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House of Representatives

The House met at 10 a.m.

Rev. John C. Garrett, Parish of Our Lady of Sorrows-St. Anthony, Hamilton, New Jersey, offered the following prayer:

''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.''

God, Creator of heaven and Earth, the Founders of this great Nation recognized the basic principle that You are our Creator and we are Your noble, yet humble creatures. As such, all men and women are loved and treasured by You. Send Your blessings on the women and men of this honorable House so that they will be guided by Your divine law in their deliberations. Grant them the wisdom to seek the common good for all people. May all their actions demonstrate respect and reverence for all people; each made in Your divine image and likeness. Let all this be done for Your greater glory. We ask this in Your divine name.

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Michigan (Mr. KNOLLENBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. KNOLLENBERG 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 1-minute requests on each side of the aisle.

BRING DOWN PRICES AT THE PUMP TODAY

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Madam Speaker, every day Americans are struggling to drive their kids to school or run important errands. Every day Americans are struggling to fill up their gas tanks. And every day President Bush opposes a different Democratic solution to bringing down prices at the pump.

Today is day 9 of our efforts urging the President to release oil from the Strategic Petroleum Reserve, a move that has a history of real results. But the White House has slammed the idea, saying it has been ineffective in the past.

I guess President Bush doesn't remember when his father released oil from the Reserve in 1990 and oil prices dropped 33 percent immediately. Or when President Clinton took action in 2000. Real relief was apparent before oil even reached market. He also forgot when he himself released oil from the SPR only 2 years ago, and a barrel of oil dropped $5.

This is action Americans are demanding; relief at the pump now.

Madam Speaker, releasing oil from the reserve is a tested and proven solution to providing struggling Americans with relief today. It is time President Bush stands up for consumers and taps into the Strategic Petroleum Reserve.

DESTROY THE BOOKS

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

Mr. POE. Mr. Speaker, the elite Cambridge University Press of the United Kingdom is destroying controversial books, reminiscent of the Berlin book burnings of 1933.

In an effort not to offend wealthy Saudi banker Sheikh Khalid bin Mahfouz, the timid publisher cowered in fear and is pulping and destroying all known copies of its book ''Alms for Jihad'' that alleges the Saudi banker's ties to charities that fund terrorist organizations. The writers of the book stand by their work, however.

Mr. Speaker, here is the real problem. In the United Kingdom more and more frivolous libel suits are brought against writers and publishers by people with connections to terrorist groups because the United Kingdom court system is weighed in favor of suppression of controversial free speech in the marketplace of ideas. So many publishers like Cambridge are intimidated and are afraid to publish controversial topics. After all, the British court system is just too sophisticated to allow books to be printed that might offend someone.

The writers of ''Alms for Jihad'' should publish their book in the United States because we thrive on controversial speech, whether alleged terrorist sympathizers like it or not.

And that's just the way it is.

UNITED WAY OF HUDSON COUNTY, NEW JERSEY

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

Mr. SIRES. Mr. Speaker, I rise today to highlight the good work of the United Way of Hudson County, New Jersey. They have a distinguished history of working with their partners to help the homeless in Hudson County.

I would like to highlight just a few of the good things that United Way of

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Hudson County is doing in my district. They are, in part, responsible for a Bayonne facility for homeless men, a program for the elderly in Jersey City, a training program for 59 shelter residents, housing for Hudson County individuals with HIV/AIDS, meals, soup kitchens, and educational services for homeless persons.

In 2005 the United Way of Hudson County created an emergency shelter system for the homeless that was widely honored by the U.S. Department of Housing and Urban Development, the State of New Jersey, and the State Association of Community Development Directors.

In 2006 they were awarded the County's first ''Housing First'' grant from the U.S. Department of Housing and Urban Development. This grant provided housing for social services for 26 disabled individuals. Their Housing First focus, championed by the United Way and the County Executive, Tom DeGise, will provide housing and hope for a better future for the homeless of Hudson County.

Please join me on July 30 for the second congressional reception honoring the United Way.

TRIBUTE TO THE SPECIAL OLYMPICS

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

Mr. KNOLLENBERG. Mr. Speaker, I rise today to commemorate an organization that has contributed to our community in my district in Michigan for something like 40 years, and has inspired us in many ways.

The Special Olympics is a beacon of opportunity and support for people with intellectual disabilities, providing training and athletic competition in over 100 countries.

Michigan's 9th district, my district, is no exception. We have been blessed with a dedicated and vigilant local organization there that has established a successful program with amazing results.

More than 400 athletes participated in this year's Oakland County Spring Games this past May, including Charles Howard from Farmington and Jaime Bonneau from Clarkston, who have been selected to compete in the World Games in 2009. I extend my best wishes to their respective competitions.

On the 40th anniversary of this extraordinary organization, I wish to honor them for their efforts and their contributions to our community and the communities around the Nation.

POSITIVE CONTRIBUTIONS OF IMMIGRANTS

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

Mr. BACA. Mr. Speaker, I speak on behalf of immigrants. Sometimes heroes come from the least expected places. Such is the case of Edwin Ramirez from Pacoima, California. Ramirez, despite his obstacles, successfully built small businesses with his brother.

In 1990, as a parent and a leader with a vision, he quickly rose as a leader in his local PTA and within Los Angeles Unified School District. Ramirez also founded and became president of the Pacoima Neighborhood Council to voice concerns of his community.

Edwin Ramirez is an example of the American dream and a hero in the community. Edwin is an immigrant. It is because of Edwin Ramirez and other role models like him that our country has always welcomed immigrants.

For those reasons, on behalf of the American dream, I urge my colleagues to support comprehensive immigration on behalf of the 12 million to 14 million people here in the United States.

COMMONSENSE SOLUTION

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

Mr. WILSON of South Carolina. Mr. Speaker, it is a basic rule of economics that when demand goes up, but supply remains stagnant, prices go up. That is the primary cause of the recent rise in gas prices.

Energy costs affect our transportation costs, our food costs and our national security. If there were a silver bullet, an alternative energy source that could replace oil tomorrow, we would all be for it. But there isn't. So while we are working with oil, it makes economic and national security sense to reduce our dependence on foreign imports.

If my colleagues on the other side of the aisle want to invest in alternative energy, good. So do we. If they want to promote conservation, good. So do we. But if they continue to stand in the way of opening up new areas right here at home for oil and natural gas exploration, then they will stand alone.

House Republicans are ready to act because Americans want an all-of-the-above energy policy. When will House Democrats stand with the American people, rather than in their way?

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

□ 1015

ALPHA KAPPA ALPHA

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

Mr. COHEN. Mr. Speaker, in Washington this week, there are thousands and thousands of African American women who are members of the Alpha Kappa Alpha sorority. That was the first Greek letter African American sorority in this country. It's been a sorority that's been intertwined with all of the activities of this society. In the last 100 years through women's suffrage and the civil right's movement, there have been active members.

Service and scholarship are the bywords of the Alpha Kappa Alpha sorority. Their members have included Coretta Scott King and Rosa Parks, and honorary members have included Eleanor Roosevelt, and announced yesterday, Michelle Obama.

The Alpha Kappa Alpha women are doing good works in this country, and I appreciate their including me. I will be joining them at a luncheon today. And I congratulate them on 100 years of service started at Howard University here in Washington, D.C.

CONGRESS MUST LIFT THE MORATORIUM ON DRILLING

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

Mr. LAMBORN. Mr. Speaker, I rise today to address the energy crisis gripping our country. The time has come for America to unite behind an aggressive campaign to reduce our dependence on foreign energy. Failure to act now will only drive up energy prices and destroy good-paying jobs.

Solving this crisis requires producing more American energy. We must lift the moratorium imposed by Congress on offshore drilling. Also, we must remove the roadblocks preventing leasing programs for oil shale on public lands. Finally, we must allow responsible drilling in ANWR. Doing these things will have an immediate impact on gasoline prices.

President Bush this week lifted the executive moratorium on new oil and gas exploration on the Outer Continental Shelf. This is an important first step but must be followed by action from Congress to finish the job. Billions of barrels of oil and trillions of cubic feet of natural gas are available to America if we do this. We are the only country in the world not using the energy at its disposal.

Congress must act immediately to help lower gasoline prices for all Americans.

REPUBLICANS' ENERGY SOLUTION IS WORKING FOR BIG OIL BUT NOT FOR THE AMERICAN PEOPLE

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

Mr. McDERMOTT. Mr. Speaker, when the President took office, gasoline cost less than $1.50 a gallon, and a barrel of oil was selling for $30. So they had a planning meeting down at the White House, and gas has jumped to $4.50 a gallon and oil is nearly $150 a barrel.

Despite these facts, the President would like the American people to believe that he has proposed a credible

new plan to lower energy prices, but consider this: The President's invasion of Iraq and tacit military threats to Iran have destabilized the Middle East and driven oil prices out of control.

Big Oil has leases, access, and decades to drill on millions of acres on the Continental Shelf, but they choose instead to drill down into the wallets of the American people. Oil companies are already exploring today. They're exploring the upper limits of their stock prices by using their billions in profits to buy back stock, not to reinvest in America.

We still don't know what the Vice President's secret meeting with the industry was when gas prices were $1.50 a gallon, but it sure looks like it's working for the oil companies, but it isn't working for us.

We've got a plan, and we will propose it and bring it out here on the floor.

THE FUTURE OF AMERICA IS AT STAKE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, to help families dealing with the high price of gas, the White House ended the ban on deep ocean energy exploration. Now it's up to the Congress to give this commonsense move the final green light.

We must pursue increasing production of American-made energy in an environmentally conscious manner off the coast of the Atlantic, the Gulf, and the Pacific. We have the technology to access fuels right here in America while still protecting our natural resources for future generations.

We should and must develop our own oil and natural gas resources in the deep waters offshore, on Federal lands, and in oil shale if we want to revive America's independence. It's past time Congress got off the dime and approved deep ocean energy exploration today.

Americans, the future of America is at stake.

MOVING TOWARDS A NEW DIRECTION

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

Mr. ALTIMRE. Mr. Speaker, the American economy has lost nearly half a million jobs this year with six consecutive months of negative job growth. In fact, under this administration our economy has the slowest record of job growth since the Hoover administration, has added $3.5 trillion dollars to the national debt and seen the value of the dollar plummet. Gasoline is $4.10 a gallon, the stock market has flatlined, the financial industry is in crisis, and the housing industry teeters on the brink.

We simply cannot afford to continue the same failed policies of the past 8 years. And while Senator MCCAIN's chief economist says that it's all in our heads, that the Americans are just whining about the economy, Democrats recognize the problem and are working to provide some relief. And though we lack cooperation from a President who doesn't share our values, we have shown leadership by overriding his vetoes four times now and counting.

Democrats in Congress are leading the way and moving towards a new direction for our economy.

ENERGY POLICY

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

Mr. BROWN of South Carolina. Mr. Speaker, yesterday I spoke at a rally highlighting how America's energy crisis is impacting the working men and women in our Nation. The average working person in my district works at a hotel or a restaurant meeting the needs of the tourism industry.

That average person also drives to work. There is no light rail or subways taking them from rural homes to their place of work near the coast. The folks they serve probably drove hundreds of miles with their families for a well-deserved vacation, but few families are coming to the beach this year because of high gasoline prices. It also means that few folks will be working at the hotels and restaurants.

Mr. Speaker, the Democrat-led House's lack of action on energy policy is affecting every segment of our society, so much so that I am receiving drill bits in the mail demanding that we take action to lower energy prices in America. Those drill bits aren't coming as part of some well-financed campaign; they're coming because we can no longer hope that the problem will go away.

Like many other countries, the United States is blessed with many types of natural resources. I agree with the vast majority of Americans by viewing our natural resources as one of our greatest assets, not as an environmental liability.

We must take action now and vote on legislation immediately that would allow for more domestic energy to be produced by Americans for Americans.

LIHEAP

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

Mr. OLVER. Mr. Speaker, to significantly lower gas prices at the pump, Congress must end rampant speculation in crude oil futures, yet our Republican colleagues in both branches have consistently opposed such legislation. Meanwhile, a whole new crisis looms as families face a price approaching $5 per gallon for heating oil for their homes. That's twice last winter's price.

Last winter in Massachusetts and New England alone, 350,000 low-income families used the LIHEAP program to get by, yet only one in four of the families eligible by income use the program. Many of those already eligible families will be in desperate need of help this winter, and many more middle-income families' budgets will be severely stressed by the doubled price of home heating oil.

Heat for a home or an apartment is not optional for any family, and Congress must act on an historic investment in LIHEAP before we finish our session.

DIPLOMATIC PRESSURE ON IRAN IS WORKING

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

Mr. PENCE. Mr. Speaker, no one wants war with Iran, but America and our allies in Europe have been exerting increased diplomatic and economic pressure to move the nation of Iran and its government away from developing a nuclear program.

In May, Congressman GARY ACKERMAN and I introduced bipartisan legislation, H. Con. Res. 362, urging this administration to impose expanded economic sanctions on key sectors of the Iranian economy. It appears as though it's having its good effect. In what's being reported today as what will be the ''closest contact between the two countries since the Iranian revolution of 1979,'' this weekend, U.S. Ambassador William Burns will meet with top arms negotiators from Tehran. It will be more of a listening session and should not be overstated.

However, I would offer that this glimmer of hope in these negotiations is precisely because of the resolve of the United States and the European community to economically and diplomatically isolate Iran over its nuclear ambitions. But now is not the time for us to shrink from renewed diplomatic pressure.

I urge all of my colleagues to join Congressman GARY ACKERMAN and me and cosponsor H. Con. Res. 362 before this weekend. Let's send a deafening message to the negotiators in Iran that the American people stand for diplomatic and economic isolation until they abandon their nuclear ambition.

THE ANSWER TO OUR OIL PROBLEM: PRODUCE, PUNISH, AND PROMOTE

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

Mr. PERLMUTTER. Good morning.

My friends on the Republican side of the aisle are complaining about gas prices, but with two oil men in the White House, is it any wonder that the price per barrel has gone from $30 at the beginning of the Bush administration to $150 or thereabouts.

The Republicans have taken the tack that we should drill, drill, drill. That's not the answer. We're not going to drill our way out of this problem. I would say it's the three P's: produce from the 68 million acres that we have under lease and are permitted today, punish the people who have been hoarding, gouging, and speculating in oil futures, and the third is promote efficiency and alternative forms of energy.

We've learned this lesson too many times. We need to come up with a new way to power this nation. If we do these three P's, produce from what we've got, punish those people who are gouging us, and third, promote energy efficiency and alternative energy, we will change the direction of this nation. And we need to do it right now.

OFFSHORE OIL EXPLORATION

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

Mr. PITTS. Mr. Speaker, until this week, there were two prohibitions on offshore drilling, two prohibitions from keeping us from accessing billions of barrels of American oil. One was imposed by Congress; another by executive order in 1990. But now President Bush has lifted the executive ban.

Standing in the Rose Garden he said, ''The only thing now standing between the American people and these vast oil resources is action from the U.S. Congress. Now the ball is squarely in Congress' court.''

There can be no mistake. Congress must answer to the American people why we are not allowing the production of American-made energy right here at home, why Congress prefers the money to be sent to dictators and unsavory regimes around the world.

Speaker PELOSI and the Democratic leadership in this House should bring legislation to the floor to vote on opening the deep waters off our coast to allow us to access billions of barrels of American-made energy immediately. Otherwise, the price of gasoline and home heating oil will continue to rise.

THE TIME FOR ACTION IS NOW

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

Mrs. BLACKBURN. Mr. Speaker, it is hot in Tennessee this summer, and in my district, a lot of us are moving the thermostat up, the house is a little bit warmer, we're sitting on the front porch, and we're asking ourselves a question: Are we better off or worse off today than we were in the summer of 2006? I will tell you what my constituents are saying: They were better off in 2006, and they're asking what has happened since that time.

Well, the Democrats took control of both chambers of this House. And you know what? They are not doing one thing to turn the heat down on the American consumer. As long as the energy crisis is not addressed, the price of oil is going to affect everything else: transportation, food, home cooling, home heating this fall. TVA, which provides electricity for most Tennesseans as well as six other States and over 8.8 million people, recently had to increase its wholesale fuel cost. Of course, the price gets passed on to the consumer and the consumer pays the bill.

We have legislation that would address this issue, Mr. Speaker. It is time for action.

□ 1030

WELCOMING FATHER JOHN GARRETT, PAROCHIAL VICAR OF OUR LADY OF SORROWS-ST. ANTHONY'S CHURCH

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

Mr. SMITH of New Jersey. Mr. Speaker, it is my distinct honor to welcome our guest chaplain, Father John Garrett, the parochial vicar of Our Lady of Sorrows-St. Anthony's Church, located in my hometown of Hamilton, New Jersey.

I have known, respected, and admired Father Garrett all of his life. Even as a young man, I was deeply impressed by his innate goodness, generosity, enthusiasm, motivation, tenacity, and above all, deep faith. It was a privilege for me to nominate Father Garrett, then known as J.C., as my first page, way back in the 1981–1982 school year. That's how far back we go.

Throughout his life, Father Garrett has always applied his enormous talents in ways that benefit others. In addition to living and preaching the gospel, he is also a board certified psychologist. His expertise includes helping those with depression, anxiety, panic disorders, PTSD, personality disorders, and the chronically mentally ill.

Along with his doctorate in psychology, Father Garrett has two master's degrees and has served as director of the graduate program at Columbia College in Missouri.

A man of deep faith, Father Garrett has and continues to make enormous contributions in promoting and securing the mental and spiritual health and well-being of others.

I welcome him back to the House of Representatives and thank him for his extraordinary commitment to serving others and for so effectively and faithfully radiating the love, the mercy, and the compassion of Christ.

Welcome, Father Garrett.

PROVIDING FOR CONSIDERATION OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1343 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1343

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 5959 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from Florida is recognized for 1 hour.

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

GENERAL LEAVE

Mr. HASTINGS of Florida. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 1343 provides for consideration of H.R. 5959, the Intelligence Authorization Act for Fiscal Year 2009, under a structured rule. The rule provides 1 hour of debate controlled by the Permanent Select Committee on Intelligence and makes in order seven amendments.

Three amendments are to be offered by my colleagues in the minority, including one by the Republican whip and one by the ranking Republican of the Intelligence Committee. Three are to be offered by Democrats, and the last one by two bipartisan sponsors. This is a fair rule, and I urge my colleagues to support it.

Mr. Speaker, today, more than ever, strengthening our intelligence apparatus and giving it the flexibility it needs to meet continuing threats should be one of this body's highest priorities. The resurgence of al Qaeda and increasing global threats underscore the importance of the authorization bill before us today.

The Intelligence Authorization Act authorizes funding for 16 United States intelligence agencies and intelligence-related activities of the United States Government for fiscal year 2009.

Due to the classified nature of this bill, I wish to point out that Members can view the classified portions of the bill by making an appointment with the Intelligence Committee in H–405 of the Capitol.

Despite the House's best efforts, for the past 3 years an intelligence authorization bill has not become law. Therefore, I am very pleased today with this well-balanced, bipartisan bill. I am hopeful that this great work will continue, concluding with the President's signature of the underlying legislation into law.

This year's intelligence authorization bill adds crucial funding to enhance human intelligence collection, as well as for other enduring and emerging global security challenges we face in Asia, Africa, and Latin America. The bill also provides funding to address the impact of climate change on our national and energy security.

Mr. Speaker, in recent years, we have seen the devastating costs that flawed intelligence and a misinformed Congress can have on national security. This bill enhances accountability and transparency through long overdue oversight and monitoring.

The underlying bill increases reporting requirements to the House and Senate Intelligence Committees on the nuclear capabilities of North Korea, Iran, and Syria.

The bill also amends the National Security Act to require the executive branch to provide Congress with the necessary information about our intelligence operations to ensure proper oversight.

As someone who sat through countless hours of Intelligence Committee hearings and briefings, I have been appalled by the unwillingness and outright stonewalling of the Bush administration when Members have asked even the most basic of questions about our intelligence community policies and practices.

Additionally, the underlying legislation helps restore our Nation's global credibility by ensuring that we meet our international obligations. The reporting requirements on compliance with the Detainee Treatment Act and the Military Commissions Act regarding detentions and interrogations bring credibility and security to our Nation for future generations.

The bill also furthers our commitment to improving the intelligence community's security and clearance process. It increases pay for intelligence officers—and I would underscore much-needed increases—and enhances oversight and accountability through the creation of an intelligence community Inspector General.

Moreover, the underlying legislation includes a provision that would require reporting on plans to enhance diversity within the intelligence community, and a lot of effort has gone into this particular measure, beginning with our former colleague, Louis Stokes, and our departed colleague, Julian Dixon, and the work of my colleague, SANFORD BISHOP, and myself, as well as the Chair and countless members of the committee in trying to ensure that we have appropriate diversity in the intelligence community.

The diversity of our Nation should be directly reflected in our intelligence community's workforce. We cannot, and will not, appropriately meet our security challenges without ensuring this. I appreciate and support these efforts, as the issue, as I expressed, was one of my top concerns when I served on the Intelligence Committee.

Finally, I would like to thank Chairman REYES for including in his amendment a provision written by my colleague on the Rules Committee, Representative PETER WELCH, that addresses the employment needs of resettled Iraqi and Afghani interpreters.

Our government has a moral responsibility to provide proper resources for these allies who risked their lives to assist our efforts to fight global terrorist threats. This measure will help fill gaps in our intelligence-gathering activities and is a start toward fulfilling our obligations to our Iraqi and Afghani allies.

Mr. Speaker, the threats posed to our Nation are only intensifying. To keep pace, America's intelligence community requires the most robust and modern tools to identify and disrupt such attacks. This Intelligence Authorization Act does just that.

I urge my colleagues to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend and namesake from Florida for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, the underlying intelligence authorization bill that this rule makes in order generally has bipartisan support in this House. This support comes in part from a number of Republican amendments that were adopted during the Intelligence Committee markup.

Among the adopted amendments was one offered by Ranking Member HOEKSTRA to eliminate all earmarks from the bill and to strike the provision transferring $39 billion to the Department of Justice for an entity known as the National Drug Intelligence Center.

This appropriateness of earmarking intelligence funds, and controversy surrounding this earmark in particular, was a serious issue during last year's consideration of this bill.

By adopting the Republican ban on earmarks in committee, such controversies are diminished, but Mr. Speaker, the larger need for earmark reform across Congress still remains.

Mr. Speaker, I support a 1-year earmark moratorium for all Members to allow for reforms to take place. Key among these reforms should be a definition of what is an appropriate allocation of Federal funds and what is an abuse of taxpayer dollars that assumes no essential or relevant Federal Government need.

□ 1045

Republican efforts to institute a 1-year ban on earmarks and to allow for a reform have been stymied by opposition from Speaker PELOSI and the other liberal leaders of the House.

While it is a small sign of success that earmarks have been stricken from this bill, a great deal more needs to be done to restore the American people's faith on how Congress spends taxpayers' money.

Now, Mr. Speaker, on the rule itself, I would like to make two points. First, the rule is unnecessarily restrictive and only makes in order half of the 20 amendments filed with the Rules Committee; just 10 amendments will be debated on this bill. There were other relevant amendments that were offered by Representatives on both sides of the aisle that were blocked by the Democrat Rules Committee.

In this instance, Mr. Speaker, the best that can be said about this unfair rule is that it at least treats both Republicans and Democrats unfairly by

blocking an almost equal number of amendments from Representatives of each party. However, Mr. Speaker, restricting debate on both sides of the aisle is not what the American people were promised by those who now control this House. They promised an historic level of bipartisan openness, not the record-setting shutdown of debate on the House floor that they've been practicing for the past year and a half.

Finally, Mr. Speaker, this rule waives the PAYGO rule written and passed by the liberal Democrat majority in January of 2007. Now my colleagues on the other side of the aisle may rush to say that they had to waive PAYGO rules because this is an intelligence bill and there is a classified section that isn't public, so it can't be read to make a parliamentary ruling on whether PAYGO has been violated. That's what the argument will probably be. Yet, Mr. Speaker, this is a false excuse.

The fault here rests not with the need to keep secret the classified information in the bill, it's that the Democrat majority chose to write the new House rules—initially—behind closed doors without consulting with the whole House or with Republicans. In doing so, they have made error after embarrassing error. On multiple occasions, this House has had to go back and fix mistakes in the rules that Democrat leaders made by refusing to work or even consult with Republicans. They had to do it on charitable fund raising, plane travel, and banning Members from flying their own airplanes.

And when it comes to PAYGO, not only was the rule written poorly to apply to classified parts of the bill, but it's a rule that Democrat leaders have decided to ignore for politically expedient reasons.

There is a great deal of talk from the liberal majority on their allegiance to PAYGO, yet they've just ignored it time after time when it suits their purposes; for example, on the farm bill, on unemployment insurance extensions, and on fixing the alternative minimum tax.

Mr. Speaker, it's inconsistent to use PAYGO as an excuse to block proposals and amendments you oppose and then ignore PAYGO on a bill that you really want to pass. PAYGO is simply a smokescreen, Mr. Speaker, that this Democrat Congress is trying to use to cover for the largest proposed tax increase in American history and tens of billions of dollars in higher government spending.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 5 minutes to my good friend from Massachusetts (Mr. MCGOVERN) with whom I serve on the Rules Committee.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this rule. And I want to take my time to also rise in support of the Blunt amendment on Colombia.

Mr. Speaker, I cannot describe the joy and the excitement that I felt on July 2 when I knew the rescue operation had been successful and that Mark Gonsalves, Keith Stansell, Thomas Howes, Ingrid Betancourt and 11 Colombians were finally free after years of torment and brutality suffered at the hands of the FARC.

I immediately wrote President Uribe congratulating him on the successful rescue. I also told President Uribe and members of the Colombian families that I remain committed to working for the release of the rest of the hostages. I would like to enter a copy of that letter into the RECORD.

Mr. Speaker, I know I speak for all my colleagues when I say that I want to see an end to the conflict in Colombia. I want to see the dismantling of all paramilitary, FARC, ELN, and other armed groups in Colombia. Clearly, this is in the best interests of the Colombian people as well as the United States.

I want to see the Colombian military and security forces finally break their ties to armed groups, drug lords and criminals, and to fully respect the rights of all Colombian citizens.

The Blunt amendment notes how intelligence and other cooperation by the United States contributed to weakening all of Colombia's illegal armed actors—the paramilitaries, the FARC and the ELN. It states that such assistance should continue to capitalize on recent successes. Mr. Speaker, I couldn't agree more. According to an analysis by the Center for International Policy, what is most interesting about the hostage rescue operation and other recent successes is how different it is from what has failed in the past, namely, massive and expensive military offenses, fumigation, and racking up civilian body counts. The rescue highlights what has worked—the intelligence and cooperation that the gentleman from Missouri encourages us to continue:

A greater intelligence focus aimed at the top leadership of the FARC and the captors of the hostages;

A public relations campaign making it clear to the guerrilla rank-and-file that those who desert and who surrender to the government will not be tortured or disappear as in the past, but instead will get job training, a stipend, and the promise of a new life;

And an increased presence by security forces in population centers and on main roads aimed at protecting civilians rather than treating them as suspects.

Mr. Speaker, most interesting about these strategies is that, with the exception of the cost of increased manpower and protective presence, they are relatively inexpensive. These efforts, which have proven so effective, make up only a sliver of Colombia's defense budget and only a sliver of U.S. assistance. Planners of future aid packages to Colombia should take note.

Intelligence and encouragement of desertion work—these relatively cheap but vastly improved capabilities made the bloodless rescue mission possible. It is hard to imagine the Colombian military of even just 2 years ago pulling off an operation like this, but today we celebrate the freedom of 15 Colombians and Americans.

Mr. Speaker, I would like to enter into the RECORD a letter sent by Senator RICHARD LUGAR to President Uribe urging him to seize this moment and open up negotiations with the FARC and the ELN to end the conflict and release the hundreds of Colombians who remain in captivity. Thus, indeed, will Colombia finally defeat the guerrillas and hopefully reunite the remaining hostages with their families and loved ones. I remain committed to this cause, and every Member of this Chamber should remain committed to this cause.

Mr. Speaker, I have many, many deep concerns about the human rights situation in Colombia and some of the aid we send. But the Blunt amendment is not an endorsement of the ''same old, same old.'' It is a recognition of something that has worked.

I urge all my colleagues to support the Blunt amendment, and I urge passage of this rule.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 2, 2008.

Hon. ÁLVARO URIBE VÉLEZ,
President, Republic of Colombia, Casa de Nariño Bogotá, Colombia.

DEAR PRESIDENT URIBE, I just want to express my deepest appreciation and gratitude for the successful operation that freed 15 of the hostages—eleven Colombians, Ingrid Betancourt, and the three Americans.

No doubt like everyone watching the breaking news throughout this afternoon, I simply have no words to express what I'm feeling.

I can only say thank you to you and to everyone who was involved in this very successful and intelligent ruse that resulted in freeing so many without a single shot fired or anyone injured.

As always, I remain committed to working with you and with my counterparts in the international community to secure the freedom of the remaining Colombian captives.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

U.S. SENATE,
Washington, DC, July 8, 2008.

His Excellency, ALVARO URIBE,
President of the Republic of Colombia, Bogota, Colombia.

DEAR MR. PRESIDENT: I write to congratulate you on the Colombian military's daring operation to rescue hostages held by the Revolutionary Armed Forces of Colombia (FARC), including three American military contractors, Ingrid Betancourt, and several members of the Colombian military. I believe this operation marks a turning point in Colombia's struggle against the violent and decades-long conflict and will be viewed as an example of the progress that the United States and our Latin American friends can realize when acting in partnership.

It will not go unnoticed that this historic success against violent guerillas was most distinguished by cooperation and execution of a non-violent nature. I remain hopeful that this event opens a new chapter in Latin American history, one in which ideological

and territorial disputes may be resolved through persuasion rather than coercion.

With the FARC on its heels for the moment, I encourage you to press for its disarmament and its renunciation of drug trafficking and extortion in exchange for a seat at the negotiating table. In this regard, I applaud Colombia's decision to seek direct talks with FARC rebels to explore further hostage releases; these steps could lay the groundwork for broader gains in the interest of peace for the people of Colombia. In addition, I would urge you to consider including the National Liberation Army (ELN) as part of future talks to end the violence. Lastly and more generally, I would encourage you to consider Brazil, a country with a record of bridging ideological divisions and displaying an awareness of regional sensitivities, as a possible mediator for any discussions. These, of course, are decisions for your government to make, but your many friends want to be as helpful and supportive as possible.

For the United States, Colombia's achievement should be taken as a sign of the tangible results that patient, committed and consistent policies of cooperation and assistance can yield. These latest blows against the FARC demonstrate how U.S. funding can be spent constructively for the cause of peace in our region, and I am hopeful that the U.S. Congress will deepen support for you and your country's quest for peace.

Once again, I applaud your leadership, the Colombian military's impressive action against the FARC, and the steadfastness of the Colombian people.

Sincerely,

RICHARD G. LUGAR,
United States Senator.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Washington for yielding.

Mr. Speaker, I do rise in opposition to the rule for consideration of the fiscal year 2009 Intelligence Authorization Act.

As a former member of the House Select Committee on Intelligence, I strongly believe we must enact all of the 9/11 Commission's intelligence recommendations, even those that apply to our own congressional committees.

In its final report, the 9/11 Commission concluded that, ''Of all our recommendations, strengthening congressional oversight may be among the most difficult and important. So long as oversight is governed by the current congressional rules and resolutions, we believe the American people will not get the security they want and need.''

The bipartisan 9/11 Commission report and the subsequent 9/11 Public Disclosure Project recommended three alternatives for reforming congressional oversight of intelligence. These options include:

One, establishing a joint committee on intelligence modeled after the old Joint Committee on Atomic Energy;

Two, establishing House and Senate committees on intelligence with authorizing and appropriating authority; or

Three, establishing a new appropriations subcommittee on intelligence.

In the wake of the terrorist attacks of 2001, Congress enacted a large majority of the commission's recommendations. However, as it turns out, it has been those recommendations that apply directly to the tangled rules and procedures here in the United States Congress which have been left unfinished.

Last year, Congress applied a Band-Aid to this problem by creating a powerless Intelligence Oversight Panel that has very little control over actual funding decisions. Despite what I am certain are sincere efforts on the part of members of this panel, this is clearly not what the 9/11 Commission recommended. In fact, its report plainly states that ''tinkering with the existing committee structure is not sufficient.''

As a result, experts on the 9/11 Commission, including a leading Democrat from the commission who I happened to speak with this morning, are concerned that intelligence agencies can dodge effective oversight by going around the authorizing committees that scrutinize them most closely. For example, last year, the ranking member of the Senate Intelligence Committee described what he called a ''consistent pattern'' in which the authorizing committee held in-depth hearings and then made specific funding recommendations for several secret programs only to have appropriators go in a dramatically different direction.

Yesterday, Congressman SHAYS and I appeared before the Rules Committee and offered a simple amendment to the bill before us calling for a sense of Congress that this House should act at the start of next year to implement these crucial 9/11 recommendations. Unfortunately, despite vocal support from both Democrats and Republicans on the Rules Committee last night, this amendment was denied under today's rule.

I have no doubt that implementing this proposal will be a challenge, yet we cannot continue to just sweep this vital 9/11 Commission recommendation under the rug while at the same time calling for other government agencies to make reforms. A former 9/11 Commission member, Tim Roemer, noted recently, ''Out of all the many recommendations of the 9/11 Commission, the congressional reform one might be the hardest, but it may be the single most important.''

Mr. Speaker, the American people have insisted that we implement all of these important recommendations, even those that are difficult. We will be doing this country a disservice until we put in place an effective committee structure capable of giving our national intelligence agencies the oversight, support and leadership they need.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise to oppose this resolution, but recognize that three Republican amendments were made in order and three Democratic amendments.

But what troubles me is that this House, over so many years, continues to avoid meaningful debate. I was at the NAACP Convention in Cincinnati this week. Before Barack Obama spoke that night, they had a debate between college students from Stockton, California and Detroit, Michigan, about health care. They had three speakers for the pro position and three speakers for the con. It was a fascinating experience. It was electric.

We were witnessing a debate on an issue with 10,000 people listening. And I thought, I haven't experienced this in years. I haven't heard such a meaningful debate in years. And yet I serve in Congress, and we haven't had that kind of debate. And we're not going to have a meaningful debate on the authorization bill on intelligence today.

