surges and to provide at least an updated 100-year protection standard and address associated flood protection needs shall be carried out at full Federal expense.

SENATE RESOLUTION 492—AMENDING THE MAJORITY PARTY'S MEMBERSHIP ON THE SELECT COMMITTEE ON ETHICS FOR THE REMAINDER OF THE 110TH CONGRESS

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 492

Resolved, That Senate Resolution 27 (110th Congress) is amended, effective January 1, 2008, by striking all from ''ETHICS:'' through ''72a–1f'' and inserting ''ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Salazar''

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 a hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 15, 2008, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider S. 2438, a bill to repeal certain provisions of the Federal Lands Recreation Enhancement Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Rachel Pasternack at (202) 224–0883 or David Brooks at 202–224–9863.

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on April 8, 2008, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 2259/H.R. 813, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, and for other purposes; H.R. 31, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects; H.R. 716, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan; H.R. 786, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, and for other purposes; H.R. 1140, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, and for other purposes; H.R. 1503, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project; H.R. 1725, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled/Non-Potable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project; H.R. 1737, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California; and H.R. 2614, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California.

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 email to Gina_Weinstock@energy.senate.gov.

For further information, please contact Michael Connor at (202) 224–5479 or Gina Weinstock at (202) 224–5684.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

On Thursday, March 13, 2008, the Senate agreed to S. Con. Res. 70, as amended, as follows:

S. CON. RES. 70

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2009 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2009.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.
Sec. 104. Major functional categories.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

Sec. 201. Senate point of order against legislation increasing long-term deficits.
Sec. 202. Point of order—20 percent limit on new direct spending in reconciliation legislation.

Subtitle B—Discretionary Spending

Sec. 211. Discretionary spending limits, program integrity initiatives, and other adjustments.
Sec. 212. Point of order against advance appropriations.
Sec. 213. Senate point of order against provisions of appropriations legislation that constitute changes in mandatory programs with net costs.
Sec. 214. Discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

Sec. 221. Application and effect of changes in allocations and aggregates.
Sec. 222. Adjustments to reflect changes in concepts and definitions.
Sec. 223. Debt disclosure requirement.
Sec. 224. Debt disclosures.
Sec. 225. Exercise of rulemaking powers.
Sec. 226. Circuit breaker to protect social security.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund to strengthen and stimulate the American economy and provide economic relief to American families.
Sec. 302. Deficit-neutral reserve fund for improving education.
Sec. 303. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 304. Deficit-neutral reserve fund to invest in clean energy, preserve the environment, and provide for certain settlements.
Sec. 305. Deficit-neutral reserve fund for America's veterans and wounded servicemembers and for a post 9/11 GI bill.
Sec. 306. Deficit-neutral reserve fund to improve America's health.
Sec. 307. Sense of the Senate regarding Medicaid administrative regulations.
Sec. 308. Deficit-neutral reserve fund for judicial pay and judgeships.
Sec. 309. Deficit-neutral reserve fund for reforming the alternative minimum tax for individuals.
Sec. 310. Deficit-neutral reserve fund for repealing the 1993 increase in the income tax on social security benefits.
Sec. 311. Deficit-neutral reserve fund to improve energy efficiency and production.
Sec. 312. Deficit-neutral reserve fund for immigration reform and enforcement.
Sec. 313. Deficit-neutral reserve fund for border security, immigration enforcement, and criminal alien removal programs.
Sec. 314. Deficit-neutral reserve fund for science parks.
Sec. 315. Deficit-neutral reserve fund for 3-year extension of pilot program for national and state background checks on direct patient access employees of long-term care facilities or providers.
Sec. 316. Deficit-neutral reserve fund for studying the effect of cooperation with local law enforcement.
Sec. 317. Deficit-neutral reserve fund to terminate deductions from mineral revenue payments to States.
Sec. 318. Deficit-neutral reserve fund for the establishment of State Internet sites for the disclosure of information relating to payments made under the State Medicaid program.
Sec. 319. Deficit-neutral reserve fund for traumatic brain injury.
Sec. 320. Deficit-neutral reserve fund to improve animal health and disease program.
Sec. 321. Deficit-neutral reserve fund for implementation of Yellow Ribbon Reintegration Program for members of the National Guard and Reserve.

Sec. 322. Deficit-neutral reserve fund for reimbursing States for the costs of housing undocumented criminal aliens.
Sec. 323. Deficit-neutral reserve fund for acceleration of phased-in eligibility for concurrent receipt of benefits.
Sec. 324. Deficit-neutral reserve fund for increased use of recovery audits.
Sec. 325. Deficit-neutral reserve fund for food safety.
Sec. 326. Deficit-neutral reserve fund for demonstration project regarding Medicaid coverage of low-income HIV-infected individuals.
Sec. 327. Deficit-neutral reserve fund for reducing income threshold for refundable child tax credit to $10,000 with no inflation adjustment.
Sec. 328. Sense of the Senate regarding the diversion of funds set aside for USPTO.
Sec. 329. Deficit-neutral reserve fund for education reform.
Sec. 330. Deficit-neutral reserve fund for processing naturalization applications.
Sec. 331. Deficit-neutral reserve fund for access to quality and affordable health insurance.
Sec. 332. Deficit-neutral reserve fund for a 9/11 health program.
Sec. 333. Deficit-neutral reserve fund to ban medicare advantage and prescription drug plan sales and marketing abuses.
Sec. 334. Sense of the Senate regarding extending the ''Moving to Work Agreement'' between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development under the same terms and conditions for a period of one year.
Sec. 335. Sense of the Senate regarding a balanced budget amendment to the constitution of the United States.
Sec. 336. Sense of the Senate regarding the need for comprehensive legislation to legalize the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2008 through 2013:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2008: $1,871,888,000,000.
Fiscal year 2009: $2,012,123,000,000.
Fiscal year 2010: $2,198,259,000,000.
Fiscal year 2011: $2,404,151,000,000.
Fiscal year 2012: $2,488,673,000,000.
Fiscal year 2013: $2,613,013,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2008: –$7,652,000,000.
Fiscal year 2009: –$85,001,000,000.
Fiscal year 2010: $15,395,000,000.
Fiscal year 2011: –$23,874,000,000.
Fiscal year 2012: –$164,642,000,000.
Fiscal year 2013: –$141,727,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2008: $2,579,255,000,000.
Fiscal year 2009: $2,533,754,000,000.
Fiscal year 2010: $2,555,400,000,000.
Fiscal year 2011: $2,687,858,000,000.
Fiscal year 2012: $2,731,412,000,000.
Fiscal year 2013: $2,860,070,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2008: $2,476,755,000,000.
Fiscal year 2009: $2,575,733,417,000.
Fiscal year 2010: $2,616,367,415,000.
Fiscal year 2011: $2,709,059,134,000.
Fiscal year 2012: $2,722,339,034,000.
Fiscal year 2013: $2,852,077,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2008: $604,867,000,000.
Fiscal year 2009: $563,610,417,000.
Fiscal year 2010: $418,108,415,000.
Fiscal year 2011: $304,908,134,000.
Fiscal year 2012: $233,666,034,000.
Fiscal year 2013: $239,064,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2008: $9,618,792,000,000.
Fiscal year 2009: $10,278,552,417,000.
Fiscal year 2010: $10,805,195,832,000.
Fiscal year 2011: $11,215,113,966,000.
Fiscal year 2012: $11,580,563,000,000.
Fiscal year 2013: $11,934,375,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2008: $5,418,643,000,000.
Fiscal year 2009: $5,803,409,417,000.
Fiscal year 2010: $6,032,754,832,000.
Fiscal year 2011: $6,129,282,966,000.
Fiscal year 2012: $6,141,593,000,000.
Fiscal year 2013: $6,153,706,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2008: $666,705,000,000.
Fiscal year 2009: $695,876,000,000.
Fiscal year 2010: $733,571,000,000.
Fiscal year 2011: $772,468,000,000.
Fiscal year 2012: $809,798,000,000.
Fiscal year 2013: $845,044,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2008: $463,746,000,000.
Fiscal year 2009: $493,607,000,000.
Fiscal year 2010: $520,158,000,000.
Fiscal year 2011: $540,487,000,000.
Fiscal year 2012: $566,249,000,000.
Fiscal year 2013: $595,544,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2008:
(A) New budget authority, $5,160,000,000.
(B) Outlays, $4,989,000,000.
Fiscal year 2009:
(A) New budget authority, $5,473,000,000.
(B) Outlays, $5,476,000,000.
Fiscal year 2010:
(A) New budget authority, $5,623,000,000.
(B) Outlays, $5,581,000,000.
Fiscal year 2011:
(A) New budget authority, $5,788,000,000.
(B) Outlays, $5,759,000,000.
Fiscal year 2012:
(A) New budget authority, $5,962,000,000.
(B) Outlays, $5,932,000,000.
Fiscal year 2013:
(A) New budget authority, $6,147,000,000.
(B) Outlays, $6,115,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2008:
(A) New budget authority, $250,000,000.
(B) Outlays, $237,000,000.
Fiscal year 2009:
(A) New budget authority, $258,000,000.
(B) Outlays, $258,000,000.
Fiscal year 2010:
(A) New budget authority, $267,000,000.
(B) Outlays, $267,000,000.
Fiscal year 2011:
(A) New budget authority, $275,000,000.
(B) Outlays, $275,000,000.
Fiscal year 2012:
(A) New budget authority, $284,000,000.
(B) Outlays, $284,000,000.
Fiscal year 2013:
(A) New budget authority, $293,000,000.
(B) Outlays, $293,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2008 through 2013 for each major functional category are:

(1) National Defense (050):
Fiscal year 2008:
(A) New budget authority, $693,273,000,000.
(B) Outlays, $604,289,000,000.
Fiscal year 2009:
(A) New budget authority, $612,502,000,000.
(B) Outlays, $645,437,000,000.
Fiscal year 2010:
(A) New budget authority, $550,414,000,000.
(B) Outlays, $607,033,000,000.
Fiscal year 2011:
(A) New budget authority, $557,026,000,000.
(B) Outlays, $577,925,000,000.
Fiscal year 2012:
(A) New budget authority, $565,800,000,000.
(B) Outlays, $561,666,000,000.
Fiscal year 2013:
(A) New budget authority, $576,223,000,000.
(B) Outlays, $570,503,000,000.

(2) International Affairs (150):
Fiscal year 2008:
(A) New budget authority, $38,608,000,000.
(B) Outlays, $33,771,000,000.
Fiscal year 2009:
(A) New budget authority, $38,609,416,000.
(B) Outlays, $39,449,416,000.
Fiscal year 2010:
(A) New budget authority, $35,663,000,000.
(B) Outlays, $37,040,000,000.
Fiscal year 2011:
(A) New budget authority, $36,322,000,000.
(B) Outlays, $35,932,000,000.
Fiscal year 2012:
(A) New budget authority, $36,866,000,000.
(B) Outlays, $35,705,000,000.
Fiscal year 2013:
(A) New budget authority, $37,024,000,000.
(B) Outlays, $35,243,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2008:
(A) New budget authority, $27,407,000,000.
(B) Outlays, $26,456,000,000.
Fiscal year 2009:
(A) New budget authority, $30,536,000,000.
(B) Outlays, $28,987,000,000.
Fiscal year 2010:
(A) New budget authority, $30,369,000,000.
(B) Outlays, $30,490,000,000.

Fiscal year 2011:
(A) New budget authority, $30,848,000,000.
(B) Outlays, $31,167,000,000.
Fiscal year 2012:
(A) New budget authority, $31,332,000,000.
(B) Outlays, $31,650,000,000.
Fiscal year 2013:
(A) New budget authority, $31,816,000,000.
(B) Outlays, $31,635,000,000.
(4) Energy (270):
Fiscal year 2008:
(A) New budget authority, $3,548,000,000.
(B) Outlays, $1,681,000,000.
Fiscal year 2009:
(A) New budget authority, $7,026,000,000.
(B) Outlays, $2,843,000,000.
Fiscal year 2010:
(A) New budget authority, $6,935,000,000.
(B) Outlays, $4,533,000,000.
Fiscal year 2011:
(A) New budget authority, $6,916,000,000.
(B) Outlays, $5,481,000,000.
Fiscal year 2012:
(A) New budget authority, $6,895,000,000.
(B) Outlays, $5,981,000,000.
Fiscal year 2013:
(A) New budget authority, $6,858,000,000.
(B) Outlays, $6,159,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2008:
(A) New budget authority, $32,560,000,000.
(B) Outlays, $34,440,000,000.
Fiscal year 2009:
(A) New budget authority, $39,835,000,000.
(B) Outlays, $36,309,500,000.
Fiscal year 2010:
(A) New budget authority, $34,730,000,000.
(B) Outlays, $37,039,000,000.
Fiscal year 2011:
(A) New budget authority, $35,424,000,000.
(B) Outlays, $37,217,875,000.
Fiscal year 2012:
(A) New budget authority, $36,111,000,000.
(B) Outlays, $37,394,875,000.
Fiscal year 2013:
(A) New budget authority, $36,812,000,000.
(B) Outlays, $37,756,875,000.
(6) Agriculture (350):
Fiscal year 2008:
(A) New budget authority, $22,423,000,000.
(B) Outlays, $21,495,000,000.
Fiscal year 2009:
(A) New budget authority, $21,377,000,000.
(B) Outlays, $21,127,000,000.
Fiscal year 2010:
(A) New budget authority, $21,532,000,000.
(B) Outlays, $20,501,000,000.
Fiscal year 2011:
(A) New budget authority, $21,665,000,000.
(B) Outlays, $20,659,000,000.
Fiscal year 2012:
(A) New budget authority, $21,994,000,000.
(B) Outlays, $21,176,000,000.
Fiscal year 2013:
(A) New budget authority, $22,307,000,000.
(B) Outlays, $21,513,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2008:
(A) New budget authority, $11,516,000,000.
(B) Outlays, $5,441,000,000.
Fiscal year 2009:
(A) New budget authority, $9,350,000,000.
(B) Outlays, $3,764,000,000.
Fiscal year 2010:
(A) New budget authority, $11,133,000,000.
(B) Outlays, $3,562,000,000.
Fiscal year 2011:
(A) New budget authority, $7,713,000,000.
(B) Outlays, $824,000,000.
Fiscal year 2012:
(A) New budget authority, $8,028,000,000.
(B) Outlays, $492,000,000.
Fiscal year 2013:
(A) New budget authority, $8,254,000,000.
(B) Outlays, $195,000,000.
(8) Transportation (400):
Fiscal year 2008:
(A) New budget authority, $87,289,000,000.
(B) Outlays, $81,370,000,000.
Fiscal year 2009:
(A) New budget authority, $75,131,000,000.
(B) Outlays, $83,311,000,000.
Fiscal year 2010:
(A) New budget authority, $78,075,000,000.
(B) Outlays, $85,504,000,000.
Fiscal year 2011:
(A) New budget authority, $78,913,000,000.
(B) Outlays, $86,779,000,000.
Fiscal year 2012:
(A) New budget authority, $79,763,000,000.
(B) Outlays, $88,515,000,000.
Fiscal year 2013:
(A) New budget authority, $80,640,000,000.
(B) Outlays, $90,534,000,000.
(9) Community and Regional Development (450):
Fiscal year 2008:
(A) New budget authority, $20,029,000,000.
(B) Outlays, $27,819,000,000.
Fiscal year 2009:
(A) New budget authority, $15,195,000,000.
(B) Outlays, $24,486,700,000.
Fiscal year 2010:
(A) New budget authority, $15,265,000,000.
(B) Outlays, $22,115,400,000.
Fiscal year 2011:
(A) New budget authority, $15,503,000,000.
(B) Outlays, $18,240,900,000.
Fiscal year 2012:
(A) New budget authority, $15,746,000,000.
(B) Outlays, $16,186,800,000.
Fiscal year 2013:
(A) New budget authority, $15,979,000,000.
(B) Outlays, $15,872,800,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2008:
(A) New budget authority, $91,381,000,000.
(B) Outlays, $90,912,000,000.
Fiscal year 2009:
(A) New budget authority, $94,679,670,000.
(B) Outlays, $91,253,020,000.
Fiscal year 2010:
(A) New budget authority, $103,891,000,000.
(B) Outlays, $98,615,482,000.
Fiscal year 2011:
(A) New budget authority, $106,486,000,000.
(B) Outlays, $103,806,534,000.
Fiscal year 2012:
(A) New budget authority, $108,255,000,000.
(B) Outlays, $104,904,034,000.
Fiscal year 2013:
(A) New budget authority, $101,660,000,000.
(B) Outlays, $103,626,000,000.
(11) Health (550):
Fiscal year 2008:
(A) New budget authority, $286,108,000,000.
(B) Outlays, $287,211,000,000.
Fiscal year 2009:
(A) New budget authority, $313,109,000,000.
(B) Outlays, $310,603,000,000.
Fiscal year 2010:
(A) New budget authority, $324,863,000,000.
(B) Outlays, $325,576,000,000.
Fiscal year 2011:
(A) New budget authority, $345,558,000,000.
(B) Outlays, $344,795,000,000.
Fiscal year 2012:
(A) New budget authority, $368,273,000,000.
(B) Outlays, $367,110,000,000.
Fiscal year 2013:
(A) New budget authority, $393,283,000,000.
(B) Outlays, $391,805,000,000.
(12) Medicare (570):
Fiscal year 2008:
(A) New budget authority, $390,458,000,000.
(B) Outlays, $390,454,000,000.
Fiscal year 2009:
(A) New budget authority, $420,389,000,000.
(B) Outlays, $420,150,000,000.
Fiscal year 2010:
(A) New budget authority, $445,380,000,000.
(B) Outlays, $445,513,000,000.
Fiscal year 2011:
(A) New budget authority, $494,477,000,000.
(B) Outlays, $494,305,000,000.
Fiscal year 2012:
(A) New budget authority, $491,399,000,000.
(B) Outlays, $491,163,000,000.
Fiscal year 2013:
(A) New budget authority, $551,039,000,000.
(B) Outlays, $551,161,000,000.
(13) Income Security (600):
Fiscal year 2008:
(A) New budget authority, $393,591,000,000.
(B) Outlays, $394,613,000,000.
Fiscal year 2009:
(A) New budget authority, $414,369,000,000.
(B) Outlays, $419,023,200,000.
Fiscal year 2010:
(A) New budget authority, $416,322,000,000.
(B) Outlays, $418,871,200,000.
Fiscal year 2011:
(A) New budget authority, $425,435,000,000.
(B) Outlays, $426,242,100,000.
Fiscal year 2012:
(A) New budget authority, $411,468,000,000.
(B) Outlays, $411,597,000,000.
Fiscal year 2013:
(A) New budget authority, $426,718,000,000.
(B) Outlays, $426,611,400,000.
(14) Social Security (650):
Fiscal year 2008:
(A) New budget authority, $19,378,000,000.
(B) Outlays, $19,378,000,000.
Fiscal year 2009:
(A) New budget authority, $21,308,000,000.
(B) Outlays, $21,308,000,000.
Fiscal year 2010:
(A) New budget authority, $23,794,000,000.
(B) Outlays, $23,794,000,000.
Fiscal year 2011:
(A) New budget authority, $27,330,000,000.
(B) Outlays, $27,330,000,000.
Fiscal year 2012:
(A) New budget authority, $30,342,000,000.
(B) Outlays, $30,342,000,000.
Fiscal year 2013:
(A) New budget authority, $33,162,000,000.
(B) Outlays, $33,162,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2008:
(A) New budget authority, $86,365,000,000.
(B) Outlays, $83,551,000,000.
Fiscal year 2009:
(A) New budget authority, $93,319,584,000.
(B) Outlays, $92,397,584,000.
Fiscal year 2010:
(A) New budget authority, $95,615,000,000.
(B) Outlays, $95,399,000,000.
Fiscal year 2011:
(A) New budget authority, $100,959,000,000.
(B) Outlays, $100,749,000,000.
Fiscal year 2012:
(A) New budget authority, $97,782,000,000.
(B) Outlays, $97,064,000,000.
Fiscal year 2013:
(A) New budget authority, $103,241,000,000.
(B) Outlays, $102,521,000,000.
(16) Administration of Justice (750):
Fiscal year 2008:
(A) New budget authority, $46,282,000,000.
(B) Outlays, $44,322,000,000.
Fiscal year 2009:
(A) New budget authority, $49,432,330,000.
(B) Outlays, $46,896,297,000.
Fiscal year 2010:
(A) New budget authority, $48,018,000,000.
(B) Outlays, $49,714,333,000.
Fiscal year 2011:
(A) New budget authority, $48,907,000,000.
(B) Outlays, $50,113,500,000.
Fiscal year 2012:
(A) New budget authority, $49,819,000,000.
(B) Outlays, $50,089,000,000.
Fiscal year 2013:
(A) New budget authority, $50,768,000,000.
(B) Outlays, $50,706,000,000.
(17) General Government (800):
Fiscal year 2008:
(A) New budget authority, $56,407,000,000.
(B) Outlays, $56,920,000,000.
Fiscal year 2009:

(A) New budget authority, $24,477,000,000.
(B) Outlays, $24,435,000,000.
Fiscal year 2010:
(A) New budget authority, $19,972,000,000.
(B) Outlays, $20,172,000,000.
Fiscal year 2011:
(A) New budget authority, $20,395,000,000.
(B) Outlays, $20,407,000,000.
Fiscal year 2012:
(A) New budget authority, $20,796,000,000.
(B) Outlays, $20,940,000,000.
Fiscal year 2013:
(A) New budget authority, $21,107,000,000.
(B) Outlays, $20,991,000,000.
(18) Net Interest (900):
Fiscal year 2008:
(A) New budget authority, $349,462,000,000.
(B) Outlays, $349,462,000,000.
Fiscal year 2009:
(A) New budget authority, $335,110,000,000.
(B) Outlays, $335,110,000,000.
Fiscal year 2010:
(A) New budget authority, $372,253,000,000.
(B) Outlays, $372,253,000,000.
Fiscal year 2011:
(A) New budget authority, $409,810,000,000.
(B) Outlays, $409,810,000,000.
Fiscal year 2012:
(A) New budget authority, $435,762,000,000.
(B) Outlays, $435,762,000,000.
Fiscal year 2013:
(A) New budget authority, $451,980,000,000.
(B) Outlays, $451,980,000,000.
(19) Allowances (920):
Fiscal year 2008:
(A) New budget authority, $9,500,000,000.
(B) Outlays, $9,500,000,000.
Fiscal year 2009:
(A) New budget authority, −$14,941,000,000.
(B) Outlays, –$4,099,300,000.
Fiscal year 2010:
(A) New budget authority, −$8,179,000,000.
(B) Outlays, −$10,713,000,000.
Fiscal year 2011:
(A) New budget authority, −$8,466,000,000.
(B) Outlays, −$9,360,775,000.
Fiscal year 2012:
(A) New budget authority, −$8,916,000,000.
(B) Outlays, −$9,295,675,000.
Fiscal year 2013:
(A) New budget authority, −$9,110,000,000.
(B) Outlays, −$10,206,075,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2008:
(A) New budget authority, −$86,330,000,000.
(B) Outlays, −$86,330,000,000.
Fiscal year 2009:
(A) New budget authority, −$67,060,000,000.
(B) Outlays, −$67,060,000,000.
Fiscal year 2010:
(A) New budget authority, −$70,645,000,000.
(B) Outlays, −$70,645,000,000.
Fiscal year 2011:
(A) New budget authority, −$73,364,000,000.
(B) Outlays, −$73,364,000,000.
Fiscal year 2012:
(A) New budget authority, −$76,104,000,000.
(B) Outlays, −$76,104,000,000.
Fiscal year 2013:
(A) New budget authority, −$79,691,000,000.
(B) Outlays, −$79,691,000,000.

TITLE II—BUDGET PROCESS

Subtitle A—Direct Spending and Receipts

SEC. 201. SENATE POINT OF ORDER AGAINST LEGISLATION INCREASING LONG-TERM DEFICITS.

(a) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill and joint resolution reported from committee (except measures within the jurisdiction of the Committee on Appropriations), and amendments thereto and conference reports thereon, an estimate of whether the measure would cause, relative to current law, a net increase in deficits in excess of $0 in any of the 4 consecutive 10-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted concurrent resolution on the budget.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in deficits in excess of $0 in any of the 4 consecutive 10-year periods described in subsection (a).

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels of net deficit increases shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

(e) SUNSET.—This section shall expire on September 30, 2017.

(f) REPEAL.—In the Senate, subsections (a) through (d) and subsection (f) of section 203 of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 202. POINT OF ORDER—20 PERCENT LIMIT ON NEW DIRECT SPENDING IN RECONCILIATION LEGISLATION.

(a)(1) In the Senate, it shall not be in order to consider any reconciliation bill, joint resolution, motion, amendment, or any conference report on, or an amendment between the Houses in relation to, a reconciliation bill pursuant to section 310 of the Congressional Budget Act of 1974, that produces an increase in outlays, if—

(2) the effect of all the provisions in the jurisdiction of any committee is to create gross new direct spending that exceeds 20 percent of the total savings instruction to the committee; or

(3) the effect of the adoption of an amendment would result in gross new direct spending that exceeds 20 percent of the total savings instruction to the committee.

(b) A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(1) Paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(2) If a point of order is sustained under paragraph (1) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

Subtitle B—Discretionary Spending

SEC. 211. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2008, $1,055,478,000,000 in new budget authority and $1,093,343,000,000 in outlays; and

(2) for fiscal year 2009, $1,008,482,000,000 in new budget authority and $1,108,449,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $264,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to $240,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $240,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $6,997,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to $490,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $490,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to $198,000,000 to the

Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $198,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to $40,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $40,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(E) COMPARATIVE EFFECTIVENESS RESEARCH AT THE AGENCY FOR HEALTHCARE RESEARCH AND QUALITY.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates $30,000,000 for comparative effectiveness research as authorized under section 1013 of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, and provides an additional appropriation of up to $70,000,000 for that purpose, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $70,000,000 in budget authority for fiscal year 2009 and the outlays flowing therefrom.

(F) REDUCING WASTE IN DEFENSE CONTRACTING.—If a bill or joint resolution is reported making appropriations for fiscal year 2009 that appropriates up to $100,000,000 to the Department of Defense for additional activities to reduce waste, fraud, abuse, and overpayments in defense contracting; achieve the legal requirement to submit auditable financial statements; or reduce waste by improving accounting for and ordering of spare parts; subject contracts performed outside the United States to the same ethics, control, and reporting requirements as those performed domestically, then the discretionary spending limits, allocation to the Committee on Appropriations of the Senate, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $100,000,000 in budget authority and outlays flowing therefrom for fiscal year 2009.

(3) ADJUSTMENTS FOR COSTS OF THE WARS IN IRAQ AND AFGHANISTAN.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports;

making appropriations for fiscal year 2008 or 2009 for the wars in Iraq and Afghanistan, by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to $108,056,000,000 in budget authority for fiscal year 2008 and the new outlays flowing therefrom, and up to $70,000,000,000 in budget authority for fiscal year 2009 and the new outlays flowing therefrom.

(d) OVERSIGHT OF GOVERNMENT PERFORMANCE.—In the Senate, all committees are directed to review programs within their jurisdictions to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdictions, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

(e) SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008.—If legislation making supplemental appropriations for fiscal year 2008 is enacted, the Chairman of the Senate Committee on the Budget shall make the appropriate adjustments in allocations, aggregates, discretionary spending limits, and other levels of new budget authority and outlays to reflect the difference between such measure and the corresponding levels assumed in this resolution.

(f) INAPPLICABILITY.—In the Senate, subsections (a), (b), (c), (e), and (f) of section 207 of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 212. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2009 that first becomes available for any fiscal year after 2009, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2010, that first becomes available for any fiscal year after 2010.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2010 and 2011 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $29,352,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 206(a) of S. Con. Res. 21 (110th Congress) shall no longer apply.

SEC. 213. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS WITH NET COSTS.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision which constitutes a change in a mandatory program producing net costs, as defined in subsection (b), that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (e) and (f).

(b) CHANGES IN MANDATORY PROGRAMS PRODUCING NET COSTS.—A provision or provisions shall be subject to a point of order pursuant to this section if—

(1) the provision would increase budget authority in at least 1 of the 9 fiscal years that follow the budget year and over the period of the total of the budget year and the 9 fiscal years following the budget year;

(2) the provision would increase net outlays over the period of the total of the 9 fiscal years following the budget year; and

(3) the sum total of all changes in mandatory programs in the legislation would increase net outlays as measured over the period of the total of the 9 fiscal years following the budget year.

(c) DETERMINATION.—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

(d) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) GENERAL POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those

provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(f) FORM OF THE POINT OF ORDER.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(g) EFFECTIVENESS.—This section shall not apply to any provision constituting a change in a mandatory program in appropriations legislation if such provision has been enacted in each of the 3 fiscal years prior to the budget year.

SEC. 214. DISCRETIONARY ADMINISTRATIVE EXPENSES OF THE POSTAL SERVICE.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Postal Service.

Subtitle C—Other Provisions

SEC. 221. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 222. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 223. DEBT DISCLOSURE REQUIREMENT.

(a) IN GENERAL.—It shall not be in order to consider a budget resolution in the Senate unless it contains a debt disclosure section including all, and only, the following disclosures regarding debt:

"SEC. ___. DEBT DISCLOSURES.

''(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ from the current year, fiscal year 20___, to the fifth year of the budget window, fiscal year 20___.