The amendment Mr. CASTLE talks about deserves to be debated. It was a recommendation of the 9/11 Commission. My Democratic colleagues won this House in part by saying we need to implement the recommendations of the 9/11 Commission, but they won't allow a debate on something so fundamental.

Why shouldn't there be a Joint House and Senate Committee on Intelligence, or, why shouldn't we establish a House and Senate Committee on Intelligence with authorization and appropriation powers; or, at least have a separate Appropriations Committee on Intelligence because now the defense subcommittee of appropriations decides what goes in the intelligence bill.

Why shouldn't we have a debate about that? Why shouldn't we educate ourselves about the pros and the cons of it? Why shouldn't the American people be allowed to hear such a debate?

Why is Congress failing to live by the recommendations—or at least debate the recommendations of the 9/11 Commission, which my colleagues on the other side of the aisle professed to want to do before the election? Not to even have a debate is hard to understand.

□ 1100

There was a second amendment that was not allowed in order. This one was to declassify the bottom line of the budget on Intelligence. In other words, we would know what it is. The remarkable thing is our adversaries know. I won't talk about recent numbers, but I will tell you this: Ten years ago, when you read about the numbers in the New York Times, we couldn't say the number was accurate, but it was the number. The Times was right 10 years ago, 11 years ago and 12 years ago and 13 years ago and 14 years ago. The New York Times knew, but the American people are not allowed to know. Our adversaries knew. The Soviet Union knew. Who didn't know? The American people.

It's not just that. Another problem is we have to hide tens of billions of dollars in our budget that are going to the Intelligence Committee.

So there are things throughout the budget that really aren't going to the things we say they are. They're not going there. They're going to the Intelligence Committee. So we have to distort our budget by tens and tens and tens of billions of dollars and tell people the money is going there when it isn't.

We even have Members come on the House floor who want to take out money from those appropriations, and they don't know that they're not taking it out of what that says it's going to go to, because it's going to go to the Intelligence Committee.

So let's just step back a second and think. Our adversaries know what the bottom line of our budget is and the American people don't, but when my constituents look at expenditures and say ''why are you spending money here or there?'' I can't tell them we're not. I can't tell them it's really going to the Intelligence budget, but we don't want you to know the bottom line in the Intelligence budget.

All we would have to do is just say, ''X'' billion of dollars is going to Intelligence. Then we wouldn't have to fit in ''X'' billion of dollars throughout the budget and hide it. We would just give the bottom line, and then the other parts of the budget would be honest.

Now, some members may not be concerned with this, but the sad thing is we're not going to have a debate on it because this amendment was not allowed by the Rules Committee. I don't know if it's ever going to happen.

When I ran for Congress, I thought we would have a debate about real things. We're not having that and we haven't for a long time.

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule. I understand there was an amendment adopted in committee that struck all of the earmarks in the bill. I applaud this. It's a great day when we decide that the Intelligence Authorization Bill is not the place to put secretive earmarks. So that was, indeed, a good thing.

I should also mention that the committee also prohibited $39 million from going from the National Drug Intelligence Center. This is a center that has been in need of closing down for years. The administration says that the NDIC has proven ineffective in achieving its assigned mission. Yet it still receives money every year, not because it's effective, not because it does anything that the other drug centers do—there are some 19 of them, I believe, that are already in existence, and it simply duplicates some of those efforts—but because there is a powerful appropriator who continues to make sure that that center is funded.

What I wanted to do was to have an amendment here where we could make certain that the NDIC was not funded in any portion of this bill, not just the earmarks in the unclassified version, but to make sure that funding did not go again to the NDIC. That amendment was not allowed.

We really need to tighten this up, Mr. Speaker, as I mentioned. This is a center that the administration has said for years needs to be closed. We know it. The administration knows it. Yet we have a powerful appropriator who ensures that money continues to flow, not because the Nation needs it but simply because we can do it, and that's not a good enough reason.

So I would urge us to reject the rule and to come back with a rule that allows meaningful amendments to be debated here.

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

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, may I inquire of my friend from Massachusetts, who is substituting for my namesake, I gather, if he has any more speakers on his side.

Mr. MCGOVERN. I'm the last speaker, and I'm waiting with great anticipation for your close.

Mr. HASTINGS of Washington. With that then, Mr. Speaker, I yield myself the balance of my time.

This rule provides for the consideration of the Intelligence Authorization Bill for the next fiscal year. This legislation is important to our national security, and it deserves the attention of this House. However, this Congress also needs to address the issue of skyrocketing gas prices that affect both our economic and our national security.

For months now, Democratic leaders have blocked debate and votes on legislation that would produce more American-made energy, which would open parts of Alaska, Federal lands and offshore to oil and gas drilling. As a result, in the long run, it would lower the price of gasoline.

Mr. Speaker, Americans are hurting and Congress needs to act. Therefore, I urge my colleagues to vote ''no'' on the previous question so that I can amend the rule to allow for much needed energy legislation to be considered on this House floor.

By defeating the previous question, the House can finally vote on this vital economic and national security issue.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to defeat the previous question so that this House can get serious about rising gas prices and so that we can start producing American-made gasoline.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me say to my colleagues that this is a good rule, and it deserves to be supported. I would urge a ''yes'' vote on the previous question and on the rule.

I would say to my colleagues that what the gentleman from Washington just proposed on energy is yet another smoke screen by the Republicans in their effort to try to cover up their horrendous record on energy. They have been in control of this Congress. They were in control of the White House for years, and what we have seen are skyrocketing gas prices. They have done nothing to make us more energy independent.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MCGOVERN. No, I will not.

They have frustrated efforts by the Democratic majority to try to support alternative renewable, clean sources of energy from solar, to wind, to fuel cell technology, to you name it, and they have been against it. The President has refused to heed the appeal by Democrats and by the Speaker of the House to tap into the Strategic Petroleum Reserve to provide the American people with immediate relief from these high gas prices.

What we have gotten is the same old, same old. We have two oilmen in the White House, and we have policies being proposed by the other side of the aisle which is the same old same old. Give the oil companies whatever they want. You know what? The oil companies are wrong, and they're gouging the American taxpayer, and it's about time we had a Congress that stood up to them.

Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1343 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2493) to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent;

and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1339 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1339

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 415 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. The House hereby (1) takes from the Speaker's table the bill (S. 2062) to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes; (2) adopts an amendment in the nature of a substitute consisting of the text of H.R. 2786 as passed by the House; (3) passes such bill, as amended; (4) insists on its amendment; and (5) requests a conference with the Senate thereon.

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

Mr. MCGOVERN. Mr. Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

I yield myself as much time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1339.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1339 provides for the consideration of H.R. 415, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System.

This structured rule provides for 1 hour of general debate to be controlled by the Committee on Natural Resources. The rule makes in order four amendments which are printed in the Rules Committee report. The amendments are each debatable for 10 minutes, and the rule also provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in strong support of this rule and in strong support of the underlying legislation. Introduced by my colleague from Massachusetts, Chairman BARNEY FRANK, I am proud to be an original cosponsor of H.R. 415.

□ 1115

This legislation would designate portions of the Taunton River in Massachusetts as part of the National Wild and Scenic Rivers program. It is important to note that this legislation has support from every House member from Massachusetts and Rhode Island and from every government of the affected communities along the river.

Mr. Speaker, I would also like to point out that this designation only affects three congressional districts in Massachusetts and two in Rhode Island. It does not impact any other State in our country.

Mr. Speaker, the Taunton River fully qualifies for and deserves this designation. As determined by the National Park Service, and I repeat, as determined by the National Park Service ''the Taunton River is eligible for wild and scenic designation based on its free flowing condition and the presence of outstandingly remarkable natural and cultural resource values.''

Mr. Speaker, it is also important to note that this designation is distinct for different segments along the Taunton. Two segments of the river would be designated ''scenic'' and two as ''recreational.''

Now some of my friends on the other side of the aisle have suggested that the Taunton isn't scenic enough or that it's too urban for this designation. One of my colleagues even went so far as to say that the only thing scenic about this area is the graffiti on the bridges. Mr. Speaker, I find that statement not just wrong-headed but deeply offensive to the people that I represent. That kind of elitism serves no purpose and has no role in this debate.

I would ask my friends on the other side of the aisle who believe that the Taunton River doesn't meet the right criteria for this designation to actually pay attention to what those criteria are. The Taunton River is the longest undammed coastal river in New England. It is home to over 150 species of birds, 45 species of fish and 360 plant species. It is the largest contributor of fresh water to Narragansett Bay. And its shoreline provides for a wide variety of recreational opportunities. For the communities of Fall River, Somerset and the others along the Taunton, this designation will support the economic development plans within the area. In my district, the Fall River portion of the river, the ''recreational'' designation complements the city's plan for waterfront revitalization, which includes a marina and a boardwalk.

Lastly, Mr. Speaker, I want to address the baseless claim that this legislation is some sort of end around to prevent energy development in Massachusetts. This is an argument cooked up by one particular energy company that wanted to build a liquefied natural gas facility within a stone's throw of people's homes. This company has even purchased full-page newspaper ads in an ill-conceived lobbying campaign. Sadly, some of my colleagues on the other side of the aisle have bought into their false argument hook, line and sinker.

First off, efforts to designation the Taunton began well before any proposal for a liquefied natural gas plant was announced. My mentor, Congressman Joe Moakley, filed legislation to study the river's designation in 1999, while the proposal for LNG was made public 3 years later in 2002. Secondly, this legislation is based on a study compiled by President Bush's National Park Service between 2000 and 2002.

And finally, this LNG plant proposal has been roundly rejected by the United States Coast Guard, the United States Navy, and the Commerce Department, due to overwhelming navigational suitability, environmental issues and maritime safety concerns. In other words, there is nothing this legislation can do that hasn't already been done by the people we task to keep our waterways safe.

Mr. Speaker, this legislation has never been about stopping LNG or energy production. In fact, by denying the communities and the Taunton River this designation, we further hinder their ability to utilize the river as a catalyst for economic development. This bill is about protecting the natural and cultural resources of the people who live along the Taunton River. It's about telling the people of southeastern Massachusetts that their environment, their heritage, their recreational opportunities and their economic development matter too.

I very much look forward to this debate. And I am eager to hear what my friends on the other side of the aisle have to say about this bill. I encourage my colleagues to support this rule and the underlying bill.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes. I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I oppose this unfair rule and the underlying bill that makes a mockery of our Nation's Wild and Scenic River law.

First, this rule unfairly restricts Members from being able to offer amendments on the House floor. It's not the first time. It's a continuing pattern that we have seen over and over and over again. While every Democrat amendment filed with the Rules Committee was made in order, this rule allows only two out of 15 Republican amendments to be offered on the floor.

Seven attempts were made in the Rules Committee meeting on Monday to allow more amendments to be offered and to allow the House to consider the bill under an open rule allowing every Member of this body an opportunity to offer amendments on the House floor. Yet Democrats on the Rules Committee voted to block each and every attempt to allow a more open consideration of this bill.

My colleagues on the other side of the aisle may attempt to argue that some of the amendments weren't allowed for technical reasons, but those excuses ring hollow, Mr. Speaker, when they block every single attempt to allow for a more open debate.

Now, Mr. Speaker, to the underlying bill to designate the Taunton River in Massachusetts as a wild and scenic river. Mr. Speaker, I openly admit that I have never visited this river myself. But as they say, ''a picture is worth a thousand words.'' Mr. Speaker, I could say nothing at all, but a picture does say a thousand words. Here I have a photograph with me of a portion of this river that is anything but wild and scenic.

Now, a simple glance at this photo would be enough for the House to just halt consideration of this legislation. Such a heavily developed and industrialized riverfront, with its multilane roadways, massive bridges and fuel storage tanks should disqualify, should disqualify this section of the river from being labeled wild and scenic.

Now it's argued that the reason this portion is included is because it's ''recreational.'' Mr. Speaker, honestly, it's hard to imagine that one would choose to go swimming or enjoy a peaceful canoe trip through this portion of the river. Quite simply, this portion of the river simply should not be afforded among the highest environmental protections possible under Federal law by designating it as a wild and scenic river. Mr. Speaker, quite bluntly, if this qualifies, if this qualifies as a wild and scenic river under the intent of that statute, then downtown Manhattan can be a national forest and Six Flags can be a national park.

This bill was scheduled to be considered by the House last week, yet it was postponed and rescheduled again for this week. This delay was caused when questions were raised that the true purpose of the bill, to name this river as wild and scenic, was to block a liquefied natural gas, or LNG, plant that has been proposed to be sited there. With record gas prices and high energy costs, Mr. Speaker, this is a serious question, because passage of this bill would block the proposed LNG plant from ever being built.

Now my colleagues will argue, as they have already argued, that it already won't be built because the Coast Guard and others have raised objections and there are difficult hurdles under current law to overcome. However, the fundamental point is that today the law allows, the law allows today, for an LNG plant to be built if it can meet the necessary requirements. If it can't meet them right at this minute, then over time they may meet them. Or as the need for this energy becomes more apparent, then maybe the groundswell of support could allow this project to go forward. But if this law passes, Mr. Speaker, it will be impossible to build an LNG plant if this bill becomes law.

So, Mr. Speaker, at a time when the liberal leaders of this House block any effort to increase energy production right here in America, when gas prices are skyrocketing and Americans are hurting, now is not the time, is not the time, to make energy more difficult to get or more expensive.

Now the sponsor of this bill, Mr. FRANK, testified before the Rules Committee on Monday. And Mr. MCGOVERN in his remarks elaborated on this facility. He asked that the wishes of the

Massachusetts delegation be respected in naming this a wild and scenic river because it only applies to them in Massachusetts. Well, Mr. Speaker, I must note with irony, with irony, that a request coming from the Massachusetts delegation to respect their wishes on this river, this bill, in opposition to this LNG plant. The argument is that this is in their backyard. And yet, Mr. Speaker, members of the Massachusetts delegation have repeatedly, repeatedly, voted to oppose the wishes of the Alaska delegation. On what you might ask? Well specifically on Alaska's wishes to develop the oil reserves in ANWR. Mr. Speaker, the folks of Massachusetts may have big backyards. But they don't stretch thousands of miles away to Alaska.

We must recognize that if this industrial riverfront is permitted to be added to our Nation's wild and scenic rivers list, then truly all qualified rivers are diminished. This doesn't just affect Massachusetts. It affects every State in which there is a wild and scenic river. And in my home State of Washington, there are several.

Mr. Speaker, I urge my colleagues to oppose this rule and oppose this bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me begin by saying that I have great respect for the gentleman from Washington State. But listening to his remarks, it makes me sad that this Chamber, this Congress, has kind of disintegrated to a point where there seems to be no collegiality and no kind of honest debate about what the facts are here.

Mr. HASTINGS of Washington. Would the gentleman yield?

Mr. MCGOVERN. I'm happy to yield to the gentleman.

Mr. HASTINGS of Washington. Well, I appreciate the gentleman yielding. I tried to get him to yield when he was closing on the last bill, and he didn't. So when one talks about collegiality, one should start maybe with his own.

The point is, on this issue, is it not correct that in Rules Committee last night or the night before last when we were up there, you stated, and Mr. FRANK stated, very specifically, that the House should respect the wishes of the Massachusetts delegation? And is it not true that the gentleman I think from Massachusetts and maybe other members of the Massachusetts delegation have done precisely the opposite as it relates to the wishes of the Alaska delegation?

Mr. MCGOVERN. I thank the gentleman for has question. I don't recall Mr. FRANK's remarks verbatim. I am happy to look at the transcript. I did not say that. Let me respond here. And maybe the gentleman didn't hear my opening statement. But the Taunton River is eligible for a wild and scenic designation. But also part of it is eligible based on ''recreational.'' That is the word that the Bush administration's National Park Service has said is appropriate. Now, I very rarely agree with the Bush administration on anything. And I'm sorry the gentleman disagrees with the Bush administration on this. But what I find particularly cynical is the photograph that the gentleman just held up which is the exact photograph that this big-moneyed energy company published as part of an ad in a number of newspapers.

Mr. HASTINGS of Washington. Would the gentleman yield on that point just for clarification? Is the gentleman denying that this is not a photograph of the Taunton River?

Mr. MCGOVERN. It is a photograph of the Taunton River. But the interesting thing about that photograph is the angle at which it has been taken. The fact of the matter is that this photograph that this big-moneyed energy company that my friend on the Republican side has held up is saying that this will be part of the, this area will be included in the designation which seeks to prove I think how inappropriate it has become because this industry has actually manipulated this photograph. But in fact much of that photograph is of a park.

You will note in the picture a World War II battleship. That is the USS *Massachusetts*. And let me show you it is no part of any industrial use today. It's part of a recreational area. The battleship is the centerpiece of a very important urban park called the Heritage Park in the city of Fall River. And there is a great deal of open space that is shielded cleverly, very cleverly in that photograph that was paid for by a big-moneyed energy company. On the opposite side of that river are boat ramps and houses that go right to the river for recreational purposes. And it's part of my district.

Now the gentleman maybe has a bias against providing working class people who live in urban areas any benefits from any kind of environmental designation. I disagree with him if that is his opinion. But he mentioned that the purpose of all of this was, in fact, to prevent an LNG site facility from being built in the middle of Fall River.

□ 1130

Let me put this out there so my colleagues understand this. There are currently only eight LNG terminals in the United States of America. Of those eight, Massachusetts currently has two LNG terminals in operation with a third one that has been approved by FERC. Massachusetts is the only State to permit not one, but two new LNG import facilities this decade in this country. Each of these facilities is authorized to double its output capacity.

I will yield after I finish my statement.

Mr. BOUSTANY. I think the gentleman is in error. There actually has been a new LNG facility that just went online in Louisiana, and two more that will open in a few months.

Mr. MCGOVERN. Reclaiming my time, the bottom line is we in Massachusetts realize the need for these LNG import facilities.

And I would like to point out to the gentleman from Washington, and if my geography is correct, Washington is still a coastal State, unless that has changed, but that his State has no LNG terminal in operation, under construction, or even proposed.

So when he implies that somehow the Massachusetts delegation is not stepping up to the plate in terms of making sure that not only New England but this Nation has energy, he is wrong. Massachusetts has been a leader on this.

Let me point out one other thing. This is not a Republican-Democrat issue with regard to the LNG facility and the Fall River. Mitt Romney, who the last time I checked was a Republican, and still is a Republican, was a leading opponent in the siting of the LNG facility in the middle of Fall River. In 2006, Governor Romney stated, ''Weaver's Cove and Fall River strike me personally as being an ill-advised site to receive LNG.'' Realizing that they were trying to site an LNG facility in a highly populated area, Governor Romney asserted, ''I don't like the idea of an LNG facility going into a populated area, not in the post-9/11 world.''

We in Massachusetts have worked with energy companies to try to site these LNG facilities safely offshore. The idea that you would site an LNG facility in an area where there are countless people within a 1-mile radius of this facility is crazy.

Richard Clarke, the terrorist expert said, ''This is a bad idea.'' Now that is one opinion. Another opinion is the U.S. Coast Guard said it is a bad idea. The U.S. Navy says it is a bad idea. The Commerce Department says it is a bad idea. You are the only one who says it is a good idea, you and a big moneyed energy company.

Mr. Speaker, we are hearing all kinds of red herrings here, but understand one thing, this is not about energy. This is about whether or not a working class city, kind of the home base of the industrial revolution that is located on this river, can be designated as a wild and scenic area, whether or not the recreational aspects of this river can be recognized, whether or not we can afford this city of Fall River the benefits to help them use this river as a catalyst for economic environment.

It is too bad that this has become an elitist debate about well, no, you don't deserve it because this is a working class, urban area, home of the industrial revolution. You don't deserve that designation. I think that is wrong.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 23½ minutes remaining. The gentleman from Massachusetts has 18 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank my friend from Washington for yielding.

You know, I am going to try to hurriedly plot these dots so you can connect them. But I want to go back because what I would call this Congress is the smoke and mirrors Congress. We have heard denials from the gentleman about what the real intent of this designation was and that the picture that we have here does not speak for what it is.

I think, Mr. Speaker, most people can look at this photo, and you can call it wild and scenic if you want. It looks fairly wild; but scenic, I don't know. I haven't been there either. Let me say this. I think we need to get this into perspective as to the smoke and mirrors that has been going on in this Congress.

I want to read a quote. Mr. KANJORSKI was being interviewed by a paper in the town of Ashley. Mr. KANJORSKI in his remarks said Democrats had overpromised during the 2006 congressional elections by implying they could end the war if they controlled Congress.

Mr. Speaker, here is the result. It says, ''Now, anybody who is a good student of government would know that was not true.'' Mr. KANJORSKI said that in an Ashley town hall meeting in August. ''But you know the temptation to want to win back Congress—we sort of stretched the facts, and the people ate it up.''

I think we are seeing a continuation of that. We are stretching the facts that this is wild and scenic. Now, I think you go back, and this could go back to May of 2007 when we passed the Udall amendment in this House which prohibited the mining of shale oil out west. At that point in time, even by the majority charts, the price of crude oil went sky high with speculation because finally the speculators realized that we were not going to do anything to meet our own energy needs.

Just since President Bush lifted the executive ban and since he had the press conference yesterday about drilling, just the very mention about lifting the ban, starting to drill and starting to look at our own production and our own resources, the price of a barrel of oil has dropped over $10 a barrel.

Now we can do something here, but this is just another nail in the coffin for us that people are going to see that we don't want to increase energy production. Let me tell you something, the people up north had better understand that the price of natural gas and home heating oil is double what it was last year. So now if you get cold in your home in the winter, you are not even going to be able to afford to drive somewhere warm.

So this, I think, if you look at it and if you look at the overall connection of the dots——

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

Mr. HASTINGS of Washington. I yield the gentleman 30 additional seconds.

Mr. WESTMORELAND. If you can look at the overall connection of the dots, this is just another one of those connections that shows that the majority party here is not going to give a clear up-or-down vote on increasing our oil production. It is going to continue to give the world and other countries the idea that we are going to be dependent on their foreign oil, and it is another example of: Well, we may have stretched the truth, and the people ate it up.

Mr. MCGOVERN. Mr. Speaker, I listened to the previous speaker, and I am confused because he doesn't address what we are talking about here which is the designation of the Taunton River as having a wild and scenic designation.

Again that photo that he held up, which my colleague from Washington State held up, which was a photo taken by a big moneyed special interest energy company, is inaccurate. I mean everything below the bridge seen in the middle of that picture is not covered by this bill.

Here is if you take a picture from the other side which actually is the part that we are talking about being covered, it is a much, much different picture. It doesn't fit into the strategy of this special interest big moneyed energy company, but the reality is you see a much different picture of what we are trying to protect and what we are trying to preserve.

If people want to have a debate on energy, fine. I would simply say Massachusetts is doing its part. We are actually moving forward on licensing more LNG facilities. We recognize the need to do our part. We are doing the right thing.

The objection to this site for that LNG facility is that it is in the middle of a densely populated area that when these ships had to go down the Taunton River, three bridges needed to be shut down. The Coast Guard said it was a bad idea. I'm sorry you know more than the Coast Guard, about I trust the Coast Guard to tell me about navigational matters more than I do any of my colleagues on the other side of the aisle. The U.S. Navy complained about it. The U.S. Department of Commerce said it didn't make any sense.

So this is a smoke screen, and it really is an insult to the people who live in this area. These are hardworking people and they don't deserve to be a pawn in your political debate. So I would urge my colleagues to support the underlying bill and support the rule.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, in my opening remarks I made the observation that passing this bill with what this picture shows—

Mr. MCGOVERN. Would the gentleman yield to me?

Mr. HASTINGS of Washington. I would be happy to yield to the gentleman.

Mr. MCGOVERN. That picture is inaccurate. You are holding up a picture that is inaccurate. What we are looking at there is not what is covered by this designation.

Mr. HASTINGS of Washington. Reclaiming my time, when I asked the gentleman if this in fact was a picture of the Taunton River, the gentleman responded in the affirmative. Now there may be some changes, but he did say this is the Taunton River.

Now in my remarks I said that this diminishes the wild and scenic rivers that are in every place in this country. I said that there are several of them in my State. So I would just ask my colleagues this one simple question: Are we going to change the wild and scenic designation in this country to look like this? Or like this? This is a picture of the Klickitat River which is a wild and scenic designation in my State.

So if we are going to argue on the merits of wild and scenic, and making something that is urban like this as wild and scenic, we need to take into consideration what it historically has been, like the Klickitat River in my State.

That is a fundamental argument that is going on here today. There are others things that enter into it, and I would be more than happy to engage in that later in my remarks. But this is a fundamental difference, and what they are trying to do with this wild and scenic designation in an urban area compared to what has been done all across the country, including my home State of Washington.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, we have all kinds of inaccurate statements being made here and inaccurate photos being shown here.

Let me repeat, as determined by the National Park Service, ''The Taunton River is eligible for wild and scenic designation based on its free-flowing condition and the presence of outstandingly remarkable, natural and cultural resource values.'' That is a quote from the National Park Service.

It is also important to note that this designation is distinct for different segments along the Taunton River. Two segments of the river would be designated as scenic and two as recreational. This is not something that Congressman FRANK or myself came up with out of the blue. This is what the Bush administration National Park Service has concluded.

I mean, I trust the National Park Service to tell me whether or not something fits this designation or it doesn't fit this designation, more so than some of my colleagues who are trying to make this into a political football.

Again, I would show this picture which is a more accurate picture of what we are trying to protect. And I would also say again that what I find

particularly offensive about this debate is that the people who are trying to be denied the benefits of this designation are hardworking people from Fall River. These are people who work in factories. These are people who have really been an engine for the economic development of this country over the years. And they are working class people. All of a sudden we are told that somehow they don't deserve this kind of benefit from this designation. Talk about elitism.

The National Park Service says this is the right thing to do. The previous designation of the other part of the Taunton River, by the way, when my colleague Joe Moakley brought it up, was voice voted. Everybody here thought it was a good thing. Now because we are all into politics and it is the election season, people are looking for anything to try to make a political point.

Enough with the political posturing. Let's once in awhile do the right thing. Let's once in awhile listen to what the National Park Service has said on this issue. Let's do what the people of this community want. Let's help this community benefit from the economic development incentives that will come from this designation.

□ 1145

These are good people. This is a good community. I am proud to represent the people of Fall River. Congressman FRANK is proud to represent the people of Fall River, and I urge all my colleagues on both sides of the aisle to put the politics aside and do the right thing and vote for this bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, before I yield to my friend from Louisiana, I want to ask my friend from Massachusetts, and I will be happy to yield, that picture you have, I understand, is an artist's rendering of the river; is that correct?

Mr. MCGOVERN. This is a photograph.

Mr. HASTINGS of Washington. It is a photograph?

Mr. MCGOVERN. Yes, it looks so beautiful it looks almost like it has been painted, but it's a photograph.

Mr. HASTINGS of Washington. I thank the gentleman.

Mr. Speaker, at this time I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank my colleague from Washington State for yielding to me.

Mr. Speaker, I rise in opposition to the rule and this underlying bill, because I believe, first of all, this is an abuse of the Wild and Scenic Rivers Act. It's further demonstrating the party here, the opposite party position that we have to have an either/or policy. It's either the environment or energy.

Whereas I believe on our side of the aisle, we are advocating that the two can march hand-in-hand. I believe this is also a way of blocking sensible energy policy going forward. Clearly, I think, the American public understands it, as well as we do, that we need a comprehensive energy policy.

I want to make a few points. First of all, we have seen LNG development down in my district. I have got one facility that is expanding on a river. It's in the midst of a very densely populated area. That river is used not only for industrial purposes, but also recreational purposes. There has been a record of safety, in fact, an unprecedented record of safety.

We have a new LNG facility that came online, I guess, a couple of months ago. Secretary Bodman was down there with me. This is creating new American high-paying jobs. Furthermore, there are two other LNG facilities under construction. Finally, I would say these are all small companies. They are not large, big oil companies.

One of the companies, the one that does have the one, the facility that's new and up and running and building a second one, not only that, what they have done is participated in coastal restoration projects and marsh preservation. So we know down in Louisiana that our beautiful marsh and wetlands can also be a working wetlands.

We also know that this creates great jobs. We also know there is a record of safety with the facility that's in the midst of a densely populated area.

I would ask my colleague, what's he going to say to his constituents in Massachusetts and the Northeast when heating oil prices are going to be exorbitant in this next winter? What is he going to do? What is he going to say?

Mr. MCGOVERN. Would the gentleman yield?

Mr. BOUSTANY. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I would say first of all Massachusetts currently has two LNG terminals, and we have licensed another one. We are not opposed to LNG. We are doing our part.

Mr. BOUSTANY. If I may reclaim my time. Why are they intent on abusing the Wild and Scenic Rivers Act as a backdoor approach to block LNG? I don't understand that.

Clearly, these companies have been good corporate citizens, and they have worked to be good stewards of the environment. I will point out that one company, in addition to marsh restoration and preservation, also prepaid taxes in the State of Louisiana to build schools after Hurricane Rita.

This company also built the new health clinic in a small town that never had a health clinic before. These companies are good stewards. They show that environmental policy and energy policy can march hand-in-hand.

I don't understand the argument that the other side is making. They are just intent on blocking comprehensive energy policy, and I oppose the bill.

Mr. MCGOVERN. Mr. Speaker, I feel like I'm in a Twilight Zone episode here. This doesn't make any sense. None of this makes any sense.

First of all, I would say to the gentleman that we have just as many LNG facilities as you do in Louisiana. I would say to the gentleman that we are moving forward. We just licensed another LNG facility.

I don't know what he's talking about. It doesn't make any sense to me when you talk about we are trying to frustrate our efforts.

Let me also say to the gentleman, with regard to this particular site, the United States Navy opposed the LNG terminal in Fall River, as they indicated it would disrupt their operations in their nearby Newport, Rhode Island, base.

The Commerce Department, Commerce Secretary Gutierrez ruled that Fall River would be an inappropriate site, citing the negative impacts on the flow of commerce along the waterway and environmental concerns. The United States Coast Guard. The Coast Guard.

Now you may be an expert on navigational issues, but I trust the Coast Guard more than I trust you on these issues. The Coast Guard has rejected the LNG plant in Fall River three times.

Captain Roy Nash, the head of the port of southeastern New England, found that the plan is ''unsuitable from a navigation safety perspective for the type, size and frequency of LNG marine traffic.''

So this site doesn't make any sense. So the State of Massachusetts said, but we want to do our part, so we have licensed another facility. So where are we frustrating attempts on energy?

Mr. BOUSTANY. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from Louisiana.

Mr. BOUSTANY. Thank you.

I just want to point out that the gentleman has made an argument about population centers precluding the building of these facilities. That should not be a preclusion to building because there is a safety record, and these facilities can be done safely.

Mr. MCGOVERN. If I may reclaim my time, the U.S. Navy, the Commerce Department and the Coast Guard said this particular site is unsuitable. Oh, and by the way, here is another photo, not an artist rendition. It looks like it might be an artist. It looks, again, very picturesque, like it could have been done in oil colors. But this is another photo of what we are trying to protect.

Let me also say that the Wild and Scenic Rivers Act of 1969 does not discriminate between urban and rural. This bill is consistent with the law and recommended by the Bush administration's National Park Service.

Mr. BOUSTANY. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman briefly.

Mr. BOUSTANY. That picture you just showed us is actually a very nice

site for an LNG facility, but I would point out that I think the Coast Guard considerations were about specifically a bridge. That's fine. If that's the problem, I understand that. Also, why abuse the act? Why abuse the act?

Mr. McGOVERN. I reclaim my time.

The gentleman obviously has not read the Coast Guard's recommendation on this issue. It is more than just about a bridge, and there are many bridges involved.

Again, I would say to the gentleman that the debate is not about an LNG facility, it's about whether or not this area deserves the designation that we are debating here today.

And I'm sorry, I understand it's a political year, it's an election year, and the people on the other side are just trying to make political points. It's just sad that they are doing so potentially at the expense of some good people in Fall River.

Mr. Speaker, I reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, how much time on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 15 minutes remaining, and the gentleman from Massachusetts has 10½ minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 minute.

A lot has been said here just recently in the last exchange about plans. I have here a Boston Herald editorial called ''Cold Water on River Plan'' dated the 10th of July. I will read parts of it here:

''Bay State pols have a long tradition of using the law rather creatively to further their own political aims. But the effort by U.S. Representative BARNEY FRANK to transform a stretch of industrial riverfront in Fall River into a 'wild and scenic' resource is as shameless as it gets.''

They go on to say, ''It is the latest attempt to kill a controversial plan for the Weaver's Cove liquefied natural gas terminal.''

I repeat once again, it's not people from other parts of the country talking about this. This is the Boston Globe. Or the Boston Herald.

[From the Boston Herald, July 10, 2008]

COLD WATER ON RIVER PLAN

Bay State pols have a long tradition of using the law rather creatively to further their own political aims. But the effort by U.S. Rep. Barney Frank to transform a stretch of industrial riverfront in Fall River into a ''wild and scenic'' resource is as shameless as it gets.

Think ''A River Runs Through It'' and you can picture the waterways that typically win ''wild and scenic'' designation. But until Republicans intervened Frank was close to securing that protected status for the Taunton River, limiting development along the river and its ''immediate environment.''

It is the latest attempt to kill a controversial plan for the Weaver's Cove liquefied natural gas terminal. A vote was canceled yesterday, with Frank's office suggesting Republicans wanted to make it a ''national issue.''

Well, they HAVE pointed out the irony of top Democratic leaders (Sens. Kennedy and Kerry sponsored the bill in the Senate) going all out to kill a plan that would ease the delivery of natural gas to New England customers. . . .

Yes, environmentalists have been seeking a special designation of the river for years. But if anyone believes it would have gained this kind of momentum without Weaver's Cove, well, we have some rusty container ships, fuel storage tanks and warehouses along the Taunton River you might be interested in.

The amusing thing is none of this seems necessary, given that the Coast Guard has already rejected Weaver's Cove based on quite ligitimate concerns about navigation and safety. Guess you never can have enough insurance.

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

Mr. McGOVERN. There is a difference between the Boston Globe and the Boston Herald, I should tell the gentleman.

Mr. Speaker, the Bush administration's National Park Service has suggested that this is an appropriate designation. Maybe they were brainwashed, I don't know. But it is just sad that you have, on the other side, some on the other side, have tried to make this a political pawn in your election-year politics.

This is really sad, and it's unfortunate, again, that the potential losers on this could be the hardworking people of Fall River and Somerset and the people along the Taunton River. This, to me, makes sense. Again, the Coast Guard has been emphatic in their opposition to this. I am interested. It's fascinating to see some of my colleagues on the other side of the aisle claim they know more than the United States Coast Guard. But when it comes to navigational and safety matters, I trust them.

But when it comes to designations, when it comes to parkland designations and wild and scenic designations and recreational designations, I am going to trust the Bush's administration's National Park Service more than some of my colleagues.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank my friend from Washington for yielding.

Mr. Speaker, this is almost comical. It is almost comical to have the gentleman on the other side of the aisle talking about the credibility that the Bush administration brings to this project. I have heard the gentleman give Bush no credit for anything. For anything.

I hear him giving the Navy and the Coast Guard credit, the administration's Secretary of the Interior, whatever it is, credit. He has never given the Bush administration credit for anything.

We had WHINSEC, which is in my district, talking about giving the military credit and the ability to put forth good judgment. He said, no, we're going to expose all the people that are attending this college, this facility, to help bring about peaceful negotiations and peace in Central America.

This is almost comical. And I will tell the gentleman that you can fool some of the people some of the time, but you can't fool all of the people all of the time. We are exposing what this project is about, and they are grasping at straws to use the argument that they are saying and giving the credibility to the Bush administration when they have never given him credit for anything.

Mr. McGOVERN. Mr. Speaker, I would just respond to the gentleman that on the issue of energy, Massachusetts has twice as many LNG facilities as Georgia. I would suggest he go back and do his part to help provide more energy for our country.

I reserve my time.

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

We have had a discussion in several areas on this project. Let me start with the most fundamental area, and that's the designation of wild and scenic. I pointed out, by making this river, which is industrial—and I might add, by the way, that the initial study called for studying the wild and scenic designation only on the upper stretches, as I understand, of the Taunton River, not the lower. But the final report came back, because, as the report said, if the river could talk, this would be what they wanted.

My goodness, we are listening to rivers. I would like to see that testimony to see what the river exactly said.

But at any rate, the bottom half was put into this wild and scenic designation.

As I pointed out, this is dramatically different, dramatically different from other wild and scenic designations across the country like the Klickitat River in my district. We talked about the issue of power and siting energy plants.

The gentleman from Louisiana, where there are a lot of natural gas areas, among other energy producers in that State, is certainly knowledgeable when it comes to that. There is a lively exchange on this.

Also, the Boston Herald, as I pointed out said, editorially, a week ago, less than a week ago, that this is a shameless way in order to take this issue off the table.

But here is the final component, and we really haven't talked about that yet, but I do want to talk about that.

I have an article here from The Herald News, which is the Fall River Herald News, and it's an article, the byline is by Mr. Will Richmond, it was written on the 15th of July, which was yesterday.

The headline that I see here is ''Scenic Designation Could Sink Riverfront Businesses.'' I bring that up in this context because my friend on the other side of the aisle was making the argument that this designation would be

good for the economy and so forth, presumably from the standpoint of tourism and so forth, but there are some businesses that are located right in this area, and they have some real doubts.

Let me read a couple of excerpts, if I may, out of this article:

''With the U.S. House of Representatives scheduled today to vote on the designation of the lower Taunton River as part of the Wild and Scenic Rivers Act, shipbuilders and other businesses located on the banks of the waterway are anxiously watching.

''The designation would hamper businesses, they say, possibly even leading to closures.''

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Now before I go on, I would just say, how does that help the people that live in this area by this designation?

And I go on to quote, and I'm quoting a Mr. Donald Church, who is with Seaboats, Inc. He is the owner of Seaboats, Inc. And he says, ''It's all great to be touchy and feely, and it's great to protect the environment. But people in this city have got to have jobs.''

He goes on to say that because of this, there is some question, and it ''could easily lead to him selling his business,'' which, I might add, has a $5 million annual payroll.

On the other side of the river, there is another shipbuilder, Gladding-Hearn, and their president, Peter Duclos, and I hope I say that correctly, said, and I quote, ''Our feeling is that it's a stretch to be applying a noble environmental act on this part of the river,'' Duclos said. ''This area is industrial historically. Fall River wouldn't be here without a deep water part. I'm not sure this legislation is in the best interest of the businesses along the river.'' And he's talking about potentially adding 50 new jobs, but they have some real concerns about this designation.

Now, I might say, Mr. Speaker, from my experience in the western part of the United States, where we have these ''nice'' environmental designations, wild and scenic being among them, you have, our experience in the West has been, a restriction of use on these rivers, rather than an expansion. And this is precisely what these shipbuilder owners are saying with this potential designation on the industrial area of this river.

So we have three aspects to this, as I mentioned. We have the aspects of undermining what the intent was of wild and scenic designation as it was put in law to really protect wild and scenic. We have the issue of energy. That has been well discussed, especially when we have energy prices going up, and we have a potential here to locate an LNG plant. And then we have the issue of jobs in this area where there is concern in this area.

So, Mr. Speaker, I would say that, if for no other reason, it is a reason to defeat the rule, it is a reason, actually, to defeat the previous question so we can talk about energy; and I will be offering an amendment to that effect. But it is about defeating the rule so maybe the Rules Committee can go back, make an open rule and perfect this legislation to make it more palatable, not only to the Members of this House, but also to people that live in that area.

And, Mr. Speaker, I ask unanimous consent to have this inserted in the RECORD.

The SPEAKER pro tempore (Mr. SALAZAR). Is there objection to the request of the gentleman from Washington?

There was no objection.

[From the Fall River Herald News, July 15, 2008]

SCENIC DESIGNATION COULD SINK RIVERFRONT BUSINESSES

(By Will Richmond)

It's tough to find someone who disagrees that the upper reaches of the Taunton River aren't wild and scenic, but ask some business owners along the lower stretch of the river and you're likely to get a different response.

With the U.S. House of Representatives scheduled today to vote on the designation of the lower Taunton River as part of the Wild and Scenic Rivers Act, shipbuilders and other businesses located on the banks of the waterway are anxiously watching.

The designation—Senate approval would still be needed should the House pass the measure—would hamper business they say, possibly even leading to closures.

''It's all great to be touchy-feely, and it's great to protect the environment, but people in this city got to have jobs,'' Seaboats Inc. owner Donald Church said.

Church said he is seeking to expand his business's docking abilities as a new vessel is being built, but with the designation's proposal up for consideration, additional hurdles are likely to block his way.

''I'm building vessels that are getting too big to place on our dock, but to expand I'm going to have to jump through five more hoops with the Parks Service, and odds are they are going to say 'No,' '' Church said.

He added that attempts to stall expansion could easily lead to him selling his business, which pays out approximately $5 million in payroll annually.

Across the river in Somerset, shipbuilders Gladding-Hearn and Fortier Boats are also concerned about the impact the designation could have on their businesses.

Gladding-Hearn President Peter Duclos said attempts to conduct maintenance work on the rail tracks that bring completed ships into the river has already been stalled by the potential designation.

''Our feeling is that it's a stretch to be applying a noble environmental act to this part of the river,'' Duclos said. ''This area is industrial historically. Fall River wouldn't be here without a deep water port. . . . I'm not sure this legislation is in the best interest of the businesses along the river.''

Duclos said Gladding-Hearn is anticipating growth that could add 50 new jobs, but he noted the company has already had to turn away several large vessel contracts due to constraints limiting the size of the boats they can construct.

He said the company's facilities often need to be modified to meet job specifications and the process of acquiring additional permits due to the designation could lead to penalties for not meeting completion dates.

''This area needs jobs and economic development, and I think that should be part of this but this act is somewhat contrary to that,'' Duclos said.

Fortier Boats owner Roger Fortier, whose company is next to Gladding-Hearn on Riverside Avenue, declined comment for the story, but an objection letter he wrote in opposition to the bill indicates the company is concerned about how the designation would affect the maintenance and expanding of their marine travel lift facility and deep draft dock.

Both Duclos and Church said their companies have no ties to the proposed liquefied natural gas terminal planned for the banks of the river and offered the designation for the remaining stretch of river is appropriate.

''It's unfortunate it's become all wrapped up in the LNG thing, but the reality is that is not our fight,'' Duclos said. ''Many of those types of proposals will come and go, but we'll be here.''

Mr. HASTINGS of Washington. And with that, Mr. Speaker, I will reserve my time.

Mr. MCGOVERN. Mr. Speaker, how much time is remaining on both sides, please?

The SPEAKER pro tempore. 9½ minutes to the gentleman from Massachusetts and 7 minutes to the gentleman from Washington.

Mr. MCGOVERN. Mr. Speaker, I just want to ask unanimous consent to insert into the RECORD an editorial from the Fall River Herald News in support of this, in support of the underlying legislation.

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

There was no objection.

[From the Fall River Herald News, July 11, 2008]

OUR VIEW: SOUTHCOAST'S WILD SIDE

No one would dare argue that the lower portion of the Taunton River wends its way through a lush jungle surrounded by overgrown foliage, inhabited by giant anacondas and teeming with wooly monkeys and three-toed sloths.

But a river doesn't necessarily have to look like the Amazon to be a fragile ecosystem in need of protection. Yes, people use the Taunton River. Businesses and residences—including boat yards, condominium complexes and even power plants—line its shores, bridges span its waters and boaters navigate its currents. But while the river may not reach the same threshold as a tropical rainforest's waterways in terms of ''wild,'' it is definitely scenic and is home to dozens of species of fish and birds that need to be protected from the unremitting encroachment of human development.

That is the intent of the National Wild and Scenic River designation: to protect rivers with cultural, wildlife, recreational and historic values. The Taunton certainly fits the definition. It is the longest coastal river in New England without dams and supports 45 species of fish and many species of shellfish. The watershed is the habitat for 154 types of birds, including 12 rare species. It's shores are home to otter, mink, grey fox and deer. The river's recreational value is obvious by the number of boats on the water on any given summer day and its history—before it was polluted—as a shellfishing ground meets the cultural standard.

U.S. Rep. Barney Frank recognizes the river's value, prompting him to sponsor legislation to designate it ''wild and scenic,'' supported by Rep. James McGovern and Sens. John Kerry and Edward Kennedy. Unfortunately, Republicans in the U.S. House of

Representatives do not support protecting ecosystems like the Taunton River.

Led by Rep. Rob Bishop (R–Utah), the House Republican Conference opposes the wild and scenic designation, despite passage by the House Natural Resources Committee, which found the Taunton meets the designation based on its free flow and research value. Bowing once again to Big Energy, the Republicans claim the proposal is a thinly veiled attempt to block transmission of liquefied natural gas through the river to Weaver's Cove. Bishop—who represents a state 2,500 miles away from Massachusetts—referred to the Taunton as ''a business river'' and claimed Frank's legislation was nothing more than an ''effort to stop energy production.''

Bishop's claims are wrong-headed on a number of fronts, not the least of which is his implication that stemming fossil fuel production is a bad thing given its devastating environmental impacts. Bishop is ignoring the prevalent wildlife in and around the Taunton River and incorrectly assuming that an effect of the designation—which would hamper Hess' LNG efforts—is the intent of the proponents.

In the face of such short-sighted opposition from Republicans, Frank had requested his legislation be removed from consideration by the full House, which was originally scheduled for this past Wednesday. The vote was postponed and will be heard sometime next week, Frank announced Thursday.

Hess' and Weaver's Cove Energy's LNG proposal shouldn't even be part of the discussion. Once it finally meets its inevitable demise—removing Big Energy from the discussion—the wild and scenic proposal would breeze through the House, as it should. It is unfair to deny SouthCoast residents a clean, safe, protected river because some politicians continue to do the bidding of giant energy corporations.

Mr. MCGOVERN. I reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, I had intended to obviously reserve my comments till the bill itself this afternoon, but after listening to the debate on the rule I felt somewhat compelled to say a few things about it.

Earlier this morning in the 1-minutes, one of the members of the Massachusetts delegation came to the floor and spoke about the significant problem of heating that will be taking place in the State of Massachusetts. He said that there were 350,000 people of Massachusetts that needed LIHEAP. That is subsidization for heating energy that all of us in the United States pay for the citizens of his State, and there would be more this fall. In fact, he said heat is not optional. It is something that has to be there.

Certainly this action right now does not help that problem. It retards our efforts to try and come up with it.

I am also somewhat confused as we are talking about this proposal. It is very clear that this proposal to study this river had certain sections. We are only talking here so far about segment 4; the lower part of the Taunton River, which, for the first time, has been designated as a potential wild and scenic river site.

I will say though that when the Park Service presented their information, they did not come up with a recommendation; they came up with three recommendations. Only recommendation B is the one that has decided to be included in this particular bill, the so-called environmental recommendation.

But I want you to know in the recommendation in which they said this particular recommendation is easily for a river that is the most developed of any that has ever been submitted for this kind of designation, and that would be problematic, and there is no precedent, no precedent for this kind of area to be included in a wild and scenic designation, although it does meet political expectations of the area.

Now, there are other options that we could take, and there will be an amendment put on this floor to do this the right way, by taking the area that in 2000 was designated for study and appropriated for study and putting that which does have wild and scenic designation and characteristics into existence. But not this lower portion.

In fact, there is another article that appeared yesterday in the Massachusetts paper which simply said, scenic designation could sink riverfront businesses. Indeed, what we are trying to do here is an effort that will aid some businesses but harm other businesses.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman 1 more minute.

Mr. BISHOP of Utah. Just as in 2002, the Massachusetts delegation asked and received an appropriation to dredge this river in the effort to help some economic businesses and not necessarily others. The fact that it was dredgeable and that it was dredged, I am sorry. I don't know if it was actually done, but the fact that it was eligible for dredging ignores the area and the criteria that is necessary even for recreational purposes in the wild and scenic designation.

There are significant problems with this type of approach, not represented by us but represented by the Park Service. There are problems, as we have talked about, the denial for the permit for an LNG port that was supposedly done by Commerce, supposedly done by the Coast Guard, and the other group to which the gentleman mentioned, those were not permanent denials. Those were temporary denials. In fact, each of them said that they could be reinstituted and reapproached. It is very possible to reinstitute another proposal for a LNG port at this site, unless this bill is passed.

Now, that is the reality of what is going on here. It is far different than some of the spin that we have been hearing. But this is a problematic approach.

Mr. MCGOVERN. Mr. Speaker, after that spin, I am going to reserve the balance of my time.

Mr. HASTINGS of Washington. Once again, Mr. Speaker, how much time is on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 4 minutes. And the gentleman from Massachusetts has 9½.

Mr. HASTINGS of Washington. Mr. Speaker, I ask my friend from Massachusetts if he is prepared to close, if I close.

Mr. MCGOVERN. I will show more pictures. I will be the last one speaking on this side.

Mr. HASTINGS of Washington. I just asked the gentleman is he acknowledging that the other was an artist's rendition? Is he acknowledging that then?

Mr. MCGOVERN. No, this is just a photograph. It is so beautiful it looks like art.

Mr. HASTINGS of Washington. I am talking about the other one.

Mr. MCGOVERN. This is a photograph too. If you come up closer, you can see that it is a photograph.

Mr. HASTINGS of Washington. Mr. Speaker, I surmise from that that he is the last speaker on that side; is that correct?

Mr. MCGOVERN. That is correct.

Mr. HASTINGS of Washington. Mr. Speaker, with that then I will yield myself the balance of my time.

Mr. Speaker, instead of considering a bill to designate industrialized riverfronts as wild and scenic to block an LNG energy plant from ever being built, this Congress should be debating bills that result in more energy and more energy production within the United States. Instead of bills that could result in higher energy costs, like this one, Congress should be working to lower gas prices and decrease the cost of energy. America needs to produce more oil and gas and energy using our own abundant reserves.

It is time for the House to debate and vote on bills to open ANWR, our oceans and Federal lands to drilling. If we were to increase the supply of oil, then the price of oil will decrease. Instead of allowing these proposals to be given a fair vote, the liberal leaders of this House are bending over backwards to block ideas to produce more American-made energy. Today, every Representative will have a chance to break Speaker PELOSI's blockage against bills aimed at lowering gas prices, and they can do that, Mr. Speaker, by voting no on the previous question. By voting no, we can end this obstruction and we can get to work.

If the previous question is defeated, I will simply amend the rule to allow the House to consider H.R. 2493, the Fuel Mandate Reduction Act, which will reduce the price of gasoline by removing fuel blend requirements and onerous government mandates if they contributed to unaffordable gas prices. This is a commonsense bill that will help lower gas prices by ending government mandates and manipulation that increase the cost to everybody's pain at the pump.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I once again urge my colleagues to vote ''no'' on the previous question so that we can debate, in an open manner, the part of the energy crisis and solutions to the energy crisis that we face in this country.

And with that, I yield back the balance of my time.

Mr. MCGOVERN. I yield myself the balance of our time, Mr. Speaker.

Mr. Speaker, in conclusion, let me say that this debate has been somewhat unfortunate because it has been about everything but what the underlying bill is about. As determined by the National Park Service, let me quote again, ''The Taunton River is eligible for wild and scenic designation, based on its free flowing condition and the presence of outstandingly remarkable natural and cultural resource values.''

It is also important to note, Mr. Speaker, that this designation is distinct for different segments along the Taunton. Two segments of the river would be designated scenic, and two as recreational. By any measure, this should be a noncontroversial bill. This should be up under suspension. There should be relatively little debate on this. I mean, this is a no-brainer.

But my colleagues on the other side of the aisle have tried to make this about everything other than what this truly is about, whether or not this community of Fall River, and the community of Somerset and other communities along the Taunton River can benefit from this designation; whether or not they deserve to be able to get this legislation passed, and use this legislation to help be a catalyst for economic development.

This is a hard working city, Mr. Speaker, good people who have hit some tough economic times and who are desperately trying to rebuild the city by bringing the waterfront back, and this would help.

And this is not about whether or not a LNG facility should be there or not. I mean, I personally believe it should not be there. But the State, the Commonwealth of Massachusetts is doing its part. I mean, it is not like Massachusetts is saying no to any LNG facility. We have two up and running, and we have permitted another. So we are doing our part.

My friend from Washington State comes from a coastal State. There are no LNG facilities there. I implore him, help us out. Do your part. We are doing our part in Massachusetts, so this is not about us saying no to LNG. We favor LNG. We favor responsible siting of LNG and we are doing that. We have more LNG facilities than anybody else here. So we are doing our part. This is not about that. That is just a smoke screen. That is just a way to politicize an issue that shouldn't be politicized.

Now, the gentleman's suggestion that we need to start drilling in ANWR. The Republicans argue that opening up the Arctic National Wildlife Refuge is an imperative for lowering gas prices, although their presidential candidate disagrees with them.

ANWR, Mr. Speaker, is a pristine wilderness, one of the most important onshore polar bear denning habitats in the Arctic. But right on the other side of Prudhoe Bay is the National Petroleum Reserve Alaska. This area has been set aside for oil and gas exploration since the 1920s. And according to the U.S. geological survey, it contains more oil than ANWR, over 10 billion barrels of oil total. And it is open for leasing, Mr. Speaker. It is open for leasing. About 3 million acres have already been leased, and about 4 million more will be up for leasing later this year. But there have been only 25 test wells drilled there since the year 2000, and no companies are producing oil from NPRA yet.

So why would we need to open ANWR when we have this huge, untapped resource right next to the existing oil infrastructure in Alaska? And when a natural gas pipeline gets built, NPRA will be even more important. It holds over 60 trillion cubic feet of gas, nearly 16 times what ANWR holds.

The focus should be on the area that has the most oil and that is open for leasing that isn't a highly sensitive environmental area.

Mr. Speaker, we need an energy policy in this country. Unfortunately, from this White House we have gotten zero. Two oil men who are focused on nothing but what the oil companies want, and for too long a Congress that has been complicit in giving the oil companies what they want and not engaged in forward thinking policies to become energy independent. That needs to change.

But in the short-term, we also need to do something else because the fact of the matter is that there are citizens in our country right now who are paying record high gas prices, and we have a winter fast approaching where oil is going through the roof. We need relief now as well.

And that is why the President should do what the Speaker of the House has urged, and that is to tap in to the Strategic Petroleum Reserve which is now filled at a record high, and put more gas and oil into our market to help stabilize and lower prices to make sure that people in the immediate term can get through these difficult times.

□ 1215

And then we need to embrace the energy policy and the energy principles that the Speaker, the Democratic majority has laid out of a way to get to energy independence, a way to drill in a sensible and an environmentally sensible way embracing alternatives, clean renewable sources of energy now and in the future.

But what they're proposing is not the way to go. It is a smokescreen. This debate has been politicized unnecessarily. This is all about political points. It is sad that on an issue so noncontroversial that it has come to that, but it has. That's the way they want to play, but it's the wrong way to do things around here.

Mr. Speaker, I would urge a ''yes'' vote on the previous question and a ''yes'' vote on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1339 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 4. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2493) to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and (2) an amendment in the nature of a substitute if offered by Representative DINGELL of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate

vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. I yield back the remaining time I have, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: ordering the previous question on House Resolution 1343, by the yeas and nays; adopting House Resolution 1343, if ordered; ordering the previous question on House Resolution 1339, by the yeas and nays; adopting House Resolution 1339, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1343, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 226, nays 192, not voting 16, as follows:

[Roll No. 495]

YEAS—226

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

NAYS—192

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

NOT VOTING—16

Barton (TX)
Bean
Boswell
Buyer
Cubin
Delahunt
Engel
Frank (MA)
Garrett (NJ)
Gilchrest
Green, Al
Lucas
Musgrave
Perlmutter
Platts
Rush

□ 1242

Mr. BOEHNER changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 193, not voting 15, as follows:

[Roll No. 496]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—193

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

NOT VOTING—15

Berman
Boswell
Buyer
Cubin
Delahunt
Engel
Frank (MA)
Gilchrest
Green, Al
Hooley
Lucas
Perlmutter
Platts
Rush
Shays

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1251

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SHAYS. Mr. Speaker, on July 16, 2008, I missed one recorded vote because I was participating in a Committee hearing.

I take my voting responsibility very seriously. Had I been present, I would have voted "no" on recorded vote No. 496.

GOLF TOURNAMENT TO HONOR VETERANS

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

Mr. EDWARDS of Texas. Members, I know there are many people across our country that wonder if there are any bipartisan traditions and relationships left in this House. Today, Mr. WAMP and I come to the floor to say the answer to that is yes.

On Monday, we continued for the 37th year a great tradition of the golfers from the Republican side of the aisle and those from the Democratic side of the aisle in friendly competition, along with our former colleagues.

While some may have said there were a lot of VIPs at that golf course on Monday, there is no question about who the real heroes were; they were the amputees, our service men and women who are the beneficiaries of this competitive event through the Sports USA Foundation, which supports amputees and our service men and women, our veterans who have paid a dear price for their service to country.

I do want to congratulate my colleague, Mr. WAMP, the chairman of the Republican team. It appears, Mr. Speaker, that the burdens of being in the majority have weighed down the athletic talents of my Democratic colleagues.

I want to salute my cochairman in the event and the leader of the Republican team. It was a great cause for tremendous Americans who have done so much for your family, for my family, and American families. And I was proud to be part of that great tradition.

I yield time to my colleague.

Mr. WAMP. Mr. Speaker, if I may, let me tell the Members that for 37 years we've had this tradition in a bipartisan way of Members and former Members getting together, but this is the first year that we brought in this extraordinary charity, the Disabled Sports Foundation. And these wounded warriors, mostly amputees, that got joy out of playing golf with us on Monday, we raised a lot of money for them. This was so important.

We took the venue to Army-Navy Golf Club, where they are under construction with renovations. The PGA of America cosponsored it with us. The co-chairmen from the former Members were Ken Kramer and Dennis Hertel. We had 33 Republican Members and only eight Democratic Members—that's one reason the trophy is back over here this year—but y'all had a conflict, so you do have an excuse this year. But next year we should really bring people together to help these wounded warriors.

I want to say STEVE BUYER was the low gross on the Republican side for the whole House, and GENE GREEN from the Democratic side was the low net. Republicans reclaimed the trophy.

The big winners are these disabled athletes who are great American patriots. We honor them. We had fellowship. We came together. And the full House joins us in our salute to all these men and women in uniform that are disabled.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1339, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 198, not voting 13, as follows:

[Roll No. 497]

YEAS—223

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

NAYS—198

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

NOT VOTING—13

Boswell
Buyer
Cubin
Delahunt
Dicks
Engel
Gilchrest
Green, Al
Lucas
Melancon
Platts
Rush
Thompson (CA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1302

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 224, nays 195, not voting 15, as follows:

[Roll No. 498]

YEAS—224

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

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Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)

Cannon
Cantor
Capito
Carter
Castle
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Boswell
Buyer
Cubin
Delahunt
Engel
Feeney
Gilchrest
Green, Al
Lucas
Melancon
Platts
Rush
Wexler
Whitfield (KY)
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1310

Mr. WALSH of New York changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. CARSON of Indiana). Pursuant to House Resolution 1339, S. 2062, as amended, is considered as passed and the House is considered to have insisted on its amendment and requested a conference with the Senate thereon.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3890, TOM LANTOS BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2008

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make the following changes in the engrossment of the House amendment to the Senate amendment to the text of H.R. 3890 that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike subsection (c) of section 6 of the bill and insert the following:

(c) CONFORMING AMENDMENT.—Section 3(b) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended—

(1) by striking ''prohibitions'' and inserting ''restrictions'';

(2) by inserting ''or section 3A (b)(1) or (c)(1)'' after ''this section''' and

(3) by striking ''a product of Burma'' and inserting ''subject to such restrictions''.

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

There was no objection.

GENERAL LEAVE

Mr. REYES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert additional information into the RECORD.

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

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The SPEAKER pro tempore. Pursuant to House Resolution 1343 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5959.

□ 1313

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. SALAZAR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. REYES) and the gentleman from Michigan (Mr. HOEKSTRA) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, intelligence is critical to every decision affecting America's national security. Whether the challenge is learning the intentions of our Nation's adversaries or detecting the location of the next roadside IED in Iraq, America needs a well-resourced and well-managed intelligence community.

□ 1315

This committee's primary responsibilities are to authorize funds for the intelligence agencies, to conduct vigorous oversight over their operations and to ensure that those operations are effective, legal and an appropriate use of taxpayer money.

Mr. Chairman, this afternoon I want to thank my colleague, Mr. HOEKSTRA, the gentleman from Michigan, for working with me in a bipartisan fashion to bring this bill to the floor. I also want to thank the staffs on both sides of the aisle for the great work that they have done to bring this bill to the floor today.

This year, as in years past, I have gone to the front lines to see our courageous intelligence professionals perform their jobs. They do this quietly, often without recognition or praise. Many spend time away from their families, often in very dangerous situations and under very dangerous conditions. This bill is the tangible sign of our support for the women and men of our America's intelligence agencies.

We're providing robust funding for our most important priorities including HUMINT, language capabilities and technical capabilities.

Our principal concern continues to be that al Qaeda is stronger today than at any time since September 11, 2001. Osama bin Laden and his key deputies remain at large. But al Qaeda is not the only terrorist group that has gained strength. Over the past 7 years, Hezbollah and Hamas have become more capable and even more determined. Dangerous states, including Syria, are pursuing nuclear capabilities. There is the possibility that one of these states, or even a rogue scientist, could transfer fissile material to a terrorist group. This must remain our foremost priority and our top concern.

This bill invests in people, our most precious resource. It adds funding to enhance human intelligence collection, not only for counterterrorism, but also for enduring and emerging global security issues, such as challenges that we face in Asia, Africa and Latin America, to name a few. This bill also contains a number of provisions that promote greater accountability, including the creation of a new Inspector General for the intelligence community.

Our bill will improve language capabilities in the intelligence community by adding funding for speakers of critical languages and requiring reports to

Congress to evaluate progress in this perennial problem area. The bill also mandates implementation of security clearance reform to make it easier for first and second generation Americans, many of whom have critical language skills, to serve in the intelligence community with proper clearances.

I mentioned earlier that one of the responsibilities of this committee is oversight. Yet this administration has repeatedly failed to comply with the National Security Act of 1947, which mandates that our committee be ''fully and currently informed'' of all the intelligence activities from the administration. This bill enhances congressional oversight by ensuring that the committee receives the information that it needs to perform its inherent oversight function.

Working on a bipartisan basis, our committee adopted two provisions to enhance reporting on intelligence activities to the full membership of the congressional intelligence committees. One provision would restrict 75 percent of all covert action funds until the full membership of the intelligence committees is briefed on all covert actions in effect as of April 24, 2008. A second provision would restrict the administration's attempts to brief only the chairman and ranking member and clarifies which information must be reported to our full committee.

This legislation also authorizes much of the requests for the foundational activities of the cybersecurity initiative, but it also expresses the committee's serious concerns about potential policy, implementation and governance issues. Our committee is also concerned that Congress does not have a comprehensive understanding of the magnitude of human and fiscal intelligence resources that have been devoted to Iraq, possibly at the expense of fighting the war on terror. H.R. 5959 requires a detailed report to our committee on this very topic.

The bill also addresses a number of long-term technical challenges in the intelligence community. It does so by adding significant resources to modernize signals intelligence capabilities and integrate them into the global enterprise.

Finally, Mr. Chairman, despite the size of the budget request, the administration did not include funds adequate to keep the U.S. intelligence community competitive in advanced technologies. Research and development funding is our Nation's investment in maintaining our edge in state of the art technologies. Our bill adds funds to four agencies specifically for that purpose. And the committee urges the executive branch to sustain, if not increase, this level of funding in future budgets.

In our markup, Mr. Chairman, the committee adopted a number of amendments offered by both the majority and minority members. One of those important amendments, crafted with bipartisan cooperation, will prevent CIA contractors from engaging in interrogations unless the Director of National Intelligence provides a waiver.

Our goal is to put this committee back in the authorization business by getting a bill to the President's desk that he can sign. To do that, we can't tackle every single important issue in this one bill. But if we fail to pass this bill, we risk eroding Congress' ability to strengthen and oversee intelligence operations that are vital to American national security.

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

Mr. HOEKSTRA. Mr. Chairman, I would like to yield myself as much time as I shall consume.

Mr. Chairman, the annual Intelligence Authorization Act is one of the most important bills that the House passes each year. It provides and allocates resources critical to national security programs that are the front lines of America's defense and foreign policies and, most critically, work to detect, prevent and disrupt potential terrorist attacks against the American people. The bill is also essential to ensure close and effective congressional oversight of the intelligence community.

There are issues that remain to be worked out as the legislative process continues. But I appreciate the work that Chairman REYES has done to avoid many of the contentious items that have recently prevented the enactment of an intelligence authorization bill. And I appreciate that the bill reflects areas of consensus on critical national security issues.

I believe that this bill is strong in two areas. First, it was significantly improved by seven Republican amendments that were adopted on a bipartisan basis to address what I believe are important issues in priorities facing the intelligence community. Among these, the committee adopted my amendment to remove all earmarks from the bill, a significant step forward. Our intelligence program should be based on only one primary consideration, what best ensures that the intelligence community is able to do its job in the interest of the national security of the United States.

The committee adopted an amendment offered by my colleague from Michigan (Mr. ROGERS) to limit the size and unintended bureaucratic growth of the Office of the DNI, the Director of National Intelligence. The bill also includes another amendment by Congressman ROGERS to require a high-level strategic evaluation of the FBI's progress in transforming its FBI's intelligence capabilities. This process may not be moving forward fast enough to accomplish the needed changes and needs close attention.

The bill is also strengthened by significant provisions to improve congressional oversight of the intelligence community and the executive branch which addressed issues I have repeatedly raised since serving as chairman of the committee. These include provisions to clarify that each member of the Intelligence Committee must be fully and currently briefed on current activities. Again, I'm pleased that we're able to take and improve this oversight on a bipartisan basis. Republicans and Democrats on the committee both believe that we need this information to be able to effectively do our job. Some work remains to be done to smooth this out. But we have taken the right steps to move this forward. I appreciate the chairman's work to develop this framework for this important reform.

I understand and he understands that the executive branch may not like enhanced oversight and that they have expressed their concern about the provisions of the bill that strengthen the oversight process, including congressional notification, increased reporting and auditing. But there is no single current issue on which there is stronger bipartisan consensus on the committee than our concern that the administration is not fulfilling its statutory duty to keep each member of the committee fully and currently informed with respect to certain intelligence matters.

In the past year alone, I joined with Chairman REYES to call on the President to brief the members of the committee with respect to intelligence regarding the al Kibar facility in Syria. The full committee was not briefed until the day the information was subsequently disclosed to the public. The committee was briefed months too late, and we received the information after the media did. On another matter, the administration has refused to brief all members of the committee even though it has briefed five members of the committee staff. It is clear that reforms are necessary.

In addition to these legislative provisions, I believe that the classified annex adequately supports our needs in important areas such as human intelligence collection and contains additional provisions to enhance oversight. While I may not agree with each of the specific authorizations, on balance the classified portion of the bill generally reflects consensus on the programmatic requirements needed to protect our national security.

Despite these areas of consensus, I must point out that I have concerns with parts of the bill and the action of the Rules Committee not to make certain important amendments in order. I'm disappointed with certain provisions relating to national intelligence space systems. Certain levels of funding fall short, and the bill fails to stimulate a sense of urgency in overhead architecture and shortfalls. In certain areas, it mandates technical solutions without a complete analysis.

I also have concern with what I believe is an unnecessarily complex and unwieldy provision to create a new Inspector General of the intelligence

community. While I support the enhancement of oversight for community-wide issues, this provision would significantly duplicate existing efforts and further grow the size of the DNI bureaucracy. I hope that we can continue to improve the bill as it moves through the process. I also hope that we can work to address concerns that have been raised by the intelligence community with respect to section 425 of the bill concerning the use of contractors.

Finally, I need to express my strong concern that the Rules Committee did not make in order an amendment I submitted that would prevent funds authorizing the bill from being used to transfer Guantanamo detainees to the United States. This provision should not be necessary. I believe that the public consensus that trained terrorists should not be brought into the American cities should be clear and overwhelming. However, there is a significant possibility that lawyers may try to argue that trained terrorist detainees should be released on American streets. This would be judicial activism at its worst, unsupported by either clear legal precedent or statutory authority. Congress must send a clear message immediately on this critical issue. We may have the opportunity to do that later today.

On balance, this bill is a workable bill. It needs to be improved. And I look forward to seeing exactly how the amendments process moves forward through the day.

I reserve the balance of my time.