''(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ on every United States citizen from the current year, fiscal year 20___ to the fifth year of the budget window, fiscal year 20___.

''(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project that $_____ of the Social Security surplus will be spent over the 5-year budget window, fiscal years 20___–20___, on things other than Social Security which represents ___ percent of the projected Social Security surplus over this period.''.

(b) SOCIAL SECURITY.—If any portion of the Social Security surplus is projected to be spent and/or the gross Federal debt in the fifth year of the budget window is greater than the debt projected in the current year, as described in the debt disclosure section described in subsection (a) of this section, the report, print, or statement of managers accompanying the budget resolution shall contain a section that—

(1) details the circumstances making it in the national interest to allow Federal debt to increase rather than taking steps to reduce the debt; and

(2) provides a justification for allowing the surpluses in the Social Security Trust Fund to be spent on other functions of Government even as the baby boom generation retires, program costs are projected to rise dramatically, the debt owed to Social Security is about to come due, and the Trust Fund is projected to go insolvent.

(c) DEFINITIONS.—The term ''gross Federal debt'' described above represents nominal increases in gross Federal debt measured at the end of each fiscal year during the period of the budget, not debt as a percentage of gross domestic product, and not levels relative to baseline projections.

SEC. 224. DEBT DISCLOSURES.

(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $2,000,000,000,000 from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $6,440 on every United States citizen from the current year, fiscal year 2008, to the fifth year of the budget window, fiscal year 2013.

(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project $800,000,000,000 of the Social Security surplus will be spent over the 5-year budget window, fiscal years 2009–2013, on things other than Social Security, which represents 70 percent of the projected Social Security surplus over this period.

SEC. 225. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SEC. 226. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

(a) CIRCUIT BREAKER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit (excluding Social Security) for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years, and shall include such provisions as are necessary to protect Social Security and facilitate deficit reduction, except it shall not contain any reduction in Social Security benefits.

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

(c) AMENDMENTS TO BUDGET RESOLUTION.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider an amendment to a concurrent resolution on the budget that would increase on-budget deficits relative to the concurrent resolution on the budget in any fiscal year covered by that concurrent resolution on the budget or cause the budget to fail to achieve on-budget balance within 5 years.

(d) SUSPENSION OF REQUIREMENT DURING WAR OR LOW ECONOMIC GROWTH.—

(1) LOW GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by the real gross domestic product) for each of the most recently reported quarter and the immediately preceding quarter is less than zero percent, this section is suspended.

(2) WAR.—If a declaration of war is in effect, this section is suspended.

(e) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsections (b) and (c) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager

of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AND STIMULATE THE AMERICAN ECONOMY AND PROVIDE ECONOMIC RELIEF TO AMERICAN FAMILIES.

(a) TAX RELIEF.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including extensions of expiring tax relief, reinstatement of expired tax relief, such as enhanced charitable giving from individual retirement accounts, including life-income gifts, and refundable tax relief and incentivizing utilization of accumulated alternative minimum tax and research and development credits, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) MANUFACTURING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal government, by increasing efforts to train and retrain manufacturing workers, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies, or by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) HOUSING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide housing assistance, which may include low income rental assistance, or establish an affordable housing fund financed by the housing government sponsored enterprises or other sources, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FLOOD INSURANCE REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for flood insurance reform and modernization, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) TRADE.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to trade agreements, preferences, sanctions, enforcement, or customs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(f) ECONOMIC RELIEF FOR AMERICAN FAMILIES.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) reauthorizes the Temporary Assistance for Needy Families supplemental grants or makes improvements to the Temporary Assistance for Needy Families program, child welfare programs, or the child support enforcement program;

(2) provides up to $5,000,000,000 for the child care entitlement to States;

(3) provides up to $40,000,000 for the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

(4) improves the unemployment compensation program; or

(5) reauthorizes the trade adjustment assistance programs;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) AMERICA'S FARMS AND ECONOMIC INVESTMENT IN RURAL AMERICA.—

(1) FARM BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the programs of the Food Security and Rural Investment Act of 2002 or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the preceding purposes, by the amounts provided in such legislation for those purposes up to $15,000,000,000 over the period of the total of fiscal years 2008 through 2013, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) COUNTY PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393), make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94–565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING EDUCATION.

(a) FEDERAL PELL GRANT.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would make higher education more accessible or more affordable, which may include increasing funding for the Federal Pell Grant program or increasing Federal student loan limits, facilitate modernization of school facilities through renovation or construction bonds, reduce the cost of teachers' out-of-pocket expenses for school supplies, or provide tax incentives for highly-qualified teachers to serve in high-needs schools, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax benefits and other revenue provisions.

(b) IMPROVING EDUCATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve student achievement during secondary education, including middle school completion, high school graduation and preparing students for higher education and the workforce, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a robust federal investment in America's infrastructure, which may include projects for transit, rail (including high-speed passenger rail), airport, seaport, public housing, energy, water, highway, bridge, or other infrastructure projects, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY, PRESERVE THE ENVIRONMENT, AND PROVIDE FOR CERTAIN SETTLEMENTS.

(a) ENERGY AND THE ENVIRONMENT.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would decrease greenhouse gas emissions, reduce our Nation's dependence on imported energy, produce green jobs, or preserve or protect national parks, oceans, or coastal areas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018. The legislation may include tax legislation such as a proposal to extend for 5 years energy tax incentives like the production tax credit for electricity produced from renewable resources,

the biodiesel production tax credit, or the Clean Renewable Energy Bond program, to provide a tax credit for clean burning wood stoves, a tax credit for production of cellulosic ethanol, a tax credit for plug-in hybrid vehicles, or provisions to encourage energy efficient buildings, products, and power plants. Tax legislation under this section may be paid for by adjustments to sections 167(h)(1) of the Internal Revenue Code of 1986 as it relates to integrated oil companies.

(b) SETTLEMENTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would fulfill the purposes of the San Joaquin River Restoration Settlement Act or implement a Navajo Nation water rights settlement and other provisions authorized by the Northwestern New Mexico Rural Water Projects Act, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS AND FOR A POST 9/11 GI BILL.

(a) VETERANS AND WOUNDED SERVICEMEMBERS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which would—

(1) enhance medical care, disability evaluations, or disability benefits for wounded or disabled military personnel or veterans;

(2) provide for or increase benefits to Filipino veterans of World War II, their survivors and dependents;

(3) allow for the transfer of education benefits from servicemembers to family members or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation);

(4) providing for the continuing payment to members of the Armed Forces who are retired or separated from the Armed Forces due to a combat-related injury after September 11, 2001, of bonuses that such members were entitled to before the retirement or separation and would continue to be entitled to such members were not retired or separated; or

(5) enhance programs and activities to increase the availability of health care and other veterans services for veterans living in rural areas;

by the amounts provided in such legislation for those purposes, provided that such legislation does not include increased fees charged to veterans for pharmacy co-payments, annual enrollment, or third-party insurance payment offsets, and further provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) POST 9/11 GI BILL.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which would enhance educational benefits of service members and veterans with service on active duty in the Armed Forces on or after September 11, 2001, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE AMERICA'S HEALTH.

(a) SCHIP.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides up to $50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013 for reauthorization of SCHIP, if such legislation maintains coverage for those currently enrolled in SCHIP, continues efforts to enroll uninsured children who are already eligible for SCHIP or Medicaid but are not enrolled, or supports States in their efforts to move forward in covering more children or pregnant women, by the amounts provided in that legislation for those purposes, provided that the outlay adjustment shall not exceed $50,000,000,000 in outlays over the period of the total of fiscal years 2008 through 2013, and provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(b) MEDICARE IMPROVEMENTS.—

(1) PHYSICIAN PAYMENTS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that increases the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that includes financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) OTHER IMPROVEMENTS TO MEDICARE.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare program, which may include improvements to the prescription drug benefit under Medicare Part D, adjustments to the Medicare Savings Program, and reductions in beneficiary cost-sharing for preventive benefits under Medicare Part B, or measures to encourage physicians to train in primary care residencies and attract more physicians and other health care providers to States that face a shortage of health care providers, by the amounts provided in such legislation for those purposes up to $10,000,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(3) ELECTRONIC PRESCRIBING.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote the deployment and use of electronic prescribing technologies through financial incentives, including grants and bonus payments, and potential adjustments in the Medicare reimbursement mechanisms for physicians, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(4) RURAL EQUITY PAYMENT POLICIES.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that—

(A) preserves existing Medicare payment provisions supporting America's rural health care delivery system; and

(B) promotes Medicare payment policies that increase access to quality health care in isolated and underserved rural areas,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(5) MEDICARE LOW-INCOME PROGRAMS.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that makes improvements to the Medicare Savings Program and the Medicare part D low-income subsidy program, which may include the provisions that—

(A) provide for an increase in the asset allowance under the Medicare Part D low-income subsidy program so that individuals with very limited incomes, but modest retirement savings, can obtain the assistance that the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 was intended to deliver with respect to the payment of premiums and cost-sharing under the Medicare part D prescription drug benefit;

(B) provide for an update in the income and asset allowances under the Medicare Savings Program and provide for an annual inflationary adjustment for those allowances; and

(C) improve outreach and enrollment under the Medicare Savings Program and the Medicare part D low-income subsidy program to ensure that low-income senior citizens and other low-income Medicare beneficiaries receive the low-income assistance for which they are eligible in accordance with the improvements provided for in such legislation,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(c) HEALTH CARE QUALITY, EFFECTIVENESS, EFFICIENCY, AND TRANSPARENCY.—

(1) COMPARATIVE EFFECTIVENESS RESEARCH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that establish a new Federal or public-private initiative for comparative effectiveness research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) IMPROVING THE HEALTH CARE SYSTEM.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that—

(A) creates a framework and parameters for the use of Medicare data for the purpose of conducting research, public reporting, and

other activities to evaluate health care safety, effectiveness, efficiency, quality, and resource utilization in Federal programs and the private health care system; and

(B) includes provisions to protect beneficiary privacy and to prevent disclosure of proprietary or trade secret information with respect to the transfer and use of such data;

provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal 2008 through 2018.

(3) HEALTH INFORMATION TECHNOLOGY AND ADHERENCE TO BEST PRACTICES.—

(A) HEALTH INFORMATION TECHNOLOGY.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives or other support for adoption of modern information technology, including incentives or other supports for the adoption of electronic prescribing technology, to improve quality and protect privacy in health care, such as activities by the Department of Defense and the Department of Veterans Affairs to integrate their electronic health record data, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(B) ADHERENCE TO BEST PRACTICES.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide incentives for Medicare providers or suppliers to comply with, where available and medically appropriate, clinical protocols identified as best practices, by the amounts provided in such legislation for that purpose, provided in the Senate that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(d) FOOD AND DRUG ADMINISTRATION.—

(1) REGULATION.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that authorizes the Food and Drug Administration to regulate products and assess user fees on manufacturers and importers of those products to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(2) DRUG IMPORTATION.—The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other levels in this resolution for a bill, joint resolution, motion, amendment, or conference report that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(e) MEDICAID.—

(1) RULES OR ADMINISTRATIVE ACTIONS.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that includes provisions regarding the final rule published on May 29, 2007, on pages 29748 through 29836 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations) or any other rule or other administrative action that would affect the Medicaid program or SCHIP in a similar manner, or place restrictions on coverage of or payment for graduate medical education, rehabilitation services, or school-based administration, school-based transportation, or optional case management services under title XIX of the Social Security Act, or includes provisions regarding administrative guidance issued in August 2007 affecting SCHIP or any other administrative action that would affect SCHIP in a similar manner, so long as no provision in such bill, joint resolution, amendment, motion or conference report shall be construed as prohibiting the Secretary of Health and Human Services from promulgating or implementing any rule, action, or guidance designed to prevent fraud and protect the integrity of the Medicaid program or SCHIP or reduce inappropriate spending under such programs, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(2) TRANSITIONAL MEDICAL ASSISTANCE.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that extend the Transitional Medical Assistance program, included in title XIX of the Social Security Act, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

(f) OTHER IMPROVEMENTS IN HEALTH.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which—

(1) make health insurance coverage more affordable or available to small businesses and their employees, through pooling arrangements that provide appropriate consumer protections, and through reducing barriers to cafeteria plans;

(2) improve health care, provide quality health insurance for the uninsured and underinsured, and protect individuals with current health coverage;

(3) reauthorize the special diabetes program for Indians and the special diabetes programs for Type 1 diabetes;

(4) improve long-term care, enhance the safety and dignity of patients, encourage appropriate use of institutional and community-based care, promote quality care, or provide for the cost-effective use of public resources; or

(5) provide parity between heath insurance coverage of mental health benefits and benefits for medical and surgical services, including parity in public programs;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

(g) PEDIATRIC DENTAL CARE.—The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would provide for improved access to pediatric dental care for children from low-income families, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 307. SENSE OF THE SENATE REGARDING MEDICAID ADMINISTRATIVE REGULATIONS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Medicaid program provides essential health care and long-term care services to approximately 60,000,000 low-income children, pregnant women, parents, individuals with disabilities, and senior citizens. It is a Federal guarantee that ensures the most vulnerable will have access to needed medical services.

(2) Medicaid provides critical access to long-term care and other services for the elderly and individuals living with disabilities, and is the single largest provider of long-term care services. Medicaid also pays for personal care and other supportive services that are typically not provided by private health insurance or Medicare, but are necessary to enable individuals with spinal cord injuries, developmental disabilities, neurological degenerative diseases, serious and persistent mental illnesses, HIV/AIDS, and other chronic conditions to remain in the community, to work, and to maintain independence.

(3) Medicaid supplements the Medicare program for about 7,500,000 low-income elderly or disabled Medicare beneficiaries, assisting them with their Medicare premiums and coinsurance, wrap-around benefits, and the costs of nursing home care that Medicare does not cover. The Medicaid program spends over $100,000,000,000 on uncovered Medicare services.

(4) Medicaid provides health insurance for more than one-quarter of America's children and is the largest purchaser of maternity care, paying for more than one-third of all the births in the United States each year. Medicaid also provides critical access to care for children with disabilities, covering more than 70 percent of poor children with disabilities.

(5) More than 21,000,000 women depend on Medicaid for their health care. Women comprise the majority of seniors (64 percent) on Medicaid. Half of nonelderly women with permanent mental or physical disabilities have health coverage through Medicaid. Medicaid provides treatment for low-income women diagnosed with breast or cervical cancer in every State.

(6) Medicaid is the Nation's largest source of payment for mental health services, HIV/AIDS care, and care for children with special needs. Much of this care is either not covered by private insurance or limited in scope or duration. Medicaid is also a critical source of funding for health care for children in foster care and for health services in schools.

(7) Medicaid funds help ensure access to care for all Americans. Medicaid is the single largest source of revenue for the Nation's safety net hospitals, health centers, and nursing homes, and is critical to the ability of these providers to adequately serve all Americans.

(8) Medicaid serves a major role in ensuring that the number of Americans without health insurance, approximately 47,000,000 in 2006, is not substantially higher. The system

of Federal matching for State Medicaid expenditures ensures that Federal funds will grow as State spending increases in response to unmet needs, enabling Medicaid to help buffer the drop in private coverage during recessions.

(9) The Bush Administration has issued several regulations that shift Medicaid cost burdens onto States and put at risk the continued availability of much-needed services. The regulations relate to Federal payments to public providers, and for graduate medical education, rehabilitation services, school-based administration, school-based transportation, optional case management services.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that administrative regulations should not—

(1) undermine the role the Medicaid program plays as a critical component of the health care system of the United States;

(2) cap Federal Medicaid spending, or otherwise shift Medicaid cost burdens to State or local governments and their taxpayers and health providers, forcing a reduction in access to essential health services for low-income elderly individuals, individuals with disabilities, and children and families; or

(3) undermine the Federal guarantee of health insurance coverage Medicaid provides, which would threaten not only the health care safety net of the United States, but the entire health care system.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize salary adjustments for justices and judges of the United States or increase the number of Federal judgeships, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reinstate the pre-1993 rates for the alternative minimum tax for individuals, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR REPEALING THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would repeal the 1993 increase in the income tax on Social Security benefits, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ENERGY EFFICIENCY AND PRODUCTION.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would encourage—

(1) consumers to replace old conventional wood stoves with new clean wood, pellet, or corn stoves certified by the Environmental Protection Agency;

(2) consumers to install smart electricity meters in homes and businesses;

(3) the capture and storage of carbon dioxide emissions from coal projects; and

(4) the development of oil and natural gas resources beneath the outer Continental Shelf in areas not covered by a Presidential or Congressional moratorium.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR IMMIGRATION REFORM AND ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in paragraphs (1) through (7), that—

(1) provide for increased border security, enforcement of immigration laws, greater staffing, and immigration reform measures;

(2) increase criminal and civil penalties against employers who hire undocumented immigrants;

(3) prohibit employers who hire undocumented immigrants from receiving Federal contracts;

(4) provide funding for the enforcement of the employer sanctions described in paragraphs (2) and (3) and other employer sanctions for hiring undocumented immigrants;

(5) deploy an appropriate number of National Guard troops to the southern or northern border of the United States provided that—

(A) the Secretary of Defense certifies that the deployment would not negatively impact the safety of American forces in Iraq and Afghanistan; and

(B) the Governor of the National Guard's home State certifies that the deployment would not have a negative impact on the safety and security of that State;

(6) evaluate the Federal, State, and local prison populations that are noncitizens in order to identify removable criminal aliens; or

(7) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—

(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as ''Operation Streamline'') to all 20 border sectors;

(2) complete the 700 miles of pedestrian fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note);

(3) deploy up to 6,000 National Guard members to the southern border of the United States;

(4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens;

(5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or

(6) implement the exit data portion of the US–VISIT entry and exit data system at airports, seaports, and land ports of entry.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the appropriations in the legislation described in subsection (a) would not increase the deficit over—

(1) the 6-year period comprised of fiscal years 2008 through 2013; or

(2) the 11-year period comprised of fiscal years 2008 through 2018.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR SCIENCE PARKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR 3-YEAR EXTENSION OF PILOT PROGRAM FOR NATIONAL AND STATE BACKGROUND CHECKS ON DIRECT PATIENT ACCESS EMPLOYEES OF LONG-TERM CARE FACILITIES OR PROVIDERS.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for a 3-year extension of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers under section 307 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395aa note) and removes the limit on the number of participating States under such pilot program, the Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution by the amounts provided in such legislation for those purposes up to $160,000,000, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR STUDYING THE EFFECT OF COOPERATION WITH LOCAL LAW ENFORCEMENT.

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports, by the amounts provided in such legislation for the purposes described in this subsection, that would require an assessment of the impact of local ordinances that prohibit cooperation with the Department of Homeland Security, with respect to—

(1) the effectiveness of law enforcement, success rates of criminal prosecutions, reporting of criminal activity by immigrant victims of crime, and level of public safety;

(2) changes in the number of reported incidents or complaints of racial profiling; or

(3) wrongful detention of United States Citizens and Lawful Permanent Residents.

(b) LIMITATION.—The authority under subsection (a) may not be used unless the legislation described in subsection (a) would not increase the deficit over—

(1) the total period comprised of fiscal years 2008 through 2013; or

(2) the total period comprised of fiscal years 2008 through 2018.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND TO TERMINATE DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would terminate the authority to deduct certain amounts from mineral revenues payable to States under the second undesignated paragraph of the matter under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''MINERALS MANAGEMENT SERVICE'' of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2109).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR THE ESTABLISHMENT OF STATE INTERNET SITES FOR THE DISCLOSURE OF INFORMATION RELATING TO PAYMENTS MADE UNDER THE STATE MEDICAID PROGRAM.

If the Senate Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for States to disclose, through a publicly accessible Internet site, each hospital, nursing facility, outpatient surgery center, intermediate care facility for the mentally retarded, institution for mental diseases, or other institutional provider that receives payment under the State Medicaid program, the total amount paid to each such provider each fiscal year, the number of patients treated by each such provider, and the amount of dollars paid per patient to each such provider, and provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Senate Committee on the Budget may make the appropriate adjustments in the allocations and aggregates to reflect such legislation if any such measure would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR TRAUMATIC BRAIN INJURY.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide at least $9,000,000 for fiscal year 2009 to funds traumatic brain injury programs under sections 393A, 393B, 1252, and 1253 of the Public Health Service Act, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 321. DEFICIT-NEUTRAL RESERVE FUND FOR IMPLEMENTATION OF YELLOW RIBBON REINTEGRATION PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one more bills, joint resolutions, amendments, motions, or conference reports that would provide for the implementation of the Yellow Ribbon Reintegration Program for members of the National Guard and Reserve under section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2008 through 2013.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND FOR REIMBURSING STATES FOR THE COSTS OF HOUSING UNDOCUMENTED CRIMINAL ALIENS.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reimburse States and units of local government for costs incurred to house undocumented criminal aliens, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR ACCELERATION OF PHASED-IN ELIGIBILITY FOR CONCURRENT RECEIPT OF BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for changing the date by which eligibility of members of the Armed Forces for concurrent receipt of retired pay and veterans' disability compensation under section 1414 of title 10, United States Code, is fully phased in from December 31, 2013, to September 30, 2008, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 324. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED USE OF RECOVERY AUDITS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieves savings by requiring that agencies increase their use of recovery audits authorized under subchapter VI of chapter 35 of title 31, United States Code, (commonly referred to as the Erroneous Payments Recovery Act of 2001) and uses such savings to reduce the deficit, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 325. DEFICIT-NEUTRAL RESERVE FUND FOR FOOD SAFETY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would expand the level of Food and Drug Administration and Department of Agriculture food safety inspection services, develop risk-based approaches to the inspection of domestic and imported food products, provide for infrastructure and information technology systems to enhance the safety of the food supply, expand scientific capacity and training programs, invest in improved surveillance and testing technologies, provide for foodborne illness awareness and education programs, and enhance the Food and Drug Administration's recall authority, by the amounts provided in such legislation for such purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that provide for a demonstration project under which a State may apply under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide medical assistance under a State Medicaid program to HIV-infected individuals who are not eligible for medical assistance under such program under section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2008 through 2013 or the total of the period of fiscal years 2008 through 2018.

SEC. 327. DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING INCOME THRESHOLD FOR REFUNDABLE CHILD TAX CREDIT TO $10,000 WITH NO INFLATION ADJUSTMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution

by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would reduce the income threshold for the refundable child tax credit under section 24 of the Internal Revenue Code of 1986 to $10,000 for taxable years 2009 and 2010 with no inflation adjustment, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 328. SENSE OF THE SENATE REGARDING THE DIVERSION OF FUNDS SET ASIDE FOR USPTO.

It is the sense of the Senate that none of the funds recommended by this resolution, or appropriated or otherwise made available under any other Act, to the United States Patent and Trademark Office shall be diverted, redirected, transferred, or used for any other purpose than for which such funds were intended.

SEC. 329. DEFICIT-NEUTRAL RESERVE FUND FOR EDUCATION REFORM.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote flexibility in existing Federal education programs, restore State and local authority in education, ensure that public schools are held accountable for results to parents and the public, and prevent discrimination against homeschoolers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 330. DEFICIT-NEUTRAL RESERVE FUND FOR PROCESSING NATURALIZATION APPLICATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the adjudication of name check and security clearances by October 1, 2008 by the Federal Bureau of Investigations for individuals who have submitted or submit applications for naturalization before March 1, 2008 or provide for the adjudication of applications, including the interviewing and swearing-in of applicants, by October 1, 2008 by the Department of Homeland Security/U.S. Citizenship and Immigration Services for individuals who apply or have applied for naturalization before March 1, 2008, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 331. DEFICIT-NEUTRAL RESERVE FUND FOR ACCESS TO QUALITY AND AFFORDABLE HEALTH INSURANCE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) promotes choice and competition to drive down costs and improve access to health care for all Americans without increasing taxes;

(2) strengthens health care quality by promoting wellness and empowering consumers with accurate and comprehensive information on quality and cost;

(3) protects Americans' economic security from catastrophic events by expanding insurance options and improving health insurance portability; and

(4) promotes the advanced research and development of new treatments and cures to enhance health care quality;

if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.

If the Chairman of the Senate Committee on Health, Education, Labor, and Pensions reports out legislation to establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001 attacks, and if the Committee on Health, Education, Labor, and Pensions makes a finding that previously spent World Trade Center Health Program funds were used to provide screening, monitoring and treatment services, and directly related program support, the Chairman of the Senate Budget Committee may revise the aggregates, allocations, and other appropriate levels in this resolution, if such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 333. DEFICIT-NEUTRAL RESERVE FUND TO BAN MEDICARE ADVANTAGE AND PRESCRIPTION DRUG PLAN SALES AND MARKETING ABUSES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would limit inappropriate or abusive marketing tactics by private insurers and their agents offering Medicare Advantage or Medicare prescription drug plans by enacting any or all of the recommendations agreed to by leaders of the health insurance industry on March 3, 2008, including prohibitions on cold calling and telephone solicitations for in-home sales appointments with Medicare beneficiaries, free meals and inducements at sales events, cross-selling of non-health products, and up-selling of Medicare insurance products without prior consent of beneficiaries, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2008 through 2013 or the period of the total of fiscal years 2008 through 2018.

SEC. 334. SENSE OF THE SENATE REGARDING EXTENDING THE "MOVING TO WORK AGREEMENT" BETWEEN THE PHILADELPHIA HOUSING AUTHORITY AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE SAME TERMS AND CONDITIONS FOR A PERIOD OF ONE YEAR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The current "Moving to Work Agreement" between the Philadelphia Housing Authority and the U.S. Department of Housing and Urban Development is set to expire on March 31, 2008.

(2) The Philadelphia Housing Authority has used this agreement to leverage private and public resources to develop mixed-income communities that address the needs of the very poor while reshaping entire communities, and estimates that it will lose $50,000,000 as a result of the agreement expiring.

(3) The U.S. Department of Housing and Urban Development has refused to grant Philadelphia Housing Authority a 1-year extension of its current agreement under the same terms and conditions.

(4) The U.S. Department of Housing and Urban Development alleges that Philadelphia Housing Authority is in violation of fair housing requirements.

(5) The Philadelphia Housing Authority denies this assertion and is challenging the matter in Federal District Court.

(6) That there is a suspicion of retaliation with regard to the U.S. Department of Housing and Urban Development's refusal to grant a one-year extension of Philadelphia Housing Authorities current agreement under the same terms and conditions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that it was discovered that two senior level officials at the U.S. Department of Housing and Urban Development had the following email exchange, referring to Philadelphia Housing Authority Executive Director Carl R. Greene—

(1) Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, "Would you like me to make his life less happy? If so, how?"

(2) Assistant Secretary for Fair Housing and Equal Opportunity Kim Kendrick wrote, "Take away all of his Federal dollars?"

(3) Then-Assistant Secretary for Public and Indian Housing Orlando J. Cabrera wrote, "Let me look into that possibility."

(A) That these emails were the subject of questioning by Senator Casey to U.S. Department of Housing and Urban Development Secretary Alphonso Jackson at a March 12, 2008 hearing before the Senate Committee on Banking, Housing and Urban Affairs; and by Senator Specter to Secretary Jackson at a March 13, 2008 hearing before the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development and Related Agencies.

(B) That the Philadelphia Housing Authority's allegation of retaliation appears to be substantiated by these newly discovered emails.

(C) That the expiration of the current agreement is imminent and will negatively impact 84,000 low-income residents of Philadelphia.

(4) It is the sense of the Senate that Philadelphia Housing Authority should be granted a one-year extension of its "Moving to Work Agreement" with the U.S. Department of Housing and Urban Development under the same terms and conditions as the current agreement.

SEC. 335. SENSE OF THE SENATE REGARDING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

(a) FINDINGS.—The Senate finds that—

(1) On January 26, 1996, the House of Representatives passed H.J. Res. 1, the Balanced Budget Amendment to the Constitution of the United States, by the necessary two-thirds majority (300–132);

(2) On June 6, 1996, the Senate fell three votes short of the two-thirds majority vote needed to pass the Balanced Budget Amendment; and

(3) Since the House of Representatives and Senate last voted on the Balanced Budget Amendment, the debt held by the public has grown from $3,700,000,000,000 to more than $5,000,000,000,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that a Balanced Budget Amendment to the Constitution of the United States should be voted on at earliest opportunity.

SEC. 336. SENSE OF THE SENATE REGARDING THE NEED FOR COMPREHENSIVE LEGISLATION TO LEGALIZE THE IMPORTATION OF PRESCRIPTION DRUGS FROM HIGHLY INDUSTRIALIZED COUNTRIES WITH SAFE PHARMACEUTICAL INFRASTRUCTURES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States is the world's largest market for pharmaceuticals, yet consumers still pay the world's highest prices.

(2) In 2000, Congress took action to legalize the importation of prescription drugs from other countries by United States wholesalers and pharmacists, and before such a program can go into effect, the Secretary of Health and Human Services (HHS) must certify that the program would have no adverse impact on safety and that it would reduce costs for American consumers.

(3) Since 2000, no Secretary of HHS has made the certification required to permit the implementation of a program for importation of prescription drugs.

(4) In July 2006, the Senate approved by a vote of 68–32 an amendment to the Department of Homeland Security Appropriations Act, 2007, that prohibits Customs and Border Protection from preventing individuals not in the business of importing prescription drugs from carrying them across the border with Canada.