Mr. REYES. Mr. Chairman, it is now my pleasure to yield 2 minutes to the gentleman from Alabama (Mr. CRAMER) who serves as chairman of our Subcommittee on Oversight and Investigations. May I add, Mr. Chairman, that on a personal note, I'm privileged and proud to have served with Mr. CRAMER on the Intelligence Committee for about 8 years. This is his last authorization bill. He will be retiring at the end of this Congress. So I just wanted to thank the gentleman for his service and for his work. He has never stopped working up to the very end here in his last term.

Thank you, Mr. CRAMER, for your great work.

Mr. CRAMER. Mr. Chairman, thank you for those kind words.

I, too, have enjoyed almost every minute of service on this Intelligence Committee. I say to Mr. HOEKSTRA, as well, the years that we put in together trying to steer through post 9/11, the struggles of holding the agencies' feet to the fire but at the same time forcing them to change, to do things differently to protect this country in a more unified way, it has been extremely rewarding to see both sides come together.

□ 1330

I wanted to use my time today to say that I stand in strong support of H.R. 5959 because I think this edition of the intelligence authorization bill does the same thing, and that is it forces the agencies to be more efficient, it forces them to work together, and at the same time it is providing our men and women around this world the resources that they need to do an even better job of protecting us.

I am particularly concerned about our access to space. It is in the national interest of the United States to have domestic capability for assured access to space. So as this bill proceeds forward, I hope we will make sure that while we are performing oversight and we are forcing the agencies to become more efficient, to consolidate what they do, that we don't throw the baby out with the bath water.

I know my colleague from Alabama, TERRY EVERETT, who is going to speak in a few minutes as well, has been particularly concerned about the access to space issue. My colleague, the gentleman from Alabama (Mr. EVERETT) is leaving the committee as well, so Alabama loses one on each side after this Congress.

Mr. EVERETT, I want to say that the people of Alabama and the people of this country are proud of your career here in the United States Congress. We are proud in north Alabama of our partnership with you. And as I have watched you through the committee process bring the access to space issues to the forefront, this country is a better place because of your service here.

I also want to thank my colleagues. We work hard in cramped, windowless rooms to make sure that the agencies answer the questions that we want our constituents to have answered. They come sometimes to the committee kicking and screaming, but I am proud of the work you do.

Mr. HOEKSTRA. Mr. Chairman, I would like to extend my congratulations to Mr. CRAMER on his retirement. We are going to miss you in the committee, Mr. CRAMER. Alabama is going to lose two great Members of Congress, two members who have helped make the Intelligence Committee a better committee, who have studied the issues. We will miss you and wish you well, but I am sure we will see you again. Thank you for the work and effort you have put on the committee.

My colleague, the gentleman from Alabama (Mr. EVERETT) is also going to be leaving. I am not sure what the folks in Alabama have put in the water this year, but they are drinking the same thing and have decided to retire. Again, Mr. EVERETT has also contributed a tremendous amount of time, energy and effort in learning the issues of the Intelligence Committee and making sure that the work we do on the committee is a bipartisan effort, coordinated with the efforts in the Armed Services Committee to make sure that the Intelligence Committee and the Armed Services Committee are moving in the same direction and doing the things that are necessary to keep America safe.

At this time I would like to yield 2 minutes to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Chairman, I thank Mr. HOEKSTRA and Mr. CRAMER. I can assure the American people that knowing the members on both sides of the aisle who serve on the Intelligence Committee and the staff who supports them, even though two Alabamians are leaving, the Nation will still be safe and in good hands.

I do rise in support of the Fiscal Year 2009 Intelligence Authorization Act. The process for this year's bill was much improved over last year; so for that, I thank my friend and chairman, SILVESTRE REYES, and our ranking member, Mr. HOEKSTRA. It has been 3 years since we have had an intelligence authorization bill, and that has created a void in many important policy areas and in programmatic guidance for the intelligence community.

It is critical that we get a bill passed through the House and Senate that can be signed by the President, and I hope that can be accomplished before we adjourn this year.

I have a number of concerns about the bill, some of which have been detailed in the minority views of the committee report, but I would like to focus on a few of the joint programs that have military application as well.

With regard to the national security space systems, the bill falls short of fully addressing problems in our overhead architecture. As the report notes, ''National security space systems have been and will continue to be a cornerstone of the Nation's intelligence collection capability.''

As Mr. HOEKSTRA pointed out, critical national security space systems are not properly funded in conjunction with a complete programmatic analysis that shows a way forward. This can be addressed and hopefully will be addressed in conference with the Senate.

As I wind down my career in Congress, this will be my last intelligence authorization work. The work we do here is fascinating and important to our national security, and I am pleased to have been a part of this for the past 6 years. As one of the crossover members from the House Armed Services Committee, I want to reiterate——

The CHAIRMAN. The gentleman's time has expired.

Mr. HOEKSTRA. I yield my colleague an additional minute.

Mr. EVERETT. I want to reiterate the importance of having members serve simultaneously on both committees. It is especially important to have a member of the Strategic Forces Subcommittee serve on HPSCI in order to maintain a clear understanding of how the shared military and intelligence overhead programs operate so that the right hand, Mr. Chairman, knows what the left hand is doing.

I say again I appreciate having served over the years with the members of the committee. I urge my colleagues to support this bill. It is not

perfect, but it is a very good bill and it needs passing.

Mr. REYES. Mr. Chairman, before recognizing a very senior and valued member of our committee, I wanted to wish my good friend and former chairman of the Strategic Forces Subcommittee on Armed Forces well on his retirement. I have had the privilege of working with Mr. EVERETT since I have been in Congress on Armed Services and also on Intelligence. I know how much he cares about the issues that affect our national security, and so I want to wish him well in his retirement as well.

Good luck, TERRY.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. ESHOO), a senior member of our committee, who serves as the chairwoman of our Subcommittee on Intelligence Community Management.

Ms. ESHOO. Mr. Chairman, I want to salute the chairman of our committee for his superb leadership and caring so much about not only the issues of intelligence but everyone that is a part of the intelligence community. I want to thank all of the marvelous staff on the majority and minority side, and I salute the ranking member of the committee as well.

This is a tough committee to serve on. People don't know what we are talking about. We do it in secret. We really can't talk to our colleagues very much about it. And yet we make some of the weightiest decisions that any Members of Congress would make because we deal with what is the most important issue, and that is our national security, the protection of the American people and giving the intelligence community, making the choices to give the intelligence community all the tools it needs in order to function and protect the American people and that we weigh and balance and always know that we are working under the Constitution of the United States of America. So this is really where the rubber meets the road.

I support the bill. Just like all of the other bills we deal with, there are pluses and minuses. I am very pleased that there are no earmarks in this bill. That is the first time since I came onto the committee that that is the case. I am very glad that 75 percent of the dollars for covert action have been fenced. In other words, no notification from the administration and from the intelligence community, no money. And that's the way it should be because the American people expect us to verify. They expect us to know and then we can take action. We have to do oversight.

For the first time in the history of our country, we have brought together a National Intelligence Assessment on global climate change and the effect it will have on national security. I am very proud of the work we have been able to do on that.

For the first time there will be an inspector general in the intelligence community; and the administration, believe it or not, is still fighting that. Imagine having an inspector general, independent oversight of the intelligence community. I think that's a darn good idea and I hope it will prevail and that the President changes his mind on this.

We still have a lot of work to do to have more human intelligence in countries where we need them. We have a lot of work to do on black prison sites, the operation of them by the CIA and renditions. But with that, Mr. Chairman, I want to commend especially Congressman BUD CRAMER for the magnificent, honest work he has done on the Intelligence Committee and here in the Congress and wish him well, and Mr. EVERETT, too.

I ask my colleagues to support the bill. It has good things and it has some other things that are missing. But overall, I think it is a bill worth supporting.

Mr. HOEKSTRA. Mr. Chairman, at this time I would like to yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), a member of the committee.

Mr. THORNBERRY. Mr. Chairman, I want to thank the ranking member for yielding.

Mr. Chairman, this is not the intelligence authorization bill that I would have written exactly, but I think it is important to start out by thanking the chairman and the ranking member for taking some risk to have a bipartisan bill that can have support from both sides of the aisle. That is unfortunately fairly rare in this Chamber to be able to work together on something that is important, especially in national security, and yet that has happened here.

Intelligence is very important for our country's security. In many ways it is the first line of defense. Certainly all our other national security efforts depend upon intelligence. And so working together in a bipartisan way, even being willing to take some risks to have a bill with bipartisan support, means we can't have everything we want, but we will work together in order to move this bill forward.

Secondly, I think it is important to acknowledge the enormous influence of three retiring Members, three Members retiring from Congress after this Congress: the gentlewoman from New Mexico (Mrs. WILSON) whose personal military background, intelligence, and nature of her district has made her a leader on many issues, especially in the area of technical collection; the gentleman from Alabama (Mr. EVERETT) with whom I serve on the Armed Services Committee, and we have worked on many issues, but no one is as knowledgeable and passionate about the issue of space and space policy as the gentleman from Alabama; and then the other gentleman from Alabama (Mr. CRAMER), he and I were partners in the last Congress when for the first time this Congress stood up an oversight subcommittee just also as we were beginning to implement the Intelligence Reform Act. The gentleman from Alabama (Mr. CRAMER) is one of those fairly rare Members who always asks what is in the best interest of the country first, and it will be a significant loss to this Congress and to the country upon his retirement.

Mr. Chairman, there are a number of commonsense reforms in this bill that may not make headlines. One of the issues Mr. CRAMER and I have worked on, for example, in the past is how can we measure improvement in intelligence, for example, in foreign language capability. There are some specific provisions in this bill which do help us have specific measurements so we can tell whether we are increasing our capability, not just as far as numbers of people but in their fluency in specific languages. That is absolutely critical for the purpose of intelligence. And yet even for something like that, it is hard for any of us to measure whether we are making the improvements that need to be made.

Making sure that any administration gives this committee the information we deserve to do our job is a challenge. This bill deserves support.

Mr. REYES. Mr. Chairman, it is now my privilege to yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER) who serves as the chairman of our Subcommittee on Technical and Tactical Intelligence and who proudly represents NSA which is in his district.

Mr. RUPPERSBERGER. Mr. Chairman, I rise today to support H.R. 5959. I would first like to thank Chairman REYES and Ranking Member HOEKSTRA for their leadership in helping us put together a good bipartisan bill. I also am going to miss BUD CRAMER, TERRY EVERETT, and HEATHER WILSON. We have all worked well together on this committee. You will be missed.

I ask my colleagues to vote for this bill because it supports the men and women who work within the intelligence community. The National Security Agency, the NSA, is headquartered in my district. I personally know that NSA's employees work very hard to ensure our Nation's security.

□ 1345

We must continue to invest in the people and resources necessary to make our intelligence community effective. Intelligence is the best defense against terrorism.

This bill advances the Cybersecurity Initiative to protect our computer networks, a very important issue that we will be dealing with in the future, cybersecurity attacks. We know now that certain countries are attacking the United States of America through the Internet.

Two, it increases research and development so that we can maintain our technical advantage; and, three, invests in both satellite and airborne collection and in the systems needed to

process, exploit and distribute this data.

The intelligence community faces enduring technical challenges, but this bill provides our people, who are our most important asset, with the tools they need to do their jobs well. In order to protect our country from threats from countries such as China and Russia, we must continue to invest heavily in science and technology.

This bill lays the foundation for the future and communicates areas of concern to current intelligence leaders and the next Presidential administration.

I urge my colleagues to support this bill and the important work of the intelligence community.

Mr. HOEKSTRA. Mr. Chairman, at this time I would like to yield 3 minutes to my colleague from the State of Michigan (Mr. ROGERS) who was successful in the committee in passing two important amendments to improve this bill.

Mr. ROGERS of Michigan. I thank the gentleman from Michigan.

Mr. Chairman, thank you very, very much for working in such a bipartisan way. I often think after some of our most spirited meetings in the Intelligence Committee, where we have passionate, civil debates, how proud, really, America would be that all of us on both sides of the aisle give all of ourselves to the right outcome on these bills. I want to thank you for allowing that debate to happen in committee.

To Mr. THOMPSON, I have enjoyed working with you on the committee, and I think we have done some great things in a bipartisan way.

Mr. Chairman, this is one of those bills that while I think both sides probably would have had a few things different, but because we committed ourselves to put the country first and bipartisanship as our final goal and what works for America, you have a package here that I think sends a great message to the most important group that this bill will impact, and that's the men and women who risk their lives every single day trying to make sure we have the best intelligence to our war fighters, to our police officers, and to keep this country safe. For all of that, to the staffs on both sides, thank you very much.

I want to bring your attention to two particular issues. There are a lot of great things in here to think about.

One is the FBI policy. Thank you again for working with us on what I think is a growing problem with the Federal Bureau of Investigation, and this, I think, was the first signal we need to get a handle on it. The FBI implemented an ''up or out'' policy for its supervisors that was supposed to allow new people in and promote the supervisory special agents, people who had over years developed a Rolodex where they could call the local police chiefs, work with the local community, get to know and understand and gain the trust of these local communities.

We have hustled them out after 5 years. They may be the best performing supervisory agents the Bureau has ever had, but when the clock runs out, you're done.

In that policy, we have lost half. Almost 290 supervisory special agents have left management in the FBI, retired, stepped down, quit, whatever they have decided to do that wasn't in their interest or their family's interest, because of this policy.

I can think of no policy that discriminates against half of your management that we would call successful at a time where we need experience to guide these new agents, which are about half of them, by the way, are fairly new, I think under 5 years or 7 years, something like that. We have tried to work with the Director and say this is the wrong approach, this is a punishment approach. You have great men and women committing themselves to these careers, dedicating themselves to these supervisory positions. We need to reward them, not punish them.

We have tried to set up a housing policy to entice them. Three years, longer than 3 years, even after the agreement from the Director, we have been working on this to no avail. It has gone nowhere. Instead, they continue to say this is a policy that works.

They are separating themselves from the field, and it's dangerous. Over the last 2 weeks I bet I have talked to a dozen agents, some in supervisory roles, others who are not, who are impacted by their supervisors either leaving or new ones being hired, 12 agents, 100 percent unanimity. This is a bad and dangerous plan for the future of the FBI.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOEKSTRA. I yield an additional minute to my colleague.

Mr. ROGERS of Michigan. I think that this is an issue that we have to even pay more attention to. This is an important step to regain the confidence of the FBI and its leadership. It has to happen. Thanks for your leadership on it.

Lastly, I just want to talk about the DNI, the Director of National Intelligence. I have worked with Mr. THOMPSON on this. We have spent a lot of time understanding this. Our concerns are real, and the intelligence community concerns are real.

We created this new organization. Its job was to coordinate, not be operational. We have found that it goes well beyond mission creep, and it is in mission grasp. It is bloated, it's too big, and it became an agency not that supported the decision and calculations of the field, but became supported by the field.

It's a dangerous development in intelligence. I appreciate working with you. I know we have a lot more work to do. Congratulations to all on a bill that will, I think and believe, keep America safer.

Mr. REYES. Mr. Chairman, I now yield 3 minutes to the chairman of the Terrorism, Human Intelligence Analysis and Counterintelligence Subcommittee, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I want to thank both Chairman REYES and Ranking Member HOEKSTRA for their leadership and making sure we had a good bipartisan bill that benefits the people of this great country, the staff that worked so hard to make this happen on both sides of the aisle, and, in particular, the ranking member of my subcommittee, Mr. ROGERS, for working together to make this a good bill.

Human intelligence, or HUMINT, is one of the most difficult but effective means of understanding our adversaries' plans and intentions. This bill adds funds improve HUMINT collection on counterterrorism and other critical national security challenges. It also adds HUMINT resources for global challenges, such as the political and humanitarian crisis in Asia, Africa and Latin America. The events unfolding in those regions demonstrate that we must always have the resources to understand these threats.

The information we collect, however, is only useful if analysts translate it into actionable intelligence for policymakers and law enforcement. For that reason, this bill provides resources to improve intelligence analysis across the entire intelligence community. It also authorizes additional personnel to support State and local law enforcement so they can better address the challenges of border security, counterterrorism and infrastructure protection.

And the bill also calls for fiscal restraint. As Mr. ROGERS mentioned, since its creation in 2004, the Office of the Director of National Intelligence has grown into a bloated bureaucracy that hinders, rather than facilitates, intelligence complexes and analysis. This bill adds an amendment that Mr. ROGERS and I introduced in committee that prevents further growth in the Office of the Director of National Intelligence.

Finally, Mr. Chairman, this legislation provides critical intelligence resources for our troops and strengthens oversight of intelligence support to the military. Many of us have visited our troops in Iraq, and we have seen firsthand that good intelligence saves American lives on the battlefield.

This bill will greatly improve our intelligence capabilities and enhance our national security. I urge all my colleagues to support it.

In closing, I too want to add my name to those who are very appreciative and thankful for our friends, Mr. EVERETT and Mr. CRAMER, who did a great job on the committee. They were a pleasure to work for, they are fine Americans, and we are going to miss them.

Mr. HOEKSTRA. Mr. Chairman, at this time I would like to yield 3 minutes to another member of the committee, Mr. MCHUGH from New York.

Mr. MCHUGH. I thank the gentleman for yielding.

We have heard, I would say to my colleagues repeatedly today, this is not a perfect bill. We also should hear that shouldn't be a surprise. Rarely on the House floor here have perfect bills been delivered. Rather, as I think the Founding Fathers would have intended, we see a work in progress.

This is a bill that started off at a certain place, that came through the committee process, and although I may be somewhat prejudiced, I firmly believe has been far improved from that starting point through that committee process. There have been some seven amendments that I think have upgraded it and have put us on the right path.

I want to say Mr. Chairman, I have enormous respect, enormous affection for both the distinguished chairman from the great State of Texas, my good friend, SILVESTRE REYES, as well as the gentleman from Michigan, the distinguished ranking member, who have gone so far in working together to make such a difference. There are far, far fewer bills that reach this House floor that are more important in this day and age for the safety and for the security of the American people.

I have to tell you I share the distinguished ranking member's concerns about the failures of this administration to adequately inform, to adequately brief all the Members on both sides of the aisle, not just so-called leadership, but all the Members, as to the ongoing activities with respect to our intelligence systems throughout this world.

I think that the American people need to be assured that as we go forward in these very dangerous and uncertain times that there are certain individuals in this House that have, as the law intends, the opportunity to be fully informed and make sound judgments about what is appropriate and what is not.

Frankly, as a member of this committee, I am somewhat frustrated by the lack of total input, the lack of total briefing that has occurred from the administration side, and I look forward to a better day.

I think tomorrow can help us to further improve this bill. We have the opportunity now, through the conference process, to continue to improve upon it, to continue to make sure that the end product that we send to the other end of Pennsylvania Avenue, to the President, is a good bill, a bill that in these very challenging moments of our lives ensures the American people have the best possible, the most well-resourced, and the most responsible intelligence activities we can possibly have.

This is a very appropriate start. It deserves our support, and I urge all my colleagues to support this bill.

Mr. REYES. Mr. Chairman, I now yield 2 minutes to the gentleman from New Jersey, my colleague, Mr. RUSH HOLT, who also serves as the chairman of the Select Intelligence Oversight Panel.

Mr. HOLT. I thank the Chair, and I rise in support of the bill.

The work in the Intelligence Committee is some of the most difficult work that goes on here in the House, behind closed doors, necessarily with little public input, but we are blessed with a good staff and a good chairman. We never forget that our work is about people, about the safety of the American people and about the hardworking, brave people of the intelligence community.

H.R. 5959 contains some useful provisions that are designed to strengthen congressional oversight. Among these is a fence of 75 percent of covert action funds, fenced until each member of the House and Senate intelligence committees has been fully briefed.

I think it would be sufficient to say that this administration has taken a cavalier attitude toward its legal obligations to keep the committees fully and currently informed.

This bill would require the CIA Inspector General to conduct audits of all covert action programs regularly. It would increase critical research and development activities and improve foreign language capabilities. It would prohibit the use of contractors for CIA detainee interrogations.

It would clarify what ''fully and currently informed'' in the law means for briefing Congress so that all information necessary for Congress would be provided, and it explicitly requires that all committee members be notified in general, not just selected members.

It requires guidelines for the implementation of a multilevel security clearance to increase linguistic and cultural expertise. It would require reports on the use of contractors, on workforce diversity, on foreign language proficiency, on the protection of intelligence officers' identities.

There are a number of good features. This is a good bill that strengthens our oversight of the intelligence community. We do have a long way to go to provide the kind of oversight needed after many years when the intelligence community got almost every wish, billions of dollars with insufficient justification.

I do support the bill and urge that my colleagues do as well.

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Mr. HOEKSTRA. Mr. Chairman, at this point in time, I have no other speakers so I shall reserve the balance of my time.

Mr. REYES. Mr. Chairman, I now yield 2 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, as you know, bringing accountability and transparency to contracting has been a priority of mine, and I have worked to ensure that companies that we award contracts to are held responsible for any abuses. I believe we must make certain that the intelligence community is not using U.S. taxpayer dollars to enter into or renew contracts with companies that may be engaging in serious abuses of law and violence toward civilians and whose actions go unpunished.

Around the world our country is contracting with private companies that employ individuals who do not wear the badge of the United States but whose behavior has, on numerous occasions, severely damaged the credibility and security of our military and harmed our relationship with other governments. Perhaps the most egregious example came on September 16, 2007, when private security contractors employed by Blackwater Worldwide killed 17 civilians and wounded many more in downtown Baghdad. No one has been held accountable for this.

At a minimum, we need a more transparent process to hold private contractors accountable and more information in order to understand their impact on our Intelligence Community, our armed forces and our larger objectives.

I thank the chairman for including language prohibiting the use of contractors for interrogation, as well as a provision requiring a comprehensive report on the use of contractors in the intelligence community.

If I may ask the chairman in a brief colloquy if the chairman will work with me to include additional language in the conference report calling for a report that examines the extent of criminal activity among intelligence community contractors and assesses the effects of hiring contracting companies that are responsible for serious legal violations.

Mr. REYES. Will the gentlewoman yield?

Ms. SCHAKOWSKY. Yes.

Mr. REYES. The answer is yes. I will be happy to work with you in conference.

Ms. SCHAKOWSKY. Well, thank you, Mr. Chairman. And I am happy to support this legislation.

Mr. HOEKSTRA. At this time I would like to continue to reserve the balance of my time.

Mr. REYES. Mr. Chairman, can I inquire as to the time on both sides.

The CHAIRMAN. The gentleman from Texas has 7½ minutes, and the gentleman from Michigan has 10 minutes.

Mr. REYES. And can I inquire of my colleague if he has any additional speakers.

Mr. HOEKSTRA. I am probably the only speaker left. I will close at the appropriate time.

Mr. REYES. Then I will be pleased to recognize a hardworking member of our committee, the gentleman from Rhode Island (Mr. LANGEVIN), for 2 minutes.

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

Mr. LANGEVIN. I thank the chairman for yielding, and I want to commend the chairman and the ranking member on their hard work on this bill, particularly staff, who also has worked hard on this legislation.

I rise today in strong support of H.R. 5959, the Intelligence Authorization Act for Fiscal Year 2009.

While the bill contains a number of important provisions to strengthen our intelligence community and enhance national security that many of my colleagues have already been speaking about, I am particularly pleased that it represents a reasonable and measured response to the administration's cybersecurity initiative.

Now, this bill, the cybersecurity initiative, is the administration's response to the cybersecurity threats facing the Nation. And although the administration has been slow in recognizing this threat, I believe the cyber initiative is a move in the right direction, but requires careful scrutiny.

Now, this bill reduces funding in selected areas where it is not adequately justified. However, recognizing that cybersecurity is a real and growing threat that the Federal Government has been slow in addressing, the Intelligence Committee has authorized more than 90 percent of the administration's requests.

At the same time, the bill clearly demonstrates that the committee does not intend to write the administration a blank check for the cybersecurity initiative, which is a multi-year, multi-billion dollar project.

Now, we need a thorough assessment of the technical feasibility and scalability of the initiative and a careful balance between cybersecurity and privacy protections. Thus, the bill envisions an advisory panel of senior representatives of Congress, the Executive Branch and industry who can tackle these issues.

I was co-chair of the CSIS Commission on Cybersecurity for the 44th Presidency, basically a commission that will present a blueprint on cybersecurity for the next President. I have been deeply involved in developing recommendations for a national cybersecurity plan that protects, among other things, our critical infrastructure assets and infrastructure itself, as well as Federal networks and also the private sector.

Furthermore, as a member of the House Intelligence Committee, and as chairman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity and Science Technology, I will continue to ensure and exercise rigorous congressional oversight over this issue as it evolves.

The measure before us is an important first step in addressing our cybersecurity threats and closing that vulnerability and it is, obviously, a critical national security issue. And I urge my colleagues to support passage of this bill.

Again, I commend Chairman REYES for his leadership, and also thank staff for the great work they have done on this bill today.

Mr. HOEKSTRA. I continue to reserve.

Mr. REYES. Mr. Chairman, it is now my privilege to yield 3 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the chairman for yielding, and rise in support of H.R. 5959.

I want to congratulate our chairman, Mr. REYES and his staff for putting the bill together. In particular, I am proud that this bill authorizes the funding that our intelligence community needs to help prevent terrorists from attacking the United States with a nuclear device.

A nuclear terrorist attack on the United States or on our troops in the field is the greatest national security threat facing our country. While part of this fight occurs at our borders, the intelligence community is the tip of the spear, at the forefront of our efforts to prevent a nuclear terror attack. The many analysts and officers of the intelligence community ensure that we know as much as possible, not only about the terrorists who would attack us with a nuclear device or a radiological disease, but also about those who may sell fissile material that they seek. This bill supports our men and women in the intelligence community as they attempt to ensure that nuclear material stays out of the wrong hands.

It is much easier to prevent terrorists from getting a hold of nuclear material than prevent them from getting nuclear material or a nuclear device into the country. Our country is large, our borders are porous, and we have to stop the access of people who mean us ill from gaining nuclear material.

The bill protects Americans against nuclear terrorism by funding the Nuclear Materials Information Program as well, a Department of Energy-led effort to understand how much nuclear material is stored worldwide, what the security is at these sites, the signatures of this material, also a key ingredient of our nuclear forensics efforts.

But there is more that we still must do. H.R. 1, signed into law by the President almost a year ago created the position of the United States Coordinator for the Prevention of Weapons of Mass Destruction, Proliferation and Terrorism. We must have an individual, a single person who can marshal all the resources and expertise to prevent the most horrific attack imaginable. However, no one has been appointed to this post. It remains vacant. I urge the President to fill this position as soon as possible.

Nuclear terrorism is the preeminent threat of our time, and all efforts have to be made to mitigate that threat. What we need to do is imagine what a post-nuclear 9/11 Commission report would look like, what would its recommendations be? And we have to implement those recommendations now; not wait until there is a calamity.

I am proud that this legislation addresses the threat by authorizing the resources our intelligence community needs to meet that threat.

And again, I want to thank you, Chairman REYES, for your leadership, and urge all of the Members to support the bill.

Mr. HOEKSTRA. Mr. Chairman, I would like to just inquire of the chairman of the committee, you are prepared to close as well?

Mr. REYES. That was our last speaker. I am prepared to close.

Mr. HOEKSTRA. Thank you. I will yield myself the balance of our time.

I am looking forward to, and I am glad that we have had such a collegial discussion about the bill, the process that we have gone through in the committee, to get to the point that we are.

Obviously, we are going to go through a process of trying to improve this bill while we are here on the floor today. I can look forward to going through that process. I look forward to hopefully passing an improved bill out of the floor, and then look forward to going to conference and hope that we can continue this same kind of partnership in trying to get, not only a bill through the House, but getting it through a conference process and getting a bill to the President that the President will sign.

It is important that the Intelligence Committees, that the House and the Senate, put their imprint on the intelligence community. We haven't been able to do that for 3 years. It is important that we do it and that we do it at this time. The intelligence community needs the kind of direction and the parameters that we have established in this bill, to ensure that Congress can do its work, but also that the intelligence community can do its work within a framework that has been established by the Congress.

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

Mr. REYES. Mr. Chairman, I now yield myself the remainder of our time.

Mr. Chairman, again, I want to say how much I appreciate the cooperation and the work that the ranking member has done to bring this bill to the floor. I want to thank staffs on both sides in particular. I want to thank my Staff Director, Mike Delaney, my Deputy Staff Director and General Counsel, Wyndee Parker, and Chief Counsel, Jeremy Bash, for the great work that they have done.

And I also want to thank our Vice Chair of the committee, CONGRESSMAN LEONARD BOSWELL, who, unfortunately, was unable to accompany us here today because he is recuperating in the hospital. All of us wish him well and we want to see him back as soon as possible. He is a hard worker and contributes a lot to our committee.

And I also want to say that this is a good, solid bill. This is the kind of effort that our men and women in the intelligence community serving us proudly throughout the world deserve.

Each and every one of them gives their best effort, and they deserve the respect and the support of every Member of this body and everyone in this country. We thank them for the effort that they put forward, and we appreciate the commitment, the dedication and their professionalism, as well as the sacrifices that their families provide for our great country.

With that, Mr. Chairman, I want to say that it has been a privilege to lead this committee. We have great Members on both sides that care very much about our national security and work very hard on all the issues that are important to our country and our national security.

Mr. KUCINICH. Mr. Chairman, I want to thank all of those who serve our country through the gathering of intelligence for the protection of the American people. I appreciate their dedication and their attention to the gathering facts for deliberations related to our national security.

Regrettably, the current administration has destroyed the credibility of the Intelligence Community through the fabrication of intelligence. The Bush administration continues a relentless pursuit of a self-serving agenda rather than an agenda that serves the best interests of the American people.

No single example can more clearly illustrate this point than the administration's falsification and cherry-picking of intelligence to build a phony case for the war in Iraq. Through the manipulation of intelligence, the administration sold a war to the American public based on false statements that included a connection between Iraq and al Qaeda, Iraq and 9/11, as well as false claims that Iraq had weapons of mass destruction and intentions to attack the U.S.

As long as President Bush remains in office the intelligence budget will continue to be at risk for being used to support subversive intelligence and provide license to the administration to engage in criminal activity by shaping intelligence to fit corrupt policies.

Under the Bush administration there have emerged several high-profile classified leaks to the media that have reemphasized the need for reform within our intelligence agencies. From these media leaks, we not only became aware of the efforts to manipulate intelligence and to falsify a cause for war against Iraq but we also became aware of the illegal NSA domestic wiretapping program without a court order. We became aware of the rumored CIA detention centers in Eastern Europe, and the CIA's extraordinary rendition program, used to transport suspects to other nations with less restrictive torture policies. It is regrettable that intelligence is often reshaped to fit doctrine instead of doctrine being reshaped in the face of the facts of intelligence.

Furthermore, this bill will not stop unilateral covert U.S. intelligence operations aimed at bringing about regime change in Iran. As reported in a recent article in The New Yorker, the Bush administration is already engaged in collecting covert intelligence on Iran's alleged nuclear weapons program instead of engaging Iran in high-level diplomatic negotiations without preconditions. The administration has made clear their thirst for a war with Iran. The opportunity for unscrupulous tactics by this administration with respect to Iran clearly exists as long as this body stands idly by.

I strongly oppose this bill.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of H.R. 5959, the Fiscal Year 2009 Intelligence Authorization Act, and the important measures to strengthen oversight and accountability of contractors that the bill includes.

I want to first thank Intelligence Committee Chairman SILVESTRE REYES for his leadership in crafting this bill. Chairman REYES very graciously worked with me to include in this bill major portions of legislation I recently introduced along with Representative JAN SCHAKOWSKY, H.R. 5973, the Transparency and Accountability in Intelligence Contracting Act.

For the last several years, I have been working to correct a serious lack of attention to the management and oversight of contractors in the Intelligence Community. Press reports indicate that roughly half of the Intelligence Community's budget is now contracted out, yet there is little understanding of where the money goes, what kinds of activities contractors are performing, whether this contracting saves taxpayer money, and whether the contracted activities are appropriate for private corporations to perform. Additionally, accountability for misconduct by contractors has been seriously deficient.

This rush to outsource sensitive government functions has placed private contractors at the center of some of the most significant national controversies in recent years. Contractors have been accused of torturing or abusing foreign detainees, including the practice of waterboarding high-level suspects. Contractors have participated in warrantless electronic surveillance and data-mining programs targeting U.S. citizens. Contractors have been deeply involved in the analysis of critical intelligence on Iraq and al Qaeda, including, reportedly, the preparation of the President's Daily Brief on intelligence matters.

Contractors may very well have a place in the Intelligence Community, but their role must be carefully considered, thoroughly managed, and strenuously overseen. A national conversation about the appropriate use of contractors in our national security apparatus is long overdue. This is a conversation the Administration skipped over as it was implementing this major shift in the way we conduct intelligence operations, but for the sake of the integrity of our national defense, we must collectively scrutinize this practice and set clear boundaries.

H.R. 5959 begins to put Intelligence Community contracting back on a rational and stable footing. It incorporates a number of provisions for which I have advocated. Let me highlight just a few examples.

First, the legislation would explicitly prohibit the use of contractors for the performance of interrogations. Interrogations should be carried out by individuals who are well-trained, fall within a clear chain of command, and have a sworn loyalty to the United States—not by corporate, for-profit contractors. Given how delicate such interrogations are, and how critical the intelligence they obtain might be, I believe that drawing this red line is a commonsense step with which all members should agree.

The House passed a similar restriction on Defense Department contractors as part of the Defense Authorization bill in May. This bill would appropriately extend that limit to intelligence contractors outside the DoD.

Second, the bill would require an assessment of the number and cost of contractors employed by the intelligence community, the types of activities being performed by contractors, an analysis of cost savings, and a description of mechanisms available for ensuring oversight and accountability. This assessment will give Congress the data we need to ascertain whether the use of contractors for certain activities is beneficial and what reforms may be needed.

Third, the bill would require the Director of National Intelligence to assess the appropriateness of using contractors for especially sensitive activities, including intelligence collection, intelligence analysis, interrogation, detention, and rendition. It will also require information on how many contractors are currently employed in the performance of these activities. Giving the head of the intelligence community the chance to explain the reasoning behind this widespread contracting will allow the Congress to carefully weigh the appropriate limits for intelligence outsourcing.

These provisions are not overly prescriptive or restrictive. We fully recognize that the Intelligence Community needs flexibility and agility to be able to obtain and deliver to decision-makers accurate and timely intelligence about matters involving extremely high stakes. Rather, this bill gives us the tools we need to initiate a conversation about how we can better organize, manage, and oversee contractors. It is a first step toward ending the abuses of the past.