(5) In July 2007, the Senate adopted language similar to the 2007 amendment in the Department of Homeland Security Appropriations Act, 2008.

(6) In October 2007, the Senate adopted language in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008, that prohibits anti-reimportation activities within HHS.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the leadership of the Senate should bring to the floor for full debate in 2008 comprehensive legislation that legalizes the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures and creates a regulatory pathway to ensure that such drugs are safe;

(2) such legislation should be given an up or down vote on the floor of the Senate; and

(3) previous Senate approval of 3 amendments in support of prescription drug importation shows the Senate's strong support for passage of comprehensive importation legislation.

UNANIMOUS-CONSENT AGREEMENT—H.R. 3221

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at 2:15 p.m., Tuesday, April 1, the Senate proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to H.R. 3221; that the motion to reconsider be agreed to; further, that the time until 2:30 p.m. be equally divided and controlled between the two leaders with the majority leader controlling the final 7½ minutes; that at 2:30 p.m, without further intervening action or debate, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 3221.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 1974

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order of December 19, 2007, with respect to S. 1974, be vitiated and that S. 1974 remain at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING MAJORITY PARTY APPOINTMENTS FOR THE 110TH CONGRESS

Mr. WHITEHOUSE. I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 492) amending majority party membership on the Select Committee on Ethics for the remainder of the 110th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, and that the motion to reconsider be laid upon the table without interviewing action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 492) was agreed to, as follows:

S. RES. 492

Resolved, That Senate Resolution 27 (110th Congress) is amended, effective January 1, 2008, by striking all from ''ETHICS:'' through ''72a–1f'' and inserting ''ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Salazar''.

WORLD WATER DAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 478, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 478) supporting the goals and ideals of ''World Water Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 478) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 478

Whereas the United Nations General Assembly, via resolution, has designated March 22 of each year as World Water Day;

Whereas a person needs 4 to 5 liters of water per day to survive;

Whereas a person can live weeks without food, but only days without water;

Whereas every 15 seconds a child dies from a water-borne disease;

Whereas, for children under age 5, water-borne diseases are the leading cause of death;

Whereas millions of women and children spend several hours a day collecting water from distant, often polluted sources;

Whereas every dollar spent on water and sanitation saves on average $9 in costs averted and productivity gained;

Whereas, at any given time, ½ of the world's hospital beds are occupied by patients suffering from a water-borne disease;

Whereas 88 percent of all diseases are caused by unsafe drinking water, inadequate sanitation, and poor hygiene;

Whereas 1,100,000,000 (1 in 6) people lack access to an improved water supply;

Whereas 2,600,000,000 people in the world lack access to improved sanitation;

Whereas the global celebration of World Water Day is an initiative that grew out of the 1992 United Nations Conference on Environment and Development in Rio de Janeiro;

Whereas the participants in the 2002 World Summit on Sustainable Development in Johannesburg, including the United States, agreed to the Plan of Implementation which included an agreement to work to reduce by ½ from the baseline year 1990 ''the proportion of people who are unable to reach or to afford safe drinking water'', ''and the proportion of people without access to basic sanitation'' by 2015; and

Whereas Congress passed and the President signed into law the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), which was intended to ''elevate the role of water and sanitation policy in the development of U.S. foreign policy and improve the effectiveness of U.S. official programs'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''World Water Day'';

(2) urges an increased effort and the investment of greater resources by the Department of State, the United States Agency for International Development, and all relevant Federal departments and agencies toward providing sustainable and equitable access to safe drinking water and sanitation for the poor and the very poor; and

(3) encourages the people of the United States to observe the week with appropriate activities that promote awareness of the importance of access to clean water.

NATIONAL CEREBRAL PALSY AWARENESS DAY

Mr. WHITEHOUSE. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 484 and that the Senate now proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 484) designating March 25, 2008, as ''National Cerebral Palsy Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 484) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 484

Whereas cerebral palsy is any number of neurological disorders that appear in infancy or early childhood and permanently affect

body movement and the muscle coordination necessary to maintain balance and posture;

Whereas cerebral palsy is caused by damage to 1 or more specific areas of the brain, usually occurring during fetal development, before, during, or shortly after birth, or during infancy;

Whereas the majority of children are born with cerebral palsy, although it may not be detected until months or years later;

Whereas 75 percent of individuals with cerebral palsy also have 1 or more additional developmental disabilities including epilepsy, intellectual disability, autism and visual impairments, or blindness;

Whereas the Centers for Disease Control and Prevention recently released information indicating an increase in the prevalence of cerebral palsy and that the rate is now about 1 in 278 children;

Whereas 800,000 Americans are affected by cerebral palsy;

Whereas, while there is no current cure for cerebral palsy, some treatment will often improve a child's capabilities and scientists and researchers are hopeful that breakthroughs will be forthcoming;

Whereas researchers across the Nation are conducting important research projects involving cerebral palsy; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of cerebral palsy: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2008, as ''National Cerebral Palsy Awareness Day'';

(2) recognizes that all people of the United States should become more informed and aware of cerebral palsy; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

ORDERS FOR TUESDAY, APRIL 1, 2008

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. tomorrow, April 1; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; further, I ask that at 12:30 p.m., the Senate recess until 2:15 p.m. to allow for the weekly caucus luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. As a reminder, at approximately 2:30 p.m. tomorrow, the Senate will vote on the motion to invoke cloture on the motion to proceed to H.R. 3221, the housing legislation.

RECESS UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I now ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 5:39 p.m., recessed until Tuesday, April 1, 2008, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES AND EXCHANGE COMMISSION

ELISSE WALTER, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2012, VICE ANNETTE L. NAZARETH, TERM EXPIRED.

LUIS AGUILAR, OF GEORGIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2010, VICE ROEL C. CAMPOS, RESIGNED.

DEPARTMENT OF COMMERCE

CHRISTOPHER R. WALL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE CHRISTOPHER A. PADILLA.

LILY FU CLAFFEE, OF ILLINOIS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE, VICE JOHN J. SULLIVAN.

DEPARTMENT OF TRANSPORTATION

TYLER D. DUVALL, OF VIRGINIA, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY, VICE JEFFREY SHANE, RESIGNED.

DEPARTMENT OF THE INTERIOR

KAMERAN L. ONLEY, OF WASHINGTON, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE MARK A. LIMBAUGH.

EXECUTIVE OFFICE OF THE PRESIDENT

A. ELLEN TERPSTRA, OF NEW YORK, TO BE CHIEF AGRICULTURAL NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE RICHARD T. CROWDER.

INTER-AMERICAN DEVELOPMENT BANK

MIGUEL R. SAN JUAN, OF TEXAS, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF THREE YEARS, VICE HECTOR E. MORALES, TERM EXPIRED.

DEPARTMENT OF STATE

PHILIP THOMAS REEKER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MACEDONIA.

ROBERT STEPHEN BEECROFT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HASHEMITE KINGDOM OF JORDAN.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CONSTANCE S. BARKER, OF ALABAMA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2011, VICE CARI M. DOMINGUEZ, RESIGNED.

NATIONAL COUNCIL ON DISABILITY

ANNE RADER, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010. (REAPPOINTMENT)

KATHERINE O. MCCARY, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE MILTON APONTE, TERM EXPIRED.

LISA MATTHEISS, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010. (REAPPOINTMENT)

JOHN H. HAGER, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE ROBERT DAVILA, TERM EXPIRED.

MARVIN G. FIFIELD, OF UTAH, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011. (REAPPOINTMENT)

MARVIN G. FIFIELD, OF UTAH, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE GRAHAM HILL, TERM EXPIRED.

KRISTEN COX, OF UTAH, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE LINDA WETTERS, TERM EXPIRED.

CHAD COLLEY, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010. (REAPPOINTMENT)

VICTORIA RAY CARLSON, OF IOWA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010. (REAPPOINTMENT)

TONY J. WILLIAMS, OF WASHINGTON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE YOUNG WOO KANG, TERM EXPIRED.

JOHN R. VAUGHN, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010. (REAPPOINTMENT)

RENEE L. TYREE, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE KATHLEEN MARTINEZ, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL E. LEITER, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE JOHN S. REDD, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL WILLIAM J. BENDER
COLONEL BRYAN J. BENSON
COLONEL CHRISTOPHER C. BOGDAN
COLONEL DARRYL W. BURKE
COLONEL JOSEPH T. CALLAHAN III
COLONEL MICHAEL J. CAREY
COLONEL JOHN B. COOPER
COLONEL SAMUEL D. COX
COLONEL TERESA A. H. DJURIC
COLONEL CARLTON D. EVERHART II
COLONEL TERRENCE A. FEEHAN
COLONEL SAMUEL A. R. GREAVES
COLONEL RUSSELL J. HANDY
COLONEL SCOTT M. HANSON
COLONEL VERALINN JAMIESON
COLONEL JEFFREY G. LOFGREN
COLONEL EARL D. MATTHEWS
COLONEL KURT F. NEUBAUER
COLONEL ROBERT C. NOLAN II
COLONEL CRAIG S. OLSON
COLONEL JOHN R. RANCK, JR.
COLONEL DARRYL L. ROBERSON
COLONEL JEFFRY F. SMITH
COLONEL JOHN F. THOMPSON
COLONEL GREGORY J. TOUHILL
COLONEL THOMAS J. TRASK
COLONEL JOSEPH S. WARD, JR.
COLONEL SCOTT D. WEST
COLONEL TIMOTHY M. ZADALIS

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

BRIG. GEN. PATRICK J. O'REILLY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN DOUGLASS T. BIESEL
CAPTAIN BARRY L. BRUNER
CAPTAIN JERRY K. BURROUGHS
CAPTAIN JAMES D. CLOYD
CAPTAIN THOMAS A. CROPPER
CAPTAIN DENNIS E. FITZPATRICK
CAPTAIN MICHAEL T. FRANKEN
CAPTAIN BRADLEY R. GEHRKE
CAPTAIN ROBERT P. GIRRIER
CAPTAIN PAUL A. GROSKLAGS
CAPTAIN SINCLAIR M. HARRIS
CAPTAIN MARGARET D. KLEIN
CAPTAIN TERRY B. KRAFT
CAPTAIN PATRICK J. LORGE
CAPTAIN BRAIN L. LOSEY
CAPTAIN MICHAEL E. MCLAUGHLIN
CAPTAIN WILLIAM F. MORAN
CAPTAIN SAMUEL PEREZ, JR.
CAPTAIN JAMES J. SHANNON
CAPTAIN CLIFFORD S. SHARPE
CAPTAIN TROY M. SHOEMAKER
CAPTAIN DIXON R. SMITH
CAPTAIN ROBERT L. THOMAS, JR.
CAPTAIN DOUGLAS J. VENLET

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID F. BAUCOM
CAPT. VINCENT L. GRIFFITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID C. JOHNSON
CAPT. THOMAS J. MOORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DONALD E. GADDIS
CAPT. MAUDE E. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MICHAEL H. ANDERSON
CAPT. WILLIAM R. KISER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. NORMAN R. HAYES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CYNTHIA A. COVELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM E. LEIGHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ELIZABETH S. NIEMYER

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

DAVID L. BABCOCK
DAVID P. BACZEWSKI
MARK B. BAHOSH
SUSAN L. BAILAR
JEFFREY A. BAILEY
STEVEN M. BALSER
SCOTT J. BARBERIDES
GREGORY O. BATES
KAREN K. BENCE
VERNON P. BENNETT
GRANT V. BERGGREN
SAMUEL W. BLACK
PAUL F. BLANZY
ALLEN D. BOLTON
AARON J. BOOHER
MARK A. BOWER
MICHAEL E. CHENEY
DANIEL B. CLARK
LLOYD D. COKER
PAMELA J. COMBS
GILBERTO CUEVASGERENA
MARK G. DAVIS
WILLIAM D. DEHAES
DONALD A. DELPORTO
WILLIAM D. DOCKERY, JR.
ANDREW J. DONNELLY
DANIEL G. EAGAN
HOWARD L. EISSLER
MICHAEL S. FARRELL
TODD A. FREESEMANN
DONALD A. FURLAND
GREGORY A. GARDNER
RANDY E. GREENWOOD
THOMAS W. GROSS
EDWARD J. GUNNING, JR.
PHILLIP W. GUY
SHANE A. HALBROOK
KATHLEEN M. HANCOX
JANET S. HANSON
FREDERIK G. HARTWIG
WARREN H. HURST, JR.
THOMAS W. JACKMAN, JR.
PAMELA A. JACKSON
CLIFFORD N. JAMES
GARY M. JAMES
DONALD L. JOHNSON
THOMAS J. KENNETT
PAUL K. KINGSLEY
STEVEN J. KONIE
THOMAS J. KRZYMINSKI
JILL A. LANNAN
ANTHONY M. LASURE
MARK J. LEINGANG
ROBERT L. LIENEMANN
ERIC W. LIND
JAMES V. LOCKE
WILLIAM J. LONG
CORY H. LYMAN
STEPHEN J. MAHER
MARK C. MALY
MICHAEL H. MANGEN
GERARD J. MANGIS III
ERIC W. MANN
STEPHEN E. MARKOVICH
FLORENCIO E. MARQUINEZ, JR.
SIDNEY N. MARTIN
MARK A. MCCAULEY
MARK MCGRATH
ROBERT J. MCGRATH, JR.
DEAN P. MCLAIN
MICHAEL A. MEYERS
DAVID J. MILES
DAVID H. MOLINARO
CHARLES S. MONROE
KERRY L. MUEHLENBECK
RANDALL D. MYERS
JACQUELINE A. NAVE
TREVOR O. NOEL
TIMOTHY J. OLSON
RICHARD C. OXNER, JR.
ROBERT PARK
THOMAS C. PATTON
RANDAL S. POPE
DOUGLAS N. PRESTON, JR.
DAISY RALDIRIS
CORY K. REID
WILLIAM B. RICHY
WADE D. RUPPER
CHRIS R. RYAN
BRADEN K. SAKAI
EDWARD A. SAULEY III
KEITH A. SCHELL
GREGORY N. SCHNULO
LUDWIG J. SCHUMACHER
GREG ANDREW SEMMEL
PETER J. SEPE
MARK SHEEHAN
RANDALL A. SPEAR, JR.
RONALD C. STAMPS
GREGORY E. STRICKLAND
CORY T. STROBEL
FRANCINE I. SWAN
ROSS A. SWEZEY
RENEE M. TATRO
KURT R. TEK
DAVID T. TENLEN
SAM E. THOMAS, JR.
KEVIN M. WALSH
MICHAEL P. WARD
STEVEN C. WARREN
BARTON W. WELKER
RONALD W. WILSON
WALTER R. WINGARD
ANDREW I. WOLKSTEIN
JORDAN A. WOMMACK
DEVIN R. WOODEN
ARTHUR P. WUNDER
WAYNE A. ZIMMET

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333(B) AND 4336(A):

To be colonel

BARRY L. SHOOP

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRIAN J. CHAPURAN

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

GREGORY T. REPPAS

THE FOLLOWING NAMED INDIVIDUAL 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

VANESSA M. MEYER

THE FOLLOWING NAMED INDIVIDUALS 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

THOMAS E. DURHAM
DANIEL P. MASSEY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

CHARLES L. GARBARINO

To be lieutenant colonel

CHARLES R. PATTAN

To be major

JUAN GARRASTEGUI

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

MILTON M. ONG

To be major

MATTHEW S. MOWER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CRAIG A. MYATT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AARON J. BEATTIE IV

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KRISTIAN E. LEWIS
MARK Y. LIU
LUTHER P. MARTIN

EXTENSIONS OF REMARKS

WOMEN'S ART, WOMEN'S VISION

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mrs. WILSON of New Mexico. Madam Speaker, in honor of Women's History Month, I asked New Mexicans to send me nominations of women in New Mexico who have given special service to our community, but may have never received recognition for their good deeds.

On Tuesday, March 25, 2008, I had the honor and privilege of recognizing sixty-one worthy nominations describing sacrifices and contributions these women have made for our community. The people who nominated the women describe the dedication they have witnessed: volunteer hours for veteran's services, service on non-profit boards, homeless programs, mentors for young women, health care providers going above the call of duty, child advocates, volunteers at churches and synagogues, successful business women, wives, mothers and friends.

Allow me to share information about this year's nominees:

Cindy Aguilar—As an integral member of the Lovelace Rehabilitation Hospital, Cindy demonstrates excellence in all she does. She is willing to take on extra responsibilities and is known for going the extra mile.

Bobbye Allen—Bobbye, a member of Epsilom Sigma Alpha International, has always served to make a difference in the lives of people she's never met. She does this through philanthropic work for Boys and Girls Ranch, CYF, Easter Seals, UNM Children's Hospital and also as a member of 3 different Chamber of Commerce.

Linda Barbour—Linda has worked tirelessly as a founding member and President of the East Mountain Area Coalition. She was also a key mover in initiating a permanent memorial for Deputy James McGrane. Her ability to work so efficiently with many different people makes her a great advocate and representative for the East Mountain community.

Debra Benavidez—Debra is a role model for customer service at the Lovelace Rehabilitation Hospital. Under her leadership, her department's employee and patient satisfaction has improved significantly along with an increase in volume and revenue. She is also admired for her balance of career and family life.

Peg Bilson—Peg joined Eclipse Aviation in July of 2005, bringing experience in operations, finance, engineering, technology, customer service and product support. Her leadership at Eclipse is the final element that will establish Eclipse's position in history as the Very Light Jet innovator and leader. Peg contributions are felt throughout the company, especially in the area of high-volume production and stabilization of the supply chain. As a key leader in a successful New Mexico business with over 1,600 employees, Peg has a vision for the future.

Barbara Brennen—Barbara is the owner of Stride, Inc., a manufacturing company of office supplies, which employs people with disabilities. Barbara knows that working, mastering a task or gaining a skill, is the best builder of self-esteem in the world. Over 200 people have out-grown her factory and are now employed in the community.

Sonia Britton—Sonia has turned a personal tragedy, the loss of her only son Butch in a DWI crash, into the DWI Memorial of Perpetual Tears in Moriarty. A true advocate for change, Sonia volunteers with organizations, such as Mother's Against Drunk Driving, to make a difference. She helps our community understand the personal cost of DWI.

Marlene Brown—Marlene is President of the New Mexico Solar Energy Association and serving within the organization for over 10 years. After losing her brother in 2001 to Leukemia, she raised over $10,000 for the Leukemia and Lymphoma Society. Her volunteer work with many organizations makes a positive impact on many people.

Patricia Brown—As a child, her son, John, remembers his mother's life as an unending stream of school activities, cupcakes, PTA meetings, child advocacy boards, soup kitchens, food banks, and hospitals. At 82 years old, Patricia has spent countless hours to make the world a safe, decent and loving place.

Dede Brownstein—Dede is a dedicated volunteer with Pet Therapy, teaching the understanding of the human link to the humane treatment of animals. As a volunteer for pet therapy programs she takes her dogs to hospitals, nursing homes, libraries and the Youth Detention Center. She has made an impact on over 5,000 youth within the Detention Center alone. Dede also set up the READ to the Dogs program to help kids with reading problems.

Margaret Carroll—Margaret has served on the DWI advisory board for four years, with the last two as president. She works tirelessly to secure funding for inpatient rehabilitation programs, while bringing awareness to our community about the dangers of alcoholism. Margaret also serves on the East Mountain Coalition of Neighborhood and Landowner Association

Jessica Cotton—At Lovelace Rehabilitation Hospital, Jessica works hard to meet the needs of those she serves. She is truly an asset with the ability to communicate and connect with customers in English or Spanish.

Becky Cousins—Becky is a woman of vision in Lea County. Through the arts and the community theatre program, Becky has worked hard as business owner, actress and director to preserve the history of Lea County, while looking to the future in order to enrich the lives of the people in her community.

Leslie Cumiford—Leslie is the President of the Center for Family Justice, which was founded in 2003. Leslie has dedicated much of her time and resources for children, single parents and blended family homes.

Bertha (Bertie) Denman—During the National Hispanic Heritage Month in 2007, Bertie was involved in an art contest for local students. Throughout this time she visited the schools, putting in the extra effort to let each child know how special they are, inspiring many of the children to participate.

Mignon Donnellon—Mignon is the mother of four adopted children. She volunteers with several organizations to raise funds for scholarships of deserving children for higher education.

Dr. Leslie Donovan—Dr. Donovan is described as a superior educator, mentor and friend at the University of New Mexico. While sharing a wealth of knowledge through her classes, she goes the extra mile to support the well-being of her students.

Doris Duran—Mrs. Duran is the office manager at The Valencia County Domestic Violence Shelter, and teaches a parenting class twice a week. Whether it is at work or in her spare time she is always willing to step in and help.

Pamela Finley—Pamela moved to New Mexico 2 years ago and wasted no time getting involved with several organizations in Valencia County, including Valencia Youth Literacy Council and the Mid Valley Air Park. Today, she also provides coaching for young women in the Miss New Mexico Scholarship program.

Joe Ann Gantz—Born in 1932, she was the only one of 12 children to earn a degree from NMSU, a rarity in those days. In the 1960s, Joe Ann started a kindergarten, one of only two in Las Cruces. A believer in education, she later earned a Masters in speech therapy and worked with handicapped children in the Las Cruces Public Schools.

Evelyn Gutierrez—Evelyn has been the volunteer Program Director for ''Thomas Baca's Food Pantry'' for over 15 years. She travels 64 miles round trip from Chilili to Albuquerque several times a month as part of her commitment to the program. She has inspired others to volunteer. Despite having been declared ''dead once,'' she continues to live her passion to help others.

Mary Halberg—Mary is the youth director at a church and school, supporting youth and their parents with her optimistic attitude. She does something special for people every day. The kindergartner class wanted to do something special for Mary, they nominated her because she takes the time to read them stories and share her passion for learning.

Debra Hennig—A successful business woman in the Title Industry, Debra is sharing her success by establishing internships for young women through UNM's Black Student Union. Additionally, she teaches continuing education for the NM State Bar and involves herself in her church and several community organizations.

Helen Janacek (recognized posthumously)—Helen was an enthusiastic Line Dance instructor at Albuquerque Senior Centers for nearly 14 years. Each quarter, new

classes would start with repeat students and new comers. She prepared those who were interested in competition as well as those who just had great fun. Her contribution to the senior program will be greatly missed.

Anis Johnson—Anis has dedicated her life to doing for others. We can only highlight her service with over twenty organizations and charities. Anis is a Founder and Coordinator of Highland High School Volunteer Program's ''Community Resource People at HHS'' where she teaches by example, the ability to help and learn from those of different backgrounds. In this way she passes volunteerism from generation to generation. With the understanding that education opens doors, Anis served as the Program Coordinator for the Martin Luther King, Jr Multicultural Celebration awarding scholarships for college bound students. ''One person can make a difference.''

Dr. Feroza Jussawalla—Dr. Jussawalla's vigor and compassion for Literary works and teaching naturally draws her students into the topic at hand. She provides her students at UNM with an exceptional educational experience.

Ingrid Kloet-Garrett—Ingrid has been known to go ''way beyond the call of duty,'' when it comes to the medical, emotional and spiritual needs of her clients at First Nations Community Health Source. Her ability to assess needs and find resources has enhanced the recovery and healing needed by all she serves.

Regina Lane—As a School Principal, Regina Lane teaches her students to persevere when life perplexes, to strive to be a better person and to rise above circumstances. There are no excuses in Regina's mind, yet she empathizes and connects with her students in a way that truly nurtures their spirits and their ability to succeed.

Kim Lark—Kim's dedication to the New Mexico Task Force One, an urban search and rescue team, combined with her duties as a physician, make her an invaluable asset to New Mexico. In addition, her willingness to volunteer her time, share her considerable expertise, and represent the team, makes others proud to be associated with her.

Megan Olivia Lloyd—Megan served on four church missions, building one church and 3 houses. She has been to Morocco with Operation Smile to assist with cleft palate surgeries. She has also helped raise money for additional surgeries. Megan maintains a high academic standard and is involved with athletics at Cibola High School.

Sydné Lockwood—Sydné is a volunteer for a local domestic violence shelter, where she has worked in fund raising to keep the services available. She is active in her Air Force Junior ROTC program, which includes community service for charitable organizations.

Patricia Madrid—''Ms. Pat,'' as she is known to the students of Acoma Elementary, is known for the care, love and tenderness she gives to each student. It is not unusual to be in a store and hear a young voice yell out ''Ms. Pat'' and see children rushing to her for a hug and smile. She is a person of strong moral fiber and strength of character, who is an unselfish wife, mother, caregiver and friend.

Dianna Martinez—Dianna's commitment to the nurses at Lovelace Rehabilitation Hospital earned her the reputation as the ''go-to-gal.'' She coordinates the charity drive and has worked with the United Way for several years. Dianna is described as someone who has made a profound difference in the lives of others.

Pat Mallory—Pat coordinates an intergenerational tutoring program run by the non-profit OASIS educational organization. Through her leadership, the program has grown to 100 senior citizen tutors providing reading assistance to over 120 first to fourth grade students. Her dedication and commitment to this program will only serve to help it to continue to grow.

Molly McCoy-Brack—Molly is a founding member of the New Mexico Suicide Prevention Coalition and the professional director of Agora Crisis Center. The center has flourished under her leadership, with 140 volunteers serving 700 callers per month in New Mexico.

Betty Ann Miller—Betty Ann has a passion for literacy in New Mexico. She is currently serving on the Board of the New Mexico Coalition for Literacy, while being an active Board member of the ''Read/Write'' program in Moriarity, and President of the Board of the non-profit organization, ''Reading Works'', which is dedicated to literacy improvement in the Albuquerque area.

Anastasia Mora—Anastasia is described as a team member who has made a significant contribution to Lovelace Rehabilitation Hospital. She has demonstrated excellent work ethics and customer service.

Deborah B. Morrell—Demonstrating an ''open door'' policy to her staff and students with countless hours of dedication to Eagle Ridge Middle School, Principal Morrell is one of the most successful administrative leaders in the Rio Rancho School District. Through her leadership, the school is a model for others in the area

Judge Judith Nakamura—The Honorable Judge Judith Nakamura has a commitment to seeing that all citizens have access to the court and receive equal justice under the law. She has made a number of changes in the procedures of the court to provide service to the community include drug courts and homeless courts. Additionally she often speaks to youth about her role as a judge and community involvement.

Sylvia M. Olona—Sylvia is a dedicated Physician's Assistant who travels throughout New Mexico to provide health care to residents when no physician is available. She provides a much needed service in rural New Mexico.

Eva C. Panana—Eva started her career in 1966 as a Head Start Teacher for the Jemez Pueblo. She retired in 1994, although she remains active as a Foster Grandparent. Now know as ''Grandma Eva'' she brings joy, laughter and love with her always. Her long commitment to education is apparent with the majority of the tribal members in their 50's having been in her classroom.

Linda Pardo—Linda is a woman who loves the history of New Mexico, particularly the legend of Billy the Kid. She is seeking to share her enjoyment of this great land by writing a book about New Mexico.

Clara Pena—Clara is being recognized for her multiple contributions in the areas of crime reduction, health, education, services to seniors and youth within Albuquerque, particularly in the South Valley. Through her work and commitment to others, projects have grown.

Winnona Poole—Ms Poole started the after school program ''Arts Academy'' for La Mesa Elementary School children. She provides the leadership and the enthusiasm for this creative program.

Barbara Rivers—A superb teacher of music at Sandia Prep for many years. Barbara also shares her talent by playing the violin in the New Mexico Symphony Orchestra. In addition she is a tri-athlete, serving as a role model to students and colleagues.

Marianne Robinson—An inspirational School Counselor at Sierra Vista Elementary school Marianne greets the student and staff with the daily message of ''Make it a great day or not-the choice is yours.'' As a cancer survivor she is a role model for the message everyday.

Carol Romero—Carol has been a dedicated advocate for the rights of individuals with disabilities for the past 34 years. Her advocacy began with her oldest child, and spread to being a successful provider agency to those with disabilities. Carol recently lost her husband of 37 years and was embraced with support from the families she serves. She will continue to serve those with disabilities far into the future.

Dr. Eileen Ryan—As a Manager at Magdalena Ridge Observatory Dr. Ryan is guiding the 2.4-meter aperture telescope team toward wonderful achievements and discoveries. She shares her knowledge and experience with students to expand their visions of the Universe through the wonders of Astronomy.

Sandi Sadila—Sandi is team member with Angels Acts of Kindness, an organization serving individuals who may not be eligible for other assistance. The nomination put it simply: ''She helped my family several times, and she really is an Angel.''

Dr. V Vita Saavedra—As Program Director for the Cooperative Educational Administrative Intern Program, ''Vita'' touches the careers and more importantly the lives of future and current school administrators through her true interest in their success. She remains in contact with her students to encourage life long growth.

Shirley Sechrist—Shirley is a tireless volunteer and valued worker with many community organizations including: Top donor coordinator for United Blood Service, multiple roles with the Assistance League of Albuquerque and as President of the Presbyterian Hospital Auxiliary. Shirley has had a positive impact on many.

Charla Smith—An English teacher at St. Pius X High School, Charla shares her love of the English language and literature. She challenges her students at every turn with complex assignments in reading, writing, vocabulary and grammar thus inspiring them to dream big and achieve.

Linda Smith—As director of the Bethel Community Storehouse, Linda serves people throughout the Estancia Valley who are experiencing hardships and in need of help and support. She has touched the lives of many and inspired her coworkers, with her positive outlook and actions.

Wanda Sullenger—As a member of the Mountainair Volunteer Fire Department, Wanda dedicates her time and energy to aid the members of her community in difficult times. Her care for those who are sick or gravely ill is compared only to the level of care and comfort she offers to their families.

Melissa Salmon—Melissa divides her time between the education of three young boys,

working as the only secretary for the Mountain Elementary School, where she goes to work even during snow delays, and being a dedicated wife and mother. Melissa is ''a credit to her community and to her family.''

Sallie Van Curen—Sallie is the co-founder and executive director of Parents Reaching Out to Help, Inc. She has inspired others through her dedication, drive and commitment to all the families she serves.

Mary Ann Weems—With a life long dedication to the arts, the creation of the Weems Galleries and Framing and the nationally recognized Weems Artfest, Mary Ann is a role model for women in the arts. She has achieved excellence in visual arts while championing health care programs for children, and helping to set the standard for art galleries and businesswomen in NM.

Dr. Ann Wehr—As President of Molina Healthcare of New Mexico, Dr. Wehr has used her talents to ensure that over 71,000 low-income individuals and their families receive quality healthcare. She works with physicians to develop innovative programs to reach the under served.

Linda Walsh—Working for the Small Business Programs Office at Kirtland AFB, Linda is a champion for the minority business community. She has been instrumental in outreach from Kirtland to bring small business together with federal agencies.

Beverly White—Beverly's work for the people of New Mexico through the Office of the Medical Investigator lasted for more than 30 years. One of her greatest accomplishments was writing the initial grant for the NM Sudden Infant Death Syndrome Information and Counseling Project. It has served as a national model, and helped thousands of families.

Bobbie Williams—As a member of a number of community and business organizations, and an engineer at Sandia National Laboratories, Bobbie has served as a mentor, professional development advisor and friend to aspiring young people and colleagues. Bobbie is also one of only seven women inducted into the Girl Scouts Hall of Frame for Women in Technology.

Dr. Joyce Wilson—Dr. Wilson has worked in social work for over 35 years, founding the first External Employee Assistance Program which has saved hundreds of people from losing their jobs while also improving their lives. She volunteered with many community Boards and Committees to share her personal and professional skills.

Fay Yao—Ms Yao has been the librarian at Rio Grande High School for over 15 years, where she has shown constant support and dedication to the students and staff. She is a supporter of the Science department, providing updates and expansion of the science reference material. She has served as a mentor to a number of students while always improving the school's library to benefit all.

IN RECOGNITION OF AL STERN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Al Stern, a person who has dedicated his life to free speech and cultivating the seeds of Middle East peace and understanding in the Cleveland community. On March 27, 2008, Americans for Peace Now is honoring Al Stern for his lifelong commitment to peace in the Middle East and his dedication to ''Tikkun Olam,'' the healing of the world.

After graduating from Indiana University with a Bachelor of Science in Business Administration, Al Stern founded Stern and Company, a manufacturers' representative firm in 1962. During his 3 decades with the company, Mr. Stern became actively involved in the Middle East peace issues starting in 1974. He helped found the Cleveland chapter and serves as a national board member of Americans for Peace Now, the solidarity organization aligned with the Shalom Achshav movement in Israel. Shalom Achshav, founded in 1978 by Israeli citizens, was formed out of the conviction that Israel's democratic character and future security were intertwined with achieving a just and peaceful solution to the Palestinian-Israeli conflict.

For over twenty years, Mr. Stern has engaged and educated the Cleveland community about the costs of the current conflict and the opportunities for peaceful solutions. Through organizing and discussion, he has led people to challenge their assumptions about how to humanize the opposition. In his many visits to the region, most recently in 2005, he has gotten to know the people and the leaders in Israel, Egypt, Lebanon, Syria, the West Bank, and Gaza. He has led by example, through his own commitment to educating himself, reaching out to concerned members of the community and traveling to the region.

Since his retirement in 1993, Al Stern became a full time volunteer with the American Civil Liberties Union of Ohio as its Legislative Coordinator. Since coming to Congress, I have been privileged to hear frequently from Al Stern on the many free speech and civil liberties issues about which I have had to make decisions. He has also worked closely with me in helping to build bridges across the gaps which divide people both in the Middle East and in Greater Cleveland.

Madam Speaker and colleagues, please join me in recognizing Al Stern, who has been a leader in Cleveland, a peace-maker, and an inspiration for engaged, global citizenship.

HONORING ANDREW WESLY SAWYER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Andrew Wesly Sawyer of Blue Springs, Missouri. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1175, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many scout activities. Over the many years Andrew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Andrew Wesly Sawyer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HIGHLIGHTING BASEBALL'S EFFORT TO REACH OUT TO MINORITY COMMUNITIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to highlight Major League Baseball's ongoing effort to reach out to minority communities and introduce a press release describing said effort. The league will host the first Urban Invitational Baseball Tournament, fielding two historically black colleges in recognition of its need to revitalize baseball in the African American community. Baseball should be committed not only to boasting diversity in its rosters, but to enjoy that same minority representation in its coaches, in its management, and in its viewership.

On the heels of the 60th anniversary of Jackie Robinson's historic breaking of the color barrier, the league has targeted urban youth and pledged its resources to bring them back to the sport. African Americans have played integral roles in the illustrious story of baseball, and it is a connection worth saving.

MAJOR LEAGUE BASEBALL URBAN YOUTH ACADEMY TO HOST FIRST URBAN INVITATIONAL BASEBALL TOURNAMENT

Major League Baseball today announced that the Major League Baseball Urban Youth Academy will host its first Urban Invitational Baseball Tournament from February 29–March 2. Two Historically Black Colleges and Universities (HBCUs), Bethune-Cookman University (Daytona Beach, FL) and Southern University (Baton Rouge, LA), will face off against collegiate baseball powerhouses UCLA and USC. The participation of HBCUs in the Urban Invitational is part of MLB's ongoing diversity and youth initiatives.

''The Urban Invitational Baseball Tournament is a part of our continued focus on reviving the majesty of baseball in the African American community,'' said Major League Baseball Executive Vice President of Operations Jimmie Lee Solomon. ''This tournament, along with the other programs at the MLB Urban Youth Academy, the Civil Rights Game and many of our other efforts, is reflective of the League's commitment to diversity, inclusion and engagement of our nation's young people. Our goal is to make sure that every child who wants to play baseball has an opportunity to do so.''

Tournament games will be played at the MLB Urban Youth Academy, USC's Dedeaux Field and UCLA's Jackie Robinson Stadium beginning Friday, February 29 and continuing through Sunday, March 2. Both games on Saturday, March 1, 2008, will be played at the MLB Urban Youth Academy and broadcast live on ESPN2. Fans attending on that day will also be entertained by a live performance of Southern University's, ''Human Jukebox'' and USC's Trojan Marching Band, as they bring their unique musical performances to Compton, California. Bethune-Cookman University and Southern University baseball teams will square off against each other at 1 p.m. (PST) on Sunday at the Academy.

''ESPN is proud to be associated with Major League Baseball's urban initiatives,'' said Len DeLuca, ESPN Senior Vice President, Programming and Acquisitions. ''The

second Civil Rights Game and new Urban Invitational—40 years since the tragic death of Dr. Martin Luther King, Jr.—are on the heels of our observance last year of the 60th anniversary of Jackie Robinson breaking the color barrier. ESPN is honored to join with MLB to celebrate baseball's cultural history.''

Tickets to the games being played at the MLB Urban Youth Academy will be available for purchase on game day for $5. Proceeds from the ticket sale will benefit the Major League Baseball Urban Youth Academy, which is a not-for-profit 501 (c)(3) corporation.

''On behalf of our team, I would like to say how honored we are to have been invited to an event like this, especially in its first year,'' said Bethune-Cookman Coach Mervyl Melendez. ''We hope that the Urban Invitational Baseball Tournament continues to grow and more people notice what Major League Baseball is doing for college baseball and Historically Black Colleges.''

''Our program is very excited to represent UCLA in the tournament at the MLB Academy,'' said UCLA coach John Savage. ''We are honored to be able to play in the inaugural event. Our players are looking forward to the exciting weekend of baseball.''

Major League Baseball is committed to addressing the issue of African American participation in professional baseball. Through Reviving Baseball in the hinder Cities presented by KPMG and the establishment of the Major League Baseball Urban Youth Academy in Compton, California, MLB has pledged its resources to bringing urban youth back to America's pastime. The inaugural Civil Rights Game in 2007 also reinforced the League's dedication by paying tribute to legendary African-American players who broke barriers and made important contributions to American society.

HBCUs have long offered quality education and athletic programs and have a proud tradition of outstanding baseball players. Hall of Farrier Lou Brock, former most valuable player Andre Dawson and current Milwaukee Brewers star Rickie Weeks, all rose from HBCUs. Twelve HBCU players were selected in the MLB 2007 First-Year Player Draft. Through the annual Urban Invitational Baseball Tournament, MLB hopes to help these programs revitalize baseball in the African American community.

The MLB Urban Youth Baseball Academy encompasses more than 15 acres on the campus of El Camino College, Compton Center, the Academy is a state-of-the-art facility featuring four fields including a show field, batting cages and other training facilities. The Academy operates on a year-round basis, offering free baseball and softball instruction, as well as clinics to youth throughout Southern California.

IN HONOR OF MICHAEL J. HARE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Michael J. Hare, deputy director of the Riverfront Development Corporation of Delaware. Mike has been an important figure there since April 1996, but has decided to take a new direction and join the Bucchini Pollin Group. Mike will be working on the new soccer stadium in Chester, Pennsylvania.

Mike started working for the Delaware Economic Development office in 1989. After 6 years, he became a senior development specialist under Governor Thomas R. Carper. Throughout the past 12 years, Mike has been an integral part of the Riverfront Development Corporation. He assisted in the construction of the Amtrak Consolidated National Operations Center, the Chase Center on the Riverfront, Tubman-Garrett Riverfront Park, the Riverwalk, Christina Landing, and the Justison Landing. Mike also worked to bring AAA Mid-Atlantic's headquarters to the Wilmington riverfront.

Mike was born and raised in Wilmington, Delaware. He attended Archmere Academy, where he currently serves on the board of directors. He graduated from the University of St. Joseph's, where he earned his bachelor's degree in public administration. Mike serves on the National Alumni Board for St. Joseph's and was honored with the Ignatius Award in 1995 for outstanding alumni involvement and service. Mike also attended the Fels Center of Government at the University of Pennsylvania.

Being a Delaware native, Mike has contributed many years of service to the State of Delaware. He currently sits on the board of directors for the Latin American Community Center, the Delaware Stadium Corporation, the Friends of the Woodlawn Library, the Riverfront Wilmington Improvement District, and the Rivers Edge Community Development Corporation. Not only has he been an active board member for numerous organizations, but Mike has also been a member of the Barbelin Society and the Hawk Hoop Club.

I acknowledge Mr. Michael J. Hare for his many years of service and numerous contributions to his community and the State of Delaware. I am confident that Mike will be successful and prosperous at his new job with the Bucchini Pollin Group. It is inspiring to see such an active and influential member of our community remain committed to the betterment of Delaware.

TRIBUTE TO PORTLAND STATE UNIVERSITY MEN'S BASKETBALL TEAM

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. WU. Madam Speaker, I rise today to congratulate the Portland State University men's basketball team on achieving their first-ever birth to the NCAA Division I Championship Tournament. The Vikings capped off their historic season with a 67–51 win in the Big Sky Conference Championship game over Northern Arizona University at the Rose Garden in Portland. PSU finished their regular season with a 23–9 record, and were undefeated in the Big Sky Conference Tournament. On Sunday, the Vikings will learn who they will play in the first round of the ''Big Dance.''

The NCAA Tournament is one of the great institutions in all of collegiate sports. It brings together the best college teams from across our Nation to compete for basketball's greatest prize. Oregon is proud of every one of these outstanding young men and their coaches.

It is also fitting that we should take this opportunity to recognize the entire Portland State community. As Oregon's largest university, PSU is a source of pride for our State. The Viking's athletic achievements reflect the spirit and work ethic of their university, and I am proud to honor their achievement today.

Madam Speaker, I would like to recognize each member of the PSU men's basketball team individually, beginning with Head Coach Ken Bone, Assistant Head Coach Tyler Geving, Assistant Coaches Curtis Allen and Eric Harper, and Director of Basketball Operations Tyler Coston. Furthermore, I congratulate the 2007–2008 PSU Viking's: Kyle Coston, Brian Curtis, Jeremiah Dominguez, Justynn Hammond, Deonte Huff, Jaime Jones, Lucas Dupree, Tyrell Mara, J.R. Moore, Scott Morison, Andre Murray, Phil Nelson, Mickey Polis, Julius Thomas, Alex Tiefenthaler and Dominic Waters.

Madam Speaker, I invite my colleagues to join me in congratulating these outstanding young men. On behalf of the entire State of Oregon, congratulations and good luck. Go Vikings.

IN RECOGNITION OF THE CITY OF MIDDLEBURG HEIGHTS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the city of Middleburg Heights, Ohio on the occasion of the twentieth Anniversary Salute to the City event at the award-winning Middleburg Heights community center. Evolving from the Inaugural Ball, the Salute to the City event has paid tribute to individuals, groups, and organizations that collectively work to make Middleburg Heights the pride of Ohio and its residents.

Since years before even the Salute to the City began, Middleburg Heights would not have been the incredible city that it is today without the leadership, service, and vision of Mayor Gary Starr. In his work as mayor since 1981 and councilman for several years prior, Gary has paved the way for present and future community and economic enhancements to the City of Middleburg Heights. I applaud his dedication and strong commitment of the people of Middleburg Heights.

I stand with the Salute to the City committee, including founding committee members Darlene Kobask and Lona Gruber, to honor Mayor Gary Starr, all members of the Middleburg Heights City Council—including Council President Alan C. Budney, Councilman at Large James F. Sheppard, Councilman at Large Tim Ali, Ward 1 Councilman David Bortolotto, and Ward 4 Councilman Raymond G. Guttman—and the employees of all city departments.

Together with the Salute to the City committee, I also honor the contributions of other groups and organizations serving residents of Middleburg Heights, including the American Association of Retired Persons, the Berea City School District, the Middleburg Heights Women's Club, the Friends of the Library, the Middleburg Heights Kiwanis Club, the Middleburg Heights Community Council, the Tri-City Senior Center, Southwest Adult Day Care, the Middleburg Heights Chamber of Commerce, the Middleburg Heights Historical Society, the Middleburg Heights Veterans Memorial Committee, the Rotary Club of Middleburg Heights,

the Southwest General Health System and Foundation, and The Optimist Club.

Madam Speaker and colleagues, please join me in recognizing all of those who make the City of Middleburg Heights, Ohio, the wonderful place it is to live and work and a city known for its rich, community-driven history.

HONORING MICHAEL REESE KELLY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Michael Reese Kelly of Blue Springs, Missouri. Michael is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1692, and earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the many years Michael has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Michael Reese Kelly for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING AND HONORING THE SERVICE OF CAPITOL POLICE OFFICER FRANK W. WILKES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. HOYER. Madam Speaker, today I want to recognize and thank one of my constituents, Frank W. Wilkes of Clinton, Maryland, for his outstanding service to the United States Congress, the Members who serve here, and the entire Capitol Hill community over the last two decades.

I also want to thank and acknowledge his family—his beautiful wife of 30 years, Paulette, and his sons, Trevor and his wife Delania, and Frank W. Wilkes III.

After 20 years of service with the Capitol Police, Officer Wilkes retired recently and will move into a new phase in his life.

For most of his last years of service, Officer Wilkes served as the officer on duty at the Senate Day Care Center, a position replete with responsibility and challenge. However, what his resume does not capture is the fact that the children there adore their friend, ''Officer Frank.''

In turn, Frank has been a wonderful presence at the day care center, watching and ensuring that the children go about their day safely and securely. It's my understanding that he plans to come back and read to them on a monthly basis as part of his ''retirement'' plans.

Let me say, too, that I have heard from more than one resident in the neighborhood that Officer Wilkes will be sorely missed; that he was quite popular with the surrounding residents who trusted his judgment, respected his extraordinary common sense, and enjoyed his presence.

During his 20 years with the Capitol Police, Officer Wilkes served a key role in protecting Members of Congress, the President, Vice President, and visiting dignitaries.

In fact, Frank was awarded a Certificate of Commendation for apprehending and subduing a suspect who was attempting to physically assault then-Vice President Dan Quayle.

Prior to joining the Capitol Police force, Officer Wilkes served for 9 years in the United States Air Force. Among other things, he was an administrative executive support manager, and served as liaison between the Office of the Secretary of the Air Force, the White House, the State Department, and the CIA to ensure the proper exchange of critical, time-urgent information.

Madam Speaker, those of us who enjoy the protection of the Capitol Police force—Members of Congress, government officials, and the general public who visit the Capitol complex—take their presence and their professionalism for granted far too often.

The truth is, we owe our Capitol Police officers—people like Frank Wilkes—a real debt of gratitude for doing such an important, oftentimes complicated job with great dedication and commitment.

Thus, today, I again want to thank Frank for his two decades of service to the Capitol Police and our Nation, and to wish him all the best in his future endeavors.

PRAISING TONYA KINLOW FOR WORKING TO IMPROVE DC SCHOOLS AS OMBUDSMAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to note the work Tonya Kinlow has undertaken as the District's Ombudsman for Schools. That office provides a venue for parents, teachers, and students to voice their frustrations and dissatisfaction with the low-performing school system, and to have investigations launched in order to address those complaints. Kinlow has an impressive record—she, of course, once worked for my office—and she demonstrates a fierce commitment to service that should serve her well in her new post.

She served on the DC and State boards of education and was a board member of the education advocacy group, DC Voice. She was most recently the vice president of government relations for the DC Hospital Association. And as a part of the Rangel family, she executed her tasks superbly well and with an unmatched attention to detail. I am proud of her accomplishments and the many great things she is poised to do.

DAY OF SPANISH LANGUAGE JOURNALISM, IN HONOR OF JUSTO DE LARA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Ms. ROS-LEHTINEN. Madam Speaker, I would like to express my sentiment that March 26, 2008, should be designated as ''Spanish Language Journalism Day in honor of Justo de Lara.''

Jose de Armas y Cardenas, who wrote under the pseudonym of Justo de Lara, was a distinguished journalist, poet, and author. As a result of his contributions, the Cuban department store chain El Encanto named their journalism award, the most prestigious award of its kind in Cuba, the Justo de Lara Prize for Spanish Journalistic Excellence. This award was given out from 1934 until Fidel Castro's communist takeover in 1959.

His fluency in Spanish, English, Italian, and French and his love for reading and literature fueled his own desire to write. At an early age, he was a prolific author and journalist. He worked during the Spanish-American War as a special envoy for the Sun in 1898, serving as an official translator between Cuban General Calixto Garcia and Lt. Colonel Theodore Roosevelt. Jose de Armas y Cardenas was also the only person of Spanish-speaking origin named by the Government of England in 1916 to be a member of the commission responsible for the tricentennial celebration of William Shakespeare.

Due to his legacy and example to countless generations, March 26, 2008, should be designated as ''Spanish Language Journalism Day in honor of Justo de Lara,'' in recognition of the excellence in journalism that Jose de Armas y Cardenas achieved during his life and his love of literature, of the excellence in journalism that the award in his honor continued to recognize after his death, and of the hope for such continued excellence today and in the future.

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Mayor Alan Autry upon being named the Armenian National Committee's ''Man of the Year.'' Mayor Autry will be honored at a luncheon on Sunday, March 30, 2008, at the Armenian Community Center in Fresno, CA.

Alan Autry was born in Shreveport, LA. As a child, his family moved to the Central San Joaquin Valley and settled in the small farming community of Riverdale, CA. He attended Riverdale High School and received an athletic scholarship to the University of the Pacific in Stockton, CA, where he received a bachelor's degree in physical education. Upon graduating from UOP, Mayor Autry played in the National Football League for the Green Bay Packers. He spent 3 years in the NFL before retiring.

After leaving the NFL, Mayor Autry turned to a career in film and television. For 22 years

Mayor Autry played various roles on both the big and small screen. He has continued his entertainment career through the development of the Autry Entertainment Group. As CEO of the Autry Entertainment Group, Autry continues to work to bring Fresno to the forefront as a location for entertainment projects creating economic stimulus. In a desire to further improve and serve the city of Fresno, he decided to enter the realm of politics and enter the 2000 mayoral race.

On January 2, 2001, Mayor Autry was sworn into office to serve as the Mayor of Fresno. He was elected to serve a second term that began in January 2005. While in office, the Mayor has been active in various causes with his primary focus being crime prevention and education reform. He has also been active in the Armenian community of Fresno. Prior to being elected into office, he clearly stated his desire to revitalize downtown Fresno. By revitalizing this area of the city, Mayor Autry believes that ''Armenia Town'' would be able to thrive as it did when Armenian immigrants first arrived in Fresno. In 2005, Mayor Autry committed to building a monument in Fresno dedicated to the victims of the Armenian Genocide. Mayor Autry has also been a strong supporter of the Armenian Genocide Resolution.

Madam Speaker, I rise today to commend and congratulate Mayor Alan Autry upon being awarded with the 2008 Armenian National Committee's ''Man of the Year'' Award. I invite my colleagues to join me in wishing Mayor Autry many years of continued success.

HONORING KYLE ROBERT ELDER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle Robert Elder of Platte City, Missouri. Kyle is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1249, and earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many Scout activities. Over the many years Kyle has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kyle Robert Elder for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN REMEMBRANCE OF SENATOR HOWARD METZENBAUM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Howard Metzenbaum, former U.S. Senator from Ohio. He was a close friend to me and a great asset to this country. I valued greatly my relationship with him; I turned to him frequently for advice and inspiration. He was a consummate consumer advocate, labor rights advocate, accomplished legislator and an important figure in Ohio's political history.

Senator Metzenbaum's steadfast support for consumer rights and worker protections, as well as his commitment to protecting the working class in this country, still serves as a constant motivation for me in my service to my constituents.

During his years in the Senate, Mr. Metzenbaum introduced and passed several important pieces of legislation such as The Nutrition Information and Labeling Act of 1990 and the Cable Act of 1992, which re-regulated cable TV rates. Following his retirement from the Senate, Mr. Metzenbaum served as the Chairman for the Consumer Federation of America for ten years, a demonstration of his dedication to consumer interest.

Senator Metzenbaum will be remembered as a savvy businessman and staunch advocate for Ohio's working men and women. From parking lots to newspapers and airports his investments secured his legacy in Ohio as both an iron-willed businessman and politician. He was a fearless opponent of all things related to special interests—if a bill did not have the best interest of workers and consumers in mind, it would not budge in the Senate. He was one of the greatest senators to serve this country. Ohio was fortunate to be the beneficiaries of his service, and I was very fortunate to be the recipient of his wisdom and guidance. My thoughts and prayers go out to his family.

Madam Speaker and colleagues please join me in honoring the life of Howard Metzenbaum, a dedicated citizen and politician of Ohio, whose forceful legislative, economic and personal contributions to this country will live on long into the future.

80TH ANNIVERSARY OF OROVILLE STATE THEATER

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. DOOLITTLE. Madam Speaker, today I wish to join with the City of Oroville, California. in celebrating the 80th anniversary of the Oroville State Theater.

Dedicated on April 7, 1928, the Oroville State Theater has served as an integral part of downtown Oroville. Designed by Timothy L. Pflueger, one of the leading architects of the 1920s, the facility is now recognized in the National Historical Register.

The theater was originally designed for fine vaudeville acts and films. It was one of the last ''Movie Palaces'' built for both live and film entertainment. Although movies became the main staple, live performances, talent shows, war bond drives, and school graduations continued to take place within the theater.

The Oroville State Theater underwent significant remodeling at the direction of United Artists. Much of the theater's original 1928 architectural details, including the magnificent flag sign and marquee, were either removed or covered. In 1986, United Artists notified the city of its intent to close and sell the theater. Rather than have a vacant building downtown, the city viewed the pending closure as an opportunity to fill a longstanding need for a community performance center.

Since 1986, the Oroville State Theater has undergone a significant renovation with the goal of returning the facility to its original 1928 operating condition. Subsequently, these renovations have brought back some of the building's most interesting visual features, including the facade along Myers Street. The extensive improvements have occurred because of strong support by volunteers, business and community organizations.

On April 5, 2008, we will all celebrate the theater's 80th anniversary with an event that will replicate much of the program from its original ''Grand Opening,'' including a silent movie with live theater organ accompaniment. Without question, the community support of the Oroville State Theater continues to be the backbone of this longstanding community tradition. With the efforts put forth by so many, they have ensured that the curtain will not fall for their theater, but usher in a new era of theatrical performances.

COMMENDING GRENADA ON NAMING ERIC GAIRY A NATIONAL HERO IN ITS 34TH ANNIVERSARY OF INDEPENDENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to congratulate Grenada on the commemoration of its political independence and to commend its selection of Eric Matthew Gairy, the country's first prime minister, as its first national hero. He led his country to independence from Britain in 1974 and served out his term amidst those politically charged and tense early years.

It is imperative for a nation seeking to move forward to cull its collective memory and pay homage to the men and women whose sacrifice and heroism in the past created the opportunities of the present. Grenada is applauded for its efforts to do just that, announcing along with Gairy 15 other awardees who have stood up for the island nation over the course of its 34 years. Congratulations, Grenada.

GRENADA: ERIC GAIRY NATIONAL HERO

ST. GEORGES'S GRENADA, CMC.—Former Prime Minister Sir Eric Matthew Gairy was named as the country's first National Hero and a number of outstanding nationals honoured as Grenadians celebrated 34 years of political independence from Britain.

Prime Minister Dr. Keith Mitchell announced that Gairy, who became this Caribbean country's first Prime Minister after leading the former British colony into Independence on February 7, 1974, would be the nation's first hero under the recently passed National Honours Act.

The new piece of legislation provides for 15 people to be recognised annually for outstanding services to Grenada as part of the independence celebrations.

Among the first batch of awardees was deceased Grenadian-born regional broadcaster Leslie Seon and Leslie Pierre, editor of the weekly Grenadian Voice newspaper, who was made a Knight Commander for his contribution towards the development of the Scout Movement and Journalism in the island.

''Well I don't know who put my name there but I have done my part,'' said Pierre, who was putting together this weekend's edition when the representative of the National Hero's Commission made the announcement to the thousands who were attending Independence Day celebrations at the National Stadium.

The other awardees announced by the Committee include former teachers Eleanor Pilgrim and Lorraine Ramdhanny who received the Spice Isle Award. This award is awarded to two people who have rendered valuable service to Grenada in any field of human endeavour or for other humane action.

Joel Mark and Veronica Alexis received the Camerhogne Award, which is awarded to two citizens who rendered meritorious service in the furtherance of national prestige or for gallantry. Mark was the first Grenadian Sailor to cross the Atlantic on a solo voyage while Alexis is a retired nurse.

The Medal of Honour was presented to Commissioner of Police Winston James; former Principal Ursula Antoine and well known mas player Evelyn Mark.

Honorary awards, which are presented to non Grenadians whose work has impacted on the development of Grenada, went to USA citizen Rev. Melville Schaper and Formula One racer Lewis Hamilton, whose parents are from Grenada.

Schaper is the founder of the St. John Christian Secondary School which was opened here 42 years ago in one of the most rural villages in the country.

Governor General Sir Daniel Williams was honoured with the first Companion of the Order of Grenada award.

In his address Prime Minister Mitchell indicated that the later in the year a number of streets and buildings will be named after some prominent Grenadians who have made significant contributions towards the island since gaining independence 34th years ago.

''This Government is of the view that after 34 years of independence, it was time to develop a system that recognized Grenadians from every background all of whom have done many different types of work in building our nation and shaping our society.

''There are those who have made genuine contributions to our industrial development as a whole and who have headed up major initiatives in the corporate sector or who have given outstanding service to the community. Our new system of national awards sought to recognise them all,'' the Prime Minister said.

On the eve of independence the main opposition National Democratic Congress (NDC) called on the Mitchell administration to commit to naming the country's international airport after former leftist prime minister Maurice Bishop.

''We believe that the time has come, as this whole nation is moving towards genuine reconciliation and an understanding of its history, that the airport be named after the leader who perhaps did the most for its coming into being,'' NDC Deputy political leader, George Prime said.

The Point Salines International Airport was constructed under Bishop's administration with Cuban aid.

HONORING LEONA SASSAMAN

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Leona Sassaman, longtime Tinicum Township resident. Ms. Sassaman is being recognized by the Tinicum Democrats on April 6th for her hard work and exceptional achievements in working to better her community.

Born in Uhlerstown, PA in 1925, Leona Sassaman has a long history of service to her community. Beginning her community involvement, Ms. Sassaman worked for 25 years making parts for RCA. During this time, Ms. Sassaman was an active member of the International Glass, Plastic, Pottery, and Allied Workers Union, Local 173A. Ms. Sassaman served as chief shop steward, union treasurer, secretary and president, laboring to make the workplace safer for she and her colleagues.

Ms. Sassaman has also worked for years to improve the safety of her community through her involvement with the Delaware County firehouse. A member of the firehouse for over 50 years, Ms. Sassaman was involved in the firehouse's construction in 1958. Throughout the years, Mr. Sassaman has contributed to countless fundraising events and activities for the firehouse, such as bake sales, Friday night spaghetti dinners, and rummage sales.