Again, I thank Chairman REYES and his colleagues on the Intelligence Committee for recognizing the importance of addressing contractor issues in the intelligence community. I look forward to continuing to work with him on this issue.

I urge my colleagues to support this legislation.

Mr. BLUMENAUER. Mr. Chairman, I am pleased that the Democratic majority has taken a thoughtful and bipartisan approach to this year's Intelligence Authorization bill. I have expressed my concerns about the health of our intelligence community and appreciate the work that has been done to strengthen the Inspector General, increase contractor oversight, and invest in the training of our operatives.

However, I am deeply troubled that this bill does not contain a prohibition on torture, which I believe is absolutely critical. Torture violates not only the laws and values of our country, but all standards of decent human conduct. I have consistently spoken out against the stonewalling and equivocation surrounding this administration's ''interrogation'' of detainees. I find it appalling that it has fallen solely to the legislative and judicial branches to set interrogation and detention standards worthy of our Nation.

Yet I remain hopeful that the abuses of this administration will be checked by wise and thoughtful policy. I applauded the recent ''Boumediene v. Bush'' Supreme Court ruling that guarantees Guantanamo Bay detainees the right of habeas corpus. Further, I believe that extending the rules of the Army Field Manual to U.S. intelligence personnel sends a clear signal that we have broken with and are rolling back the abuses of this administration.

I support a great deal of what this bill includes, yet my greatest concern is with what this bill omits. It is my hope that Congress will

come together in conference to send a message to this administration and the world at large that Americans do not approve of, and will not stand for, torture.

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

The Acting CHAIRMAN (Mr. ROSS). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 5959

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 ''Intelligence Authorization Act for Fiscal Year 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.
Sec. 105. Limitation on the use of covert action funds.
Sec. 106. Prohibition on use of funds to implement ''5 and out'' program of the Federal Bureau of Investigation.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.
Sec. 202. Technical modification to mandatory retirement provision of the Central Intelligence Agency Retirement Act.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Subtitle A—Personnel Matters

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Enhanced flexibility in nonreimbursable details to elements of the intelligence community.
Sec. 303. Multi-level security clearances.
Sec. 304. Delegation of authority for travel on common carriers for intelligence collection personnel.
Sec. 305. Annual personnel level assessments for the intelligence community.
Sec. 306. Comprehensive report on intelligence community contractors.
Sec. 307. Report on proposed pay for performance intelligence community personnel management system.
Sec. 308. Report on plans to increase diversity within the intelligence community.
Sec. 309. Report on security clearance determinations.

Subtitle B—Other Matters

Sec. 311. Restriction on conduct of intelligence activities.
Sec. 312. Clarification of definition of intelligence community under the National Security Act of 1947.
Sec. 313. Modification of availability of funds for different intelligence activities.
Sec. 314. Protection of certain national security information.
Sec. 315. Extension of authority to delete information about receipt and disposition of foreign gifts and decorations.
Sec. 316. Report on compliance with the Detainee Treatment Act of 2005 and related provisions of the Military Commissions Act of 2006.
Sec. 317. Incorporation of reporting requirements.
Sec. 318. Repeal of certain reporting requirements.
Sec. 319. Enhancement of critical skills training program.
Sec. 320. Comprehensive national cybersecurity initiative advisory panel.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Clarification of limitation on colocation of the Office of the Director of National Intelligence.
Sec. 402. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.
Sec. 403. Additional duties of the Director of Science and Technology.
Sec. 404. Leadership and location of certain offices and officials.
Sec. 405. Plan to implement recommendations of the data center energy efficiency reports.
Sec. 406. Semiannual reports on nuclear programs of Iran, Syria, and North Korea.
Sec. 407. Title of Chief Information Officer of the Intelligence Community.
Sec. 408. Inspector General of the Intelligence Community.
Sec. 409. Annual report on foreign language proficiency in the intelligence community.
Sec. 410. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.
Sec. 411. National intelligence estimate on weapons of mass destruction in Syria.
Sec. 412. Report on intelligence resources dedicated to Iraq and Afghanistan.
Sec. 413. Ombudsman for intelligence community security clearances.
Sec. 414. Security clearance reciprocity.
Sec. 415. Report on international traffic in arms regulations.
Sec. 416. Report on nuclear trafficking.
Sec. 417. Study on revoking pensions of persons who commit unauthorized disclosures of classified information.

Subtitle B—Central Intelligence Agency

Sec. 421. Review of covert action programs by Inspector General of the Central Intelligence Agency.
Sec. 422. Inapplicability to Director of the Central Intelligence Agency of requirement for annual report on progress in auditable financial statements.
Sec. 423. Technical amendments relating to titles of certain Central Intelligence Agency positions.
Sec. 424. Clarifying amendments relating to section 105 of the Intelligence Authorization Act for Fiscal Year 2004.
Sec. 425. Prohibition on the use of private contractors for interrogations involving persons in the custody or control of the Central Intelligence Agency.

Subtitle C—Defense Intelligence Components

Sec. 431. Integration of the Counterintelligence Field Activity into the Defense Intelligence Agency.

Subtitle D—Other Elements

Sec. 441. Clarification of inclusion of Coast Guard and Drug Enforcement Administration as elements of the intelligence community.
Sec. 442. Report on transformation of the intelligence capabilities of the Federal Bureau of Investigation.

TITLE V—OTHER MATTERS

Subtitle A—General Intelligence Matters

Sec. 501. Extension of National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.
Sec. 502. Amendments to the National Security Act of 1947.
Sec. 503. Report on financial intelligence on terrorist assets.
Sec. 504. Notice of intelligence regarding North Korea and China.
Sec. 505. Sense of Congress regarding use of intelligence resources.

Subtitle B—Technical Amendments

Sec. 511. Technical amendment to the Central Intelligence Agency Act of 1949.
Sec. 512. Technical amendments relating to the multiyear National Intelligence Program.
Sec. 513. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.
Sec. 514. Technical amendments to the National Security Act of 1947.
Sec. 515. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 516. Technical amendments to the Executive Schedule.
Sec. 517. Technical amendments relating to the National Geospatial-Intelligence Agency.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2009 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be

appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2009, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill H.R. 5959 of the One Hundred Tenth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

(c) EARMARKS.—

(1) IN GENERAL.—Nothing in the classified Schedule of Authorizations, the joint explanatory statement to accompany the conference report on the bill H.R. 5959 of the One Hundred Tenth Congress, or the classified annex to this Act, shall be construed to authorize or require the expenditure of funds for an earmarked purpose.

(2) EARMARKED PURPOSE DEFINED.—In this subsection, the term ''earmarked purpose'' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner of the House of Representatives or a Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2009 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element.

(b) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2009 the sum of $648,842,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2010.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 772 full-time or full-time equivalent personnel as of September 30, 2009. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CONSTRUCTION OF AUTHORITIES.—The authorities available to the Director of National Intelligence under section 103 are also available to the Director for the adjustment of personnel levels within the Intelligence Community Management Account.

(d) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2009 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2010.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2009, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 105. LIMITATION ON THE USE OF COVERT ACTION FUNDS.

(a) IN GENERAL.—Not more than 25 percent of the funds authorized to be appropriated by this Act for the National Intelligence Program for covert actions may be obligated or expended until the date on which each member of the congressional intelligence committees has been fully and currently briefed on all authorizations for covert actions in effect on April 24, 2008.

(b) COVERT ACTION DEFINED.—In this section, the term ''covert action'' has the meaning given the term in section 503(g) of the National Security Act of 1947 (50 U.S.C. 413b(e)).

SEC. 106. PROHIBITION ON USE OF FUNDS TO IMPLEMENT "5 AND OUT" PROGRAM OF THE FEDERAL BUREAU OF INVESTIGATION.

None of the funds authorized to be appropriated in this Act may be used to implement the program of the Federal Bureau of Investigation requiring the mandatory reassignment of a supervisor of the Bureau after such supervisor serves in a management position for 5 years (commonly known as the ''5 and out'' program).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2009 the sum of $279,200,000.

SEC. 202. TECHNICAL MODIFICATION TO MANDATORY RETIREMENT PROVISION OF THE CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.

Subparagraph (A) of section 235(b)(1) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2055(b)(1)) is amended by striking ''receiving compensation under the Senior Intelligence Service pay schedule at the rate'' and inserting ''who is at the Senior Intelligence Service rank''.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Subtitle A—Personnel Matters

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. ENHANCED FLEXIBILITY IN NONREIMBURSABLE DETAILS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h) and section 904(g)(2) of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c(g)(2)) and notwithstanding any other provision of law, in any fiscal year after fiscal year 2008 an officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the Community Management Account from another element of the United States Government on a reimbursable or nonreimbursable basis, as jointly agreed to by the Director of National Intelligence and the head of the detailing element (or the designees of such officials), for a period not to exceed 2 years.

SEC. 303. MULTI-LEVEL SECURITY CLEARANCES.

(a) IN GENERAL.—Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended by adding at the end the following new subsection:

''(s) MULTI-LEVEL SECURITY CLEARANCES.—The Director of National Intelligence shall be responsible for ensuring that the elements of the intelligence community adopt a multi-level security clearance approach in order to enable the intelligence community to make more effective and efficient use of persons proficient in foreign languages or with cultural, linguistic, or other subject matter expertise that is critical to national security.''.

(b) IMPLEMENTATION.—The Director of National Intelligence shall issue guidelines to the intelligence community on the implementation of subsection (s) of section 102A of the National Security Act of 1947, as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

SEC. 304. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 404k(b)) is amended—

(1) by inserting ''(1)'' before ''The Director'';

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by striking ''may only delegate'' and all that follows and inserting ''may delegate the authority in subsection (a) to the head of any other element of the intelligence community.''; and

(3) by adding at the end the following new paragraph:

''(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may further delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.''.

(b) SUBMISSION OF GUIDELINES TO CONGRESS.—Not later than 6 months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (2) of section 116(b) of the National Security Act of 1947, as added by subsection (a).

SEC. 305. ANNUAL PERSONNEL LEVEL ASSESSMENTS FOR THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by inserting after section 506A the following new section:

''ANNUAL PERSONNEL LEVEL ASSESSMENT FOR THE INTELLIGENCE COMMUNITY

''SEC. 506B. (a) REQUIREMENT TO PROVIDE.—The Director of National Intelligence shall, in consultation with the head of the element of the intelligence community concerned, prepare an annual personnel level assessment for such element of the intelligence community that assesses the personnel levels for each such element for the fiscal year following the fiscal year in which the assessment is submitted.

''(b) SCHEDULE.—Each assessment required by subsection (a) shall be submitted to the congressional intelligence committees each year along

with the budget submitted by the President under section 1105 of title 31, United States Code.

''(c) CONTENTS.—Each assessment required by subsection (a) submitted during a fiscal year shall contain, at a minimum, the following information for the element of the intelligence community concerned:

''(1) The budget submission for personnel costs for the upcoming fiscal year.

''(2) The dollar and percentage increase or decrease of such costs as compared to the personnel costs of the current fiscal year.

''(3) The dollar and percentage increase or decrease of such costs as compared to the personnel costs during the prior 5 fiscal years.

''(4) The number of personnel positions requested for the upcoming fiscal year.

''(5) The numerical and percentage increase or decrease of such number as compared to the number of personnel positions of the current fiscal year.

''(6) The numerical and percentage increase or decrease of such number as compared to the number of personnel positions during the prior 5 fiscal years.

''(7) The best estimate of the number and costs of contractors to be funded by the element for the upcoming fiscal year.

''(8) The numerical and percentage increase or decrease of such costs of contractors as compared to the best estimate of the costs of contractors of the current fiscal year.

''(9) The numerical and percentage increase or decrease of such costs of contractors as compared to the cost of contractors, and the number of contractors, during the prior 5 fiscal years.

''(10) A written justification for the requested personnel and contractor levels.

''(11) The number of intelligence collectors and analysts employed or contracted by each element of the intelligence community.

''(12) A list of all contractors that have been the subject of an investigation completed by the Inspector General of any element of the intelligence community during the preceding fiscal year, or are or have been the subject of an investigation by such an Inspector General during the current fiscal year.

''(13) A statement by the Director of National Intelligence that, based on current and projected funding, the element concerned will have sufficient—

''(A) internal infrastructure to support the requested personnel and contractor levels;

''(B) training resources to support the requested personnel levels; and

''(C) funding to support the administrative and operational activities of the requested personnel levels.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to section 506A the following new item:

''Sec. 506B. Annual personnel level assessment for the intelligence community.''.

SEC. 306. COMPREHENSIVE REPORT ON INTELLIGENCE COMMUNITY CONTRACTORS.

(a) REQUIREMENT FOR REPORT.—Not later than November 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a report describing the use of personal services contracts across the intelligence community, the impact of such contractors on the intelligence community workforce, plans for conversion of contractor employment into government employment, and the accountability mechanisms that govern the performance of such contractors.

(b) CONTENT.—

(1) IN GENERAL.—The report submitted under subsection (a) shall include—

(A) a description of any relevant regulations or guidance issued by the Director of National Intelligence or the head of an element of the intelligence community relating to minimum standards required regarding the hiring, training, security clearance, and assignment of contract personnel and how those standards may differ from those for government employees performing substantially similar functions;

(B) an identification of contracts where the contractor is performing a substantially similar functions to a government employee;

(C) an assessment of costs incurred or savings achieved by awarding contracts for the performance of such functions referred to in subparagraph (B) instead of using full-time employees of the elements of the intelligence community to perform such functions;

(D) an assessment of the appropriateness of using contractors to perform the activities described in paragraph (2);

(E) an estimate of the number of contracts, and the number of personnel working under such contracts, related to the performance of activities described in paragraph (2);

(F) a comparison of the compensation of contract employees and government employees performing substantially similar functions;

(G) an analysis of the attrition of government personnel for contractor positions that provide substantially similar functions;

(H) a description of positions that will be converted from contractor employment to government employment;

(I) an analysis of the oversight and accountability mechanisms applicable to personal services contracts awarded for intelligence activities by each element of the intelligence community during fiscal years 2006 and 2007;

(J) an analysis of procedures in use in the intelligence community for conducting oversight of contractors to ensure identification and prosecution of criminal violations, financial waste, fraud, or other abuses committed by contractors or contract personnel; and

(K) an identification of best practices for oversight and accountability mechanisms applicable to personal services contracts.

(2) ACTIVITIES.—Activities described in this paragraph are the following:

(A) Intelligence collection.

(B) Intelligence analysis.

(C) Covert actions, including rendition, detention, and interrogation activities.

SEC. 307. REPORT ON PROPOSED PAY FOR PERFORMANCE INTELLIGENCE COMMUNITY PERSONNEL MANAGEMENT SYSTEM.

(a) PROHIBITION ON PAY FOR PERFORMANCE UNTIL REPORT.—The Director of National Intelligence and the head of an element of the intelligence community may not implement a plan that provides compensation to personnel of that element of the intelligence community based on performance until the date that is 45 days after the date on which the Director of National Intelligence submits a report for that element under subsection (b).

(b) REPORT.—The Director of National Intelligence shall submit to Congress a report on performance-based compensation for each element of the intelligence community, including, with respect to each such element—

(1) a description of a proposed employee advisory group to advise management on the implementation and management of a pay for performance system in that element, including the scope of responsibility of the group and the plan for the element for ensuring diversity in the selection of members of the advisory group;

(2) a certification that all managers who will participate in setting performance standards and pay pool administration have been trained on the implementing guidance of the system and the criteria upon which the certification is granted; and

(3) a description of an external appeals mechanism for employees who wish to appeal pay decisions to someone outside the management chain of the element employing such employee.

SEC. 308. REPORT ON PLANS TO INCREASE DIVERSITY WITHIN THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR REPORT.—Not later than November 1, 2008, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees a report on the plans of each element to increase diversity within the intelligence community.

(b) CONTENT.—The report required by subsection (a) shall include specific implementation plans to increase diversity within each element of the intelligence community, including—

(1) specific implementation plans for each such element designed to achieve the goals articulated in the strategic plan of the Director of National Intelligence on equal employment opportunity and diversity;

(2) specific plans and initiatives for each such element to increase recruiting and hiring of diverse candidates;

(3) specific plans and initiatives for each such element to improve retention of diverse Federal employees at the junior, midgrade, senior, and management levels;

(4) a description of specific diversity awareness training and education programs for senior officials and managers of each such element; and

(5) a description of performance metrics to measure the success of carrying out the plans, initiatives, and programs described in paragraphs (1) through (4).

SEC. 309. REPORT ON SECURITY CLEARANCE DETERMINATIONS.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

''REPORT ON SECURITY CLEARANCE DETERMINATIONS

''SEC. 508. Not later than February 1 of each year, the Director of the Office of Management and Budget shall submit to Congress a report on security clearance determinations completed or ongoing during the preceding fiscal year that have taken longer than one year to complete. Such report shall include—

''(1) the number of security clearance determinations for positions as employees of the Federal Government that required more than one year to complete;

''(2) the number of security clearance determinations for contractors that required more than one year to complete;

''(3) the agencies that investigated and adjudicated such determinations; and

''(4) the cause of significant delays in such determinations.''.

(b) CONFORMING AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is further amended by inserting after the item relating to section 507 the following new item:

''Sec. 508. Report on security clearance determinations.''.

Subtitle B—Other Matters

SEC. 311. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 312. CLARIFICATION OF DEFINITION OF INTELLIGENCE COMMUNITY UNDER THE NATIONAL SECURITY ACT OF 1947.

Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by striking ''other'' the second place it appears.

SEC. 313. MODIFICATION OF AVAILABILITY OF FUNDS FOR DIFFERENT INTELLIGENCE ACTIVITIES.

Subparagraph (B) of section 504(a)(3) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)) is amended to read as follows:

''(B) the use of such funds for such activity supports an emergent need, improves program effectiveness, or increases efficiency; and''.

SEC. 314. PROTECTION OF CERTAIN NATIONAL SECURITY INFORMATION.

(a) INCREASE IN PENALTIES FOR DISCLOSURE OF UNDERCOVER INTELLIGENCE OFFICERS AND AGENTS.—

(1) DISCLOSURE OF AGENT AFTER ACCESS TO INFORMATION IDENTIFYING AGENT.—Subsection (a) of section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended by striking ''ten years'' and inserting ''15 years''.

(2) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking ''five years'' and inserting ''10 years''.

(b) MODIFICATIONS TO ANNUAL REPORT ON PROTECTION OF INTELLIGENCE IDENTITIES.—The first sentence of section 603(a) of the National Security Act of 1947 (50 U.S.C. 423(a)) is amended by inserting ''including an assessment of the need for any modification of this title for the purpose of improving legal protections for covert agents,'' after ''measures to protect the identities of covert agents,''.

SEC. 315. EXTENSION OF AUTHORITY TO DELETE INFORMATION ABOUT RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS.

Paragraph (4) of section 7342(f) of title 5, United States Code, is amended to read as follows:

''(4)(A) In transmitting such listings for an element of the intelligence community, the head of such element may delete the information described in subparagraph (A) or (C) of paragraph (2) or in subparagraph (A) or (C) of paragraph (3) if the head of such element certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.

''(B) Any information not provided to the Secretary of State pursuant to the authority in subparagraph (A) shall be transmitted to the Director of National Intelligence who shall keep a record of such information.

''(C) In this paragraph, the term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

SEC. 316. REPORT ON COMPLIANCE WITH THE DETAINEE TREATMENT ACT OF 2005 AND RELATED PROVISIONS OF THE MILITARY COMMISSIONS ACT OF 2006.

(a) REPORT REQUIRED.—Not later than November 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a comprehensive report on all measures taken by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with relevant responsibilities to comply with the provisions of the Detainee Treatment Act of 2005 (title X of division A of Public Law 109–148; 119 Stat. 2739) and related provisions of the Military Commissions Act of 2006 (Public Law 109–366; 120 Stat. 2600).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the detention or interrogation methods, if any, that have been determined to comply with section 1003 of the Detainee Treatment Act of 2005 (119 Stat. 2739; 42 U.S.C. 2000dd) and section 6 of the Military Commissions Act of 2006 (120 Stat. 2632; 18 U.S.C. 2441 note) (including the amendments made by such section 6), and, with respect to each such method—

(A) an identification of the official making such determination; and

(B) a statement of the basis for such determination.

(2) A description of the detention or interrogation methods, if any, the use of which has been discontinued pursuant to the Detainee Treatment Act of 2005 or the Military Commission Act of 2006, and, with respect to each such method—

(A) an identification of the official making the determination to discontinue such method; and

(B) a statement of the basis for such determination.

(3) A description of any actions that have been taken to implement section 1004 of the Detainee Treatment Act of 2005 (119 Stat. 2740; 42 U.S.C. 2000dd–1), and, with respect to each such action—

(A) an identification of the official taking such action; and

(B) a statement of the basis for such action.

(4) Any other matters that the Director considers necessary to fully and currently inform the congressional intelligence committees about the implementation of the Detainee Treatment Act of 2005 and related provisions of the Military Commissions Act of 2006.

(5) An appendix containing—

(A) all guidelines for the application of the Detainee Treatment Act of 2005 and related provisions of the Military Commissions Act of 2006 to the detention or interrogation activities, if any, of any element of the intelligence community; and

(B) all legal justifications of the Department of Justice, including any office thereof, about the meaning or application of the Detainee Treatment Act of 2005 or related provisions of the Military Commissions Act of 2006 with respect to the detention or interrogation activities, if any, of any element of the intelligence community.

(c) FORM.—The report required by subsection (a) shall be submitted in classified form.

(d) SUBMISSION TO THE CONGRESSIONAL ARMED SERVICES COMMITTEES.—To the extent that the report required by subsection (a) addresses an element of the intelligence community within the Department of Defense, that portion of the report, and any associated material that is necessary to make that portion understandable, shall also be submitted by the Director of National Intelligence to the congressional armed services committees.

(e) CONGRESSIONAL ARMED SERVICES COMMITTEE DEFINED.—In this section, the term ''congressional armed services committees'' means—

(1) the Committee on Armed Services of the Senate; and

(2) the Committee on Armed Services of the House of Representatives.

SEC. 317. INCORPORATION OF REPORTING REQUIREMENTS.

Each requirement to submit a report to the congressional intelligence committees that is included in the classified annex to this Act is hereby incorporated into this Act and is hereby made a requirement in law.

SEC. 318. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) ANNUAL CERTIFICATION ON COUNTERINTELLIGENCE INITIATIVES.—Section 1102(b) of the National Security Act of 1947 (50 U.S.C. 442a(b)) is amended—

(1) by striking ''(1)''; and

(2) by striking paragraph (2).

(b) REPORT AND CERTIFICATION UNDER TERRORIST IDENTIFICATION CLASSIFICATION SYSTEM.—Section 343 of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 404n–2) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

(c) ANNUAL REPORT ON COUNTERDRUG INTELLIGENCE MATTERS.—Section 826 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2429; 21 U.S.C. 873 note) is repealed.

(d) CONFORMING AMENDMENTS.—Section 507(a)(2) of the National Security Act of 1947 (50 U.S.C. 415b(a)(2)) is amended by striking subparagraph (D).

SEC. 319. ENHANCEMENT OF CRITICAL SKILLS TRAINING PROGRAM.

(a) NATIONAL SECURITY AGENCY.—Subsection (e) of section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by striking ''(1) When an employee'' and all that follows through ''(2) Agency efforts'' and inserting ''Agency efforts''.

(b) OTHER ELEMENTS OF THE INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—The National Security Act of 1947 is amended by inserting after section 1021 (50 U.S.C. 441m) the following new section:

''INTELLIGENCE COMMUNITY ACQUISITION OF CRITICAL SKILLS

''SEC. 1022. (a) IN GENERAL.—The head of an appropriate department may assign civilian employees of an element of the intelligence community that is a component of such appropriate department as students at accredited professional, technical, and other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of such element of the intelligence community.

''(b) PAYMENT OF EXPENSES.—The head of an appropriate department may pay, directly or by reimbursement to employees, expenses incident to assignments under subsection (a), in any fiscal year only to the extent that appropriated funds are available for such purpose.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible for assignment under subsection (a), an employee of an element of the intelligence community must agree in writing—

''(A) to continue in the service of such element for the period of the assignment and to complete the educational course of training for which the employee is assigned;

''(B) to continue in the service of such element following completion of the assignment for a period of one-and-a-half years for each year of the assignment or part thereof;

''(C) to reimburse the United States for the total cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, prior to the employee's completing the educational course of training for which the employee is assigned, the assignment or the employee's employment with such element is terminated either by such element due to misconduct by the employee or by the employee voluntarily; and

''(D) to reimburse the United States if, after completing the educational course of training for which the employee is assigned, the employee's employment with such element is terminated either by such element due to misconduct by the employee or by the employee voluntarily, prior to the employee's completion of the service obligation period described in subparagraph (B), in an amount that bears the same ratio to the total cost of the education (excluding the employee's pay and allowances) provided to the employee as the unserved portion of the service obligation period described in subparagraph (B) bears to the total period of the service obligation described in subparagraph (B).

''(2) DEBT OWING THE UNITED STATES.—Subject to paragraph (3), the obligation to reimburse the United States under an agreement described in paragraph (1), including interest due on such obligation, is for all purposes a debt owing the United States.

''(3) REIMBURSEMENT.—

''(A) BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, shall not release a person from an obligation to reimburse the United States required under an agreement described in paragraph (1) if the final

decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in subparagraphs (A) and (B) of paragraph (1).

''(B) RELEASE.—The head of an appropriate department may release a person, in whole or in part, from the obligation to reimburse the United States under an agreement described in paragraph (1) when, in the discretion of such head of an appropriate department, such head of an appropriate department determines that equity or the interests of the United States so require.

''(C) MONTHLY PAYMENTS.—The head of an appropriate department shall permit an employee assigned under this section who, prior to commencing a second academic year of such assignment, voluntarily terminates the assignment or the employee's employment with the element of the intelligence community that is a component of such appropriate department, to satisfy the employee's obligation under an agreement described in paragraph (1) to reimburse the United States by reimbursement according to a schedule of monthly payments which results in completion of reimbursement by a date five years after the date of termination of the assignment or employment or earlier at the option of the employee.

''(d) RECRUITMENT.—Efforts by an element of the intelligence community to recruit individuals at educational institutions for participation in the undergraduate training program established by this section shall be made openly and according to the common practices of universities and employers recruiting at such institutions.

''(e) INAPPLICATION OF PROVISIONS ON TRAINING.—Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31, United States Code, shall not apply with respect to this section.

''(f) REGULATIONS.—A head of the appropriate department assigning employees in accordance with this section may issue such regulations as such head of the appropriate department considers necessary to carry out this section.

''(g) RULES OF CONSTRUCTION.—

''(1) COMPONENT.—For purposes of this section—

''(A) the Office of the Director of National Intelligence shall be considered a component of such Office; and

''(B) the Central Intelligence Agency shall be considered a component of such Agency.

''(2) REQUIRED EDUCATION PROGRAMS.—Nothing in this section shall be construed to modify, affect, or supercede any provision of law requiring or otherwise authorizing or providing for a training program described in this section.

''(h) APPROPRIATE DEPARTMENT DEFINED.—In this section, the term 'appropriate department' means—

''(1) with respect to the Office of the Director of National Intelligence, the Office of the Director of National Intelligence;

''(2) with respect to the Central Intelligence Agency, Central Intelligence Agency; and

''(3) with respect to an element of the intelligence community other than the Office of the Director of National Intelligence and the Central Intelligence Agency, the department of the Federal Government of which such element of the intelligence community is a component.''.

(2) CONFORMING AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by inserting after the item relating to section 1021 the following new item:

''Sec. 1022. Intelligence community acquisition of critical skills.''.

SEC. 320. COMPREHENSIVE NATIONAL CYBERSECURITY INITIATIVE ADVISORY PANEL.

Not later than February 1, 2009, the President shall submit to Congress a report on options for creating an advisory panel comprised of representatives of Congress, the Executive Branch, and the private sector to make policy and procedural recommendations for—

(1) information security for the Federal Government;

(2) critical infrastructure;

(3) the authorities, roles, responsibilities of the intelligence community, Department of Homeland Security, and Department of Defense for purposes of supporting the Comprehensive National Cybersecurity Initiative as described in National Security Policy Directive 54/Homeland Security Policy Directive 23 entitled ''Cybersecurity Policy'' signed by the President on January 8, 2008; and

(4) other matters related to paragraphs (1) through (3) as the President considers appropriate.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. CLARIFICATION OF LIMITATION ON CO-LOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103(e) of the National Security Act of 1947 (50 U.S.C. 403–3(e)) is amended—

(1) by striking ''WITH'' and inserting ''OF HEADQUARTERS WITH HEADQUARTERS OF'';

(2) by inserting ''the headquarters of'' before ''the Office''; and

(3) by striking ''any other element'' and inserting ''the headquarters of any other element''.

SEC. 402. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

Subparagraph (F) of section 115(b)(1) of title 49, United States Code, is amended to read as follows:

''(F) The Director of National Intelligence.''.

SEC. 403. ADDITIONAL DUTIES OF THE DIRECTOR OF SCIENCE AND TECHNOLOGY.

Section 103E of the National Security Act of 1947 (50 U.S.C. 403–3e) is amended—

(1) in subsection (c)—

(A) by redesignating paragraph (5) as paragraph (7);

(B) in paragraph (4), by striking ''and'' at the end; and

(C) by inserting after paragraph (4) the following:

''(5) assist the Director in establishing goals for basic, applied, and advanced research to meet the technology needs of the intelligence community;

''(6) submit to the congressional intelligence committees an annual report on the science and technology strategy of the Director that shows resources mapped to the goals of the intelligence community; and''; and

(2) in subsection (d)(3)—

(A) in subparagraph (A)—

(i) by inserting ''and prioritize'' after ''coordinate''; and

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

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

''(B) identify basic, advanced, and applied research programs to be executed by elements of the intelligence community; and''.

SEC. 404. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A(a) of the National Security Act of 1947 (50 U.S.C. 404o–1(a)) is amended—

(1) by striking ''(a) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of the National Security Intelligence Reform Act of 2004, the'' and inserting the following:

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The''; and

(2) by adding at the end the following new paragraphs:

''(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be appointed by the Director of National Intelligence.

''(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.''.

(b) OFFICERS.—Section 103(c) of that Act (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

''(9) The Chief Information Officer of the Intelligence Community.

''(10) The Inspector General of the Intelligence Community.

''(11) The Director of the National Counterterrorism Center.

''(12) The Director of the National Counter Proliferation Center.''.

SEC. 405. PLAN TO IMPLEMENT RECOMMENDATIONS OF THE DATA CENTER ENERGY EFFICIENCY REPORTS.

(a) PLAN.—The Director of National Intelligence shall develop a plan to implement the recommendations of the report submitted to Congress under section 1 of the Act entitled ''An Act to study and promote the use of energy efficient computer servers in the United States'' (Public Law 109–431; 120 Stat. 2920) across the intelligence community.

(b) REPORT.—

(1) IN GENERAL.—Not later then November 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing the plan developed under subsection (a).

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 406. SEMIANNUAL REPORTS ON NUCLEAR PROGRAMS OF IRAN, SYRIA, AND NORTH KOREA.

(a) REPORTS.—

(1) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.), as amended by title III, is further amended by adding at the end the following new section:

''SEMIANNUAL REPORTS ON THE NUCLEAR PROGRAMS OF IRAN, SYRIA, AND NORTH KOREA

''SEC. 509. (a) REQUIREMENT FOR REPORTS.—Not less frequently than every 180 days, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the intentions and capabilities of the Islamic Republic of Iran, the Syrian Arab Republic, and the Democratic People's Republic of Korea, with regard to the nuclear programs of each such country.

''(b) CONTENT.—Each report submitted under subsection (a) shall include, with respect to the Islamic Republic of Iran, the Syrian Arab Republic, and the Democratic People's Republic of Korea—

''(1) an assessment of nuclear weapons programs of each such country;

''(2) an evaluation, consistent with existing reporting standards and practices, of the sources upon which the intelligence used to prepare the assessment described in paragraph (1) is based, including the number of such sources and an assessment of the reliability of each such source;

''(3) a summary of any intelligence related to any such program gathered or developed since the previous report was submitted under subsection (a), including intelligence collected from both open and clandestine sources for each such country; and

''(4) a discussion of any dissents, caveats, gaps in knowledge, or other information that would reduce confidence in the assessment described in paragraph (1).

''(c) NATIONAL INTELLIGENCE ESTIMATE.—The Director of National Intelligence may submit a National Intelligence Estimate on the intentions and capabilities of the Islamic Republic of Iran, the Syrian Arab Republic, or the Democratic People's Republic of Korea in lieu of a report required by subsection (a) for that country.

''(d) FORM.—Each report submitted under subsection (a) may be submitted in classified form.''.

(2) APPLICABILITY DATE.—The first report required to be submitted under section 509 of the National Security Act of 1947, as added by paragraph (1), shall be submitted not later than 30 days after the date of the enactment of this Act.

(b) CONFORMING AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by inserting after the item relating to section 508 the following new item:

''Sec. 509. Semiannual reports on the nuclear programs of Iran, Syria, and North Korea.''.

SEC. 407. TITLE OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G of the National Security Act of 1947 (50 U.S.C. 403–3g) is amended—

(1) in subsection (a), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(2) in subsection (b), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(3) in subsection (c), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''; and

(4) in subsection (d), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''.

SEC. 408. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 103G the following new section:

''INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

''SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

''(b) PURPOSE.—The purpose of the Office of the Inspector General of the Intelligence Community is to—

''(1) create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independently investigations, inspections, and audits on matters within the responsibility and authority of the Director of National Intelligence;

''(2) recommend policies designed—

''(A) to promote economy, efficiency, and effectiveness in the administration and implementation of matters within the responsibility and authority of the Director of National Intelligence; and

''(B) to prevent and detect fraud and abuse in such matters;

''(3) provide a means for keeping the Director of National Intelligence fully and currently informed about—

''(A) problems and deficiencies relating to matters within the responsibility and authority of the Director of National Intelligence; and

''(B) the necessity for, and the progress of, corrective actions; and

''(4) in the manner prescribed by this section, ensure that the congressional intelligence committees are kept similarly informed of—

''(A) significant problems and deficiencies relating to matters within the responsibility and authority of the Director of National Intelligence; and

''(B) the necessity for, and the progress of, corrective actions.