Adding to her distinguished work, Ms. Sassaman is an active member of the political process within her community. A member of the Board of Elections for 30 years, Ms. Sassaman was elected and served as minority clerk to the board until 2006. Ms. Sassaman has been an active member of the Democratic Party for many years, while also serving as a reliable political resource for those in her community of any political party.

As her outstanding efforts show, Leona Sassaman has pledged her life to helping those in her community. Through her tireless work, Ms. Sassaman has clearly bettered the lives of those around her. Madam Speaker, I am proud to recognize Ms. Sassaman for her extraordinary accomplishments and extremely honored to serve as her Congressman.

RECOGNIZING JAMES HARRIS, VETERAN OF THE YEAR FOR THE CITY OF DIXON, CALIFORNIA

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to pay tribute to James Harris, who received the Veteran of the Year award for the city of Dixon, California, on March 15, 2008.

James Harris, known as ''Jim'' by his friends, began his military career in 1961. Harris, now 72, served in the Air Force for 28 years, starting his illustrious career in the Air Force fire protection rescue unit. He retired from active duty in 1989, as a chief master sergeant, but to this day continues his service to those in uniform as an advocate for veterans affairs.

Harris is one of the original members for the Tuskegee Airmen, out of Travis Air Force Base. Additionally, he serves as the chairman of the committee that supports the new national cemetery in Dixon, CA.

In the wake of the wars in Afghanistan and Iraq, a large number of veterans are returning to a nation that is grateful for their service. However, it is men like Harris that ensure veterans past and present receive needed care and are never forgotten.

Jim Harris' selfless service and dedication to duty makes him a valuable asset to active duty personnel serving overseas and also veterans of past wars. Jim once said ''[n]o one really understands war until you've been in one. I feel it is my obligation to support them.'' He uses this as his motivation to continue serving past and present members of the military.

Veterans like Jim Harris were not asked to spend their time supporting the military. He does not do his job to win awards or to be recognized. He does it because of his past service in the military, for his family, and for all of the citizens in this great Nation. He feels obligated to continue to serve and we as a nation take his actions to heart—we will continue to honor those that serve in the military, now and forever.

I am also grateful of Mr. Harris' service as a member of my Veterans Advisory Board, where he provides great counsel on issues of import to all veterans.

Congratulations to Jim Harris on a job well done. We are grateful for your service in the past, present, and in the future. You are a true American hero.

IN HONOR OF ASKOUHY JALLYAN-VASSILIAN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. PALLONE. Madam Speaker, I rise today to honor Askouhy Jallyan-Vassilian and her dedication to her community and the Armenian people. Mrs. Jallyan-Vassilian was a survivor of the genocide inflicted upon the Armenian people. She was the embodiment of the enduring human spirit.

Mrs. Jallyan-Vassilian was born Askouhy Jallyan on February 12, 1914, in Orfa, Turkey. Her mother, Khanem, had married in 1913 and was 18 years old when she gave birth to her only daughter. Khanem was widowed in 1915 when her husband, Nazaret, was murdered. Mrs. Jallyan-Vassilian was able to flee the horrors of genocide when she escaped with her mother to neighboring Syria.

Later, Mrs. Jallyan-Vassilian married her husband Missak Vassilian at the age of 19. Together they raised three sons and a daughter. She was also the proud grandmother of 10 grandchildren and 12 great-grandchildren. Her son, Asbed Vassilian, is currently a professor of chemistry at Rutgers, The State University of New Jersey, and is the head of that school's Armenian studies program.

On October 10, 2007, Mrs. Jallyan-Vassilian attended a markup session of the House of Representatives Committee on Foreign Affairs as it worked on a resolution recognizing the deplorable deprivation of human rights that occurred during the Armenian genocide. She had waited 92 years for the United States Congress to recognize the genocide and suffering that her people had endured at the hands of hate and intolerance.

Mrs. Jallyan-Vassilian passed away on February 27, 2008. She will be remembered for her devotion to her Armenian heritage and her commitment to the cause of those Armenians who suffered wanton violence and cruelty.

Madam Speaker, I sincerely hope that my colleagues will join me in celebrating the life of Askouhy Jallyan-Vassilian. Her legacy will continue to serve as a reminder of the audacity of human resilience.

IN HONOR OF SPIKE LEE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of distinguished producer, writer-director, educator and actor, Spike Lee, whose insightful, intelligent films have had a significant impact not only on the film industry but also on American political discourse.

The son of a jazz musician and teacher, Shelton Lee was born in 1957 in Atlanta, Georgia and later moved to Brooklyn, New York, the setting for many of his films and home of his production company, 40 Acres and a Mule Filmworks. Mr. Lee learned the value of film as a tool of social commentary and developed his film making skills while attending Morehouse College, where he made his first student film. He also took film courses at Clark Atlanta University and later earned a degree from Tish School of Arts graduate film program at New York University. Through his films and ability to capture the attention of audiences everywhere, Mr. Lee's films such as ''Do the Right Thing'' and ''Malcolm X'' have been used as vehicles to significantly raise levels of social awareness about a variety of important social and political issues that continue to plague American culture and society.

He has revolutionized the role of Black talent in cinema. Widely regarded as one of today's premier American filmmakers, Mr. Lee is a frontrunner in the ''do it yourself school'' of independent films. His most recent work, ''When the Levees Broke,'' a ground breaking documentary focusing on the plight of Americans stranded in New Orleans after Hurricane Katrina, has garnered rave reviews and is considered by many to be the definitive account of that catastrophic event.

Mr. Lee's trend-setting filmmaking, acting, and groundbreaking producing are just a few of the contributions he has made to greater American culture throughout his career. He has not only paved the way for numerous filmmakers, but has also positively changed public conversations on many social issues.

Madam Speaker and colleagues, please join me in honoring the talented and inspirational producer and director, Spike Lee, whose genius will continue to touch the lives of generations to come.

HONORING DERICK RAY BONNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Derick Ray Bonner of Kearney, Missouri. Derick is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1397, and earning the most prestigious award of Eagle Scout.

Derick has been very active with his troop, participating in many Scout activities. Over the many years Derick has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Derick Ray Bonner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMENDING THE IMMIGRANT AND HIS CONTRIBUTION TO NEW YORK CITY'S VIBRANCY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to express my delight that immigrants have carved out a sacrosanct place in the American story and accordingly introduce a New York Daily News piece showcasing that contribution. The vivacity and freshness that come with a heavy immigrant population has been a defining characteristic of New York City—and we have been the better for it. We define ourselves as a city of immigrants and recognize the importance of the Statue of Liberty as a symbol of what has helped make our city great. We live immersed in a potpourri of culture, all components distinctly American but each with flair and a kaleidoscopic beauty.

Our children have benefitted most from this variety, learning not just from their teachers, but from a diverse cast of neighbors and peers. The February 14 article—''Immigrants' Stories Not Foreign to Kids''—narrates the story of a New York classroom filled with Americans, through and through, all with ancestral ties to foreign nations. This newest generation will inherit this country far better equipped to be citizens of the world than generations before them. They are bound by a fervid love and allegiance to America, their home, married with a sensitivity and respect for our global neighbors.

It is a good day in America when our commonalities bind us, and our differences bring us that much closer.

IMMIGRANTS' STORIES NOT FOREIGN TO KIDS

It's a wonder immigrants in the U.S. haven't been blamed for global warming. After all, from the crumbling economy to increases in crime, they've been accused of just about every other of society's ills.

Which is why walking on Tuesday into teachers Joe Briscat and Kristen Grolimund's fourth-grade class at Public School 199 in Long Island City was so uplifting. Their students are lively, smart, curious and diverse, everything you would expect from New York kids. And as it can happen only in this city, particularly in Queens, they—or their parents—come from 11 different countries.

''Raise your hand if your parents came from a foreign country,'' the group of 24 9- and 10-year-olds was asked. All the students did.

There was Anita, a self-assured 9-year-old with big green eyes who wants to be a doctor. A Muslim, she was wearing a beautiful gold head scarf.

''My parents are from Yugoslavia, but I was born here. I am a citizen,'' she said proudly.

And there was Ángel, also 9, with a ready smile and mischievous eyes, who wants to grow up to be a pilot. He came from Mexico with his parents, as did Maura, who is tall for her 9 years and very shy.

''I want to be a teacher,'' she said.

Tenzin, 9, was born in Tibet and was not shy at all. And Shrabonti, 10, arrived in New York from Bangladesh and is proud of her good grades.

''I love school,'' she said.

That's why ''A City of Immigrants—Dreams and Realities of Life in New York, 1840–2007,'' the history course Briscat and Grolimund are teaching, is so appropriate. For these kids, history is more than learning about events that took place many years before they were born.

For them, the history of New York is their own and that of their parents; it is the struggle and the hopes and dreams of people like themselves who make our city vibrant and alive and unique.

''Immigration has defined the history of New York City,'' reads the introduction to the curriculum of ''A City of Immigrants,'' which was developed by the LaGuardia and Wagner Archives of LaGuardia Community College.

This became even more evident for the students on Tuesday, when three of the people they had been studying in class—all of whom have their immigrant experiences chronicled in the fourth-grade curriculum of ''A City of Immigrants''—came to visit them.

Esther Levine, born in 1919, was the daughter of Morris Levine, one of millions of Eastern European Jews who fled religious persecution from the 1880s through the 1920s.

She told the children about her father, who became a traveling salesman, about Dora, her mother, and their life on Essex St. on a very different lower East Side of Manhattan.

Juan Rodríguez, a graphic designer at LaGuardia, a Dominican immigrant in his mid-30s, dreamed of being a baseball player. The kids were fascinated by his tale of playing pelota with a glove made from cardboard in his native country when he was about their age.

Fern Kahn, a former associate dean at LaGuardia, told the children about her life in New York in the 1950s, when she arrived from Jamaica to study at NYU. But it was when she spoke about her native country, and how she kept close ties with its culture, that the children could not stop asking questions.

''Many fourth- and fifth-graders, especially those in public schools in Queens, are members of these ethnic groups,'' said Richard Lieberman, the archives director. ''By inviting Fern, Juan and Esther to speak to the class, the children will gain an understanding of their own place in history and the important role they play in American society.''

They, these diverse New York children, will be the doctors, pilots and teachers of the future. And they will keep writing the history of our vibrant and unique city, which is, after all is said and done, their own story.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. COHEN. Madam Speaker, on Tuesday, March 12, I was unable to vote on roll No. 126

on the Motion to Adjourn. Had I been present, I would have voted ''no'' on this motion.

HONORING WILLIAM D. WHITE OF NAPA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize my good friend and former high school classmate, William D. ''Bill'' White, who has retired from the Napa County District Attorney's Office after 35 years of dedicated public service in law enforcement.

Bill grew up near Lake Berryessa in Napa County and attended a small county elementary school that was variously housed in a county roads building, a laundromat, and a teacher's home before a proper elementary school was built. When he moved to the ''city schools'' in St. Helena, he prospered. He was on the high school football and track teams, was both vice president and president of the Student Body Council and Model U.N. representative.

Bill began his law enforcement career shortly after he graduated from St. Helena High School. He enrolled in Napa Valley College and soon thereafter joined the campus police force.

In 1973 Bill began working for the Calistoga Police Department as a patrolman and as a police dispatcher and later worked as a patrolman with the Suisun Police Department in Solano County. Bill joined the Napa County Sheriffs Department in 1977 and distinguished himself over the next 18 years as a patrol deputy, narcotics investigator, and homicide investigator.

He joined the Napa County District Attorney's Office as an investigator in 1995, later becoming supervising investigator in 2004 and chief investigator in 2005. In these years he became an expert in domestic violence and homicide investigations. In the course of his career he has worked on more than 3,000 domestic violence cases and became a court-approved expert in investigating these crimes.

Madam Speaker, Bill White has provided an invaluable service to the people of Napa County for many years, and it is fitting and proper to honor him today and wish him well in his retirement.

HONORING BRIGHAM MATTHEW BARZEE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brigham Matthew Barzee of Kansas City, Missouri. Brigham is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 2137, and earning the most prestigious award of Eagle Scout.

Brigham has been very active with his troop, participating in many scout activities. Over the many years Brigham has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Brigham Matthew Barzee for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Ms. WOOLSEY. Madam Speaker, on March 12, 2008, I was unavoidably detained and was not able to record my votes for rollcall Nos. 135–142.

Had I been present I would have voted: rollcall No. 135—''yes''—On Motion to Table the Appeal of the Ruling of the Chair; rollcall No. 136—''yes''—On Approving the Journal; rollcall No. 137—''yes''—Kilpatrick of Michigan Substitute Amendment; rollcall No. 138—''yes''—Lee of California Substitute Amendment; rollcall No. 139—''present''—Call of the House; rollcall No. 140—''no''—Ryan of Wisconsin Substitute Amendment; rollcall No. 141—''yes''—Revising the congressional Budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013; and rollcall No. 142—''yes''—Recognizing the exceptional sacrifice of the 69th Infantry Regiment, known as the Fighting 69th, in support of the Global War on Terror.

HONORING WOMEN'S HISTORY ALL YEAR AROUND

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, today I rise to ask my colleagues to join me in recognizing the everlasting accomplishments and contributions of women as we look to celebrate National Women's History beyond the month of March.

This year's theme, as resolved by the House of Representatives on March 4, 2008, was to increase awareness and knowledge of women's involvement in history. It is an effort that is long overdue. Women have been pillars in our communities for centuries despite the sexism and discrimination that have limited their opportunities to succeed across all fields and disciplines. Their stories are undeniably woven in the fabric of our history, from colonial times up through today.

The fight of our sisters and mothers to overcome stereotypes and other obstacles has helped carry out the promise of our democracy and drawn us closer to a more perfect union. The names of those who have broken through the barriers of the status quo include Harriet Tubman, whose stewardship of the Underground Railroad helped free hundreds of thousands of African American slaves; Elizabeth Cady Stanton, whose activism pushed open the ballot box and made it possible for all women to vote; Rosa Parks, whose refusal to move to the back of an Alabama bus jumpstarted the modern civil rights movement; and Dolores Huerta, who, as co-founder of the United Farm Workers Union, helped secure fair wages and working conditions for thousands of rural and urban workers.

In our very own House of Representatives, the list of heroes includes the first woman in the U.S. Congress, Rep. Jeannette Rankin, and Shirley Chisholm, the first black woman elected to the U.S. Congress who later become the first female and black Presidential candidate. It includes our very Speaker, NANCY PELOSI, who last year became the first woman elected to lead this grand Chamber.

My district, New York's 15th Congressional District, is not without its share of accomplished heroines. It is home to accomplished community leaders like Dr. Ramona Hernández, Director of the Dominican Studies Institute at the City University of New York; technology advocate Dr. Georgina Falú, founder and president of the Falú Foundation; prominent Harlem physician and activist Dr. Muriel Marjorie Petioni; and Susan Susman, founder of the Preserve West Park North Coalition, who is an active member of the Mitchell Lama Residents Coalition and fierce housing activist. These are just some of the extraordinary residents whose accomplishments sometimes go unnoticed by the media but who are working continually to improve the lives of their families and their communities.

So Madam Speaker, I ask that you and my distinguished colleagues join me in recognizing the contributions made and realities faced by women in the month of March and every day of the year. It is an effort that will bring us one step closer to a Nation that not only values equality and justice but is also firmly committed to securing it for all.

REBUILDING AMERICA'S FUTURE

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. CARNAHAN. Madam Speaker, with an economic slowdown looming and the war in Iraq draining billions of dollars in public resources every week, a strong Federal budget will give families the help they need to weather tough times and prepare for a prosperous future.

A budget that invests in America's future will direct federal funding to where it's needed most, especially health care, education, housing, nutrition, job training and other priorities that promote economic growth and expand opportunity.

A budget resolution that invests in America's future will include bold new investments in high-quality, affordable health care; strong public education; infrastructure and the development of clean energy sources to end our dependence on foreign oil. It also means an end to the costly war in Iraq, and the repeal of President Bush's irresponsible tax breaks for those who don't need or want them.

We should also be providing tax relief and help to struggling families and veterans; increase homeland security funding; and reject the President's cuts to our first responders.

A budget that invests in America's future will succeed only with broad support in Congress. I encourage my distinguished colleagues to support this proposed budget to rebuild America's future.

FISA AMENDMENTS ACT OF 2008

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 14, 2008

Mr. PAUL. Mr. Speaker, I rise in opposition to this latest attempt to undermine our personal liberties and violate the Fourth Amendment of the Constitution. This bill will allow the federal government to engage in the bulk collection of American citizens' communications. In effect, it means that any American may have his electronic communications monitored without a search warrant.

As such, the bill clearly violates the Fourth Amendment, which states:

''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

The assurances in this bill that Americans will not have their communications monitored without warrant are unconvincing. The bill merely states that the government should do its best to avoid monitoring Americans if possible. We have seen how meaningless such qualified prohibitions have been as we recount the abuses over the past several years.

Just today, we read in the news that the federal government has massively abused its ability to monitor us by improperly targeting Americans through the use of ''national security letters.'' Apparently some 60 percent of the more than 50,000 national security letters targeted Americans, rather than foreign terrorists, for surveillance.

This is what happens when we begin down the slippery slope of giving up our constitutional rights for the promise of more security. When we come to accept that the government can spy on us without a court order we have come to accept tyranny.

I urge my colleagues to reject this and all legislation that allows Americans to be spied on without a properly issued warrant.

HONORING ZACHARY ANTHONY LAYTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zachary Anthony Layton of Platte City, Missouri. Zachary is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1249, and earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop, participating in many scout activities. Over the many years Zachary has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Zachary Anthony Layton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF PRISCILLA RAKESTRAW, 24TH TRAILBLAZER AWARD RECIPIENT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Ms. Priscilla Rakestraw, who is the recipient of The Agenda for Delaware Women's 24th Trailblazer Award. Priscilla was selected for this award because of her pioneer roles in formulating corporate policy, community service, politics, and Government.

During her career in human resources at the DuPont Company, Priscilla was instrumental in developing substance abuse and sexual harassment programs for DuPont. These programs gained recognition nationwide, eventually resulting in their adoption at DuPont locations throughout the United States. Due to Priscilla's foresight and persistence, DuPont was able to provide assistance aimed at eradicating harmful behaviors in the workplace.

After leaving DuPont, Priscilla continued to use her skills and passion as a leader to advance causes for organizations she feels strongly about. She is active in raising funds for various community, church, and charitable organizations. As development director for Wilmington College, Priscilla played a vital part in raising funds to expand the university by acquiring new college sites. As development director for the Delaware Breast Cancer Coalition, she has raised funds for a new, more conveniently located facility. She has served on a number of boards, including Goodwill, the Ministry of Caring, the East Side Charter School, and the annual auction for the Emmanuel Dining Room, where she raised over $500,000 to provide food to those in need.

An advocate for women in politics and Government, Priscilla has long encouraged women to pursue positions in politics, she herself having extensive experience in the political arena. Priscilla has held leadership positions in more than 120 campaigns, both at the national and State levels. She is presently the longest serving member of the Republican National Committee, having held the position of Delaware's Republican National Committeewoman since the age of 27. She will attend the National Convention this year, as usual, and is a member of the Arrangements Committee and chair of the Convention's Entertainment Committee.

I want to publicly thank, recognize and acknowledge Priscilla Rakestraw for her many years of service and numerous contributions to the State of Delaware. She is an excellent role model for those who aspire to serve their community through both public office and private service. She is a true trailblazer in every respect.

HONORING MARGARET TRUMAN DANIELS AND HER LIFETIME OF ACHIEVEMENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to honor Margaret Truman Daniels, the daughter of a great American President and a popular mystery novelist whose source of grace and inimitable talent was no mystery. Her strong-willed parents, President Harry S. Truman and his wife Bess, instilled in her a depth of character and a penchant for independence that remained with her a lifetime. She was their beloved only child who made a name for herself in the entertainment business—staking a claim in the worlds of music, television, radio, and books, and even establishing her own brand of critically-acclaimed Washington-based mystery novels.

She was a longtime New York resident, and we are proud to have called her one of our own. The breadth of her talent and the legacy she sought to preserve set her apart, and that is what we celebrate today.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF THE ESTABLISHMENT OF THE SPRINGFIELD, MISSOURI, POLICE DEPARTMENT

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. BLUNT. Madam Speaker, I rise today to pay tribute to the Springfield, Missouri, Police Department as this year it celebrates 150 years of distinguished service to a grateful community.

In truth, the department actually traces its origins as far back as 1829, when Campbell township, which would later become Springfield, was laid out and initially settled. Twenty years later, the community's first constable was appointed by a population consisting of a small group of families living on the outer edges of the wilderness. Law and order, of sorts, having been established, the population of Springfield grew rapidly as more families sought new challenges and opportunities in the beauty of the Ozarks.

To keep up with a growing settlement, Springfield formally created a small police force in 1858—consisting of a marshal and two junior officers. Thus began in earnest what would later be recognized as one of the most effective and efficient community law enforcement agencies in the country.

By the end of the 19th century, the chief of the Springfield Police Department was collecting a stout salary of $50 a month, and officers were making a whole lot less. And if the pay didn't scare them away, the department's

standard uniform sometimes did: blue serge uniforms with English-style police helmets—attire strikingly similar to British ''Bobbies.'' Officers walked a beat 12 hours a day, 7 days a week, every day of the year. It would be 50 years and the passage of new Federal work laws before officers saw a 5-day work week, and another extended period of time before Springfield voters would approve the first pension plan for police officers and firemen.

The first telephone arrived at the Springfield headquarters in 1898, and 2 years later a transport vehicle, dubbed the ''Black Maria'' and the ''Hoodlum Wagon,'' was put into use. The first automobile, a Studebaker, didn't roll into the station until 1910—but all beats would be covered by foot patrol into the 1960s.

Under the leadership of Lieutenant Sam Robards, the Springfield Police entered a new era in 1940 by establishing an integrated police academy, creating a gun range, upgrading its weapons cache, and making mandatory a program of in-service training. The new gadgets of the 20th century that changed everyday life in America also enhanced the abilities and effectiveness of the police department.

Nearly 100 years after the first patrol car went into service, modern patrol vehicles today are enclosed, climate controlled, and equipped with laptop computers, cellular telephones, and radios that provide instant contact between officers and commanders. As one would expect, this technology has had a real and immediate impact.

Last year, the Springfield Police Department responded to more than 100,000 calls for service and investigated more than 15,000 reported crimes. Just to give you some perspective, traffic enforcement didn't begin as an obligation of law enforcement until after World War I—with one Springfield officer, on foot, directing horseless carriages at the corner of Jefferson Avenue and St. Louis Street. The modern day Springfield Police force worked 9,000 traffic accidents last year and issued more than 53,000 traffic citations.

Today, officers use small, highly sophisticated surveillance equipment to both prevent crimes and prosecute criminals. Cutting-edge science in forensic laboratories is now an essential part of crime solving. Officers of 1858 would marvel at the sophistication of the 21st century law enforcement technologies being employed every day by the Springfield P.D.

Other new scientific advances prompted the creation of the Bureau of Identification, which started taking fingerprints and photographs of all suspects in 1925. In the latter part of the century, the six-shooter was replaced by 9mm semiautomatic handguns; automatic weapons and bulletproof vests were added and a tactical weapons squad became permanent additions to the force. Mace, batons, and riot helmets were issued for the first time in the 1960s. To respond to the rising tide of illegal drugs, the Springfield Police Department created a narcotics unit in the 1970s.

Other innovations in law enforcement were realized in 1959, when the department first formed the Police Dog Unit, P.D.U., with three officers and three dogs. The unit was disbanded in 1979, only to be reestablished in 1994. Women became part of the Springfield Police Department in 1914 when Margaret Hull was enlisted as the first commissioned policewoman, charged with handling female prisoners. Sixty-two years later, the first female officer was sworn in to work as a patrol officer with her male counterparts. Black officers began their service on the police force starting in 1874 and have continued to serve their community with bravery and honor ever since.

The Springfield Police Department began housing prisoners in 1874, welcoming their clients in a 15x30 foot wooden building with a dirt floor. The jail was located immediately west of the downtown business district, and is the site of the present day Calaboose, home of the department's Police Museum and Park Central Substation. At the turn of the 20th century, it wasn't unusual to see intoxicated partygoers hauled to jail in a wheelbarrow. Tough to get a DUI on three wheels, after all. But after nearly 130 years in the jail business, the Springfield Police Department transferred all incarceration responsibilities to the Greene County jail complex.

The department headquarters have moved several times over the past century and a half—each time in response to a growing population and the demand for more police services. From near Park Central Square and West College Street in the late 1800s and finally into two modern stations on East Chestnut Expressway near city hall and on Battlefield Road, police headquarters are designed to be high security, limited-access facilities to accommodate the logistical needs of a growing police force—and an ever-growing community.

In 2003, the Committee of the International Association of Chiefs of Police announced the Springfield Police Department was a finalist in a worldwide competition recognizing outstanding community policing initiatives—a first for any police force in the State of Missouri. That same year, the Springfield Police Department was granted full accreditation status by a national commission for the third consecutive year.

As much as things have changed over 150 years, some things have not. Just as in 1858, officers put their lives on the line for their friends, families, and neighbors each and every day. And just as in the past, the community of Springfield thanks those officers for their service, and forever honors the heroes that have fallen in the line of duty.

Though not long, the list of officers killed while on the job reminds us every day of the solemn commitment others have made—and continue to make—to safeguard our security. Starting with Campbell Township Constable Jacob Baughman in 1871, nine Springfield officers have made the ultimate sacrifice. Four officers were killed in the 20th century's single deadliest law enforcement shoot-out on record—referred to by most as ''The Young Massacre.'' Also killed in that epic 1932 battle with the Young brothers was the Greene County sheriff, as well as his deputy.

Today, our police officers serve as our first line of defense against a new and evolving threat—terrorism. The world is a much more dangerous place today than it was in 1829, and there are those—both homegrown and foreign—who would like nothing more than to visit harm upon the American people. It will be local police who likely detect and face that threat first.

For all they have done over the last 150 years—and continue to do to this very day—I want to express my sincere appreciation and thanks to the Springfield Police Department, and congratulate it on reaching this historic milestone. I also want to urge my fellow citizens not to forget to thank each officer they see for the important work they do each and every day.

HONORING RONALD THOMAS CUNNINGHAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Ronald Thomas Cunningham of Blue Springs, Missouri. Ronald is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1763, and earning the most prestigious award of Eagle Scout.

Ronald has been very active with his troop, participating in many scout activities. Over the many years Ronald has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Ronald Thomas Cunningham for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ASSESSING THE 2008 OUTLOOK FOR THE CARIBBEAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to acknowledge the challenges the Caribbean faces in this coming year by introducing the editorial, ''Looking to 2008 for Improved Economic and Social Conditions,'' published in the New York CARIB News on January 8. The article posits that the area will have to rely on the economic gains of the last few years, as it faces rising inflation and an economy that will prove to be less robust. It hails the Caribbean Single Market and Economy as vital and argues that efforts to strengthen it should help the region stave off the grim economic picture. It notes that the impact of rising crime, particularly homicides, merits acknowledgement and solutions, perhaps by tackling those social conditions—a pervasive drug trade, the flurry of guns, and poverty—that are fueling that rise.

As steadfast allies of the Caribbean, we friends of the Caribbean in this House should stay abreast of all developments out of the region, with a ready hand, an open heart, and an attentive ear.

LOOKING TO 2008 FOR IMPROVED ECONOMIC AND SOCIAL CONDITIONS, CARIBBEAN REGION EXPECTS TO CONSOLIDATE GAINS OF RECENT YEARS

The World Bank has warned of a slowdown in economic growth in the Caribbean while the United Nations considers it the Year of the Potato at a time when food prices throughout the region, indeed, the world have gone through the roof.

By the middle of the first month of the year, Barbadians would have selected a political party to run the country for the next

five years while Grenada's electorate would have a chance sometime soon to decide who should govern the Spice Isle.

What else can we expect in the year 2008?

Except for energy rich Trinidad and Tobago, the economic picture of the region isn't expected to robust. Whether in Jamaica, the Bahamas, Grenada, St. Kitts-Nevis, Barbados, St. Lucia, Haiti, or the Dominican Republic the forecast calls for expansion that would hardly cause elation, less than four per cent. With energy and food prices seemingly spiraling often out of control, inching towards record highs, the various countries may have to consolidate economic gains of prior years, instead of reaching for the stars.

The next 12 months should see rising inflation as consumers throughout the English, French, Spanish and Dutch-speaking nations and territories are forced to dig deeper into their pockets for meat, cereals, rice and other essential items as global demand outstrips supply. As importing countries, Caribbean states, like the rest of the developing world are feeling and will continue to feel the full brunt of the impact of rising prices as they have to spend more, much more to buy the same amount of essential supplies they paid for in 2006.

The problem isn't difficult to spot.

While food accounts for only about one-tenth of the consumer price index in the United States, Canada and Europe and prices are expected to rise at about five per cent in 2008, the poor nations, the Caribbean among them, food accounts for almost 50 per cent or more of the consumer price index. In Nigeria and Bangladesh it's about two-thirds. That's why the big battle governments and central bankers in the Caribbean are expected to fight in 2008 as prices continue to rise is going to be limiting wage increases, thus creating continuing inflation. Don't be caught off guard, then, if central banks tighten the money supply.

But food and energy prices aren't the only economic worries in the Caribbean.

Coming on the heels of signing the controversial economic partnership agreement with the European Union, Caricom states and the Dominican Republic are entering a new relationship with Europe, one which is putting the final nails in the coffin of preferential trade. First it was the special arrangement for bananas produced in the Caribbean, Africa and the Pacific. Then it was sugar's special price being phased out. Now, they must perform in a different trade and investment climate that would force the nations to open up their markets to more European goods. Admittedly, they will have a grace period in which to do so, depending on the commodity and the product.

And that's happening at a time when Caricom is moving ahead with its efforts to strengthen the Caribbean Single Market and Economy, CSME. Having officially launched the Single Market, the ''economy'' portion of the integration effort may prove to be the biggest challenge as countries seek ways to finance their continued development through taxes and other measures on intra-regional trade. That's where plans for the Caribbean Development Fund come in this year. With an anticipated pot of more than $200 million that would be earmarked to finance economic and social expansion in the less developed states, the members of the Organization of Eastern Caribbean States in particular see the Fund as a carrot that would encourage them to commit fully to the CSME.

Make no mistake about it. The CSME is vital to the region's future. Without it, the small states would virtually be ignored as players in global trade negotiations. They would be treated as Lilliputians which would have to take the crumbs that the large and medium size economies allow to fall from their tables. That's why this year is going to be crucial for Caricom as it seeks to take the CSME to a higher level.

That's not all.

Mushrooming crime rates, especially homicides, are a cause for alarm, not simply in Jamaica which has one of the world's highest murder rates per head of population, but in Trinidad and Tobago and the Bahamas where hundreds of people lost their lives at the hands of murderers in 2007. Barbados too is beginning to worry and 2008 may prove to be decisive, meaning if it can't keep a lid on lawlessness and killings. Just the other day, a highly respected retired senior civil servant, Kenrick Hutson, was shot dead at his home while sitting on the terrace, within earshot of his wife and daughter.

The danger for the Caribbean is that unless the various destinations get a grip on crime, it could spill over into the lucrative tourism industry. The countries have become increasingly dependent on visitors coming to the region in search of tranquility and if they are made to feel unsafe, they simply would find a safe haven elsewhere for their vacations. Just as important, or even more so, is the impact of crime on the local populations. Far too many nationals of Caribbean states are becoming victims of crime perpetrated by their neighbors or those who live not too far away. Security forces, such as the police, need better training, more sophisticated equipment and eager cooperation from the public.

Fueled by a combination of the drug trade, a flood of guns, poverty and criminal deportees from the U.S., Britain, Canada and other countries, crime can and does adversely affect the quality of people's lives, heighten fear and force governments to divert resources from much needed social services into law enforcement. So, instead of spending on education, health care and programs for the youth and the elderly, governments would find that in 2008 they have to hire more police officers, prosecutors and prison staff.

If there is a consolation in this unsettling picture, it is that the Caribbean is not among the worst regions of the world. The Middle East and various parts of Asia are starting the New Year with crises that make many of us shudder, wondering what the world is coming to after the awful events of 9/11.

Apart from the atrocious conditions in Iraq, Lebanon, Sri Lanka, Darfur, the border between Eritrea and Ethiopia and Zimbabwe, Pakistan ended the old year and welcomed 2008 with blood on its hands. This nuclear nation bade farewell to 2007 in a tragic fashion, the assassination of Benazir Bhutto, a former Prime Minister, an appalling act that triggered rioting that led to the deaths of at least 50 people.

Bhutto, a member of one of Pakistan's wealthiest and most powerful families, recently returned to her birthplace after spending eight years in exile in London and the United Arab Emirates to avoid prosecution on corruption charges. She was immediately greeted with a horrendous suicide attack on her entourage that killed more than 150 people.

The former Prime Minister went back home after reaching an agreement with Pakistani President Pervez Musharraf, who until recently was also head of the Army. It allowed her to participate in the upcoming parliamentary elections and hopefully share power with the newly re-elected President. It was a dangerous mission from the start. She was seen by anti-American extremists as a tool of the United States, and therefore an enemy of Muslim radicals. In addition, President Musharraf, who had previously toppled the government of Nawaz Shariff in order to take control of the country, has shown himself to be a person whose word isn't worth the paper it is written on. He went back on most of the promises he made to Bhutto, thus setting the stage for the mistrust and the instability which culminated in her death at the hands of a young man who blew himself up after firing shots at her. She was destined to play a powerful role in her country once again but that was not to be.

An international independent investigation into her killing must be undertaken to bring the perpetrators of her assassination to the bar of justice. Without such an inquiry the Musharraf administration would remain under suspicion as a brutal and murderous co-conspirator.

Bhutto's sad end in Pakistan is a sharp reminder to all of us how dangerous some places in the world have become and it tells a story of the Caribbean's good fortune in being a politically stable region where governments are far more interested in upgrading people's daily lives than possessing the bomb and remaining in office at all cost.

Our hearts go out to those Ms. Bhutto has left behind, especially her children.

We didn't believe she was the answer for what ails Pakistan. During her years at the helm, Pakistan was a politically divided country where well connected politicians and families lived off the fat of the land, like feudal overlords while more than 40 million people lived in abject poverty.

Another thing. U.S. policy in the Indian sub-continent is now in shambles. The Bush administration unwisely encouraged Bhutto to go back to Pakistan, knowing that her family's enemies in and out of the army and the radical community wouldn't rest until they had done her harm. Unfortunately, they succeeded.

The Bush White House embraced Musharraf, whose dictatorial tendencies are well known. His lack of respect for the independence of the judiciary and the press should have made him a pariah in Washington's eyes. But the Republicans looked the other way because of its ''war on terrorism.''

Washington's contradictory policies are evident in its warm relations with Musharraf and its disdain for Venezuela's leader Hugo Chavez. Although the Latin American President was voted into office by wide margins in free and fair elections, the U.S. labeled him a dictator and joined forces with his enemies to try to discredit him.

Perhaps, 2008, President Bush's final year in office may bring some meaningful and positive changes in his foreign and economic policy.

An important change would be its stance on the issue of Antigua, Internet gambling and the World Trade Organization. The WTO's recent decision to give Antigua the greenlight to secure compensation following the U.S. high-handed attack on a legitimate business that once employed thousands of Antiguans was probably not what the government in St. John's wanted. But it is a step in the right direction.

The Baldwin Spencer government should be applauded for its tenacity and its ability to remind Washington that the law of the jungle, might is right, can backfire. The U.S. acted to outlaw Internet gaming in Antigua and other countries while allowing gambling at home, in the form of lotteries, off-track betting on horse races and in casinos in Las Vegas, Atlantic City and other parts of the U.S.

We trust that the U.S. abide by the WTO ruling and make 2008 the year when it ended its unworthy battles against a tiny neighbor which wants nothing more than to boost its economy and improve living the conditions of its people.

This year should also see New York playing the role of host to Caribbean Presidents and Prime Ministers who are due in the City in June to meet with business and political leaders and the large Caribbean immigrant community.

U.S. Congressman Charles Rangel, Chairman of the powerful Ways and Means Committee of the House of Representatives, who is perhaps the region's best friend on Capitol Hill is expected to do his part in making the meetings a success.

They are to be a follow-up to last year's Caribbean conference in Washington which culminated with sessions with Mr. Rangel and other members of his Committee, the Black Caucus and President George Bush.

Clearly, then, 2008 promises to be a year of action.

HONORING WILLIAM H. EASTBURN III

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor the life of William H. Eastburn III. Mr. Eastburn passed away on March 7, 2008, following a long and courageous battle with cancer. Mr. Eastburn lived an honorable and noteworthy life, dedicating himself to helping those in his community.

Mr. Eastburn began his career of service to others as a prosecutor at the Bucks County District Attorney's office and then later at the state Attorney General's office. After his work as a prosecutor, Mr. Eastburn became a fourth generation member of the law firm of Eastburn and Gray, Bucks County's largest law firm.

In addition to his distinguished legal career, Mr. Eastburn will be long remembered for his philanthropic work within Bucks County. Mr. Eastburn founded and served as chairman of the board for the Voice of Reason, an organization dedicated to ending gun violence. He served for several years as the chairman of both the Bucks County Commission on Violence Prevention Task Force and the Bucks County Implementation Commission on Violence Prevention. Mr. Eastburn also dedicated his time to the Heritage Conservancy, Western Health Foundations, First Service Bank, and the Free Clinic of Doylestown Hospital.

Madam Speaker, Mr. Eastburn spent his life working to improve, not just Bucks County but the larger American community as well. He established and participated in various organizations that benefited people all across the United States. Along with his wife Connie, Mr. Eastburn helped found the Americans for Native Americans, which raised money and gathered supplies for Native Americans living in the Southwest United States. Mr. Eastburn helped organize and lead the Bucks-Mont Bay Waveland Katrina Relief Project which raised over $2 million for the hurricane ravaged area of Hancock County, Mississippi.

As his outstanding work and achievements show, William Eastburn III dedicated his life to helping those in his community and beyond. Through his lifelong efforts, Mr. Eastburn has transformed Bucks County and America for the better. Madam Speaker, I am proud to honor Mr. Eastburn for his lifetime of extraordinary accomplishments.

TRIBUTE TO PAUL FACCHINA SR.

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. HOYER. Madam Speaker, today I want to commend Paul Facchina, Sr., for his outstanding contributions to the natural heritage of the State of Maryland. Mr. Facchina has made his name as one of Maryland's leading businessmen—but I suspect that he will be remembered just as much for his wonderful generosity. He has left our State a gift whose value cannot be measured in dollars: the gift of open, unspoiled land.

Most recently, Mr. Facchina made headlines with his donation of 179 acres in St. Mary's County to the Maryland Environmental Trust. No doubt, he could have sold development rights on that land for a significant profit. But by placing it under a conservation easement, he ensured that it will remain pristine and largely undeveloped. Wetlands and woods will stand in place of housing tracts. And our State's environmental health will benefit: By including vital waterfront land in his grant, Mr. Facchina contributed to our efforts to clean up and preserve the endangered Chesapeake Bay.

At the same time, the grant strengthens one of southern Maryland's most valuable economic resources, the Patuxent River Naval Air Station. By protecting the buffer surrounding the Navy base, Mr. Facchina's donation helps ensure that the Naval Air Station will remain open and viable, creating jobs in St. Mary's County and driving the local economy. In cases like this one, conservation often proves to be good business.

So I thank Paul Facchina, not only for his most recent gift, but for a long and proud legacy of giving that includes an historic plantation, headwater streams of the St. Mary's River, and the forest habitats of Maryland birds. In all, his family has entrusted more than 2,100 acres to the environmental care of our State. When Maryland residents enjoy that open land, and all of its benefits, I hope they will remember whom to thank.

I also want to take this opportunity to recognize the excellent work of the Maryland Environmental Trust, which will take care of that land as part of its more than 112,000 acres. Since 1967, the Trust has worked to help keep our State beautiful, and to help landowners preserve their piece of it. For more than four decades, landowners have relied on the Trust to watch over the legacies they leave, and I'm sure that they will be able to do so for decades to come.

ON RISING VIOLENT CRIME IN THE CARIBEEAN AND WHAT SHOULD BE DONE ABOUT IT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. RANGEL. Madam Speaker, I rise today to call attention to the pressing matter of increasing violent crime in the Caribbean and to introduce a New York CARIB News editorial that eloquently elucidates the problems and speaks to possible solutions. A conflux of drugs, guns, disaffected youth, and poverty has gripped the area's island nations, particularly Jamaica, with a world-leading 59 homicides for every 100,000 people. This is an issue neither solely endemic, nor of sole concern, to the Caribbean. The international community, rather, must accept its contribution to the problem, in the way of an aggressive international drug trade and the rampant sale of small arms. The Caribbean itself must do its part to draw its youth away from criminality and hopelessness, and invest in their educations and financial security.

GUNS, DRUGS AND MURDER A LETHAL COMBINATION IN CARIBBEAN—WHERE IS THE INTERNATIONAL COMMUNITY AND GUN MAKERS?

''The Caribbean Sun, sea and murder.''

That unsettling headline atop an equally disturbing story about violence in the Caribbean was summarized in a shocking fashion by The Economist, one of the English language's leading weekly news publications.

''Indeed,'' it stated, ''the Caribbean better known for its blue skies, cricket and rum punch, is the world leader in violent crime.''

While that may be something of an overstatement, the fact of the matter is that the picture is deeply troubling and needs urgent attention, not simply by Caribbean governments but the international community.

Some numbing figures tell much of the story about homicides in a part of the world where people and their government are wedded to law and order, tranquility and democracy. With 59 homicides for every 100,000 persons in the country, Jamaica heads the list as ''the world's most murderous country,'' according to the magazine. Some distance away were St. Vincent & the Grenadines 36; Belize 33; St. Kitts-Nevis 32; Trinidad and Tobago 30; the Bahamas 25; and Antigua & Barbuda 23 for every 100,000 persons.

It's not difficult to figure out why this tragic situation has evolved in a part of the world that's known as a bit of paradise on earth. Drugs, guns and disaffected youth sum up the story. Add poverty to the mix and the situation comes into proper perspective.

The Caribbean has been the soft underbelly of the international drug trade for decades. Illegal narcotics, especially cocaine and some heroin are ferried through the region from South America by Colombia, Bolivia and Venezuela and destined for North America and Europe.

In addition, some Caribbean states, including Jamaica and St. Vincent & the Grenadines are considered by law enforcement authorities in the United States and Canada as significant marijuana growers.

Because guns and ammunition are companions in the nefarious drug trade, it shouldn't come as a surprise to learn there is a flood of small arms in the region. Almost every country has reported a rising incidence of the use of guns in criminal activity. Law enforcement authorities are reporting more and more cases of drug-related offences in which guns are a factor. Next are the armed robberies; kidnappings, shootings, and as the story indicated homicides.

The countries seem unable to stem the drug tide and the importation of guns. With wide open waterways and beaches, most of them find it virtually impossible to put a dent in violent crime. Perhaps the most dramatic and frightening incident in recent years was the massacre in Lusignan, the East Coast Demerara village of East Indians late last month. Eleven men, women and children were slaughtered in their homes by criminals. The killing of a soldier by a merciless gang brought the death toll to an appalling dozen persons. What then can be and must be done?

Caribbean governments are already diverting scarce resources from education, health, roads, bridges, services to the elderly and the youth in order to boost law enforcement. They recognize two things: (1) their nationals and businesses must be able to feel safe on the streets, stores, offices, factories and homes, and (2) the vital tourism industry can be undermined if visitors stop going to the beautiful destinations because of a fear of crime.

Interestingly, crime and violence aren't always seen by the populace as pressing issues. They barely registered on the political radar screens during recently general election campaigns in the Bahamas, Jamaica and Barbados. But in Trinidad and Tobago where kidnappings and killings drive fear into people's hearts, there are growing calls for the use of capital punishment as something of a deterrent.

Already, the prisons in almost every nation are overcrowded and except for the acquisition of sophisticated equipment, more powerful guns and better training of cops, there is nothing that the countries have not already tried.

Crime has featured prominent at the summits of the region's heads of government and the subject is expected to be raised again.

But the international community must also do its part. Until the United States and Europe in particular address the issue of the demand for illegal narcotics, the Caribbean would remain highly vulnerable. Washington must also re-evaluate its stance at the United Nations and elsewhere on the sale of small arms. The Caribbean isn't a producer or exporter of guns, yet deadly weapons are in the hands of people everywhere. At a time when the U.S. is said to be fighting terrorists at home, most of the guns being used to kill people next door in its neighbors have a made in U.S. label on them.

The world's rich countries can ill-afford to turn a blind eye to the peril caused by the twin evils of guns and drugs.

Of course, the Caribbean must deal with the problem of disaffected poor youths, most of them males, who have seemingly lost their way and have little desire for an education that would enable them to become productive citizens. That's a dangerous trend because in the years ahead, the islands and coastal states would have hundreds of thousands of people who are unprepared for the challenges of life in a highly sophisticated world. That would heighten frustration and can lead to more crime.

Bringing back hanging isn't going to solve anything. The death penalty has never been an effective deterrent to curb crime.

The international community must consider rising crime in developing countries as a global issue that requires financial and other resources. The poorer states too must join hands to tackle the problem.

Jamaica, Trinidad and Tobago and Barbados are acting wisely in strengthening their coast guard and other security forces to ''choke the influx of drugs, and guns,'' recognizing that success in a few countries would simply mean the narcotics merchants would find another route to ply their trade.

HONORING PAUL THOMAS MORGAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Paul Thomas Morgan of Lee's Summit, Missouri. Paul is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1221, and earning the most prestigious award of Eagle Scout.

Paul has been very active with his troop, participating in many scout activities. Over the many years Paul has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Paul Thomas Morgan for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE HUMAN RIGHTS CAMPAIGN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the Human Rights Campaign, defender of civil rights for gay, lesbian, bisexual and transgender people, and force for fundamental fairness and equality for all.

It is with great honor that I recognize this important organization tonight during its fifteenth annual Human Rights Campaign Gala Dinner and Dance. Founded in 1980, Human Rights Campaign initial goal was to support candidates running for Congress who they recognized as unequivocal supporters of civil rights and fairness of all people. Twenty years on, this organization has grown into a national leader in the pro-equality movement. Today, HRC represents over seven hundred thousand members and supporters as the largest national gay, lesbian, bisexual and transgender civil rights organization. HRC works in Congress and the private sector to gain necessary protections for GLBT workers as well as to successfully raise this Nation's awareness of the need for protecting everyone's civil rights, regardless of gender and sexual orientation. The Human Rights Campaign has shown its ability to unite diverse communities to strive, lobby and fight for equality for all people.

Madam Speaker and colleagues, please join me in recognizing the Human Rights Campaign, a leader in promoting the rights of all people and as an important force in empowering and inspiring people and communities nation wide.

HONORING JERRY HERRIN RETIREMENT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. MARCHANT. Madam Speaker, I rise today to honor Jerry Herrin on the occasion of his retirement as President and Chief Executive Officer of the Grapevine Chamber of Commerce.

Jerry Herrin was born in Arp, Texas in 1939. Mr. Herrin graduated from Arp High School and attended the University of Texas in Austin. Mr. Herrin is married to Nancy. He has three children: Lisa, Mike, and Brad. He is the proud grandfather of five grandchildren: Jesse, Ashley, Keller, Michael, and Andee.

Jerry Herrin began his distinguished career working on the staff of the Austin Chamber of Commerce from 1963 to 1967. Mr. Herrin took his first job as a Chamber CEO in 1968 at the New Braunfels Chamber of Commerce. Over the years, he has served as president and CEO of numerous Chambers including Conroe, Garland, and Temple.

Jerry Herrin has served as president and CEO of Grapevine Chamber of Commerce since 1985. Mr. Herrin has dedicated himself to the betterment of the Grapevine community promoting area businesses, and supporting growth of new establishments, for over twenty-three years. Under his tenure, Mr. Herrin has secured dedicated members, many who serve on its committees and board of directors.

Jerry Herrin has provided tremendous support for his community and his outstanding leadership is worthy of recognition. I wish Mr. Herrin a happy, healthy retirement, and a well deserved change of pace. It is an honor to represent him in the 24th District of Texas.

HONORING THE CONTRIBUTIONS OF ELIZABETH STINSON

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Ms. WOOLSEY. Madam Speaker, I rise with great pleasure to honor a visionary, diplomat, activist, and advocate for peace on the occasion of her receipt of the 2008 Jack Green Civil Liberties Award by the American Civil Liberties Union of Sonoma County. Elizabeth Stinson's work with the Peace and Justice Center of Sonoma County and her lifetime dedication to human rights have left an enduring legacy.

In 2001, after several years work with the United Nations, where she still retains a position with the UN's International Indigenous Forum, Elizabeth became director of the Peace and Justice Center, helping those Sonoma County residents who are victims of our Nation's most challenging conflicts.

In Santa Rosa, for example, Elizabeth has mediated inter-gang disputes while leading campaigns to end escalating local violence. In 2002, recognizing the need to provide youth with nonviolent choices, she founded the High School Outreach Peace Education, or HOPE, project to educate them about their rights as students, their rights regarding the military, and service learning and internship opportunities.

In addition, through Elizabeth's coordination with courts in three counties, the Peace and Justice Center was established as an authorized diversion program provider for convicted and at-risk teens and young adults.

Under her direction, the Peace and Justice Center has also gained national attention for supporting troops who need a military separation for reasons such as untreated combat-related trauma, repeated deployments, recruiter misrepresentations, and other compelling mental and physical issues. Since the beginning of the occupation of Iraq 5 years ago, Elizabeth and her team of volunteers at the

center have successfully negotiated 850 administrative discharges.

Elizabeth's work continues to have national effect as she provides counseling support to troops testifying at the Winter Soldier hearings in D.C. At an upcoming GI national retreat, she will conduct training on post-traumatic stress for hotline counselors.

Aside from her lifelong international work for human rights, Elizabeth is mother to three adult children and Sanctuary Mom to five, whose father was executed by death squads after helping to found El Salvador's Human Rights Commission.

Madam Speaker, Elizabeth's commitment to the rights of the vulnerable has rightly earned her the 2008 Jack Green Civil Liberties Award. I am honored to have Elizabeth Stinson as my constituent. I commend her for her work and for the well-deserved award being bestowed on her by the ACLU of Sonoma County.

IN RECOGNITION OF MR. GORDON HOWE

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KNOLLENBERG. Madam Speaker, I rise today to recognize a living legend in Detroit ice hockey, Mr. Gordon "Gordie" Howe, as he celebrates his 80th birthday today.

Mr. Hockey, as Howe is universally recognized for his greatness on the ice, sprang from humble beginnings. Born in Floral, Saskatchewan, Canada, in the midst of the Great Depression, Howe, who was the fifth of nine children, grew up in poverty and was often sick due to poor nutrition. A significant milestone in Howe's life came at the tender age of 5, when his mother purchased some used belongings from a neighbor, which included his first pair of skates.

Howe immersed himself in hockey, day in and day out, using anything he could find, be it a puck, a tennis ball, or even clumps of dirt. While he didn't make the local youth hockey team, Howe didn't let this discourage him, and worked hard to develop into an excellent skater. During summers, Howe would work with his father at construction sites where the work helped him develop the exceptional strength that would give him one of the hardest shots in hockey. By the time he was 15, Howe was already an imposing 6 feet tall and 200 pounds.

In 1943, Howe was invited by the New York Rangers for a tryout. Howe failed to make the team, but despite this rejection, he was invited to try out for the Detroit Red Wings, where he impressed the coach and general manager Jack Adams. In 1946, at the age of 18, Howe made his National Hockey League debut playing right wing for the Detroit Red Wings. He quickly established himself as a great goal scorer, a gifted playmaker, and a dominating physical presence on the ice. Using his strength and talent, Howe was able to dominate the opposition throughout a career that spanned 5 decades, a feat unmatched by any athlete in any sport.

By the time Howe retired from the Red Wings in 1971, he had led them to four Stanley Cup championships, seven first place finishes, and established the team as a perennial powerhouse. In addition, Howe was a six-time NHL Most Valuable Player and winner of the scoring title, and was the career leader in games played, goals, assists, and points. In 1973, when his sons Marty and Mark joined the Houston Aeros of the World Hockey Association, they convinced Gordie to fulfill his dream of playing on the professional level with them. After the WHA folded in 1979, Howe joined the Hartford Whalers of the NHL for one final season, helping the team make the playoffs. In 1997, Howe accomplished the last milestone in his storied career when he played professional hockey in a sixth decade. Playing a shift with the Detroit Vipers of the International Hockey League at nearly 70 years old, Howe was greeted by a thundering ovation.

Along with his many achievements on the ice, Howe and his wife Colleen are dedicated to the children of their community and around the world. The Howe Foundation, which they founded in 1993, is dedicated to enriching the lives of those in need.

Madam Speaker, I rise today to recognize a fine neighbor, a true Michigan fixture, and the man who made Detroit "Hockeytown," the greatest sports city in the world. I wish him a happy and healthy birthday, and wish him many more to come.

IN HONOR OF THE RETIREMENT OF COMMANDER GEORGE SHERWOOD

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to pay tribute to one of the many unsung heroes of our Nation's history, CDR George Sherwood, who will soon retire from an honorable career with the United States Navy.

Commander Sherwood was designated a Naval Aviator in 1985, following graduation from the University of Kansas and completion of flight training in Pensacola, FL, and Corpus Christi, TX. He served in a number of naval air deployments over the next 12 years in California, Texas, Japan, Puerto Rico, Panama, Iceland, and Sicily. He served in a variety of leadership positions, including Plane Commander, Mission Commander, Instructor Pilot, Tactics Officer, Training Officer, and Maintenance Officer.

In 1998, Commander Sherwood reported to the Bureau of Naval Personnel in Arlington, VA. He continued his personnel role as Officer-in-Charge in Dallas, TX. And, Commander Sherwood has spent the final stage of his career as the Naval Attaché with the U.S. Embassy in Baku, Azerbaijan. He has received two Meritorious Service Medals, an Air Medal, three Navy Commendation Medals, four Navy Achievement Medals, and multiple campaign and unit awards.

Commander Sherwood is one of many men and women who have spent their lives in service to their Nation. They do so for love of country and out of a true sense of commitment to the principles of freedom for which America stands. They do so without fanfare and without expectation of gratitude. But, our limitless gratitude is, indeed, what they deserve.

CDR George Sherwood is not only one of those fine men and women in uniform, but also my brother. My family and I are immensely proud of him. And, we thank him for his tireless dedication to our Nation.

IN RECOGNITION OF THE JEWISH FUND

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KNOLLENBERG. Madam Speaker, I rise today to recognize the Jewish Fund, a charitable organization in Bloomfield Hills, Michigan.

Sinai Hospital began as a clinic opened by Dr. Harry Saltzstein in 1922. In January, 1953, Sinai Hospital opened their doors to give Jewish health care professionals a place to practice and as a central institution for the Jewish community. It was the realization of a dream for Detroit's Jewish community. From there the hospital grew into one of Detroit's top health care institutions.

In 1997, when the Detroit Medical Center purchased Sinai Hospital, it was not the end of that dream, but rather a transformation into another institution of excellence. Established with the proceeds from the sale, the Jewish Fund is an organization designed to perpetuate the Sinai dream through stewardship and innovation. The Fund continues the tradition of assuring excellent and compassionate care for those in need.

The Fund, recognizing the diverse population in Detroit, serves as a resource for the entire community, whether supporting the public health needs or fostering stronger relations with the city. Their role today is vital to many health care initiatives. They have provided over $35 million in grants for health care over the last 10 years, including $600,000 in grants for the Jewish Hospice and Chaplaincy Network this year alone.

Madam Speaker, I am proud to recognize the achievements and service of the Jewish Fund. Their contributions to Detroit and the metropolitan area are too great to enumerate, and I wish them many years of continued success.

IN HONOR OF THE NEWLY ELECTED PRESIDENT OF TAIWAN, DR. MA YING-JEOU

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. MARCHANT. Madam Speaker, I join my congressional colleagues in congratulating Dr. Ma Ying-jeou on his victory in Taiwan's recent Presidential election. The election was conducted with fairness and is free of any controversy.

I wish Dr. Ma every success as he leads Taiwan forward in a period filled with many challenges but also filled with many opportunities for Taiwan to prosper and achieve even greater success. I look forward to continuing to grow our relationship with Taiwan under the leadership of the newly elected President Ma.

The people of Taiwan have every reason to be proud of what they have achieved. In only 12 years Taiwan has made a peaceful and successful transition to democracy and has become one of Asia's most impressive and inspiring new democracies. In those 12 years Taiwan has completed four Presidential elections with close and spirited campaigns.

As an American legislator, I look on the achievements of the people of Taiwan with admiration. The Taiwanese record is a model to the many other countries of the world of what can be accomplished by a transition to a freely elected democratic government. My sincere congratulations to Dr. Ma on his election and to the people of Taiwan for their participation in the election process.

IN MEMORY OF JUDGE FRED ZIEMAN

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. ROSS. Madam Speaker, I rise today to honor the memory of my dear friend, Chicot County Judge Fred Zieman of Lake Village, Arkansas, who passed away March 18, 2008, at the age of 69.

I will forever remember Judge Zieman as a devoted family man and someone who cared deeply about improving the quality of life in southeast Arkansas. This dedication to make his community and Chicot County a better place to live was evident throughout his tenure as Chicot County Judge.

As a native son of Arkansas's Delta region, farming was in Judge Zieman's blood. He began his career as an agriculture pilot in Lake Village before becoming a commercial airline pilot in Texas. Upon retirement in 1980, he returned home to Lake Village and pursued his true passion in agriculture.

Judge Zieman was later successfully elected to serve three terms as Chicot County Judge when he decided to try retirement for a second time. However, his devotion to southeast Arkansas quickly led him back to public service, and 4 years later later he was again elected to serve as County Judge—a position he honorably held until his passing.

Aside from his stalwart leadership and devotion to Chicot County, Judge Zieman actively contributed his time and hard work to numerous other endeavors to benefit the Delta region. The Delta was immensely important to Judge Zieman, and this was apparent in his service as a state vice-president of the Mississippi Valley Flood Control Association, as a member of the Delta Grassroots Caucus, and in the Southeast Arkansas Economic Development District Inc., where he contributed fresh ideas and developed new initiatives to make our beloved State a better place to live.