''(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector General of the Intelligence Community, who shall be the head of the Office of the Inspector General of the Intelligence Community, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) The nomination of an individual for appointment as Inspector General shall be made—

''(A) without regard to political affiliation;

''(B) solely on the basis of integrity, compliance with the security standards of the intelligence community, and prior experience in the field of intelligence or national security; and

''(C) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

''(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

''(4) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General.

''(d) DUTIES AND RESPONSIBILITIES.—Subject to subsections (g) and (h), it shall be the duty and responsibility of the Inspector General of the Intelligence Community—

''(1) to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, the investigations, inspections, and audits relating to matters within the responsibility and authority of the Director of National Intelligence to ensure they are conducted efficiently and in accordance with applicable law and regulations;

''(2) to keep the Director of National Intelligence fully and currently informed concerning violations of law and regulations, violations of civil liberties and privacy, fraud and other serious problems, abuses, and deficiencies that may occur in matters within the responsibility and authority of the Director, and to report the progress made in implementing corrective action;

''(3) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Inspector General, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

''(4) in the execution of the duties and responsibilities under this section, to comply with generally accepted government auditing standards.

''(e) LIMITATIONS ON ACTIVITIES.—(1) The Director of National Intelligence may prohibit the Inspector General of the Intelligence Community from initiating, carrying out, or completing any investigation, inspection, or audit if the Director determines that such prohibition is necessary to protect vital national security interests of the United States.

''(2) If the Director exercises the authority under paragraph (1), the Director shall submit an appropriately classified statement of the reasons for the exercise of such authority within 7 days to the congressional intelligence committees.

''(3) The Director shall advise the Inspector General at the time a report under paragraph (2) is submitted, and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such report.

''(4) The Inspector General may submit to the congressional intelligence committees any comments on a report of which the Inspector General has notice under paragraph (3) that the Inspector General considers appropriate.

''(f) AUTHORITIES.—(1) The Inspector General of the Intelligence Community shall have direct and prompt access to the Director of National Intelligence when necessary for any purpose pertaining to the performance of the duties of the Inspector General.

''(2)(A) The Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

''(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to the programs and operations with respect to which the Inspector General has responsibilities under this section.

''(C) The level of classification or compartmentation of information shall not, in and of itself, provide a sufficient rationale for denying the Inspector General access to any materials under subparagraph (B).

''(D) Failure on the part of any employee, or any employee of a contractor, of any element of the intelligence community to cooperate with the Inspector General shall be grounds for appropriate administrative actions by the Director or, on the recommendation of the Director, other appropriate officials of the intelligence community, including loss of employment or the termination of an existing contractual relationship.

''(3) The Inspector General is authorized to receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. Once such complaint or information has been received from an employee of the Federal Government—

''(A) the Inspector General shall not disclose the identity of the employee without the consent of the employee, unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; and

''(B) no action constituting a reprisal, or threat of reprisal, for making such complaint may be taken by any employee in a position to take such actions, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

''(4) The Inspector General shall have authority to administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the duties of the Inspector General, which oath, affirmation, or affidavit when administered or taken by or before an employee of the Office of the Inspector General of the Intelligence Community designated by the Inspector General shall have the same force and effect as if administered or taken by, or before, an officer having a seal.

''(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

''(B) In the case of departments, agencies, and other elements of the United States Government, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than by subpoenas.

''(C) The Inspector General may not issue a subpoena for, or on behalf of, any other element of the intelligence community, including the Office of the Director of National Intelligence.

''(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

''(g) COORDINATION AMONG INSPECTORS GENERAL OF INTELLIGENCE COMMUNITY.—(1)(A) In the event of a matter within the jurisdiction of

the Inspector General of the Intelligence Community that may be subject to an investigation, inspection, or audit by both the Inspector General of the Intelligence Community and an Inspector General, whether statutory or administrative, with oversight responsibility for an element or elements of the intelligence community, the Inspector General of the Intelligence Community and such other Inspector or Inspectors General shall expeditiously resolve the question of which Inspector General shall conduct such investigation, inspection, or audit.

''(B) In attempting to resolve a question under subparagraph (A), the Inspectors General concerned may request the assistance of the Intelligence Community Inspectors General Forum established under subparagraph (C). In the event of a dispute between an Inspector General within an agency or department of the United States Government and the Inspector General of the Intelligence Community that has not been resolved with the assistance of the Forum, the Inspectors General shall submit the question to the Director of National Intelligence and the head of the agency or department for resolution.

''(C) There is established the Intelligence Community Inspectors General Forum which shall consist of all statutory or administrative Inspectors General with oversight responsibility for an element or elements of the intelligence community. The Inspector General of the Intelligence Community shall serve as the chair of the Forum. The Forum shall have no administrative authority over any Inspector General, but shall serve as a mechanism for informing its members of the work of individual members of the Forum that may be of common interest and discussing questions about jurisdiction or access to employees, employees of a contractor, records, audits, reviews, documents, recommendations, or other materials that may involve or be of assistance to more than 1 of its members.

''(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to any other Inspector General, including the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit who did not conduct such investigation, inspection, or audit.

''(h) STAFF AND OTHER SUPPORT.—(1) The Inspector General of the Intelligence Community shall be provided with appropriate and adequate office space at central and field office locations, together with such equipment, office supplies, maintenance services, and communications facilities and services as may be necessary for the operation of such offices.

''(2)(A) Subject to applicable law and the policies of the Director of National Intelligence, the Inspector General shall select, appoint, and employ such officers and employees as may be necessary to carry out the functions of the Inspector General. The Inspector General shall ensure that any officer or employee so selected, appointed, or employed has security clearances appropriate for the assigned duties of such officer or employee.

''(B) In making selections under subparagraph (A), the Inspector General shall ensure that such officers and employees have the requisite training and experience to enable the Inspector General to carry out the duties of the Inspector General effectively.

''(C) In meeting the requirements of this paragraph, the Inspector General shall create within the Office of the Inspector General of the Intelligence Community a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General.

''(3)(A) Subject to the concurrence of the Director, the Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General from any department, agency, or other element of the United States Government.

''(B) Upon request of the Inspector General for information or assistance under subparagraph (A), the head of the department, agency, or element concerned shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the department, agency, or element, furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) The Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community, conduct, as authorized by this section, an investigation, inspection, or audit of such element and may enter into any place occupied by such element for purposes of the performance of the duties of the Inspector General.

''(i) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than January 31 and July 31 of each year, prepare and submit to the Director of National Intelligence a classified, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community during the immediately preceding 6-month period ending December 31 (of the preceding year) and June 30, respectively. The Inspector General of the Intelligence Community shall provide any portion of the report involving a component of a department of the United States Government to the head of that department simultaneously with submission of the report to the Director of National Intelligence.

''(B) Each report under this paragraph shall include, at a minimum, the following:

''(i) A list of the title or subject of each investigation, inspection, or audit conducted during the period covered by such report, including a summary of the progress of each particular investigation, inspection, or audit since the preceding report of the Inspector General under this paragraph.

''(ii) A description of significant problems, abuses, and deficiencies relating to the administration and implementation of programs and operations of the intelligence community, and in the relationships between elements of the intelligence community, identified by the Inspector General during the period covered by such report.

''(iii) A description of the recommendations for corrective or disciplinary action made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii).

''(iv) A statement whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, in a case where corrective action has been completed, a description of such corrective action.

''(v) A certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General.

''(vi) A description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report.

''(vii) Such recommendations as the Inspector General considers appropriate for legislation to promote economy, efficiency, and effectiveness in the administration and implementation of matters within the responsibility and authority of the Director of National Intelligence, and to detect and eliminate fraud and abuse in such matters.

''(C) Not later than the 30 days after the date of receipt of a report under subparagraph (A), the Director shall transmit the report to the congressional intelligence committees together with any comments the Director considers appropriate. The Director shall transmit to the committees of the Senate and of the House of Representatives with jurisdiction over a department of the United States Government any portion of the report involving a component of such department simultaneously with submission of the report to the congressional intelligence committees.

''(2)(A) The Inspector General shall report immediately to the Director whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to matters within the responsibility and authority of the Director of National Intelligence.

''(B) The Director shall transmit to the congressional intelligence committees each report under subparagraph (A) within 7 calendar days of receipt of such report, together with such comments as the Director considers appropriate. The Director shall transmit to the committees of the Senate and of the House of Representatives with jurisdiction over a department of the United States Government any portion of each report under subparagraph (A) that involves a problem, abuse, or deficiency related to a component of such department simultaneously with transmission of the report to the congressional intelligence committees.

''(3) In the event that—

''(A) the Inspector General is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the Inspector General;

''(B) an investigation, inspection, or audit carried out by the Inspector General focuses on any current or former intelligence community official who—

''(i) holds or held a position in an element of the intelligence community that is subject to appointment by the President, whether or not by and with the advice and consent of the Senate, including such a position held on an acting basis;

''(ii) holds or held a position in an element of the intelligence community, including a position held on an acting basis, that is appointed by the Director of National Intelligence; or

''(iii) holds or held a position as head of an element of the intelligence community or a position covered by subsection (b) or (c) of section 106;

''(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former official described in subparagraph (B);

''(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any current or former official described in subparagraph (B); or

''(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit,

the Inspector General shall immediately notify and submit a report on such matter to the congressional intelligence committees.

''(4) Pursuant to title V, the Director shall submit to the congressional intelligence committees any report or findings and recommendations of an investigation, inspection, or audit conducted by the office which has been requested by the Chairman or Vice Chairman or Ranking Minority Member of either committee.

''(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General.

''(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the Director a notice of that determination, together with the complaint or information.

''(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within 7 calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

''(D)(i) If the Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B), the employee (subject to clause (ii)) may submit the complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.

''(ii) An employee may contact the intelligence committees directly as described in clause (i) only if the employee—

''(I) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(II) obtains and follows from the Director, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices.

''(iii) A member or employee of 1 of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee's official capacity as a member or employee of such committee.

''(E) The Inspector General shall notify an employee who reports a complaint or information to the Inspector General under this paragraph of each action taken under this paragraph with respect to the complaint or information. Such notice shall be provided not later than 3 days after any such action is taken.

''(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

''(G) In this paragraph, the term 'urgent concern' means any of the following:

''(i) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

''(ii) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

''(iii) An action, including a personnel action described in section 2302(a)(2)(A) of title 5, United States Code, constituting reprisal or threat of reprisal prohibited under subsection (f)(3)(B) of this section in response to an employee's reporting an urgent concern in accordance with this paragraph.

''(H) In support of this paragraph, Congress makes the findings set forth in paragraphs (1) through (6) of section 701(b) of the Intelligence Community Whistleblower Protection Act of 1998 (title VII of Public Law 105–272; 5 U.S.C. App. 8H note).

''(6) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of Federal criminal law that involves a program or operation of an element of the intelligence community, or in the relationships between the elements of the intelligence community, consistent with such guidelines as may be issued by the Attorney General pursuant to subsection (b)(2) of such section. A copy of each such report shall be furnished to the Director.

''(j) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall, in accordance with procedures to be issued by the Director in consultation with the congressional intelligence committees, include in the National Intelligence Program budget a separate account for the Office of Inspector General of the Intelligence Community.

''(k) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF INTELLIGENCE COMMUNITY.—Except as resolved pursuant to subsection (g), the performance by the Inspector General of the Intelligence Community of any duty, responsibility, or function regarding an element of the intelligence community shall not be construed to modify or effect the duties and responsibilities of any other Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103G the following new item:

''Sec. 103H. Inspector General of the Intelligence Community.''.

(b) REPEAL OF SUPERSEDED AUTHORITY TO ESTABLISH POSITION.—Section 8K of the Inspector General Act of 1978 (5 U.S.C. App.) is repealed.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by adding at the end the following new item:

''Inspector General of the Intelligence Community.''.

SEC. 409. ANNUAL REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE INTELLIGENCE COMMUNITY.

(a) REPORT.—

(1) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.), as amended by section 406 of this Act, is further amended by adding at the end the following new section:

''REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE INTELLIGENCE COMMUNITY

''SEC. 510. Not later than February 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the proficiency in foreign languages and, if appropriate, in foreign dialects of each element of the intelligence community, including—

''(1) the number of positions authorized for such element that require foreign language proficiency and the level of proficiency required;

''(2) an estimate of the number of such positions that each element will require during the 5-year period beginning on the date of the submission of the report;

''(3) the number of positions authorized for such element that require foreign language proficiency that are filled by—

''(A) military personnel; and

''(B) civilian personnel;

''(4) the number of applicants for positions in such element in the previous fiscal year that indicated foreign language proficiency, including the foreign language indicated and the proficiency level;

''(5) the number of persons hired by such element with foreign language proficiency, including the foreign language and proficiency level;

''(6) the number of personnel of such element currently attending foreign language training, including the provider of such training;

''(7) a description of such element's efforts to recruit, hire, train, and retain personnel that are proficient in a foreign language;

''(8) an assessment of methods and models for basic, advanced, and intensive foreign language training;

''(9) for each foreign language and, where appropriate, dialect of a foreign language—

''(A) the number of positions of such element that require proficiency in the foreign language or dialect;

''(B) the number of personnel of such element that are serving in a position that requires proficiency in the foreign language or dialect to perform the primary duty of the position;

''(C) the number of personnel of such element that are serving in a position that does not require proficiency in the foreign language or dialect to perform the primary duty of the position;

''(D) the number of personnel of such element rated at each level of proficiency of the Interagency Language Roundtable;

''(E) whether the number of personnel at each level of proficiency of the Interagency Language Roundtable meets the requirements of such element;

''(F) the number of personnel serving or hired to serve as linguists for such element that are not qualified as linguists under the standards of the Interagency Language Roundtable;

''(G) the number of personnel hired to serve as linguists for such element during the preceding calendar year;

''(H) the number of personnel serving as linguists that discontinued serving such element during the preceding calendar year;

''(I) the percentage of work requiring linguistic skills that is fulfilled by an ally of the United States; and

''(J) the percentage of work requiring linguistic skills that is fulfilled by contractors;

''(10) an assessment of the foreign language capacity and capabilities of the intelligence community as a whole; and

''(11) recommendations for eliminating required reports relating to foreign-language proficiency that the Director of National Intelligence considers outdated or no longer relevant.''.

(2) REPORT DATE.—Section 507(a)(1) of such Act (50 U.S.C. 415b(a)(1)) is amended—

(A) by redesignating subparagraph (N) as subparagraph (J); and

(B) by adding at the end the following new subparagraph:

''(K) The annual report on foreign language proficiency in the intelligence community required by section 510.''.

(b) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is further amended by inserting after the item relating to section 509 the following new item:

''Sec. 510. Report on foreign language proficiency in the intelligence community.''.

SEC. 410. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c) is amended—

(1) by striking subsections (d), (h), (i), and (j); and

(2) by redesignating subsections (e), (f), (g), (k), (l), and (m) as subsections (d), (e), (f), (g), (h), and (i), respectively; and

(3) in subsection (f), as redesignated by paragraph (2), by striking paragraphs (3) and (4).

(b) CONFORMING AMENDMENTS.—Such section 904 is further amended—

(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''subsection (f)'' each place it appears in paragraphs (1) and (2) and inserting ''subsection (e)''; and

(2) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''subsection (e)(1)'' and inserting ''subsection (d)(1)''; and

(B) in paragraph (2), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''.

SEC. 411. NATIONAL INTELLIGENCE ESTIMATE ON WEAPONS OF MASS DESTRUCTION IN SYRIA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate on the history, status, and projected development of any weapons of mass destruction development program undertaken by the Government of Syria, or by any person on behalf of the Government of Syria.

(b) FORM.—The National Intelligence Estimate required under subsection (a) may be submitted in classified form.

SEC. 412. REPORT ON INTELLIGENCE RESOURCES DEDICATED TO IRAQ AND AFGHANISTAN.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on intelligence collection resources dedicated to Iraq and Afghanistan during fiscal years 2007 and 2008. Such report shall include detailed information on fiscal, human, technical, and other intelligence collection resources.

SEC. 413. OMBUDSMAN FOR INTELLIGENCE COMMUNITY SECURITY CLEARANCES.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 103H, as added by section 409 of this Act, the following new section:

''OMBUDSMAN FOR INTELLIGENCE COMMUNITY SECURITY CLEARANCES

''SEC. 103I. (a) APPOINTMENT.—The Director of National Intelligence shall appoint an ombudsman for intelligence community security clearances.

''(b) PROVISION OF INFORMATION.—The head of an element of the intelligence community shall provide a person applying for a security clearance through or in coordination with such element with contact information for the ombudsman appointed under subsection (a).

''(c) REPORT.—Not later than November 1 of each year, the ombudsman appointed under subsection (a) shall submit to the congressional intelligence committees a report containing—

''(1) the number of persons applying for a security clearance who have contacted the ombudsman during the preceding 12 months; and

''(2) a summary of the concerns, complaints, and questions received by the ombudsman from persons applying for security clearances.''.

(b) APPOINTMENT DATE.—The Director of National Intelligence shall appoint an ombudsman for intelligence community security clearances under section 103I(a) of the National Security Act of 1947, as added by subsection (a), not later than 60 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is further amended by inserting after the item relating to section 103H the following new item:

''Sec. 103I. Ombudsman for intelligence community security clearances.''.

SEC. 414. SECURITY CLEARANCE RECIPROCITY.

(a) AUDIT.—The Inspector General of the Intelligence Community shall conduct an audit of the reciprocity of security clearances in the intelligence community.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report containing the results of the audit conducted under subsection (a). Such report shall include an assessment of the time required to obtain a reciprocal security clearance for—

(1) an employee of an element of the intelligence community detailed to another element of the intelligence community;

(2) an employee of an element of the intelligence community seeking permanent employment with another element of the intelligence community; and

(3) a contractor seeking permanent employment with an element of the intelligence community.

SEC. 415. REPORT ON INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.

(a) REPORT.—Not later than February 1, 2009, the Director of National Intelligence shall submit to the congressional intelligence committees a report assessing—

(1) the threat to national security presented by the efforts of foreign countries to acquire, through espionage, diversion, or other means, sensitive equipment and technology, and the degree to which United States export controls (including the International Traffic in Arms Regulations) are adequate to defeat such efforts; and

(2) the extent to which United States export controls are well matched to the scope of the foreign threat such controls are designed to defeat and whether other means could more successfully defeat such threats.

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

(c) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS DEFINED.—The term ''International Traffic in Arms Regulations'' means those regulations contained in parts 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).

SEC. 416. REPORT ON NUCLEAR TRAFFICKING.

(a) REPORT.—Not later than February 1, 2009, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, and the Committee on Armed Services and the Committee on Foreign Relations of the Senate a report on the illicit trade of nuclear and radiological material and equipment.

(b) CONTENTS.—The report submitted under subsection (a) shall include, for a period of time including at least the preceding three years—

(1) details of all known or suspected cases of the illicit sale, transfer, brokering, or transport of nuclear or radiological material or equipment useful for the production of nuclear or radiological material or nuclear explosive devices;

(2) an assessment of the countries that represent the greatest risk of nuclear trafficking activities; and

(3) a discussion of any dissents, caveats, gaps in knowledge, or other information that would reduce confidence in the assessment referred to in paragraph (2).

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

SEC. 417. STUDY ON REVOKING PENSIONS OF PERSONS WHO COMMIT UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) STUDY.—The Director of National Intelligence shall conduct a study on the feasibility of revoking the pensions of personnel in the intelligence community who commit unauthorized disclosures of classified information, including whether revoking such pensions is feasible under existing law or under the administrative authority of the Director of National Intelligence or any other head of an element of the intelligence community.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing the results of the study conducted under subsection (a).

Subtitle B—Central Intelligence Agency

SEC. 421. REVIEW OF COVERT ACTION PROGRAMS BY INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) IN GENERAL.—Section 503 of the National Security Act of 1947 (50 U.S.C. 413b) is amended by—

(1) redesignating subsection (e) as subsection (g) and transferring such subsection to the end; and

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

''(e) INSPECTOR GENERAL AUDITS OF COVERT ACTIONS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Central Intelligence Agency shall conduct an audit of each covert action at least every 3 years. Such audits shall be conducted subject to the provisions of paragraphs (3) and (4) of subsection (b) of section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q).

''(2) TERMINATED, SUSPENDED PROGRAMS.—The Inspector General of the Central Intelligence Agency is not required to conduct an audit under paragraph (1) of a covert action that has been terminated or suspended if such covert action was terminated or suspended prior to the last audit of such covert action conducted by the Inspector General and has not been restarted after the date on which such audit was completed.

''(3) REPORT.—Not later than 60 days after the completion of an audit conducted pursuant to paragraph (1), the Inspector General of the Central Intelligence Agency shall submit to the congressional intelligence committees a report containing the results of such audit.''.

(b) CONFORMING AMENDMENTS.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended—

(1) in section 501(f) (50 U.S.C. 413(f)), by striking ''503(e)'' and inserting ''503(g)'';

(2) in section 502(a)(1) (50 U.S.C. 413b(a)(1)), by striking ''503(e)'' and inserting ''503(g)''; and

(3) in section 504(c) (50 U.S.C. 414(c)), by striking ''503(e)'' and inserting ''503(g)''.

SEC. 422. INAPPLICABILITY TO DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY OF REQUIREMENT FOR ANNUAL REPORT ON PROGRESS IN AUDITABLE FINANCIAL STATEMENTS.

Section 114A of the National Security Act of 1947 (50 U.S.C. 404i–1) is amended by striking ''the Director of the Central Intelligence Agency,''.

SEC. 423. TECHNICAL AMENDMENTS RELATING TO TITLES OF CERTAIN CENTRAL INTELLIGENCE AGENCY POSITIONS.

Section 17(d)(3)(B)(ii) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(d)(3)(B)(ii)) is amended—

(1) in subclause (I), by striking ''Executive Director'' and inserting ''Associate Deputy Director'';

(2) in subclause (II), by striking ''Deputy Director for Operations'' and inserting ''Director of the National Clandestine Service'';

(3) in subclause (III), by striking ''Deputy Director for Intelligence'' and inserting ''Director of Intelligence'';

(4) in subclause (IV), by striking ''Deputy Director for Administration'' and inserting ''Director of Support''; and

(5) in subclause (V), by striking ''Deputy Director for Science and Technology'' and inserting ''Director of Science and Technology''.

SEC. 424. CLARIFYING AMENDMENTS RELATING TO SECTION 105 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Section 105(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2603; 31 U.S.C. 311 note) is amended—

(1) by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) by inserting ''or in section 313 of such title,'' after ''subsection (a)),''.

SEC. 425. PROHIBITION ON THE USE OF PRIVATE CONTRACTORS FOR INTERROGATIONS INVOLVING PERSONS IN THE CUSTODY OR CONTROL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) PROHIBITION.—Notwithstanding any other provision of law, the Director of the Central Intelligence Agency shall not expend or obligate funds for payment to any contractor to conduct the interrogation of a detainee or prisoner in custody or under the effective control of the Central Intelligence Agency.

(b) EXCEPTION.—

(1) IN GENERAL.—The Director of the Central Intelligence Agency may request, and the Director of National Intelligence may grant, a written waiver of the requirement under subsection (a) if the Director of the Central Intelligence Agency determines that—

(A) no employee of the Federal Government is—

(i) capable of performing such interrogation; and

(ii) available to perform such interrogation; and

(B) such interrogation is in the national interest of the United States and requires the use of a contractor.

(2) CLARIFICATION OF APPLICABILITY OF CERTAIN LAWS.—Any contractor conducting an interrogation pursuant to a waiver under paragraph (1) shall be subject to all laws on the conduct of interrogations that would apply if an employee of the Federal Government were conducting the interrogation.

Subtitle C—Defense Intelligence Components

SEC. 431. INTEGRATION OF THE COUNTERINTELLIGENCE FIELD ACTIVITY INTO THE DEFENSE INTELLIGENCE AGENCY.

(a) REPORT.—Not later than November 1, 2008, the Under Secretary of Defense for Intelligence shall submit to the congressional intelligence and armed services committees a report outlining the process by which the Counterintelligence Field Activity is to be integrated into the Defense Intelligence Agency. Such report shall include—

(1) a description of the nature of any law enforcement authorities to be delegated to the Defense Intelligence Agency;

(2) the authority under which the delegation of authority referred to in paragraph (1) would occur; and

(3) the guidelines for the implementation of such law enforcement authorities.

(b) CONGRESSIONAL INTELLIGENCE AND ARMED SERVICES COMMITTEES.—In this section, the term ''congressional intelligence and armed services committees'' means—

(1) the Permanent Select Committee on Intelligence of the House of Representatives;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Committees on Armed Services of the House of Representatives and the Senate.

Subtitle D—Other Elements

SEC. 441. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION AS ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended—

(1) in subparagraph (H)—

(A) by inserting ''the Coast Guard,'' after ''the Marine Corps,''; and

(B) by inserting ''the Drug Enforcement Administration,'' after ''the Federal Bureau of Investigation,''; and

(2) in subparagraph (K), by striking '', including the Office of Intelligence of the Coast Guard''.

SEC. 442. REPORT ON TRANSFORMATION OF THE INTELLIGENCE CAPABILITIES OF THE FEDERAL BUREAU OF INVESTIGATION.

Not later than 120 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report describing the Director's long term vision for transforming the intelligence capabilities of the Bureau and the progress of the internal reforms of the Bureau intended to achieve that vision. Such report shall include—

(1) the direction, strategy, and goals for transforming the intelligence capabilities of the Bureau;

(2) a description of what the fully functional intelligence and national security functions of the Bureau should entail;

(3) a candid assessment of the effect of internal reforms at the Bureau and whether such reforms have moved the Bureau towards achieving the goals of the Director for the intelligence and national security functions of the Bureau; and

(4) an assessment of how well the Bureau performs tasks that are critical to the effective functioning of the Bureau as an intelligence agency, including—

(A) identifying new intelligence targets within the scope of the national security functions of the Bureau, outside the parameters of an existing case file or ongoing investigation;

(B) collecting intelligence domestically, including collection through human and technical sources;

(C) recruiting human sources;

(D) training Special Agents to spot, assess, recruit, and handle human sources;

(E) working collaboratively with other Federal departments and agencies to jointly collect intelligence on domestic counterterrorism and counterintelligence targets;

(F) producing a common intelligence picture of domestic threats to the national security of the United States;

(G) producing high quality and timely intelligence analysis;

(H) integrating intelligence analysts into its intelligence collection operations; and

(I) sharing intelligence information with intelligence community partners.

TITLE V—OTHER MATTERS

Subtitle A—General Intelligence Matters

SEC. 501. EXTENSION OF NATIONAL COMMISSION FOR THE REVIEW OF THE RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY.

(a) EXTENSION.—

(1) IN GENERAL.—Subsection (a) of section 1007 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2442) is amended by striking ''September 1, 2004'' and inserting ''December 31, 2009''.

(2) EFFECTIVE DATE.—Subject to paragraph (3), the amendment made by paragraph (1) shall take effect as if included in the enactment of such section 1007.

(3) COMMISSION MEMBERSHIP.—

(A) IN GENERAL.—The membership of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community established under subsection (a) of section 1002 of such Act (Public Law 107–306; 116 Stat. 2438) (referred to in this section as the ''Commission'') shall be considered vacant and new members shall be appointed in accordance with such section 1002, as amended by subparagraph (B).

(B) TECHNICAL AMENDMENT.—Paragraph (1) of section 1002(b) of such Act is amended by striking ''The Deputy Director of Central Intelligence for Community Management.'' and inserting ''The Principal Deputy Director of National Intelligence.''.

(4) CLARIFICATION OF DUTIES.—Section 1002(i) of such Act is amended in the matter preceding paragraph (1) by striking ''including—'' and inserting ''including advanced research and development programs and activities. Such review shall include—''.

(b) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by this Act for the Intelligence Community Management Account, the Director of National Intelligence shall make $2,000,000 available to the Commission to carry out title X of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2437).

(2) AVAILABILITY.—Amounts made available to the Commission pursuant to paragraph (1) shall remain available until expended.

SEC. 502. AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) GENERAL CONGRESSIONAL OVERSIGHT.—Section 501(a) of the National Security Act of 1947 (50 U.S.C. 413(a)) is amended by adding at the end the following new paragraph:

''(3) In carrying out paragraph (1), the President shall provide to the congressional intelligence committees all information necessary to assess the lawfulness, effectiveness, cost, benefit, intelligence gain, budgetary authority, and risk of an intelligence activity, including—

''(A) the legal authority under which the intelligence activity is being or was conducted;

''(B) any legal issues upon which guidance was sought in carrying out or planning the intelligence activity, including dissenting legal views;

''(C) any specific operational concerns arising from the intelligence activity, including the risk of disclosing intelligence sources or methods;

''(D) the likelihood that the intelligence activity will exceed the planned or authorized expenditure of funds or other resources; and

''(E) the likelihood that the intelligence activity will fail.''.

(b) REPORTING ON ACTIVITIES OTHER THAN COVERT ACTIONS.—Section 502 of such Act (50 U.S.C. 413a) is amended by adding at the end the following new subsection:

''(d) DISTRIBUTION OF INFORMATION.—

''(1) REQUEST.—Information or material provided in accordance with subsection (a) shall be made available to each member of the congressional intelligence committees, unless the President requests that access to the information or material be limited after determining that limiting such access is essential to meet extraordinary circumstances affecting vital interests of the United States. A request under this paragraph and the extraordinary circumstances referred to in this paragraph shall be detailed in writing to the Chair and ranking minority member of the congressional intelligence committees.

''(2) DISTRIBUTION.—If the President submits a request under paragraph (1), the Chair and ranking minority member of each congressional intelligence committee may jointly determine whether and how to limit access to the information or material within such committee. If the Chair and ranking minority member of such committee are unable to agree on whether or how to limit such access, access to the information or material will be limited. Any information or material to which access is limited shall subsequently be made available to each member of the congressional intelligence communities at the earliest possible time and shall include a detailed statement of the reasons for not providing prior access.''.

(c) APPROVAL OF COVERT ACTIONS.—Section 503(d) of the National Security Act of 1947 (50 U.S.C. 413b(d)) is amended—

(1) by striking ''(d) The President'' and inserting ''(d)(1) The President''; and

(2) by adding at the end the following new paragraph:

''(2) For purposes of this subsection, an activity shall constitute a 'significant undertaking' if the activity—

''(A) involves the potential for loss of life;

''(B) requires an expansion of existing authorities, including authorities relating to research, development, or operations;

''(C) results in the expenditure of significant funds or other resources;

''(D) requires notification under section 504;

''(E) gives rise to a significant risk of disclosing intelligence sources or methods; or

''(F) could cause serious damage to the diplomatic relations of the United States if such activity were disclosed without authorization.''.

SEC. 503. REPORT ON FINANCIAL INTELLIGENCE ON TERRORIST ASSETS.

(a) ANNUAL REPORTS.—Section 118 of the National Security Act of 1947 (50 U.S.C. 404m) is amended—

(1) in the heading, by striking ''SEMIANNUAL'' and inserting ''ANNUAL''; and

(2) in subsection (a)—

(A) in the heading, by striking ''SEMIANNUAL'' and inserting ''ANNUAL'';

(B) in the matter preceding paragraph (1)—

(i) by striking ''semiannual basis'' and inserting ''annual basis''; and

(ii) by striking ''preceding six-month period'' and inserting ''preceding year'';

(C) by striking paragraph (2); and

(D) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(b) CONFORMING AMENDMENT.—Section 507 of the National Security Act of 1947 (50 U.S.C. 415b) is amended—

(1) in subsection (a)(1), by adding at the end the following new subparagraph:

''(L) The annual report on financial intelligence on terrorist assets required by section 118.''; and

(2) in subsection (b), by striking paragraph (6).

SEC. 504. NOTICE OF INTELLIGENCE REGARDING NORTH KOREA AND CHINA.

Section 501 of the National Security Act of 1947 (50 U.S.C. 413) is amended—

(1) by redesignating subsection (f) as subsection (g); and

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

''(f) A notification to the congressional intelligence committees regarding intelligence information relating to North Korea or China after all or part of the information has been communicated to the governments of North Korea or China, respectively, shall not be construed to fulfill the duty under this title to keep the congressional intelligence committees fully and currently informed of the intelligence activities of the United States.''.

SEC. 505. SENSE OF CONGRESS REGARDING USE OF INTELLIGENCE RESOURCES.

It is the sense of Congress that the resources authorized under this Act should not be diverted from human intelligence collection and other intelligence programs designed to combat al Qaeda in order to study global climate change.

Subtitle B—Technical Amendments

SEC. 511. TECHNICAL AMENDMENT TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking ''authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of section 103, subsections (a) and (g) of section 104, and section 303 of the National Security Act of 1947 (50 U.S.C. 403(a)(2), (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)'' and inserting ''authorized under section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a)''.

SEC. 512. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—

(1) in the heading, by striking ''FOREIGN''; and

(2) by striking ''foreign'' each place it appears.

(b) RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.—That section is further amended—

(1) in subsections (a) and (c), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) in subsection (b), by inserting ''of National Intelligence'' after ''Director''.

(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows:

''SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.''.

SEC. 513. TECHNICAL CLARIFICATION OF CERTAIN REFERENCES TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended—

(1) in subsection (c)(3)(A), by striking ''annual budgets for the Joint Military Intelligence Program and for Tactical Intelligence and Related Activities'' and inserting ''annual budget for the Military Intelligence Program or any successor program or programs''; and

(2) in subsection (d)(1)(B), by striking ''Joint Military Intelligence Program'' and inserting ''Military Intelligence Program or any successor program or programs''.

SEC. 514. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended as follows:

(1) In section 102A (50 U.S.C. 403–1)—

(A) in subsection (d)—

(i) in paragraph (3), by striking ''subparagraph (A)'' in the matter preceding subparagraph (A) and inserting ''paragraph (1)(A)'';

(ii) in paragraph (5)(A), by striking ''or personnel'' in the matter preceding clause (i); and

(iii) in paragraph (5)(B), by striking ''or agency involved'' in the second sentence and inserting ''involved or the Director of the Central Intelligence Agency (in the case of the Central Intelligence Agency)'';

(B) in subsection (l)(2)(B), by striking ''section'' and inserting ''paragraph''; and

(C) in subsection (n), by inserting ''AND OTHER'' after ''ACQUISITION''.

(2) In section 119(c)(2)(B) (50 U.S.C. 404o(c)(2)(B)), by striking ''subsection (h)'' and inserting ''subsection (i)''.

(3) In section 705(e)(2)(D)(i) (50 U.S.C. 432c(e)(2)(D)(i)), by striking ''responsible'' and inserting ''responsive''.