Judge Fred Zieman will forever be remembered for his steadfast devotion to the people of southeast Arkansas. Above all, he will sorely be missed as a friend. I extend my deepest condolences to his wife, Patricia Zieman; his two sons, Mike Zieman of Monticello, Arkansas, and Sam Zieman of Spring, Texas; his daughter, Charlotte Yandell of Spring, Texas; his sister, Jan Hellmers of Lake Village, Arkansas; and to his seven grandchildren and countless friends. Fred Zieman will be greatly missed in Lake Village, Chicot County, and throughout southeast Arkansas, and I am truly saddened by this loss.

IN RECOGNITION OF MRS. KATHY JO MCMILLION REINSMITH

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. SHUSTER. Madam Speaker, I rise today to recognize the accomplishments and dedication of the current President of the Department of Pennsylvania's Ladies Auxiliary to the Veterans of Foreign Wars, Mrs. Kathy Jo McMillion Reinsmith. Mrs. Reinsmith will be recognized for her service at the Veterans of Foreign Wars' Testimonial Dinner on April 12.

Over the past decade Kathy Reinsmith has worked consistently to increase the value of the community in which she has lived. Not only has Mrs. Reinsmith served four terms as President, four terms as Sr. Vice President, and one term as Jr. Vice President of her Auxiliary, she is now serving her second year as Trustee. As President of the Department of Pennsylvania's Ladies Auxiliary to the Veterans of Foreign Wars, Mrs. Reinsmith has made it her mission to travel throughout the State of Pennsylvania and the United States, inspecting auxiliaries and attending a variety of functions in order to reach out to those around her. She has dedicated her time and energy not only to helping veterans in need, but also to students at Chambersburg High School where she has constantly served as a teacher. Currently, Mrs. Reinsmith serves as a Life Member for both the Durff-Kuhn VFW Ladies Auxiliary and the Scotland School for Veterans Children and the VFW National Home for Children. Her commitment to her community has been exhibited through her involvement with several organizations, many of which she has chaired, including the Voice of Democracy, Buddy Poppy Jr. Girls, and the Patriots Pen Program.

Through these prominent positions Mrs. Reinsmith has volunteered much of her time to fundraising for the local community. One of her most memorable accomplishments is her dedication to the Food Stand at the Shippensburg Community Fair. She spent a multitude of hours working with those in the community to make the Fair a positive experience for all. Mrs. Reinsmith's passion and hard work have not gone unnoticed. During her first term as District 18 President in 1999, she received the Outstanding District President Medallion. While serving her second term as President of District 18, she received the Nation ''Remembrance'' Plate for the Legislative Program as well as the Outstanding Department Chairman Medallion. Mrs. Reinsmith was also recognized for her service to the community and was given the National ''Everyone Achieves Magic'' Plate.

As she reflects upon her work as President of the Ladies Auxiliary, Mrs. Reinsmith can be proud of her life of service with which she has found a great amount of success. I look forward to celebrating the contributions and accomplishments of such a dedicated individual. Her involvement has brought a greater appreciation to our area and has surely been an asset to the community. I would like to wish Mrs. Kathy Jo Reinsmith all the best in her future endeavors as she continues to serve the Chambersburg County School District as a devoted teacher. I am sure she will continue to do great things for the community and I thank her for her dedication and service.

TAYLORSVILLE VFW AUXILIARY AND TAYLOR KING SUPPORT DEPLOYED TROOPS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Ms. FOXX. Madam Speaker, I rise today in honor of a group of true American patriots. This past Christmas a group of citizens in Alexander County, North Carolina worked hard to communicate to our men and women stationed overseas that they are in our prayers and on our minds.

A civic-minded band of women in the Veterans of Foreign Wars Auxiliary from the rural community of Hiddenite worked together to rally their community to send care packages to local armed forces members stationed abroad during Christmas. The sacrifice of military service during Christmas is often overlooked during a time when many of our brave military men and women are stationed abroad, making this effort all the more meaningful to the soldiers they aided.

Thanks to the selfless work of Margaret Milsap, Mary Lasky and Jeanette Stevenson, which was spearheaded by Mary Matthews, more than 80 care packages were sent to 30 deployed soldiers during this past Christmas. Taylor King furniture, a Taylorsville business, generously footed the entire bill for the mailing of the 80-plus packages.

Together, the VFW auxiliary and Taylor King provided a slice of home to 30 soldiers serving in foreign countries during Christmas. I hope their example of citizenship and patriotism during uncertain times serves to inspire many more Americans to show their support for our troops who fight for freedom every day.

RECOGNITION OF GLOBAL CHILD NUTRITION MONTH

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. MCGOVERN. Madam Speaker, I rise today in recognition of the School Nutrition Association, SNA, and the Global Child Nutrition Foundation, GCNF naming April as Global Child Nutrition Month.

As part of this recognition, school nutrition professionals are encouraged to take 1 day, 1 week, or all month to partner with students and teachers in an effort to raise awareness about the ravages of hunger among children around the globe and here in the United States.

Hunger is a political condition. We have the means to end hunger here in the U.S. and around the world—we just haven't mustered the political will to do so. This observance is an opportunity to raise awareness about the solutions to global hunger and poverty and, ultimately, to help build momentum in the fight to end the scourge of hunger.

At any given moment, as many as 300 million of the world's children are trapped in the grinding cycle of poverty and hunger. Imagine trying to learn, grow and succeed while struggling with hunger.

For some children, hunger may be offset by healthy school meals. For others, especially in developing nations, hunger is acute—it is literal starvation. It is a contributor to disease and early death. According to the United Nations, hunger and malnutrition take the lives of 18,000 kids every single day.

Although we may not be able to resolve all sorts of natural and political forces, we do know that nurturing and educating a child is the single most effective means of breaking the cycle of poverty.

According to the World Food Program, 130 million children do not attend school; and among those who do, most do not receive meals during school hours. A hungry child cannot learn or thrive; a society whose children live in hunger will never prosper.

The Global Child Nutrition Foundation was created in 2006 with the mission of expanding opportunities for the world's children to receive adequate nutrition for learning and achieving their potential.

This observance is also an opportunity to raise awareness about the solutions to global hunger and poverty.

GCNF President and SNA Past President Gene White, a certified school nutrition specialist, said it best—"By combining our will and resources, hunger will no longer set boundaries for learning and achievement. Freeing children from hunger so they may become self-supporting, contributing citizens is a worthy endeavor. It is also a step toward building a more stable and peaceful world."

Madam Speaker, as someone who is committed to ending hunger once and for all, I thank and commend the School Nutrition Association and the Global Child Nutrition Foundation for naming April as Global Child Nutrition Month.

It is my hope that all of us can work to be part of the solution as we raise awareness in eradicating hunger.

WOMEN'S HISTORY STATEMENT 2008

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. SARBANES. Madam Speaker, I rise today in recognition of Women's History Month. Though we have designated March as the particular month for this celebration, every day could rightly be designated to honor the contributions of women to our society. On this occasion I would like to highlight the achievements of two women who through their work have deeply impacted Maryland's Third District and our State as a whole.

Just this past year Karen Rothenberg, Dean of the University of Maryland Law School, was inducted into the Maryland Women's Hall of Fame. The Maryland Women's Hall of Fame was established through the efforts of the Maryland Commission for Women and the Women Legislators of Maryland in 1985. Its purpose is to honor Maryland women who have made unique and lasting contributions to the economic, political, cultural and social life of the State, and to provide visible models of achievement for tomorrow's female leaders.

This year, Dean Rothenberg is being honored by the Daily Record as Maryland's Top 100 Women. Dean Rothenberg has demonstrated leadership and scholarship in her role at the University of Maryland Law School, and in her field. She graduated as part of the first class of women at Princeton University. She has served as a member of the Institute of Medicine's Committee on Legal and Ethical Issues Relating to the Inclusion of Women in Clinical Studies, on numerous NIH panels on prenatal care, the recruitment and retention of women in clinical studies, and the ethical, legal and social implications of genetics. I have had the privilege to work with Dean Rothenberg this year on an effort to bring more lawyers into public service. This is an area in which she has been recognized on numerous occasions for her efforts. She has established loan repayment programs, grant opportunities and scholarships for law school graduates that wish to pursue careers in public service, and they in turn have enriched our community. She has worked with students to provide volunteer relief in New Orleans, and has facilitated opportunities for students to pursue public interest studies abroad. This is only the tip of the iceberg.

In addition to having been the first woman elected to serve as Mayor of Baltimore City, Sheila Dixon has spent more than 20 years in public office, dedicating her career to improving the lives of women, children and minorities. She has worked tirelessly on public health issues, and brings a wealth of experience and insight into business development in the city.

Among her numerous awards and honors, Mayor Dixon was recently admitted to the Daily Record's Circle of Excellence for her third selection as one of "Maryland's Top 100 Women." She serves on numerous boards, including the Institute of Human Virology, the Transplant Resource Center, the Urban Health Initiative, the Baltimore Public Markets Corporation, the Living Classrooms Foundation, and the Walters Art Gallery.

This year Mayor Dixon launched the YouthWorks campaign, which brings together businesses, community organizations, foundations and city and State agencies in an effort to engage Baltimore youth in meaningful summer activities. She is strongly committed to accomplishing the goal of ensuring that any Baltimore youth who wants a summer job can have one. This program will not only benefit youth by providing valuable work experience, it will also provide businesses with talented and motivated workers.

Though I have not had the privilege of working with all of the following women, I would also like to take this opportunity to highlight Maryland's Top 100 Women for 2008 as honored by the Daily Record:

Judge Theresa M. Adams, Circuit Court for Frederick County; Dr. Susan C. Aldridge, University of Maryland University College; Dr. Janet D. Allan, University of Maryland School of Nursing; Dr. Sharon D. Allison-Ottey, The COSHAR Foundation; Judge Nancy V. Alquist, United States Bankruptcy Court; Rev. Dr. China M. Ashe, Hope Ministries; Judge Vicki Ballou-Watts, Circuit Court for Baltimore County; Lisa R. Bands, My Cleaning Service, Inc.; Judge Mary Ellen Barbera, Court of Special Appeals of Maryland; Traci A. Barnett, Girl Scouts of Central Maryland; Buffy Beaudoin-Schwartz, Association of Baltimore Area Grantmakers; Cathy S. Bernard, CSB Management Corporation; Dr. Meredith Bond, University of Maryland Baltimore School of Medicine; Annie L. Burton-Byrd, The Signature Group, LLC; Ellen A. Callegary, Callegary & Steedman, PA; Wanda G. Caporaletti, Law Office of Wanda G. Caporaletti; Diane Lillibridge Caslow, MedStar Health; Marie A. Cavallaro, Cavallaro Cleary Visual Art Foundation; Rev. Mary W. Conaway, Register of Wills for Baltimore City; Patricia E. Cornish, PEC Financial Consulting; Dr. P. Ann Cotten, University of Baltimore Schaefer Center for Public Policy.

Diane D'Aiutolo Collins, Tydings & Rosenberg, LLP; Janine M. DiPaula Stevens, Vircity; Anna M. Dopkin, T. Rowe Price Associates; Councilmember Valerie Ervin, Montgomery County Council; Carolyn Wilson Evans, Sengstacke & Evans, LLC; Margaret (Meg) Z. Ferguson, Baltimore County Executive Office; Jodi Finkelstein, Domestic Violence Center of Howard County; Ellen R. Fish, Towson Community Bank, a div. of AmericasBANK; Mary Ellen Flynn, Andalman & Flynn, PC; Taylor L. Foss, LifeBridge Health; Commissioner Jan H. Gardner, Frederick County Government; Sandra N. Harriman, University of Maryland School of Medicine; Carrie Harris-Muller, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.

Dr. Elizabeth A. Hunt, Johns Hopkins University School of Medicine; Sara T. Jacoby, The Legacy Group, Inc.; Deborah E. Jennings, DLA Piper U.S., LLP; Senator Verna L. Jones, State of Maryland; Leronia A. Josey, Law Office of Leronia Josey; Pamela J. King, Open Society Institute-Baltimore; Julie Lenzer Kirk, Path Forward International; Marcy K. Kolodny, Dyslexia Tutoring Program; Treasurer Nancy K. Kopp, State of Maryland; Jennifer Kozak, J Kozak Creative; Senator Rona E. Kramer, State of Maryland; Judge Sherrie L. Krauser, Circuit Court for Prince George's County; Dr. Martha Joynt Kumar, Towson University.

Judge Theresa A. Lawler, Orphan's Court for Baltimore County; Linda Thater Layton, Attorney at Law; Cynthia L. Leppert, Neuberger, Quinn, Gielen, Rubin & Gibber, PA; Eileen M. Levitt, The HR Team, Inc.; Dr. Leslie D. Mancuso, JHPIEGO; Sister Patricia McCarron, SSND, Notre Dame Preparatory School; Annette Merz, LENPEX, LLC; Bonnae J. Meshulam, Junior Achievement of Central Maryland, Inc.; Dr. Redonda G. Miller, Johns Hopkins Hospital and School of Medicine; Elise Davison Morris, Whiteford, Taylor & Preston, LLP; Paula T. Morris, Kids of Honor; Nhora Barrera Murphy, The Media Network; Alice Neily Mutch, Capital Consultants, BaySmart Gardening, LLC.

Myra W. Norton, Community Analytics; Sylvia Ontaneda-Bernales, Ober Kaler Grimes & Shriver; Beth Pepper, Law Firm of Beth Pepper; Trudy E. Perkins, Office of U.S. Representative Elijah E. Cummings; Beth S. Perlman, Constellation Energy; Liz Pettengill, Greater Baltimore Committee; Bonnie Lamdin Phipps, St. Agnes HealthCare; Barbara Portnoy, PLDA Interiors; Randi Alper Pupkin, Art with a Heart, Inc.; Stephanie L. Reel, Johns Hopkins University and Johns Hopkins Health System; Dr. Donna L. Reihl, The Community College of Baltimore County; Juliette Rizzo, U.S. Department of Education; Dr. Marcella L. Roenneburg, Mercy Medical Center.

Karen H. Rothenberg, University of Maryland School of Law; Dr. Lisa Rowen, University of Maryland Medical Center; Dr. Cynda Hylton Rushton, Johns Hopkins University and Children's Center; Hannah Sassoon, Montgomery County Office of the Sheriff; Judge Katherine D. Savage, Circuit Court for Montgomery County; Lynne C. Schaefer, University of Maryland, Baltimore County; Rosa M. Scharf, Howard Bank; Mary Fulton Shock, Philanthropist; J. Patricia Wilson Smoot, Prince George's County Office of the State's Attorney; Felicita Sola-Carter, Social Security Administration; Yolanda F. Sonnier, Randall & Sonnier, LLC; Sally L. Sternbach, Rockville Economic Development, Inc.; Ferrier R. Stillman, Tydings & Rosenberg, LLP.

Karen D. Stokes, Greater Homewood Community Corporation; Anita H. Thomas, University of Baltimore; Dr. Rosemary M. Thomas, Salisbury University; Suzanne C. Thompson, Heritage Financial Consultants, LLC, Advanced Benefit Solutions, Inc.; Margaret Witherup Tindall, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC; Marlene Trestman, Office of the Attorney General; Jenny J. Trostel, Saab of Baltimore; Judith Vaughan-Prather, Montgomery County Commission for Women; Laura Neuman Volkman, Springboard Enterprises; Stephanie T. Willey, Comcast Spotlight; Deborah Smith Williams, M&T Bank; Jeanne M. Yeager, Mid-Shore Council on Family Violence; Terry Slade Young, The Maryland Zoo in Baltimore; and Gina Monath Zawitoski, DLA Piper U.S., LLP.

I salute these women as examples of the many others who have made, and continue to make our country great.

HONORING GENERAL MOTORS FOR WINNING RICHARD H. AUSTIN LONG-TERM TRAFFIC SAFETY AWARD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. KILDEE. Madam Speaker, earlier this month, the Michigan Governor's Traffic Safety Advisory Commission announced that the General Motors Corporation will receive the Richard H. Austin Long-Term Traffic Safety Award, "for being a corporate and auto industry leader in promoting traffic safety issues," in the State and nationally. The award was presented at the group's annual awards luncheon on March 13, 2008, in East Lansing, Michigan.

This prestigious award is named after a true leader in traffic safety, the late Richard H. Austin, who served as Michigan Secretary of State from 1971 to 1994. Secretary Austin, who was known as, "Mr. Traffic Safety," was a pioneer in promoting passage of State seat belt use laws and in promoting measures for child passenger safety, drunken driving prevention, and motorcycle safety.

The commission's announcement notes that GM, "has made significant contributions in addressing key traffic safety concerns including safety belt use, child passenger safety in and around vehicles and drunk driving through partnerships and collaboration, advocacy, financial support and voluntary time commitments to traffic safety organizations by company executives and employees."

The announcement states that when, "efforts were underway to upgrade Michigan's seat belt law from a secondary to a primary law, GM led the collaborative efforts," to support it. I am pleased to note that as a result of this upgraded law Michigan has one of the highest State belt use rates in the Nation at 94 percent.

Among the other specific activities for which GM is being recognized is its Safe Kids Buckle Up partnership with Safe Kids Worldwide. Under this program, child safety seats are checked by trained experts for proper installation; safety seats are provided to families in need; and education is provided to help assure that children are not left alone in vehicles and they are not allowed to play in trunks. Further, adults learn to walk around a parked vehicle to check for children before they start the engine and children are taught that it is never safe to play in driveways, parking lots or on sidewalks when vehicles are nearby.

There are 25 Safe Kids coalitions and chapters in Michigan, and, over the last 10 years under the GM-Safe Kids program, approximately 45,000 child safety seats in the State have been inspected and another 13,500 have been provided to families in need free of charge. In addition, several permanent child seat inspection stations have been set up, run by Safe Kids, and four mobile car seat check-up vans donated by GM are operating in the State.

Madam Speaker, I have had the opportunity to witness the work of Safe Kids Flint, which is part of the Hurley Medical Center. The dedicated men and women who work at these events volunteer a significant amount of their time and talent to assure that children are riding safely in vehicles, and they provide very valuable information to parents. Safe Kids Flint has reported that 19 lives have been saved after families who attended one of the organization's events were involved in crashes.

I am pleased to join in congratulating General Motors for this recognition of its exceptional corporate citizenship in working to protect the citizens of Michigan through the Safe Kids partnership and many other safety activities.

HONORING RAYMOND D. HENNAGIR FOR HIS BRAVERY AND SERVICE TO THE UNITED STATES OF AMERICA

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. ANDREWS. Madam Speaker, I rise to honor Corporal Raymond D. Hennagir of Deptford, New Jersey. Corporal Hennagir was injured while on foot patrol in Zaidon, Iraq. He stepped on an improvised explosive device, losing both of his legs and four fingers on his left hand. The bravery of this man is truly inspiring. Out of respect and gratitude for the great service Corporal Hennagir has given his country, I submit this poem written in his honor by Albert Carey Caswell.

TEACH ME

Teach Me!
Teach me well!
You so beseech me. As you so gallantly look past all of your pain and heartache, all of your hell!
Reach Me!
As you Reach in and out to Me! With your heart which so swells!
As your most splendid heart to me, so all about life . . . so tells!
All about courage and faith!
All about not letting pain and heartache, get in your way . . . and not letting go, or your soul erase!
All about courage's, most courageous face!
Let me learn!
As from you, and all of your character I can so discern!
All about life . . . and all about what is possible, when within a great heart a soul so burns!
So I can grow!
So I can learn, so throughout my life I can so use and learn . . . of what a heart is capable of so!
As your blessings to me you now so bestow, ever in these moments of my life . . . I will know!
Which, can so show me . . . that path!
Which, can so show me the way . . . which can so teach me all about the things which last . . .
As I watch you and your most heroic glow! The questions to my heart you so answer, I ask?
For you have touched me, with your most heroic glow!
For you have so taught to me, all that it is . . . that I so need to know!
So I can touch the sky, so I can so soar so very high . . . a part of you, I will take with me I'll show!
For on this Earth . . .
Our Lord God so puts on such men and women of such fine worth . . .
To Teach Us All, to so hear his call . . . to make us all understand, of what it is which comes first!
Everybody loves Raymond, You Teach Me . . . Teach Me So!

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Ms. WOOLSEY. Madam Speaker, on March 14, 2008, I was unavoidably detained and was not able to record my votes for Rollcall No. 143–146.

Had I been present I would have voted:

Rollcall No. 143—Yes—Providing for the consideration of the Senate amendment to 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.

Rollcall No. 144—Yes—Providing for the consideration of the Senate amendment to 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.

Rollcall No. 145—Yes—To amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

Rollcall No. 146—Yes—On Approving the Journal.

RECOGNIZING OFFICER PAUL JUSTIN COFFEE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. MARCHANT. Madam Speaker, I rise today to recognize and congratulate Officer Paul Justin Coffee for being named the 2007 Police Officer of the Year by the Euless Police Department.

Officer Justin Coffee has been with the Euless Police Department since March 2005. Prior to serving and protecting the Euless community, Officer Coffee was a police officer in Bedford, Texas for seven years. He holds an Advanced Peace Officer certification from the great state of Texas.

Officer Justin Coffee, a native Texan, graduated from L.D. Bell High School and attended Tarrant County College. His father is a police sergeant in Hurst, Texas and his brother is a police officer in Bedford, Texas. Officer Coffee is married to Sarah and they have three children.

During Officer Coffee's distinguished career in the Euless Police Department, he has received seven commendations, was nominated for the 2006 Rookie of the Year, and was selected as one of six Field Training Officers for the department. He consistently maintains a high level of competency and has gained much respect among his fellow police officers.

It is with great honor that I recognize Officer Paul Justin Coffee for his dedication and outstanding service to the Euless Police Department and the City of Euless, Texas. I applaud his numerous achievements and wish him continued success in his service. I am proud to represent Officer Coffee in the 24th District of Texas.

HONORING THE LIFE OF MS. FRAN TONEY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Ms. Fran Toney, Executive Director of the Plymouth Community Chamber of Commerce, upon her retirement from seventeen years of dutiful service.

Fran Toney is a woman who has always loved Plymouth, Michigan. Fran has focused the past seventeen years of her career on getting others to love it too. As executive director, Ms. Toney encouraged members of her community to invest in local businesses and the community. Under her venerable tenure, the Plymouth Community Chamber of Commerce has nearly doubled its size from 400 to 700 committed members. Ms. Toney initiated more than 42 new programs which continue to make the Plymouth area a prosperous and proud part of Michigan. From Scarecrows in Kellogg Park to the annual Auction Fundraiser, Fran Toney has made the Plymouth Community Chamber of Commerce a point of pride for our community and the entire state of Michigan.

Madam Speaker, for seventeen years Ms. Fran Toney has faithfully served the Plymouth community and its citizens. As she enters the next phase of her life, she leaves behind a legacy of dedication, vibrancy, and fellowship. Today, I ask my colleagues to join me in congratulating Ms. Fran Toney upon her retirement and recognizing her years of loyal service to our community, state and country.

HONORING THE 60TH ANNIVERSARY OF THE ANNANDALE LIONS CLUB

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. DAVIS of Virginia. Madam Speaker, I rise today to pay tribute to the Annandale Lions Club. a truly outstanding organization that has served Annandale. Virginia for 60 years.

Throughout its history. the Annandale Lions Club has embraced the Lions' philosophy of ''We Serve,'' and all residents of Annandale—young and old—owe them a debt of gratitude. To date, the club has raised over $1,000.000 and has dedicated innumerable hours toward making their community a better place to live.

Thanks to the Lions, there is playground equipment at Annandale Elementary School. Thanks to the Lions, Fairfax hospital got its first maternity ward. Thanks to the Lions, there are bleachers and lights at the Annandale High School athletic fields.

As Annandale evolved from small rural town to bustling suburb, the Lions have been there to help keep up with change. They marked streets, numbered houses and mapped their community to help firefighters respond to emergencies and facilitate mail delivery. As the number of children in the area grew, they helped provide wholesome activities by sponsoring Scout troops and baseball teams. They constructed the children's playhouse at the Annandale Christian Community for Action's (ACCA) day care center, and have sponsored local youths for the Virginia Boys and Girls State summer leadership and citizenship programs.

The Annandale Lions, like Lions everywhere, also do a great deal for those with special physical needs, particularly those with vision and hearing impairments. They support sight and hearing screenings and research, and have offered financial assistance to the Virginia Lions Eye Institute.

Madam Speaker, I know my colleagues join me in thanking each and every Annandale Lion for their hard work and dedication to helping others in making Annandale a great place to live. I am proud to honor the club on its 60th anniversary, and wish them continued success in the years to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 1, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 2

9:30 a.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Energy.

SD–124

Foreign Relations

To hold hearings to examine Iraq after the surge, focusing on military prospects.

SD–419

Judiciary

To hold oversight hearings to examine the Department of Homeland Security.

SH–216

Joint Economic Committee

To hold hearings to examine the current economic outlook.

SD–106

10 a.m.

Armed Services

Emerging Threats and Capabilities Subcommittee

To hold hearings to examine the defense authorization request for fiscal year 2009 for the Cooperative Threat Reduction Program and the Proliferation Security Initiative at the Department of Defense, and nuclear nonproliferation programs at the National Nuclear Security Administration, and the future years defense program.

SR–232A

Environment and Public Works

To hold an oversight hearing to examine the listing decision for the polar bear under the Endangered Species Act.

SD–406

10:30 a.m.

Appropriations

Defense Subcommittee

To meet in closed session to examine National Reconnaissance Office (NRO)/Space Programs.

S–407, Capitol

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings to examine National Labor Relations Board Representation elections and initial collective bargaining agreements, focusing on safeguarding workers' rights.

SD–138

11 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine nuclear terrorism, focusing on assessing the threat to the United States.

SD–342

2:30 p.m.

Commerce, Science, and Transportation

Business meeting to consider S. 2688, to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption, S.J. Res. 28, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership, S. 2607, to make a technical correction to section 3009 of the Deficit Reduction Act of 2005, H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, H.R. 802, to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI, and the nomination of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration.

SR–253

Foreign Relations

To hold hearings to examine Iraq after the surge, focusing on political prospects.

SD–419

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine the Department of Defense contracting in Iraq and Afghanistan.

SR–222

APRIL 3

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Gen. David D. McKiernan, to be General, and Commander, International Security Assistance Force, Afghanistan, Lt. Gen. Raymond T. Odierno, to be General, and Vice Chief of Staff, and Lt. Gen. Walter L. Sharp, to be General, and Commander, United Nations Command/Combined Forces Command/United States Forces Korea, all of the United States Army.

SD–106

Energy and Natural Resources

To hold hearings to examine the current price of oil, focusing on non-commercial institutional investors.

SD–366

Foreign Relations

To hold hearings to examine the conditions and developments of Iraq in 2012.

SD–419

Appropriations

Transportation, Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine the status of the Surface Transportation Trust Funds and impact on federal spending.

SD–138

Veterans' Affairs

To hold hearings to examine legislative presentations from sundry Veteran Affairs organizations.

SH–216

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine turmoil in U.S. credit markets, focusing on the recent actions of federal financing regulators.

SD–538

Appropriations

Commerce, Justice, Science, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2009 for the National Aeronautics and Space Administration Fiscal Year.

SD–192

Commerce, Science, and Transportation

To hold hearings to examine international fisheries, focusing on management and enforcement.

SR–253

Environment and Public Works

To hold hearings to examine strategies to reduce greenhouse gas emissions at United States colleges and universities.

SD–406

Finance

To hold hearings to examine outside the box on estate tax reform, focusing on reviewing ideas to simplify planning.

SD–215

Homeland Security and Governmental Affairs

To hold hearings to examine Federal Emergency Management Agency, focusing on if the agency is better prepared for a catastrophe now than it was in 2005.

SD–342

Judiciary

Business meeting to consider S. 2136, to address the treatment of primary mortgages in bankruptcy, S. 2133, to authorize bankruptcy courts to take certain actions with respect to mortgage loans in bankruptcy, S. 2041, to amend the False Claims Act, S. 2533, to enact a safe, fair, and responsible state secrets privilege Act, S. 702, to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs, S. Res. 468, designating April 2008 as ''National 9–1-1 Education Month'', and the nominations of Catharina Haynes, of Texas, to be United States Circuit Judge for the Fifth Circuit, and Rebecca A. Gregory, to be United States Attorney for the Eastern District of Texas.

SD–226

10:30 a.m.

Aging

To hold hearings to examine scrambling for health insurance coverage, focusing on health security for people in late middle age.

SD–608

2 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold joint hearings with the House Committee on Oversight and Government Reform Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine managing diversity of senior leadership in the Federal workforce and Postal Service.
2154, Rayburn Building

2:15 p.m.
Judiciary
To hold hearings to examine the nominations of Mark S. Davis, to be United States District Judge for the Eastern District of Virginia, David Gregory Kays, to be United States District Judge for the Western District of Missouri, David J. Novak, to be United States District Judge for the Eastern District of Virginia, Stephen N. Limbaugh, Jr., to be United States District Judge for the Eastern District of Missouri, and Elisebeth C. Cook, of Virginia, to be an Assistant Attorney General.
SD–226

3 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine the defense authorization request for fiscal year 2009 on Army modernization, and the future years defense program.
SR–222

APRIL 4

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the current employment situation.
SD–106

APRIL 8

9:30 a.m.
Armed Services
To hold hearings to examine the situation in Iraq and progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation.
SD–106

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the Federal Trade Commission reauthorization.
SR–253

2:30 p.m.
Commerce, Science, and Transportation
To hold an oversight hearing to examine the digital television transition, focusing on consumers, broadcasters, and converter boxes.
SR–253

Energy and Natural Resources
To hold hearings to examine S. 2259 and H.R. 813, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, H.R. 31, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects, H.R. 716, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan, H.R. 786, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, H.R. 1140, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, H.R. 1503, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra Black Wash Reclamation and Riparian Restoration Project, H.R. 1725, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled Non-Potable Distribution Facilities and Demineralization Desalination Recycled Water Treatment and Reclamation Facility Project, H.R. 1737, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California, and H.R. 2614, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California.
SD–366

Foreign Relations
To hold hearings to examine Iraq after the surge.
SH–216

Armed Services
SeaPower Subcommittee
To hold hearings to examine the defense authorization request for fiscal year 2009 on Navy force structure requirements and programs to meet those requirements, and the future years defense program.
SR–222

APRIL 9

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine making Veterans Affairs the workplace of choice for health care providers.
SR–418

10 a.m.
Appropriations
State, Foreign Operations, and Related Programs Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of State and foreign operations.
SD–138

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine S. 1633, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, S. 1993 and H.R. 2197, bills to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, S. 2207, to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System, S. 2254, to establish the Mississippi Hills National Heritage Area in the State of Mississippi, S. 2329 and H.R. 2627, bills to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site, S. 2502 and H.R. 3332, bills to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, S. 2512, to establish the Mississippi Delta National Heritage Area in the State of Mississippi, and H.R. 3998, to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures.
SD–366

APRIL 10

10 a.m.
Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee
To hold hearings to examine aviation safety oversight.
SR–253

APRIL 15

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 2438, to repeal certain provisions of the Federal Lands Recreation Enhancement Act.
SD–366

APRIL 23

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine an update on the Veterans Affairs and the Department of Defense cooperation and collaboration.
SR–418

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine phantom traffic.
SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2207–S2252

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 2787–2790, and S. Res. 490–492. **Page S2231**

Measures Passed:

Committee Membership: Senate agreed to S. Res. 492, amending the majority party's membership on the Select Committee on Ethics for the remainder of the 110th Congress. **Page S2250**

World Water Day: Committee on Foreign Relations was discharged from further consideration of S. Res. 478, supporting the goals and ideals of "World Water Day", and the resolution was then agreed to. **Page S2250**

National Cerebral Palsy Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 484, designating March 25, 2008, as "National Cerebral Palsy Awareness Day", and the resolution was then agreed to. **Pages S2250–51**

New Direction for Energy Independence, National Security, and Consumer Protection Act and the Renewable Energy and Energy Conservation Tax Act—Agreement: A unanimous-consent agreement was reached providing that at approximately 2:15 p.m., on Tuesday, April 1, 2008, Senate resume consideration of the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, that the motion to reconsider be agreed to, and that the time until 2:30 p.m. be equally divided and controlled between the two Leaders, with the Majority Leader controlling the final seven and a half minutes; provided further, that at 2:30 p.m., Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S2250**

Pension Protection Technical Corrections Act: A unanimous-consent agreement was reached providing that the order of the Senate of December 19, 2007 with respect to S. 1974, to make technical corrections related to the Pension Protection Act of 2006, be vitiated and that the bill remain at the desk. **Page S2250**

Nominations Received: Senate received the following nominations:

Elisse Walter, of Maryland, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2012.

Luis Aguilar, of Georgia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2010.

Christopher R. Wall, of Virginia, to be an Assistant Secretary of Commerce.

Lily Fu Claffee, of Illinois, to be General Counsel of the Department of Commerce.

Tyler D. Duvall, of Virginia, to be Under Secretary of Transportation for Policy.

Kameran L. Onley, of Washington, to be an Assistant Secretary of the Interior.

A. Ellen Terpstra, of New York, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

Miguel R. San Juan, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

Philip Thomas Reeker, of the District of Columbia, to be Ambassador to the Republic of Macedonia.

Robert Stephen Beecroft, of California, to be Ambassador to the Hashemite Kingdom of Jordan.

Constance S. Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2011.

Anne Rader, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Katherine O. McCary, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2009.

Lisa Mattheiss, of Tennessee, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

John H. Hager, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2009.

Marvin G. Fifield, of Utah, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Marvin G. Fifield, of Utah, to be a Member of the National Council on Disability for a term expiring September 17, 2008.

Kristen Cox, of Utah, to be a Member of the National Council on Disability for a term expiring September 17, 2009.

Chad Colley, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Victoria Ray Carlson, of Iowa, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Tony J. Williams, of Washington, to be a Member of the National Council on Disability for a term expiring September 17, 2009.

John R. Vaughn, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Renee L. Tyree, of Arizona, to be a Member of the National Council on Disability for a term expiring September 17, 2009.

Michael E. Leiter, of the District of Columbia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

29 Air Force nominations in the rank of general.

1 Army nomination in the rank of General.

36 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Pages S2251–52

Messages from the House: **Page S2229**

Measures Placed on the Calendar: **Page S2229**

Executive Communications: **Page S2229–31**

Additional Cosponsors: **Pages S2231–34**

Statements on Introduced Bills/Resolutions: **Pages S2234–37**

Additional Statements: **Pages S2226–28**

Notices of Hearings/Meetings: **Pages S2237–38**

Text of S. Con. Res. 70, as Previously Passed **Pages S2238–50**

Recess: Senate convened at 2 p.m. and recessed at 5:39 p.m., until 10 a.m. on Tuesday, April 1, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2251.)

Committee Meetings

(Committees not listed did not meet)

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Committee on Homeland Security and Governmental Affairs: On Friday, March 14, 2008, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine ways to reform the District of Columbia Public Schools (DCPS) system, including H.R. 2080, to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education, after receiving testimony from Cornelia M. Ashby, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; and Michelle Rhee, Chancellor of the District of Columbia Public Schools, Victor Reinoso, Deputy Mayor for Education, Deborah A. Gist, State Superintendent of Education, Allen Y. Lew, Office of Public Education Facilities Modernization, John W. Hill, Federal City Council, and Jane Hannaway, Urban Institute Education Policy Center, all of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 5656–5666; 1 private bill, H.R. 5667; and 3 resolutions, H. Con. Res. 320; and H. Res. 161–163, were introduced. **Page H1821**

Additional Cosponsors: **Pages H1821–23**

Reports Filed: A report was filed on March 14, 2008 as follows:

H.R. 5577, to amend the Homeland Security Act of 2002 to extend, modify, and recodify the authority of the Secretary of Homeland Security to enhance security and protect against acts of terrorism against chemical facilities (H. Rept. 110–550, Pt. 1). Reports were filed today as follows:

H.R. 4933, to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections (H. Rept. 110–551);

H.R. 3891, to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation (H. Rept. 110–552);

H.R. 2675, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, with an amendment (H. Rept. 110–553);

H.R. 3651, to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard, with an amendment (H. Rept. 110–554);

H.R. 2515, to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, with an amendment (H. Rept. 110–555);

H.R. 3352, to reauthorize and amend the Hydrographic Services Improvement Act, with an amendment (H. Rept. 110–556);

H.R. 1187, to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, with amendments (H. Rept. 110–557);

H.R. 2342, to direct the President to establish a National Integrated Coastal and Ocean Observation System, with an amendment (H. Rept. 110–558, Pt. 1);

H.R. 4847, to reauthorize the United States Fire Administration, with an amendment (H. Rept. 110–559); and

H.R. 5551, to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts (H. Rept. 110–560). **Pages H1820–21**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jones (OH) to act as Speaker pro tempore for today. **Page H1775**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act: H.R. 1187, amended, to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary; **Pages H1775–78**

Agreed to amend the title so as to read: ''To expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes.''. **Page H1778**

National Integrated Coastal and Ocean Observation Act of 2007: H.R. 2342, amended, to direct the President to establish a National Integrated Coastal and Ocean Observation System; **Pages H1778–81**

Captive Wildlife Safety Technical Amendments Act of 2008: H.R. 4933, amended, to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections; **Pages H1781–82**

Hydrographic Services Improvement Act Amendments of 2007: H.R. 3352, amended, to reauthorize and amend the Hydrographic Services Improvement Act, by a ⅔ yea-and-nay vote of 308 yeas to 60 nays, Roll No. 147; **Pages H1782–83, S1789–90**

Amending the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation: H.R. 3891, amended, to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation; **Pages H1783–84**

HALE Scouts Act: H.R. 2675, amended, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, by a ⅔ yea-and-nay vote of 370 yeas to 2 nays, Roll No. 148; **Pages H1784–85, S1790–91**

Utah National Guard Readiness Act: H.R. 3651, amended, to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; **Pages H1785–86**

Lower Colorado River Multi-Species Conservation Program Act: H.R. 2515, amended, to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada; and **Page H1786**

Supporting the observance of Colorectal Cancer Awareness Month: H. Con. Res. 302, to support the observance of Colorectal Cancer Awareness Month, by a ⅔ yea-and-nay vote of 371 yeas with none voting ''nay'', Roll No. 149. **Pages H1887–89, S1791**

Recess: The House recessed at 3:20 p.m. and reconvened at 6:30 p.m. **Page H1789**

Senate Message: Message received from the Senate today appears on page S1775.

Senate Referrals: S. Con. Res. 70 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H1789–90, H1790–91, and H1791. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:40 p.m.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D285)*

S. 2745, to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes. Signed on March 14, 2008. (Public Law 110–196)

S.J. Res. 25, providing for the appointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution.. Signed on March 14, 2008. (Public Law 110–197)

S. 2733, to temporarily extend the programs under the Higher Education Act of 1965. Signed on March 24, 2008. (Public Law 110–198)

COMMITTEE MEETINGS FOR TUESDAY, APRIL 1, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Forest Service, 10 a.m., SD–124.

Committee on Armed Services: Subcommittee on Airland, to hold hearings to examine the defense authorization request for fiscal year 2009 on the Army's new doctrine (Field Manual 3–0, Operations), and the future years defense program, 9:30 a.m., SR–222.

Subcommittee on Strategic Forces, to hold hearings to examine the defense authorization request for fiscal year 2009 for ballistic missile defense programs, and the future years defense program, 2:30 p.m., SR–232A.

Subcommittee on Readiness and Management Support, to hold hearings to examine the defense authorization request for fiscal year 2009 for the current readiness of the armed forces, and the future years defense program, 2:30 p.m., SR–222.

Committee on Energy and Natural Resources: to hold hearings to examine S. 2593, to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine anti-terrorism financing, focusing on progress made and the challenges ahead, 10 a.m., SD–215.

Committee on Foreign Relations: to receive a closed briefing on the situation in Iraq, 2:30 p.m., S–407, Capitol.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety, to hold hearings to examine Occupational Safety and Health Administration violations, focusing on strategies for breaking dangerous patterns, 10 a.m., SD–430.

Committee on the Judiciary: Subcommittee on Human Rights and the Law, to hold hearings to examine rape as a weapon of war, focusing on accountability for sexual violence in conflict, 10 a.m., SD–226.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

House

No meetings/hearings scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of March 31 through April 5, 2008

Senate Chamber

On *Tuesday*, Senate will resume consideration of the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of H.R. 3221, New Direction for Energy Independence, National Security, and Consumer Protection Act, at 2:15 p.m., and vote on the motion to invoke cloture on the bill at approximately 2:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 1, Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Forest Service, 10 a.m., SD–124.

April 2, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Energy, 9:30 a.m., SD–124.

April 2, Subcommittee on Defense, to meet in closed session to examine National Reconnaissance Office (NRO)/Space Programs, 10:30 a.m., S–407, Capitol.

April 2, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine National Labor Relations Board Representation elections and initial collective bargaining agreements, focusing on safeguarding workers' rights, 10:30 a.m., SD–138.

April 3, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine the status of the Surface Transportation Trust Funds and impact on federal spending, 9:30 a.m., SD–138.

April 3, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the National Aeronautics and Space Administration Fiscal Year, 10 a.m., SD–192.

Committee on Armed Services: April 1, Subcommittee on Airland, to hold hearings to examine the defense authorization request for fiscal year 2009 on the Army's new doctrine (Field Manual 3–0, Operations), and the future years defense program, 9:30 a.m., SR–222.

April 1, Subcommittee on Strategic Forces, to hold hearings to examine the defense authorization request for fiscal year 2009 for ballistic missile defense programs, and the future years defense program, 2:30 p.m., SR–232A.

April 1, Subcommittee on Readiness and Management Support, to hold hearings to examine the defense authorization request for fiscal year 2009 for the current readiness of the armed forces, and the future years defense program, 2:30 p.m., SR–222.

April 2, Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the defense authorization request for fiscal year 2009 for the Cooperative Threat Reduction Program and the Proliferation Security Initiative at the Department of Defense, and nuclear nonproliferation programs at the National Nuclear Security Administration, and the future years defense program, 10 a.m., SR–232A.

April 2, Subcommittee on Readiness and Management Support, to hold hearings to examine the Department of Defense contracting in Iraq and Afghanistan, 2:30 p.m., SR–222.

April 3, Full Committee, to hold hearings to examine the nominations of Gen. David D. McKiernan, to be General, and Commander, International Security Assistance Force, Afghanistan, Lt. Gen. Raymond T. Odierno, to be General, and Vice Chief of Staff, and Lt. Gen. Walter L. Sharp, to be General, and Commander, United Nations Command/Combined Forces Command/United States Forces Korea, all of the United States Army, 9:30 a.m., SD–106.

April 3, Subcommittee on Airland, to hold hearings to examine the defense authorization request for fiscal year 2009 on Army modernization, and the future years defense program, 3 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: April 3, to hold hearings to examine turmoil in U.S. credit markets, focusing on the recent actions of federal financing regulators, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: April 2, business meeting to consider S. 2688, to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption, S.J. Res. 28, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership, S. 2607, to make a technical correction to section 3009 of the Deficit Reduction Act of 2005, H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, H.R. 802, to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI, and the nomination of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration, 2:30 p.m., SR–253.

April 3, Full Committee, to hold hearings to examine international fisheries, focusing on management and enforcement, 10 a.m., SR–253.

Committee on Energy and Natural Resources: April 1, to hold hearings to examine S. 2593, to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, 2:30 p.m., SD–366.

April 3, Full Committee, to hold hearings to examine the current price of oil, focusing on non-commercial institutional investors, 9:30 a.m., SD–366.

Committee on Environment and Public Works: April 2, to hold an oversight hearing to examine the listing decision for the polar bear under the Endangered Species Act, 10 a.m., SD–406.

April 3, Full Committee, to hold hearings to examine strategies to reduce greenhouse gas emissions at United States colleges and universities, 10 a.m., SD–406.

Committee on Finance: April 1, to hold hearings to examine anti-terrorism financing, focusing on progress made and the challenges ahead, 10 a.m., SD–215.

April 3, Full Committee, to hold hearings to examine outside the box on estate tax reform, focusing on reviewing ideas to simplify planning, 10 a.m., SD–215.

Committee on Foreign Relations: April 1, to receive a closed briefing on the situation in Iraq, 2:30 p.m., S–407, Capitol.

April 2, Full Committee, to hold hearings to examine Iraq after the surge, focusing on military prospects, 9:30 a.m., SD–419.

April 2, Full Committee, to hold hearings to examine Iraq after the surge, focusing on political prospects, 2:30 p.m., SD–419.

April 3, Full Committee, to hold hearings to examine the conditions and developments of Iraq in 2012, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: April 1, Subcommittee on Employment and Workplace Safety, to hold hearings to examine Occupational Safety and Health Administration violations, focusing on strategies for breaking dangerous patterns, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: April 2, to hold hearings to examine nuclear terrorism, focusing on assessing the threat to the United States, 11 a.m., SD–342.

April 3, Full Committee, to hold hearings to examine the Federal Emergency Management Agency, focusing on if the agency is better prepared for a catastrophe now than it was in 2005, 10 a.m., SD–342.

April 3, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Committee on Oversight and Government Reform Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine managing diversity of senior leadership in the Federal workforce and Postal Service, 2 p.m., 2154, Rayburn Building.

Committee on the Judiciary: April 1, Subcommittee on Human Rights and the Law, to hold hearings to examine rape as a weapon of war, focusing on accountability for sexual violence in conflict, 10 a.m., SD–226.

April 2, Full Committee, to hold oversight hearings to examine the Department of Homeland Security, 9:30 a.m., SH–216.

April 3, Full Committee, business meeting to consider S. 2136, to address the treatment of primary mortgages in bankruptcy, S. 2133, to authorize bankruptcy courts to take certain actions with respect to mortgage loans in bankruptcy, S. 2041, to amend the False Claims Act, S. 2533, to enact a safe, fair, and responsible state secrets privilege Act, S. 702, to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs, S. Res. 468, designating April 2008 as ''National 9–1–1 Education Month'', and the nominations of Catharina Haynes, of Texas, to be United States Circuit Judge for the Fifth Circuit, and Rebecca A. Gregory, to be United States Attorney for the Eastern District of Texas, 10 a.m., SD–226.

April 3, Full Committee, to hold hearings to examine the nominations of Mark S. Davis, to be United States District Judge for the Eastern District of Virginia, David Gregory Kays, to be United States District Judge for the Western District of Missouri, David J. Novak, to be United States District Judge for the Eastern District of Virginia, Stephen N. Limbaugh, Jr., to be United States District Judge for the Eastern District of Missouri, and Elisebeth C. Cook, of Virginia, to be an Assistant Attorney General, 2:15 p.m., SD–226.

Committee on Veterans' Affairs: April 3, to hold hearings to examine legislative presentations from sundry Veteran Affairs organizations, 9:30 a.m., SH–216.

Select Committee on Intelligence: April 1, closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

Special Committee on Aging: April 3, to hold hearings to examine scrambling for health insurance coverage, focusing on health security for people in late middle age, 10:30 a.m., SD–608.

House Chamber

To be announced.

House Committees

Committee on Appropriations, April 1, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on Rural Development, 10 a.m., 2362–A Rayburn.

April 1, Subcommittee on Commerce, Justice, Science and Related Agencies, on FBI, 10 a.m., 2358–A Rayburn.

April 1, Subcommittee on Financial Services and General Government, on National Archives, 10 a.m, 2220 Rayburn.

April 1, Subcommittee on Homeland Security, on Department of Homeland Security, Office of Health Affairs, 10 a.m., B–308 Rayburn, and on Addressing the Challenges of Protecting the Nation's Physical and Cyber Infrastructure, 2 p.m., 2359 Rayburn.

April 1, Subcommittee on Interior, Environment and Related Agencies, on National Endowment for the Arts and Arts Advocacy Day, 10 a.m., 2359 Rayburn.

April 2, Subcommittee on Agriculture, Rural Development, Food and Dug Administration, and Related Agencies, on Food and Drug Administration Center for Biologics Evaluation and Research, 11 a.m., 2362A Rayburn.

April 2, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Outside Witnesses, 10 a.m., and on Legal Services Corporation, 2 p.m., H–309 Capitol.

April 2, Subcommittee on Energy and Water Development, and Related Agencies, on Department of Energy—Weapons Activities and Naval Reactors, 10 a.m., 2362–B Rayburn.

April 2, Subcommittee on Financial Services and General Government, on OPM, 10 a.m., 2220 Rayburn.

April 2, Subcommittee on Homeland Security, on Cargo, Container and Supply Chain Security, 10 a.m., 2359 Rayburn.

April 2, Subcommittee on Interior, Environment and Related Agencies, on Indian Health Service, 10 a.m., B–308 Rayburn.

April 2, Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Department of Defense—Budget Overview, 1:30 p.m., H–143 Capitol.

April 2, Subcommittee on State, Foreign Operations, and Related Programs, on Contributions to International Peacekeeping Activities (CIPA) and the Contributions to International Organizations (CID) accounts, 10 a.m., 2358–C Rayburn.

April 2, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Highways and Transit Programs: The DOT Perspective on the Urgent Funding Needs for Today and Tomorrow, 10 a.m., and on Thoughts and Recommendations from the National Surface Transportation Policy and Revenue Study Commission, 2 p.m., 2358–A Rayburn.

April 3, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Natural Resources Conservation Service Budget, 10 a.m., 2362–A Rayburn.

April 3, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Attorney General, 10 a.m., and on Census, 2 p.m., 2359 Rayburn.

April 3, Subcommittee on Defense/Select Intelligence Oversight Panel, executive, on Comprehensive National Cybersecurity Initiative, 1:30 p.m., H–140 Capitol.

April 3, Subcommittee Energy and Water Development, and Related Agencies, on Department of Energy-Nuclear Nonproliferation, 10 a.m., 2362–B Rayburn.

April 3, Subcommittee on Financial Services, and General Services, on GSA, 10 a.m., 2220 Rayburn.

April 3, Subcommittee on Homeland Security, on Candidate Protection and Investigatory Programs: Balancing the U.S. Secret Service Workload, 10 a.m., 2358–C Rayburn.

April 3, Subcommittee on Interior, Environment and Related Agencies, on Public Witnesses; 10 a.m., and on Bureau of Indian Affairs and Office of Special Trustee, 10:30 a.m., B–308 Rayburn.

April 3, Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies, on Veterans' Affairs Information Technology, 1:30 p.m., H–143 Capitol.

Committee on Armed Services, April 1, Subcommittee on Air and Land Forces, hearing on Fiscal Year 2009 National Defense Authorization Budget Request from the U.S. Transportation Command and Air Force Mobility Aircraft Programs, 1 p.m., 2118 Rayburn.

April 1, Subcommittee on Readiness, hearing on Fiscal Year 2009 National Defense Authorization Budget Request on the Readiness of the Army and Air Force Reserves and National Guard Forces, 9 a.m., 2118 Rayburn.

April 1, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Holistic Approaches to Cybersecurity Enabling Network Centric Operations, 3 p.m., 2212 Rayburn.

April 3, Subcommittee on Air and Land Forces, hearing on Fiscal Year 2009 National Defense Authorization Budget Request on Army National Guard and Army Reserve Equipment, 2 p.m., 2118 Rayburn.

Committee on Energy and Commerce, April 1, Subcommittee on Telecommunications and the Internet, hearing entitled ''Online Virtual Worlds: Applications and Avatars in a User-Generated Medium,'' 9:30 a.m., 2123 Rayburn.

April 3, Subcommittee on Health, hearing on H.R. 5613, Protecting the Medicaid Safety Net Act of 2008, 10 a.m., 2123 Rayburn.

April 3, Subcommittee on Oversight and Investigations, hearing entitled ''Selling the Department of Energy's Depleted Uranium Stockpile: Opportunities and Challenges,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, April 2, Subcommittee on Domestic and International Monetary Policy, Trade and Technology, hearing entitled ''Proposed UIGEA Regulations: Burden without Benefit?'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, April 2, Subcommittee on International Organizations, Human Rights, and Oversight, hearing and briefing on Funding for the United Nations Peacekeeping Operations: What is the U.S. Responsibility? 2 p.m., 2200 Rayburn.

April 2, Subcommittee on the Middle East and South Asia, hearing on the Strategic Chaos and Taliban Resurgence in Afghanistan, 2 p.m., 210 Cannon.

Committee on Homeland Security, April 1, Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, hearing entitled ''The Future of Science and Technology at the Department of Homeland Security,'' 2 p.m., 311 Cannon.

Committee on House Administration, April 1, Subcommittee on Elections, hearing on the National Voter Registration Act, Section 7: The Challenges Public Assistance Agencies Face, 2 p.m., 1310 Longworth.

April 2, full Committee, to consider the following: H.R. 5493, 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; a measure To permit membership in the exercise facility established for employees of the House of Representatives and in the House Staff Fitness Program to be made available to other Federal employees who are assigned to official duty at the House of Representatives; H.R. 5036, Emergency Assistance for Secure Elections Act of 2008; H.R. 281, Universal Right to Vote by Mail Act of 2007; H.R. 3032, To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; and an amendment to Regulations Governing the Use of Official Funds: Alternate Ride Home, 11 a.m., 1310 Longworth.

Committee on the Judiciary, April 1, Subcommittee on Commercial and Administrative Law, hearing on H.R. 4044, To amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 60 days, 2 p.m., 2141 Rayburn.

April 1, Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law and the Subcommittee on Constitution, Civil Rights and Civil Liberties, joint hearing on Paying With Their Lives: The Status of Compensation for 9/11 Health Effects, 10 a.m., 2141 Rayburn.

April 3, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on proposals before the 110th Congress to amend Federal Restitution Laws, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, April 2, to mark up the following bills: H.R. 3513, Cooper Salmon Wilderness Act; H.R. 5151, Wild Monongahela Act: A National Legacy for West Virginia's Special Places; H.R. 831, Coffman Cove Administrative Site Conveyance Act; and a H.R. 3734, Morley Nelson Snake River Birds of Prey

National Conservation Area Act, 11 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, April 2, Subcommittee on Information Policy, Census, and National Archives, hearing on Examining the Federal Advisory Committee Act (FACA) of 2008, 2 p.m., 2154 Rayburn.

April 3, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, to mark up H.R. 3799, Federal Employees Paid Parental Leave Act of 2007, 1:30 p.m., 2154 Rayburn.

Committee on Rules, April 1, to consider H.R. 5501, Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, 2:30 p.m., Capitol.

Committee on Science and Technology, April 1, Subcommittee on Investigations and Oversight, hearing on Toxic Trailers: Have the Centers for Disease Control and Prevention Failed to Protect Public Health?, 9:30 a.m., 2318 Rayburn.

April 2, Subcommittee on Research and Science Education, hearing on International Science and Technology Cooperation, 10 a.m., 2318 Rayburn.

April 3, Subcommittee on Space and Aeronautics, hearing on NASA's Exploration Initiative: Status and Issues, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 3, hearing on the Role of Credit Cards in Small Business Financing, 10 a.m., 1529 Longworth.

Committee on Transportation and Infrastructure, April 1, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on A Growing Capitol Complex and Visitor Center: Needs for Transportation Security, Greening, Energy, and Maintenance, 10 a.m., 2167 Rayburn.

April 2, Subcommittee on Economic Development, Public Buildings, and Energy Management, hearing on National Flood Plain Remapping: The Practical Impact, 10 a.m., 2167 Rayburn.

April 3, full Committee, hearing on Critical Lapses in FAA Safety Oversight of Airlines: Abuses of Regulatory ''Partnership Programs,'' 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 1, Subcommittee on Health, hearing on PTSD Treatment and Research: Moving Ahead Toward Recovery, 10 a.m., 334 Cannon.

April 2, Subcommittee on Oversight and Investigations, hearing on Traumatic Brain Injury (TBI) Related Vision Issues, 10 a.m., 334 Cannon.

Committee on Ways and Means, April 1, Subcommittee on Health, hearing on the 2008 Medicare Trustees Report, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, April 1, executive, briefing on Cyber Technology, 10 a.m., H–405 Capitol.

April 2, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

April 3, full Committee, executive, hearing on Fiscal Year 2009 Budget—Special Program, 9 a.m., 405 Capitol.

Select Committee on Energy Independence and Global Warming, April 1, hearing on Drilling for Answers: Oil Company Profits, Runaway Prices and the Pursuit of Alternatives, 12 p.m., 210 Cannon.

April 2, to meet to authorize the Select Committee to issue subpoenas to the EPA as necessary to obtain information concerning the EPA's regulatory response to the *Massachusetts* v. *EPA* decision and the Administration's finding of ''endangerment'' as provided for under the Clean Air Act; followed by a hearing entitled, ''From the Wright Brothers to the Right Solutions: Curbing Soaring Aviation Emissions,'' 1:30 p.m., 1310 Longworth.

Joint Meetings

Joint Hearing: April 3, Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Committee on Oversight and Government Reform Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine managing diversity of senior leadership in the Federal workforce and Postal Service, 2 p.m., 2154, Rayburn Building.

Joint Economic Committee: April 2, to hold hearings to examine the current economic outlook, 9:30 a.m., SD–106.

Joint Economic Committee: April 4, to hold hearings to examine the current employment situation, 9:30 a.m., SD–106.

Next Meeting of the SENATE

10 a.m., Tuesday, April 1

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate will resume consideration of the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of H.R. 3221, New Direction for Energy Independence, National Security, and Consumer Protection Act, at 2:15 p.m., and vote on the motion to invoke cloture on the bill at approximately 2:30 p.m.

(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

10:30 a.m., Tuesday, April 1

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) 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; (2) 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; (3) H. Con. Res. 154—Expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander 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; (4) H. Res. 997—Expressing the strong support of the House of Representatives for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Georgia and Ukraine; (5) H.R. 2040—The Civil Rights Act of 1964 Commemorative Coin Act; (6) H. Con. Res. 310—Expressing support for a national day of remembrance for Harriet Ross Tubman; (7) H. Res. 1005—Supporting the goals and ideals of Borderline Personality Awareness Month; (8) H. Res. 1021—Supporting the goals, ideals, and history of National Women's History Month; (9) H.R. 5168—The "Cody Grater Post Office Building" Designation Act; (10) H.R. 5551—To amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts; (11) S. 550—A bill to preserve existing judgeships on the Superior Court of the District of Columbia; (12) H. Res. 945—Raising awareness and promoting education on the criminal justice system by establishing March 2008 as "National Criminal Justice Month"; (13) H.R. 4056—The Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008; (14) H.R. 1312—Arts Require Timely Service (ARTS) Act; and (15) H. Res. 1061—Observing the 40th anniversary of the assassination of Dr. Martin Luther King, Jr. and encouraging the people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr.

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