SEC. 515. TECHNICAL AMENDMENTS TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458; 118 Stat. 3643) is amended as follows:

(1) In section 1016(e)(10)(B) (6 U.S.C. 485(e)(10)(B)), by striking ''Attorney General'' the second place it appears and inserting ''Department of Justice''.

(2) In section 1071(e), by striking ''(1)''.

(3) In section 1072(b), in the subsection heading by inserting ''AGENCY'' after ''INTELLIGENCE''.

(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638) is amended as follows:

(1) In section 2001 (28 U.S.C. 532 note)—

(A) in subsection (c)(1), by inserting ''of'' before ''an institutional culture'';

(B) in subsection (e)(2), by striking ''the National Intelligence Director in a manner consistent with section 112(e)'' and inserting ''the Director of National Intelligence in a manner consistent with applicable law''; and

(C) in subsection (f), by striking ''shall,'' in the matter preceding paragraph (1) and inserting ''shall''.

(2) In section 2006 (28 U.S.C. 509 note)—

(A) in paragraph (2), by striking ''the Federal'' and inserting ''Federal''; and

(B) in paragraph (3), by striking ''the specific'' and inserting ''specific''.

SEC. 516. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

(a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new item:

''Director of the Central Intelligence Agency.''.

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence and inserting the following new item:

''Deputy Director of the Central Intelligence Agency.''.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking the item relating to the General Counsel of the Office of the National Intelligence Director and inserting the following new item:

''General Counsel of the Office of the Director of National Intelligence.''.

SEC. 517. TECHNICAL AMENDMENTS RELATING TO THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) TITLE 5.—Title 5, United States Code, is amended by striking ''National Imagery and Mapping Agency'' each place it appears and inserting ''National Geospatial-Intelligence Agency''.

(b) TITLE 44.—Title 44, United States Code, is amended—

(1) in section 1336—

*(A) in the heading, by striking ''**National Imagery and Mapping Agency**'' and inserting ''**National Geospatial-Intelligence Agency**''; and*

(B) by striking ''National Imagery and Mapping Agency'' each place it appears and inserting ''National Geospatial-Intelligence Agency''; and

(2) in the table of sections at the beginning of chapter 13, by striking the item relating to section 1336 and inserting the following new item:

''1336. National Geospatial-Intelligence Agency: special publications.''.

(c) SECTION 201 OF THE HOMELAND SECURITY ACT OF 2002.—Section 201(f)(2)(E) of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–759. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. REYES

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–759.

Mr. REYES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. REYES:

At the end of subtitle B of title III, add the following new section:

SEC. 321. EXCEPTION TO ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142(a)) does not prohibit an element of the intelligence community from entering into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source, if—

(1) the contract does not specifically require the contractor to provide an alternative or synthetic fuel or fuel from a nonconventional petroleum source;

(2) the purpose of the contract is not to obtain an alternative or synthetic fuel or fuel from a nonconventional petroleum source; and

(3) the contract does not provide incentives for a refinery upgrade or expansion to allow a refinery to use or increase its use of fuel from a nonconventional petroleum source.

Page 70, line 3, strike ''and''.

Page 70, strike line 7 and insert the following: ''dated or no longer relevant; and''.

Page 70, after line 7 insert the following:

''(12) an assessment of the feasibility of employing foreign nationals lawfully present in the United States who have previously worked as translators or interpreters for the Armed Forces or another department or agency of the Federal Government in Iraq or Afghanistan to meet the critical language needs of such element.''.

Page 72, line 18, insert ''and analysis'' after ''collection''.

Page 72, line 21, insert ''and analysis'' after ''collection''.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from Texas (Mr. REYES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. REYES. Mr. Chairman, the revised Reyes/Murphy manager's amendment does several things. First, it makes clear that the intelligence community may enter into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or produced from a non conventional petroleum source provided that certain criteria are met. Some members of our committee were interested in addressing this issue, and we, Mr. Chairman, have done our best to handle it within the jurisdiction of our committee.

Second, we included an amendment offered by Mr. WELCH to require an assessment of the feasibility of employing individuals who have worked for the Federal Government in Iraq or Afghanistan as translators or interpreters. It fits very well with the committee's other reporting requirements on foreign languages. I believe it will be helpful to know whether the intelligence community can benefit from those individuals who have already served our government in Iraq or Afghanistan.

And finally, Mr. Chairman, the manager's amendment makes a technical correction to a report on intelligence resources devoted to Iraq and Afghanistan. This correction is designed to ensure that the report captures both collection and analysis resources.

So, with that, Mr. Chairman, I urge my colleagues to support the manager's amendment, and reserve the balance of my time.

□ 1415

Mr. HOEKSTRA. Mr. Chairman, I would like to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOEKSTRA. While I will not oppose this amendment, I do want to note my concern that it includes substantive provisions that were not included in the amendment when it was originally submitted to the Committee on Rules.

On this side, we did not have an opportunity to review those provisions before the amendment was made in order. I'm disappointed that in this case, the process that has been so successful in terms of working together was not continued. In the future, I hope that the process will be more transparent and enable a fair opportunity to review and understand the provisions that are being included in the manager's amendment before they are submitted to the Rules Committee and before we are required to go to the Rules Committee to testify.

We support the manager's amendment. We don't support the process. But we continue to work on the process and those things as we go through that.

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

Mr. REYES. Mr. Chairman, while we have no additional speakers, I just wanted to assure the ranking member that, as has been stated, like the bill, this is not a perfect bill. We're still working through the process, and I assure him we will continue to work together.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. REYES).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. HOEKSTRA

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–759.

Mr. HOEKSTRA. Mr. Chairman, I would like to, as the designee of Mr. BLUNT, call forward the second amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HOEKSTRA:

At the end of subtitle A of title V, add the following new section:

SEC. 506. SENSE OF CONGRESS REGARDING COLOMBIAN PARAMILITARY ORGANIZATIONS.

It is the sense of Congress that—

(1) the permanent defeat of the Revolutionary Armed Forces of Columbia (FARC), United Self-Defense Forces of Colombia (AUC), National Liberation Army (ELN), and other Colombian paramilitary organizations is in the national interest of the United States;

(2) the Colombian operation that liberated Americans Keith Stansell, Marc Gonsalves, and Thomas Howes and Ingrid Betancourt and 11 other Colombian hostages from the FARC on July 2, 2008, demonstrated the professionalism of Colombian security forces and intelligence operatives;

(3) intelligence and other cooperation by the United States has played a key role in developing and reinforcing the capabilities of the Government of Colombia to address terrorist and narcoterrorist threats;

(4) intelligence and other cooperation by the United States has significantly contributed to the continued success of the Government of Colombia in impacting the capabilities of terrorist and narcoterrorist groups that have threatened the national security of Colombia and the United States; and

(5) it is critical that such assistance continue in order to support the Government of Colombia in its efforts to continue to capitalize on those successes.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Chairman, I strongly support this amendment. It was originally going to be offered by my colleague, the distinguished Republican whip. He was called to the White House, and I consider it an honor to move this amendment forward on his behalf.

The amendment highlights not only the absolute success of the Colombian Government in its rescue of American and Colombian hostages that had been held for years by a narcoterrorist organization, but also the clear successes of the Colombian Government's efforts after years of close cooperation with the United States.

I want to take this opportunity to commend President Uribe and the Armed Forces and the National Police of Colombia on their efforts on this rescue and their many successes in implementing Plan Colombia. The amendment emphasizes the strong need to continue our close cooperation to work towards finishing the job in Colombia. We will continue to follow these issues closely and carefully in the committee, and I appreciate the Whip's efforts to focus attention on this important issue.

With that, I reserve the balance of my time.

Mr. REYES. Mr. Chairman, I rise to claim the time in opposition to the amendment, but I support this amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. REYES. This amendment expresses congressional support of Colombia in its most recent success against the FARC. I thank the minority leader for offering it.

The United States should support democratic nations in their efforts against violent terrorist groups such as FARC. We are all proud of the recent rescue of U.S. and Colombian hostages held by the FARC. This operation shows the strength, resourcefulness, and valor of the Colombian military. These qualities were developed through cooperation between the U.S. and Colombia.

In the past years, Colombia has made great strides against the FARC and greatly has reduced their strength. Republicans and Democrats alike have supported assistance to Colombia for the past decade. We must continue to do so.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. HOEKSTRA. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Michigan has 4 minutes remaining. The gentleman from Texas has yielded back his remaining minutes.

Mr. HOEKSTRA. Mr. Chairman, at this time I would like to yield myself 1 minute.

Again, this is an amendment that talks about the success of the programs that we have been working on in a bipartisan basis with the Colombian Government, highlighted, of course, by the recent rescue of the American and Colombian and other hostages that had been held for years; but more importantly, we have worked in a participative way, in a collaborative way, in a number of different areas, on the diplomatic front, political front, and also on an intelligence and military front and continue to do that, not only to free the hostages but also to make a firm statement against narcotraffickers that the Colombian Government, the U.S. Government, and others are committed to stopping the narcotraffic which is kind of performing and acting as a cancer in both the United States and Colombia.

This amendment by Mr. BLUNT that I have the privilege of offering recognizes the participation and the work of the various governments, the various agencies, and the various individuals that have enabled this program to be successful.

With that, Mr. Chairman, I would like to yield 2 minutes to my colleague from Illinois (Mr. WELLER).

Mr. WELLER of Illinois. Mr. Chairman, I rise in support of this amendment.

If you travel in Latin America and you ask someone in Latin America who is America's best friend, who is America's most reliable partner and ally, they would say President Uribe of the Republic of Colombia.

Ladies and gentlemen, I'm here today to stand in support of this amendment that thanks America's best friend, America's most reliable and partnered ally, particularly on the war on narcotics and counterterrorism, and to thank them for the successful rescue of three Americans. And it was done without a shot being fired, without loss of life.

It was an incredible operation, an operation based on good intelligence, on good work by the Colombian military and the resources that had been made available thanks to the work of many in this Congress. That's good news, and we want to say thank you to our friend and ally.

You know, there's a reason that President Uribe today enjoys an approval rating of almost 90 percent. He's the most popular elected official in the entire Western Hemisphere. And that's because he's made tremendous progress in dealing with the FARC and the ELN and the paramilitaries, those who have threatened the peace and security of that great nation for the last four decades. He has made tremendous progress.

And his record is successful. You look at it. Poverty has decreased by 10 percent. Today, 40 percent of the national budget is spent on social needs, as they made progress in bringing down violence. The murder rate has been reduced by 40 percent. In fact, for labor unionists, trade activists, trade union activists, it's down about 85 percent. Tremendous.

The Acting CHAIRMAN. The time of the gentleman has expired.

Mr. WELLER of Illinois. I urge bipartisan support for this amendment.

Mr. HOEKSTRA. Mr. Chairman, I believe I have 1 minute remaining; is that correct?

The Acting CHAIRMAN. The gentleman has 1 minute remaining.

Mr. HOEKSTRA. I would like to yield my last minute to my colleague from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. I want to thank the sponsor of this sense of Congress.

We saw just a few weeks ago what happened in Colombia where the Colombian military and that democratically elected government freed a number of hostages, including Americans, that had been held hostage for over 5 years. If there's ever been a time when U.S. aid has been used effectively, we saw it just a few days ago.

It is time that this Congress stop criticizing the democratically elected government of Colombia. Stop criticizing the Colombian people and start putting the blame where the blame needs to be, and that is on those murderous FARC. The Colombian Government is doing an incredible job, a wonderful job fighting those narcoterrorist thug murderers, and they're doing it with our help. It's great that we're finally going to commend them.

I hope that this is just the first step. I hope we pass a free trade deal with Colombia because they deserve it. The democracy in Colombia deserves it, and we cannot turn our back. I hope we also stop that cut to our friend Colombia that reduces the funding to the Government of Colombia.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–759.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HOLT:

At the end of subtitle A of title IV, add the following new section:

SEC. 418. MEMORANDUM TO HOLDERS OF NATIONAL INTELLIGENCE ESTIMATE ON IRAN.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall issue a memorandum to holders of the National Intelligence Estimate entitled ''Iran: Nuclear Intentions and Capabilities'' regarding any intelligence on the nuclear program of Iran that has been gathered or emerged since the publication of such National Intelligence Estimate in October, 2007.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, I need not be long.

This is a straightforward, simple amendment that I hope will be without controversy. My amendment to the Intelligence Authorization Act would require the Director of National Intelligence to inform all recipients of the October 2007 National Intelligence Estimate on Iran's nuclear program of any new intelligence on this subject that has emerged since the publication last fall.

The October 2007 NIE was prepared with new and, I would say, improved procedures and provided us with insights into the status of the Iranian nuclear program. As you know, Mr. Chairman, the intelligence process is not static. This amendment is designed to ensure that Congress and others in the executive branch get the very latest information on Iran's nuclear program in a timely fashion and developed with good intelligence procedures.

I believe I have no other speakers, but I will reserve my time.

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent to take the time in opposition, although I will not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Thank you, Mr. Chairman.

I support this amendment. In the committee, I offered a similar amendment that would have required a revised National Intelligence Estimate on Iran. The discovery of the al Kibar facility in Syria shortly after the original National Intelligence Estimate on Iran came out clearly suggested that prior assessments with respect to proliferation should be reviewed and reevaluated and the confidence level reassessed.

The previous NIE on Iran was so poorly drafted and so seriously undermined by subsequent developments in intelligence that I thought it was necessary for the DNI to go back to the drawing board and start over. While my amendment was not successful, I believe that this amendment helps to address the issues I was attempting to raise.

Therefore, I will support this amendment.

I yield back the balance of my time

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

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

The amendment was agreed to.

□ 1430

AMENDMENT NO. 4 OFFERED BY MR. HOEKSTRA

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–759.

Mr. HOEKSTRA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HOEKSTRA:

At the end of subtitle A of title V, add the following new section:

SEC. 506. JIHADISTS.

None of the funds authorized to be appropriated by this Act may be used to prohibit or discourage the use of the words or phrases ''jihadist'', ''jihad'', ''Islamo-fascism'', ''caliphate'', ''Islamist'', or ''Islamic terrorist'' by or within the intelligence community or the Federal Government.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HOEKSTRA. At this time, I yield myself whatever time I may consume.

Mr. Chairman, I rise today in support of my amendment to prohibit the use of funds in this bill to discourage analysts from using the words ''jihadist,'' ''jihad,'' ''caliphate,'' ''Islamist'' or ''Islamic terrorist'' by or within the intelligence community or the United States Government.

We are dealing with an enemy that speaks in no uncertain terms about its desire to attack our homeland and kill innocent Americans. In a statement released in March, Osama bin Laden said the following:

''God, make the mujahedin in Palestine, Iraq, Afghanistan, the Islamic Maghreb, the Arabian Peninsula, Somalia, Chechnya, and everywhere victorious. God, defeat our enemies of the Jews, the Christians, and their supporters.''

More recently, in May bin Laden said the following:

''O youths of the generation: Jihad is the only way to liberate Palestine and al-Aqsa Mosque and to regain the orthodox caliphate, God willing.''

Al Qaeda itself uses these terms to describe its fight against America, our allies, and moderate Muslims around the world. Why then would we prohibit our intelligence professionals from using the same words to accurately describe al Qaeda's stated goals?

Yet that is exactly what some in Washington are attempting to do. I was dismayed to learn that over the past few months, intelligence bureaucrats at the State Department, the National Counterterrorism Center, and the Department of Homeland Security have issued memos imposing speech codes on how their employees can describe al Qaeda and other radical jihadist groups. They won't even be able to use the words these groups use themselves to describe themselves. These agencies within the intelligence community won't be able to use those words.

Mr. Chairman, free speech should not be controversial, nor should candid, accurate, and fair discussion of the self-professed goals of the terrorists that attack our homeland and have sworn to kill more Americans.

I find it more than ironic that some who have complained the loudest about politicization in the intelligence community would oppose this simple amendment to prevent the politically correct politicization of our Nation's intelligence community. We all know that political correctness can be the enemy of clarity.

We also know that radical jihadists have made repeated efforts to stifle free speech in the West, including the murder of Dutch film maker, Theo van Gogh, and frequent death threats against authors, cartoonists, and journalists.

Let's not give the radical jihadists a victory here by imposing a speech code on America's intelligence community.

With that, I will reserve the balance of my time.

Mr. REYES. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. REYES. Mr. Chairman, I oppose this amendment, which incidentally was offered in our committee but which was not agreed to.

For years, Members have come to this floor to talk about the need to win the hearts and minds of moderate Muslims. This was one of the central recommendations of the 9/11 Commission.

The Department of Homeland Security, the National Counterterrorism Center, and the State Department have issued careful guidance to their employees saying in effect, when you see the term ''jihad'' to describe a violent form of terrorism, you might be alienating those moderate Muslims who want to join us in the fight against terrorism.

The government must consider how its words will be interpreted by its audience. If Muslims around the world hear something other than what we want to say, we will simply not achieve our goals.

This is sensible guidance, not political correctness. Language is a strategic weapon in the war of ideas. We should, therefore, use it wisely. The administration has obviously realized this and has provided appropriate guidance.

Congress should not try to undermine this effort by sending contradictory messages about the use of these terms.

I oppose this amendment, Mr. Chairman.

I reserve the balance of my time.

Mr. HOEKSTRA. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Michigan has 2½ minutes remaining.

Mr. HOEKSTRA. At this time, I'd like to yield 1½ minutes to my colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. This is the one thing that just has me scratching my head. Every day, analysts in the IC community will hear those words, ''caliphate,'' ''jihadist,'' ''Muslim extremism,'' because those are the words of our enemy. And what we're telling this whole community, whose job it is to keep us informed and keep people who are going to do these intelligence investigations informed, is who they are, what they are, and how they use words, including coming up and briefing members of the State Department, ambassadors, and other things.

So what you're saying is no more free speech; we're going to hurt somebody's feelings. We don't want to say that terrorists are using words like ''caliphate,'' they're using words like ''jihad.''

This is the craziest thing I have ever heard. It is political correctness that is dangerous.

If you ask the average American, should we shut down these people's use of the words in describing it to public officials, they will scratch their head and laugh. But that's exactly what you do when you create these artificial systems of the speech police.

Do you want them to walk around the halls and police those who may slip and use the word ''jihadist'' after quoting Osama bin Laden in trying to get somebody to understand the dangers that they pose to the United States of America?

I would just ask my colleagues, please, use a little common sense. This surpasses any, any commonsense test you can put together when it comes to free speech, number one, and accurately communicating between the powers that be, the intelligence community and policy-makers that need to have the same language that our enemy does to understand who they are and how dangerous they are.

Mr. REYES. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Texas has 3½ minutes remaining.

Mr. REYES. Mr. Chairman, with that, I will yield the gentlelady from California (Ms. HARMAN), former ranking member of this committee, 2½ minutes.

Ms. HARMAN. I thank the chairman for yielding to me, and I commend him and the ranking member for crafting a very good bill. Many parts of this bill that reflect work we did together in

this committee in years past, and it's wonderful that we will act on it later this afternoon.

With respect to this amendment, I rise in reluctant opposition which I want to explain. I do understand the point that we should not be engaged in political correctness or censorship. I don't think my opposition is based on either of those things.

Former Defense Secretary Rumsfeld once wrote a snowflake which asked, Are we capturing and killing them faster than they are rising up against us? The answer was no, and it's still no.

It does matter that we try to win the argument, and not just with the next generation who could become suicide bombers or build the next lethal generation of IEDs, but we win the argument with moderate Muslims, many of whom live in the United States and want to help us.

And their guidance has gone into this guidance, published by the Homeland Security Department, which is that we not use language that inflames.

To the gentleman from Michigan, there is no prohibition in this to quoting the statements of Osama bin Laden and others who use these hateful words. Why would we want to sensor that? The prohibition is directed at ourselves, words that will inflame the very communities we're trying to convince.

I would just close with the observation that if we had thought a little longer about using the phrase ''axis of evil'' we might have, it seems to me, engendered more cooperation on the part of some countries that have, sadly, moved far away from us, and engendered more cooperation on the part of populations which now look at America with disapproval.

Mr. HOEKSTRA. Mr. Chairman, I believe I have the right to close, so I will reserve the balance of my time.

Mr. REYES. Mr. Chairman, I will just yield myself the remainder of my time to say that this is not about political correctness. This is about recognizing that words matter and the way we use words matter, particularly to those that we're trying to influence and those that we're trying to bring over in this war of ideas.

I think it's important to recognize that, again, it's not about political correctness. It's about using common sense.

And with that, I yield back the balance of my time.

Mr. HOEKSTRA. Mr. Chairman, I yield myself the balance of my time.

This is absolutely about political correctness. If we can't use the words that our enemies use to describe themselves and their activities, when they say jihad is the only way to liberate Palestine, and we go to local law enforcement, when we go to others in America and we describe the motivations and the intentions of those who wish to do us harm, I ask my colleagues, how do you expect the intelligence community to explain the behavior or the motivation of our enemies? Do we expect the intelligence community to say these are kind of bad people that may want to do us harm? We can't really use the words that they use to describe themselves because we've restricted the access of those words.

How will America understand the nature and the character of our enemy if we can't use the words that they use to describe themselves and we need to come up with a whole new language that is totally out of context with the enemy and the nature of the threat that we face today?

I urge my colleagues to support this commonsense amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

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

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

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

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. HINCHEY) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The Committee resumed its sitting.

AMENDMENT NO. 5 OFFERED BY MS. HARMAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–759.

Ms. HARMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. HARMAN:

At the end of subtitle A of title III, add the following new section:

SEC. 310. SENSE OF CONGRESS REGARDING THE NEED FOR A ROBUST WORKFORCE.

It is the sense of Congress that—

(1) a robust and highly skilled aerospace industry workforce is critical to the success of intelligence community programs and operations;

(2) voluntary attrition, the retirement of many senior workers, and difficulties in recruiting could leave the intelligence community without access to the intellectual capital and technical capabilities necessary to identify and respond to potential threats; and

(3) the Director of National Intelligence should work cooperatively with other agencies of the Federal Government responsible for programs related to space and the aerospace industry to develop and implement policies, including those with an emphasis on improving science, technology, engineering, and mathematics education at all levels, to sustain and expand the diverse workforce available to the intelligence community.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentlewoman from California (Ms. HARMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HARMAN. Mr. Chairman, I rise in support of the Harman-Ehlers amendment, and I'm pleased to be here on the House floor once again with my friend VERN EHLERS to call attention to a looming crisis in our aerospace industrial base.

I represent the heart of the space industrial base and have long called my district the satellite center of the universe. Most of the intelligence satellites built in the United States are built in my district, and that is why it was such an honor to serve for 8 years on the Intelligence Committee and why I'm so proud of the work the committee is doing.

I have always been mindful of the need for a skilled industrial base. Simply put, rocket scientists don't grow on trees.

Earlier this year, on a visit to a major aerospace firm in my district, there was a stark reminder of the crisis facing this industry.

□ 1445

Following a briefing on an important satellite program, I asked if any of the employees in attendance had anything to tell me. A 31-year-old engineer raised his hand and said, ''All my peers are gone.'' Engineers his age, he explained, are leaving the aerospace industry for other fields, and very few are taking their place.

The problem is two-fold. More than 60 percent of aerospace industry workers are over 45, and 26 percent of them are eligible for retirement this year. So the result is a looming demographic cliff that leaves the intelligence community and the industry without the intellectual capital necessary to keep pace with global competitors. There are many reasons for this. Part of it is the training we give kids in secondary school. Part of it is Congress and the Department of Defense, who don't necessarily provide predictable funding streams.

We saw the results of our failure in the 1990s, when we declared a peace dividend, cut our procurement budgets, then tried to do defense procurement and satellite manufacturing on the cheap, and guess what happened? Launch failures, performance problems, and engineers abandoning the industry in droves. We have finally managed to regrow some of these specialties just at a time when, again, because of age and because other careers are more sexy, we may lose these people forever. This will hurt our national security. And this is why our amendment

expresses the sense of Congress that a skilled workforce is essential to the intelligence community's success, and that the Director of National Intelligence should work cooperatively with other government agencies to sustain and expand a diverse workforce.

Mr. Chairman, before yielding to Mr. EHLERS, I would just like to say that so much in the Intelligence bill before us—like multilevel clearances, like very sensible comments on the National Applications Office, like prohibiting the use of contractors for CIA detainee interrogations, like the requirements for more briefings for more Members of the Intelligence Committee—are ideas that were generated some years back when I had the privilege of being ranking member on the committee.

The committee matters. Bipartisanship matters. I want to commend my coauthor for the enormous work he does on this issue.

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

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent to take the 5 minutes in opposition to the amendment, although I will not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I support the amendment. I appreciate the efforts of the distinguished former ranking member of the committee to call attention to the importance of the aerospace industrial base, which is critical to our intelligence efforts. I applaud her work with my colleague from Michigan (Mr. EHLERS) in bringing this amendment forward.

This amendment also further highlights the need for a comprehensive strategy for our Nation's intelligence overhead architecture. Unfortunately, I do not believe a sufficient strategy is yet in place, and I am concerned that the intelligence community is still not moving with urgency to solve this problem. We must address these issues in the interest of our national security, and just as importantly, to protect and maintain our industrial base as highlighted in this amendment.

With that, I would yield back the remainder of my 1 minute and yield the remaining 4 minutes to my colleague from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman from western Michigan for yielding to me. And I certainly thank the gentlewoman from California for offering this amendment.

As we discussed on the floor just a few weeks ago, I managed to get a bill passed a couple of years ago to strengthen the aerospace industry workforce just in order to help NASA, because they were having so many retirements. Many joined their workforce in the 1960s to respond to the call from President John Fitzgerald Kennedy that we go to the Moon, and those individuals are all now retiring, and as a result we have a serious shortage of workers in the aerospace industry. But there are many other industries, including the intelligence departments of this government, that have a desperate need of those knowledgeable about aerospace and other science and mathematics areas.

As I suspect everyone in this House knows, I've worked very hard over the last 15 years trying to improve the math-science education of this Nation. It's beginning to pay dividends. Just at lunchtime today, we had a very large room full of young ladies, all of high school and college age, interested in getting into mathematics and science, so we are making progress on that. But we need much more progress if we are going to compete with China, with India, and with other nations in regard to a trained, intelligent workforce.

That's especially true, of course, in the intelligence field and in the NASA. We have some very skilled, very knowledgeable, very bright people working there, but also, we are going to be losing a number of them to retirement, in the last few years. We have to beef up that force. And so this amendment will emphasize the need that we have to encourage more individuals to go into science and mathematics at all levels, ranging from high school graduates up through Ph.Ds. And we definitely need to work at that as a Nation. I appreciate that the amendment will direct the national intelligence effort in this direction as well.

So thank you again to the sponsor of the amendment for offering this. It is a great help to our Nation, it's a great help to the intelligence service, and I'm pleased to be part of it.

Ms. HARMAN. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIRMAN. The gentlewoman from California has 1½ minutes remaining.

Ms. HARMAN. Mr. Chairman, I yield 30 seconds to the chairman of the full committee, Mr. REYES.

Mr. REYES. I thank the gentlelady for yielding.

I just wanted to add my support to this amendment. This is a critical need that we depend on for our national security. And certainly this amendment highlights that we need to refocus our attention in this very critical area for our national security.

Ms. HARMAN. Mr. Chairman, in closing debate on this amendment, I would point out that one of the words in it, one of the things we hope to improve is ''diversity'' in the aerospace industrial base. This matters for lots of reasons. First of all, it reaches the whole talent pool in America, which is something we ought to be doing. But second, it matters because, as we've learned, to our detriment, a lot of the people we should be recruiting and retaining in intelligence fields, in aerospace and elsewhere lack the diversity necessary to penetrate the hard targets.

So I would call this a win-win. If America can't produce scientists and engineers to protect our national security, we are at grave risk.

I urge an ''aye'' vote for this amendment. I urge an ''aye'' vote for the underlying bill and salute both the chairman and ranking member for bringing it to the floor on a bipartisan basis.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. HARMAN).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. KIRK

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–759.

Mr. KIRK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KIRK:

At the end of subtitle A of title IV, add the following new section:

SEC. 418. NATIONAL INTELLIGENCE ESTIMATE ON PRODUCTION AND SALE OF NARCOTICS IN SUPPORT OF INTERNATIONAL TERRORISM.

Not later than one year after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate on the production and sale of narcotics in support of international terrorism, including the support the Taliban and al Qaeda receive from the sale of narcotics (particularly heroin) and the shift in production from opium to hashish in Afghanistan.

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from Illinois (Mr. KIRK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Chairman, successful counterterror campaigns teach that to win, you must attack both terrorists and their money.

Through our congressional partisan lens, the Iraq war is sometimes described as the ''bad war'' while Afghanistan is described as the ''good war.'' Our partisan lens does not allow us to recognize any good news from Iraq, and also blocks bad news from Afghanistan. But in Afghanistan, we see that the Taliban is back, funded by billions from the sale of heroin.

Last month, security situations in Afghanistan worsened, and the Taliban set new records for intensity, scope and frequency of their attacks. The numbers of districts under stress, the number of district centers attacked, and the number of roadside car bombs and suicide bombs all dramatically increased. In total, the death toll in June alone numbered over 40 NATO casualties, including 27 Americans, representing the highest number killed in

any single month in 7 years of conflict in Afghanistan.

According to open-source reporting on NATO-Taliban fire fights, the Taliban has not run out of people, ammunition or supplies. And NATO ground forces did not win every battle, a new and troubling development.

For many years, Afghanistan has become the world's leading producer of heroin, responsible for roughly 92 percent of the world's supply. But the U.N. now reports that in 2008, Afghanistan has become the top producer of hashish as well. Money from heroin, and now profits from hashish, total hundreds of millions, if not billions, of dollars. In sum, the Taliban's drug profits may equal the operations budget of General McKiernan and his NATO army. This amendment will help focus the broader intelligence community on the clear nexus between narcotics and terrorism.

The hot issue yesterday was a surge in troops to Afghanistan backed by both Senators OBAMA and MCCAIN. I would sound a note of caution, though, that without aerial spraying and other counterdrug programs that have worked in Pakistan and Colombia, such an Afghan move would only accelerate violence between two now very well-funded opponents.

To turn the rising Taliban tide, we must now effectively move against heroin, and now hashish, in the narcostate that is now Afghanistan. This amendment will commission a National Intelligence Estimate to look at the nexus between drug profits and terrorism.

We all note the record of the past. In 2001, the leader of the Taliban, Mullah Omar, claimed to have eradicated the entire heroin crop of Afghanistan. That is what his PR agents wanted you to know. What they did not want you to know is Mullah Omar had stockpiled 300 tons of opium paste in warehouses south of Kandahar in an effort similar to what the Hunt brothers did with the silver market, trying to corner the market in opium and heroin.

In 2002, after coalition troops moved to replace the Taliban plan, our Ambassador to Afghanistan, Zal Khalilzad, convinced the new President, Hamid Karzai, to be against aerial spraying, saying that it would recall memories of the Soviet invasion of Afghanistan. That single move crippled counternarcotic programs in that country. Without aerial spraying, just to spray the leader's field, as has been done in Pakistan and Colombia, heroin production rose from no provinces in 2001, to 29 of 34 provinces today.

Such a rise in drug production led to enormous profits. And when asked the question, who is the chief financier of the Taliban, and partially of al Qaeda, the leading counternarcotics adviser to President Hamid Karzai told me it was Haji Bashir Noorzai, the banker to the Taliban.

In a very successful operation by the DEA, Haji Bashir Noorzai was lured first to the U.A.E., and then to New York City, where he was indicted in the Southern District of New York and is currently incarcerated. It was a great triumph for the United States, putting Haji Bashir Noorzai on the cover of Time magazine and underscoring the important contribution that the Drug Enforcement Agency can add to the intelligence community.

At the time, DEA was not part of the intelligence community. By action of the last Congress, we brought DEA into the intelligence community and supplied them with new intelligence collection assets to operate in Afghanistan. It is because DEA is in, that with their intelligence, this amendment should pass.

Mr. REYES. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment; however, I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. REYES. Mr. Chairman, the intelligence community has devoted significant resources to collecting and analyzing intelligence on the narcotics trade and on terrorism, but it has not performed an in-depth analysis of the link between the two.

In Afghanistan, the Taliban and al Qaeda have benefited from the greater cultivation, refinement, and trade of opium and hashish. The dark world of narcotics has become a funding source for terrorist groups in Afghanistan.

This amendment proposes to bring together all of the intelligence agencies to analyze the connection between terrorists and their narcotics-backed funding. I value Mr. KIRK's interest in the narcoterrorist nexus, and therefore I support his amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. KIRK).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. HINCHEY

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–759.

Mr. HINCHEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. HINCHEY:

At the end of subtitle B of tile IV, add the following new section:

SEC. 426. REPORT ON ACTIVITIES OF THE CENTRAL INTELLIGENCE AGENCY IN ARGENTINA.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate congressional committees a report containing the following:

(1) A description of any information in the possession of the intelligence community with respect to the following events in the Republic of Argentina:

(A) The accession to power by the Military of the Republic of Argentina in 1976.

(B) Violations of human rights committed by officers or agents of the Argentine military and security forces.

(C) Operation Condor and the fate of Argentine people targeted, abducted, or killed during such Operation, including Argentine children born in captivity whose status remains unknown.

(2) All information that may lead to the discovery of the Argentine children born in captivity whose status remains unknown.

(3) A compilation of information referred to in paragraphs (1) and (2) that has been declassified.

(b) UPDATE OF COMPILATION.—Not later than one year after the date on which the report required under subsection (a) is submitted, and annually thereafter for three years, the Director of the Central Intelligence Agency shall submit to the appropriate congressional committees an update of the compilation referred to in subsection (a)(3).

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

(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

□ 1500

The Acting CHAIRMAN. Pursuant to House Resolution 1343, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

In 1976, amidst social unrest and a deep political crisis in Argentina, a military coup there installed the cruelest dictatorship that South America has ever seen. Illegal detention, torture, and summary execution of dissidents became routine.

Cross-country operations to capture and assassinate dissidents were organized in cooperation with Southern Cone military regimes in what is known as Operation Condor.

Over the years, as the victims of the repression increasingly went missing, a new tactic of the Argentine security forces, so-called, was revealed. It is estimated that nearly 30,000 people disappeared in Argentina between 1976 and 1985. Many of these victims, known as ''the disappeared,'' were abducted, tortured, and then dropped out into the ocean.

During Operation Condor, approximately 500 Argentine women were abducted and systematically raped and impregnated by Argentine security forces. Their children were born into captivity and distributed to members

of these Argentine security forces, while the mothers are believed to have been killed. The identity of only 80 of these children have been discovered, but the whereabouts of the majority remain unknown.

My amendment seeks to shed light on the unknown fate of these children, who would be roughly in their late 20s or early 30s at this moment. The amendment would require the Central Intelligence Agency to report to the House and Senate Intelligence panels on information, any information, it has about the human rights violations of the military government in Argentina from the mid-1970s to the mid-1980s, the rise to power of that government, and the location of any Argentine children born in captivity as a result of Operation Condor.

The amendment also instructs the CIA to include a compilation of declassified documents, as well as any classified material that may exist with regard to this issue.

Given the close relationship with their Argentine counterparts in the intelligent, security, and military community, the documentation of the American intelligence community is likely to contain invaluable information to support ongoing justice investigations and the search for the children of the disappeared.

This amendment is supported by the Argentine Embassy, of course; the National Security Archive of George Washington University, and a wide array of human rights organizations.

I urge you to join me in supporting this contribution to truth and justice and something that is critically important to the future of Argentina, particularly these children.

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

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment, although I will not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Mr. Chairman, while we are still taking a look at exactly what this amendment means, it raises some concerns because I think the last thing that some of us want to do is to divert important intelligence resources and assets to take a look at something that happened 20 to 30 years ago at the same time that we are facing the threat that we face today from radical jihadists and other challenges on a global basis.

I think my colleague made some compelling arguments as to if there is information available in the intelligence community that would shed some light on these types of issues that the intelligence community should at least report that information to the Intelligence Committee so that we can determine how we should dispose of that information, perhaps make it available.

I am assuming that my colleague doesn't envision the intelligence community going out and doing new work to try to assess as to what happened 20 to 30 years ago but to report on the information that they have in their possession at that time.

I will yield to my colleague.

Is my understanding roughly correct?

Mr. HINCHEY. I think your understanding is correct. But I would just say this: that there is unquestionably a large amount of information that is available which would be very important to the Government of Argentina with regard to the location of these children. I'll just give you an example:

In 1999 the Justice Department asked for the release of this information. The State Department then released 470,000 documents on this subject; however, there was no release from other entities that contain similar documents, and it's about time that those documents become released.

Mr. HOEKSTRA. Reclaiming my time, I thank my colleague for that clarification.

So I will not oppose this amendment, Mr. Chairman. I will support the amendment. And I am sure that those of us on the Intelligence Committee can work with the individual and the intelligence community to make sure that we get the information that is out there that is available to assess it and to go through it in such a way that will not take large amounts of time from the intelligence community and divert their attention from the tasks and the challenges that they face today.

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

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to the gentleman from Michigan for his statements and for his cooperation with this amendment. I am deeply grateful to him for that.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110–759 on which further proceedings were postponed, in the following order:

amendment No. 2 by Mr. HOEKSTRA of Michigan;

amendment No. 4 by Mr. HOEKSTRA of Michigan;

amendment No. 6 by Mr. KIRK of Illinois.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. HOEKSTRA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 414, noes 10, answered ''present'' 7, not voting 8, as follows:

[Roll No. 499]

AYES—414

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
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
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
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
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)

Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—10

Ellison
Filner
Hinchey
Kucinich
McDermott
Moore (WI)
Obey
Paul
Payne
Stark

ANSWERED ''PRESENT''—7

Abercrombie
Clarke
Cohen
Edwards (MD)
Hirono
Lofgren, Zoe
Sutton

NOT VOTING—8

Bordallo
Boswell
Delahunt
Fortuño
Gilchrest
Green, Al
Lucas
Rush

□ 1538

Messrs. HINCHEY, STARK, PAYNE, and Ms. MOORE of Wisconsin changed their vote from ''aye'' to ''no.''

Messrs. TIERNEY, JOHNSON of Georgia, BISHOP of Utah, HERGER, NADLER and Ms. LINDA T. SÁNCHEZ of California changed their vote from ''no'' to ''aye.''

Mr. COHEN and Ms. SUTTON changed their vote from ''aye'' to ''present.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. BORDALLO. Mr. Chairman, I was delayed in arriving to the Chamber this afternoon and the vote on the first amendment offered by Mr. HOEKSTRA of Michigan to H.R. 5959, the Intelligence Authorization Act of Fiscal Year 2009, closed before I could cast my vote. Had I been able to cast my vote on this amendment, rollcall No. 499, I would have voted ''aye.''

AMENDMENT NO. 4 OFFERED BY MR. HOEKSTRA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 249, noes 180, not voting 10, as follows:

[Roll No. 500]

AYES—249

Ackerman
Aderholt
Akin
Alexander
Allen
Arcuri
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carney
Carter
Castle
Cazayoux
Chabot
Chandler
Childers
Coble
Cole (OK)
Conaway
Costa
Costello
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Engel
English (PA)
Everett
Fallin
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Watson
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—180

Abercrombie
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Cramer
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Emanuel
Eshoo
Etheridge
Faleomavaega
Farr
Filner
Frank (MA)
Gonzalez
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch (VT)
Wexler
Woolsey
Wu
Yarmuth

NOT VOTING—10

Boswell
Delahunt
Emerson
Fortuño
Gilchrest
Green, Al
Johnson, E. B.
Lucas
Norton
Rush

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining on this vote.

□ 1546

Mr. JACKSON of Illinois, Ms. WASSERMAN SCHULTZ, Messrs. JEFFERSON, BISHOP of Georgia and MOORE of Kansas changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. NORTON. Mr. Chairman, on rollcall No. 500, had I been present, I would have voted "no."

AMENDMENT NO. 6 OFFERED BY MR. KIRK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 426, noes 2, not voting 11, as follows:

[Roll No. 501]

AYES—426

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—2

Paul
Stark

NOT VOTING—11

Berman
Boswell
Delahunt
Faleomavaega
Fortuño
Gilchrest
Green, Al
Johnson, E. B.
Lucas
Rush
Watson

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining on this vote.

□ 1554

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SERRANO) having assumed the chair, Mr. ROSS, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 1343, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. HOEKSTRA. At the current time and in the current form, I am opposed to the bill.

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

The Clerk read as follows:

Mr. Hoekstra moves to recommit the bill, H.R. 5959, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion with the following amendment:

At the end of subtitle A of title IV, add the following new section:

SEC. 418. NATIONAL INTELLIGENCE ASSESSMENT ON ENERGY PRICES AND SECURITY.

Not later than January 1, 2009, the Director of National Intelligence shall submit to Congress a national intelligence assessment on national security and energy security issues relating to rapidly escalating energy costs. Such assessment shall include an assessment of—

(1) the short-term and long-term outlook for prices, supply, and demand for key forms of energy, including crude oil and natural gas, and alternative fuels;

(2) the plans and intentions of key energy-producing and exporting nations with respect to energy production and supply;

(3) the national security implications of rapidly escalating energy costs;

(4) the national security implications of potential use of energy resources as leverage against the United States by Venezuela, Iran, or other potential adversaries of the United States as a result of increased energy prices;

(5) the national security implications of increases in funding to current or potential adversaries of the United States as a result of increased energy prices;

(6) an assessment of the likelihood that increased energy prices will directly or indirectly increase financial support for terrorist organizations;

(7) the national security implications of extreme fluctuations in energy prices; and

(8) the national security implications of continued dependence on international energy supplies.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

□ 1600

Mr. HOEKSTRA. Mr. Speaker, this motion to recommit sends the bill back to the House Permanent Select Committee on Intelligence with instructions for an amendment requesting a national intelligence assessment on the strategic implications of high oil and energy prices for America.

I would like to remind my colleagues in the House today that last year, when we did the Intelligence Authorization Bill, over 230 of my colleagues voted for an amendment that would require a national assessment on global climate change and asked the intelligence community to investigate that. This is a much more pressing and a much more serious issue and a much more immediate issue.

This assessment would constitute the best analytical judgment of our intelligence community as to the outlook for supply, demand and prices for a variety of strategic energy sources. This assessment would also examine the plans and intentions of key energy-producing and exporting states. But most importantly, this assessment explores the national security implications of America's sworn enemies, such as Iran and Venezuela, using increased energy prices as leverage against us and our foreign policy goals. This assessment is timely and directly relevant to America's national security interests.

This amendment stands in sharp contrast to the repeated attempts to divert precious time and scarce intelligence resources to discuss topics such as global warming, topics that merely advance an ideological agenda, rather than keeping this country and the American safe.

Take a look at specifically what this motion to recommit asks the intelligence community to do. It asks the intelligence community to look at the plans, the intentions of key energy-producing and exporting nations with respect to energy production and supply.

Energy-producing nations are changing their behavior. Why? For them it is less about increasing supply today because they are now flush with cash. Their behavior is changing.

It also asks the intelligence community to look at the national security implications of potential use of energy resources as leverage against the United States by Venezuela, Iran, or other potential adversaries of the United States as a result of increased energy prices. Some call this the ''Iran premium.'' 80 percent of the world's oil reserves are controlled by government or national oil companies, many of them unfriendly to the United States.

This assessment also would ask for the national security implications of increases in funding to current or potential adversaries of the United States as a result of increased energy prices. This year there will be a transfer of over $2.3 trillion from energy-consuming nations to energy-producing nations. The intelligence community should assess what the impact of that wealth transfer should be.

In addition, the community would do an assessment of the likelihood that increased energy prices will directly or indirectly increase financial support for terrorist organizations.

In an environment where America receives 60 percent of its energy overseas, where we are dependent on foreign supplies of energy, and where there are no indications that there will be decisions made to increase U.S. production, it is absolutely essential and vital that our national intelligence community does this assessment so that we, as policymakers, can understand the implications of the decisions that we make.

We need this assessment. We need to understand how vulnerable we are and the tools that our adversaries may use against us in the future.

For that reason, I urge my colleagues to support this motion to recommit. Send this bill to committee, where, on the Intelligence Committee, this can be done in a very expeditious way. To make sure that we get this information, this assessment will be required to be brought back to the House of Representatives by January of 2009.

With that, I ask for my colleagues' support, and yield back the balance of my time.

Mr. HOYER. Will the gentleman yield for a question?

Mr. HOEKSTRA. I will yield for a question.

Mr. HOYER. Am I correct that if this was forthwith—you said it could be soon. If it was forthwith it could be done now, couldn't it?

Mr. HOEKSTRA. This motion to recommit is promptly.

Mr. HOYER. I understand that. My question to the gentleman is, if it were forthwith, what you want done could be done right now, could it not?

Mr. HOEKSTRA. I believe that the way the amendment is written, the committee can do the work, do it very, very quickly and get this bill and get this amendment back.

Mr. HOYER. I ask my friend the question again. If it was forthwith we could do what you want to do right now, could we not?

Mr. HOEKSTRA. If the amendment were forthwith, there would be another avenue to deal with it.

Reclaiming my time. The amendment is promptly, so that the committee can do the work that it is required to do and that the committee is required to do. This says we will have the committee do its work, and that the DNI will report back by January with this information that is critical to the House of Representatives.

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

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

Mr. REYES. Mr. Speaker, I rise to object to the motion to recommit because essentially it would kill the bill and it would——

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. REYES. Thank you, Mr. Speaker. Mr. Speaker, I would ask for unanimous consent to strike the word ''promptly'' and replace it with ''forthwith.'' Would the gentleman agree? Is there an objection?

The SPEAKER pro tempore. Does the gentleman from Michigan yield for such a request?

Mr. HOEKSTRA. Reserving the right to object.

The SPEAKER pro tempore. Does the gentleman yield for that request?

Mr. HOEKSTRA. Reserving the right to object, I would like to enter—I have a question for my colleague.

Mr. REYES. I asked you for unanimous consent to strike the word ''promptly'' and replace it with ''forthwith.''

Mr. HOEKSTRA. Reserving the right to object.

The SPEAKER pro tempore. The gentleman is recognized on his reservation.

Mr. HOEKSTRA. I would like to suggest to my colleague that he amend the unanimous consent request to include putting on the House Calendar the opportunity to vote on, to schedule and vote on ANWR and other production issues.

Mr. REYES. Mr. Speaker, I reclaim my time, and I withdraw the request.

The SPEAKER pro tempore. The request is withdrawn. The gentleman from Texas is recognized.

Mr. REYES. Mr. Speaker, I ask unanimous consent to strike the word

''promptly'' and replace it with ''forthwith.''

Mr. HOEKSTRA. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. Will the gentleman from Michigan yield for such a request?

Mr. HOEKSTRA. Mr. Speaker, I ask my colleague again to amend his unanimous consent request.

The SPEAKER pro tempore. The gentleman is recognized on his reservation.

Mr. HOEKSTRA. My reservation is, I request, I reserve the right to object and will not object if my colleague amends his unanimous consent request to include putting on the House calendar H.R. 3089, H.R. 2279, H.R. 5656, H.R. 2208, H.R. 2493, H.R. 6107 and H.R. 6108.

The SPEAKER pro tempore. The gentleman from Texas is withdrawing his request?

Mr. REYES. The answer is no. And I reclaim my time.

Mr. Speaker, I object to the motion to recommit because it simply is intended to kill the bill. Communities all around this country are hurting with $4 gas and all we get from the other side are charades as we've seen here tonight. The whole world watches as we try to do what's right. The whole world heard them say earlier that this was a vital and important piece of legislation that would fund the intelligence community. This is a betrayal of the work that is being done by men and women in the intelligence community that are putting their lives on the line to keep us safe. This is an outrage put forth by the politics, rather than wanting to get things done in this House.

I will tell you Mr. Speaker, why would they want to derail——

Mr. HOEKSTRA. Mr. Speaker, I demand that these words be taken down.

The SPEAKER pro tempore. The gentleman from Texas will suspend.

Mr. HOEKSTRA. Mr. Speaker, the use of the word ''betrayal'' in regard to my actions I believe warrant that those words be taken down.

The SPEAKER pro tempore. The Clerk will report the words.

The Clerk read as follows:

> Communities all around this country are hurting with $4 gas and all we get from the other side are charades as we've seen here tonight. The whole world watches as we try to do what's right. The whole world heard them say earlier that this was a vital and important piece of legislation that would fund the intelligence community. This is a betrayal of the work that is being done by men and women in the intelligence community that are putting their lives on the line to keep us safe.
>
> This is an outrage put forth by the politics, rather than wanting to get things done in this House. I will tell you Mr. Speaker, why would they want to derail——

The SPEAKER pro tempore. In the opinion of the Chair, the words complained of were not directed in such a way as to constitute a personality or otherwise transgress the bounds of decorum in debate.

The gentleman from Texas may continue.

Mr. REYES. Mr. Speaker, ironically enough, I think this is a good idea. I would gladly accept this because I think it's important that we get the information that Mr. HOEKSTRA is asking.

I yield to the gentleman from Missouri.

Mr. SKELTON. In matters of national security, we should be forthright and not engage in political back-and-forth. This is a replay of what we experienced with the national security bill, named after our friend DUNCAN HUNTER from California.

I just think it's a play on words. The word ''promptly'' kills the bill. If it were to say ''forthwith,'' it would be a more proper word and we could proceed.

Mr. REYES. Thank you, Mr. SKELTON.

Mr. Speaker, I'm still puzzled why they would want to derail this important authorization that funds the intelligence community, why they would want to destroy the bipartisanship that they bragged about earlier.

I think it is important that we let this bill go forward. I think it's important that we do what's right. I think it's important that we stop this foolishness here on the House floor.

I now yield to the distinguished majority leader.

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the word ''promptly'' be stricken and that the word ''forthwith'' be substituted in the motion to recommit.

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

Mr. HOEKSTRA. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. REYES. I will continue to yield to the distinguished majority leader.

Mr. HOYER. Ladies and gentlemen of the House, you heard me ask the question of Mr. HOEKSTRA. Wouldn't it be true that if he would use ''forthwith,'' what he wants to do could be accomplished right now? We would all support it. It is a worthy objective.

Unfortunately, Mr. HOEKSTRA, in the same motion where he says I want to do something says but I don't want to do it now; I am not sure when I want to do it.

I asked for unanimous consent, and I didn't get to do exactly what I think everybody in this House thinks is a good thing to do, and I will tell my friend we're going to do this. It's a good idea. But the advice you're getting is not good advice.

Ladies and gentlemen of the House, ladies and gentlemen on my side of the aisle, this continues to be a political game. If you want to take my words down on that, you can do it. This is not accomplishing the objective.

This continues to be a pattern, and the American voters are pretty smart, and they understand when somebody says I want to do something, but by the way, I want to kill the vehicle at least temporarily that accomplishes my objective, at the same time, they think to themselves something is not right.

So, ladies and gentlemen, let me tell you. We're hopefully going to reject this motion, which sidetracks this important intelligence authorization bill, which everybody has said is an important bill, but I will tell you further, we're going to accomplish the objective of Mr. HOEKSTRA next week because it's a good objective.

But the fact of the matter is we could accomplish it right now if you didn't want to try to make some political point out of it on this intelligence bill, and you can say ''oh'' all you want. You can say ''oh'' all you want, but that is the truth and you know it. You know it in your heart, and you know it in your mind.

I urge my colleagues: reject this killing motion.

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. I think I know the answer to this, but if this motion to recommit did pass and the bill was sent back to the committee from which it came, could the bill not be reported back to this House on the next legislative day?

The SPEAKER pro tempore. As the Chair reaffirmed on November 15, 2007, and at some subsequent time, the committee could meet and report the bill back to the House.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 200, noes 225, not voting 9, as follows:

[Roll No. 502]

AYES—200

Aderholt	Blackburn	Burton (IN)
Akin	Blunt	Buyer
Alexander	Boehner	Calvert
Altmire	Bonner	Camp (MI)
Bachmann	Bono Mack	Campbell (CA)
Bachus	Boozman	Cannon
Barrett (SC)	Boustany	Cantor
Barrow	Brady (TX)	Capito
Bartlett (MD)	Broun (GA)	Carter
Barton (TX)	Brown (SC)	Castle
Biggert	Brown-Waite, Ginny	Cazayoux
Bilbray	Buchanan	Chabot
Bilirakis	Burgess	Coble
Bishop (UT)		Cole (OK)

Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—225

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

NOT VOTING—9

Boswell
Delahunt
Gilchrest
Green, Al
Inglis (SC)
Johnson, E. B.
Lucas
Pickering
Rush

□ 1656

Messrs. LAHOOD and STUPAK and Ms. RICHARDSON changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. REYES. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 5959, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

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

There was no objection.

□ 1700

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. SUTTON, from the Committee on Rules, submitted a privileged report (Rept. No. 110–761) on the resolution (H. Res. 1350) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material regarding H.R. 415.

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

There was no objection.

TAUNTON RIVER WILD AND SCENIC DESIGNATION

The SPEAKER pro tempore. Pursuant to House Resolution 1339 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 415.

□ 1703

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, with Mr. MCNULTY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

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

H.R. 415 would add a 40-mile segment of the Taunton River in Massachusetts to the Wild and Scenic Rivers System.

Back in 1999, local residents approached their congressman, our late colleague Representative Joe Moakley, about securing a wild and scenic designation for the Taunton. Representative Moakley supported the idea and introduced legislation in the 106th Congress to formally study the river. The study was released last year and found the following:

All 40 miles of the main stem of the Taunton River have been found eligible for Wild and Scenic River designation based upon free-flowing condition and the presence of one or more outstanding remarkable natural or cultural resource values . . . Outstandingly remarkable values including fisheries, history and archeology, ecology and biodiversity, and scenery and recreation.

Specifically, the study recommended 26 miles of the river for scenic designation and 14 miles, including the lower Taunton, for recreational designation.

Between November of 2004 and July of 2005, all 10 communities abutting the river adopted resolutions supporting the Federal designation. The Taunton Wild and Scenic River Study Advisory Committee, representing the local communities and State and nongovernmental partners, also voted unanimously to support the designation.

So based on years of study and nearly unanimous local support and collaboration, Representative FRANK introduced H.R. 415 in January of last year. The legislation is cosponsored by the entire Commonwealth delegation in the House, and the companion bill, which passed out of committee in the other body by voice vote, is sponsored by both Commonwealth Senators. H.R. 415 was favorably reported by the Natural Resources Committee by voice vote.

In short, Mr. Chairman, this proposal has cleared every single procedural hurdle placed in its path, and I believe it's high time we approve the legislation.

Finally, Mr. Chairman, a word about the proposed Weaver's Cove LNG plant. If the need arises, we can provide more detail, but for now let me simply enter the following facts into the RECORD: The Coast Guard captain of the Port for Southeastern New England denied approval for the proposed plant based on safety concerns in December of last year. In May of this year, the First District Coast Guard commander, Rear Admiral Timothy Sullivan, upheld that decision on appeal with a thorough review that included more than 50 pages.

In addition, the Commerce Department issued a decision last month finding that ''the national interest furthered by the project does not outweigh the project's adverse coastal effects. Of greatest concern are the effects on navigational safety resulting from LNG tanker traffic called for by the vessel transit plan for the project.''

These decisions by the Coast Guard and Commerce Department prohibit the Weaver's Cove proposal from moving forward for one simple reason: The proposal is unsafe.

The bottom line is this, Mr. Chairman: The Taunton is deserving of this designation and this has nothing to do with the safety concerns that killed the proposed LNG facility in the area.

I urge my colleagues to support H.R. 415.

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

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

If this body were a debating society or we were involved in a high school forensics tournament and this bill were the topic of the tournament, I would be giddy with happiness every time one of my teams was given the negative side of the debate because there are so many reasons why this bill is a bad bill for policy reasons that it would almost be a rhetorical feast for even the most inexperienced and naive of my high school debaters.

Let me at least start by addressing three of the main problems with this particular bill.

First, this bill is very clearly an abuse of the Wild and Scenic River language. In 1968 when this bill was passed, its purpose was to inhibit dams and locks along rivers so that there could be a free flow of water on rustic rivers. The verb used in that act was ''preservation.'' The goal and purpose was preservation. Not rehabilitation, not restoration, certainly not economic advantage or economic development, but simply preservation. There are some elements of this particular river which have the qualities of a wild and scenic river, specifically the upper parts of the Taunton River. But the lower parts of the Taunton River, what is sometimes called segment 4, are the elements of this river which provide major problems. They are not and do not have the qualities of a wild and scenic river.

You've seen the pictures before. All you need to do is look at the pictures and you recognize this is not the design of a wild and scenic river as envisioned in the 1968 legislation. In fact, the only part of this river that's scenic is the graffiti that's found on the bridges and the human embankments that are part of this river system. The only thing that's wild about this river are the gangs that wrote this graffiti in the first place. These are not the qualities of which we are looking for. In fact, it doesn't take a rocket scientist to realize that if you are floating down this river, it is not a wild and scenic if you can look over and see the local McDonald's right there on the bank.

What we also have is the understanding that this lower portion is supposed to be for recreation. We could believe it would be for recreation if you believe that tugboat races or barge surfing would be considered recreational activities. This is not the kind of material that one would want to find floating in a river for Boy Scout troops to try to paddle their canoes around or by.

This bill simply violates the concept of the wild and scenic river. The wild and scenic river was never intended to go through an industrial park. It was always intended to be water that was surrounded by public lands so that you could control and preserve both the water and the embankment of those public lands, not something that goes through a privatized residential/industrial park.

Also, if you look at section 1 of the act that it specifically talks not only about preservation of the water but the embankment as well, that actually in a real wild and scenic river, the National Park Service is required to take the embankment as well up to a quarter of a mile away and put that aside. Obviously, you can't do this because there is no public land on this lower Taunton River, although the National Park Service does have eminent domain power; so if you really wanted to create a true wild and scenic river, we could probably accomplish that deal if that was really what you are after.

This bill provides economic advantages to some elements but not to others. In 2002 the sponsor and other members of the Massachusetts delegation received an earmark to try to dredge this river, a fact which should disqualify it within the National Park Service criteria in the first place. Yet what it does now when we want to make this a wild and scenic river is simply take the law and turn it on its head. This bill gives current businesses disadvantages and some current businesses advantages, as is clearly illustrated in the newspaper articles that are coming from this area already where people are wanting to know what we do to see how it impacts, positively or negatively, their business operation. And that was never, never, never the intent of the National Wild and Scenic Rivers Act.

Secondly, this is simply an abuse of the system, an abuse of power. In the year 2000, this Congress authorized a study of the Taunton River, the upper Taunton River. The authorization was for the upper Taunton River. The appropriation was to study the upper Taunton River. And yet mysteriously the National Park Service, a system that has millions of dollars of backlog, a system that has 37 studies still in backlog for Wild and Scenic River projects, a system that is always talking about how pressed they are for cash, volunteered in actual disregard to the legislative direction and legislative intent to study something never intended to be studied, never directed to be studied, and spent roughly $400,000 to do it, in total violation to the aspect of Congress and the requirements of Congress.

One low-level employee within the National Park Service felt in some way compelled to violate Federal law to study the wrong part of the river and to spend money illegally to study the wrong part of the river and then in his report had the audacity to say, well, this would be the most developed river we would ever have in this kind of status. When asked why he did that, his response was very simple to us in committee: He did what the river would choose to do if it could speak.

□ 1715

He said that twice. Not only do we have a mid-level bureaucrat who is talking to water, but he is now interpreting the will of water. And if in 2002 it wished to be dredged and in 2008 it wishes to be wild and scenic, this must be schizophrenic water at the same time.

Here is the problem: When the National Park Service came up with their report, they did not come up with one alternative. The sponsor has chosen one of the alternatives to make part of this bill. They call that the ''environmentally preferred'' alternative. But there were two other alternatives

which I compare to the rational and the intelligent alternatives that did not include the lower Taunton River. And, in fact, in this so-called second version that has now become part of this bill, the report said it was problematic that there is no precedent for this kind of action, no precedent for this kind of action, but it does meet political expectations.

Let me give a third reason, and yes indeed, this is an energy reason. The potential LNG port which would be put in Weaver's Cove would have been the largest taxpaying entity. And it was not agreed to to move on so far, but it has not been stopped. This project is still viable until the year 2015. This bill, if passed, is the only way to permanently make this a moot issue.

This language is the language of the report, which simply meant that the current proposal was to be rejected but that they encouraged an additional proposal to try and work out the situational problems to be encouraged. And they gave them the time to do that. The actual report encourages them to review this issue one more time. So it is true that this issue of an LNG port is still on the table. And the only way it can be permanently taken off the table is by passage of this type of bill.

Now why would that impact me because I live in Utah and I really don't care about this river all that much? It is simply because one of the members of the delegation came down on the floor this morning and said that last year 350,000, according to his numbers, individuals in the State of Massachusetts had to be given subsidies under LIHEAP, paid by all the taxpayers of the Nation, because they did not have the ability to handle the energy crisis within their State and that, indeed, heat was not something that was negotiable. However, the problem is, why don't we simply solve the problem by providing the energy there so that you don't have to tell the citizens of Massachusetts to freeze in the dark but solve the problem yourselves?

There was an interesting discussion on the floor during the rule which the gentleman, Mr. HASTINGS of Washington, was criticized for not having LNG ports in his home State. I wish to simply respond that it was a factual accuracy that has total irrelevance to the issue, because Washington State does not need LNG ports. It has gas pipelines. The entire West is provided by gas pipelines that do not reach to the eastern coast. The only way Massachusetts can step up and solve their own problem is by having not fewer but more LNG ports. That is the only option that is left to them. And this bill does inhibit that particular option.

Now with that are only three of the many reasons why this bill should not be passed, why this bill is poor public policy, why this bill does abuse the statute and change the meaning of the words that were intended for a wild and scenic river, why this bill does disrespect to this body and how we decided to try and do this study in the first place by ignoring the will of Congress and ignoring the authorization and appropriation of Congress and going off on some other particular way. And it does stop any potential improvements of an LNG port on this river which is desperately needed in that part of the country.

Those are only three of the possible reasons. There are others. I'm sure we will hear from those others as this discussion continues on.

I reserve the balance of my time.

Mr. GRIJALVA. Just one point of clarification before I recognize the sponsor of the legislation is the issue with the LIHEAP reference. LIHEAP doesn't address the ability to get energy. It creates a situation where people can afford to buy energy.

With that, let me introduce the distinguished Congressman from the Commonwealth, Mr. FRANK, the sponsor of the legislation, for as much time as he may consume.

Mr. FRANK of Massachusetts. Mr. Chairman, I want to begin by regretting the animus toward the people we represent that we've just heard. The gentleman from Utah said, ''Wild and scenic. The only thing wild about this are the gangs there.'' The city of Fall River, the gentleman has an amendment that would exempt from this bill the city of Fall River, Massachusetts, a city full of working people, many of them immigrants who became American citizens, and their descendants, from Portugal and elsewhere, people who worked in the garment industry and the textile industry, a city which has suffered economically the fate of de-industrialization.

Characterizing them and saying ''The only thing scenic about them is their graffiti, the only thing wild about them is their gangs,'' they don't deserve that denigration, no matter what political points people want to score. If you want to come after me, if you want to come after Mr. KENNEDY of Rhode Island or Mr. MCGOVERN of Massachusetts, we'll deal with it. But please don't denigrate these hardworking people. Don't impute to them gang activity that doesn't exist. The gentleman who accused them of gang activity has no idea of what goes on there and he makes an inaccurate statement.

The only thing scenic is the graffiti? Is that not scenic? This is the Battleship *Massachusetts*. It's part of a national park. It's one of the few battleships that comes with a Patriot missile, because I got Raytheon to put it up there. It's a park, a park for patriotic people. Do you see any graffiti on the Battleship *Massachusetts*?

In fact, that is part of the problem here. Apparently we're told it's okay to have a wild and scenic river. And of course we're not saying it should be wild and scenic. We are talking about a part of the statute that says you can have recreation. And these are people who have decided that in part because they have lost their industrial base that they had for a variety of reasons, they will develop new economic activity that is based on their river.

By the way, one of the bridges that is talked about, one of these structures, we have gotten money to take down. Like a number of cities that walled themselves off from the river, Fall River has appreciated the great beauty and attractiveness of that waterfront. And they would like to tear it down.

But here is the issue. Is environmentalism only for suburbanites? Do working people who have found themselves in economic distress have no right to try and enhance the quality of their environment?

Let me have some more of those pictures down here. Let me have some more to show people what we are talking about. We are not talking about only what was pictured.

This is part of the area that would be banned from the bill under the gentleman from Utah's amendment. So is this. Part of it is Mr. MCGOVERN's district. Part of it is my district. It impacts the other districts. Yes, it is not everywhere beautiful. These are people who haven't had the good fortune to live always in land that was so attractive. But they would like to try and improve their situation. They would like to be able to enhance the quality of their environment without being denigrated as gang members or graffitists. Yes, there are a few people who do graffiti. The overwhelming majority in every single community along this river on both sides has asked for this designation. It was begun by our late and beloved colleague Joe Moakley before anybody heard of LNG. By the way, on LNG, there is an LNG plant in the district of our colleague, Mr. MARKEY. We in the Massachusetts delegation overwhelmingly supported a second LNG plant just a little bit offshore, just north of Boston that has been approved. Many of us support a third one. It is not a case of rejecting LNG. And I notice that people on the other side, those who think Fall River is just full of graffiti artists and gang members and don't know that wonderful city and the decent, patriotic people who live there, they circulated an editorial from the Boston Herald saying this isn't needed. And the Herald editorial, the op-ed piece that they circulated, concluded by saying, of course, it's not necessary because the LNG plant is dead. It's not simply the current LNG plant that has been rejected. It was the Coast Guard saying that in that narrow waterway, with the bridges that have to be traversed, you can't do it.

Carlos Gutierrez said ''no,'' the Secretary of Commerce. I've got to say, I didn't know that I would be defending the Bush administration so much here. I know I will be defending them against the Republicans on the questions of the housing bill. But we were also told there was this terrible conspiracy with the Park Service under George Bush. I don't think the Interior Department

under President Bush was engaged in this kind of chicanery that has been imputed to them.

We are talking about the desire of people who live in an area that has some industrial activity, but some residential and recreational areas, who want to protect what they have and make it better. They have asked us, and we have worked with them, to tear down an elevated highway. We are working with them to enhance the quality of their environment in a way that will also improve things economically. Every Member of Congress whose district is remotely near here strongly supports this bill. Every city and town along the way supports this. Every elected legislator and local official supports it. For them to be told essentially that ''it's too gritty, it's too grubby, you aren't people who we had in mind when we talked about the beauties of the environment, you don't deserve this because you've had graffiti and some of you belong to gangs''—an inaccurate characterization of the whole city—to deny them that is I think a degree of cruelty, frankly, that I hope this House does not encompass.

I and others have tried very hard to take into account what other Members think about their districts. To repudiate what all of the Members of Congress, five of us very directly involved here, think would be important for this particular area because an LNG plant that has been rejected by the Department of Commerce and by the Coast Guard and cannot be resuscitated, might some day in 10 years be resuscitated, and by then we will have had enough other LNG plants that it wouldn't even have any demand probably, that these people should be told, just the 9 miles, conveniently, the city of Fall River, the urban area, the area of hardworking immigrants who became American citizens, that they should be told that they don't qualify for environmental protection is a decision that I hope this House would not make.

I thank the gentleman from Arizona and the gentleman from West Virginia for the consideration they have given. It may in part be relevant that these are Members who themselves understand the desire of working people, of people who have lived in these kinds of areas, to get the same kind of consideration for their environmental needs as wealthy suburbanites.

I hope that the bill is passed without amendments that would cripple it.

Mr. BISHOP of Utah. I appreciate very much the gentleman from Massachusetts standing up to defend his constituency. It is the right thing to do. It is the proper thing for him to do. It is his job and purpose. But once again, I want him to focus in on the reality of the situation, which is not the quality of the individuals in Massachusetts. It is simply the issue at hand. This, by the way, is that same battleship—assuming there should be a battleship in a wild and scenic river zone—this is the same battleship from the other angle which is decidedly less pristine and much more urbanized.

But the issue at hand that the gentlemen on the other side need to deal with is that the purpose of the act is for preservation, not rehabilitation, not for economic development, which are the very words that were just used. That is not what the Wild and Scenic River Act was ever intended to do. And that is what is going to be done in this particular bill. That is why we are abusing the vocabulary of the Wild and Scenic River Act. And we must focus back in on what we are doing. Indeed, the proposed LNG port is in an existing brownfield, zoned for maritime industrial use. But the issue is for what purpose are the verbs and the nouns in the Wild and Scenic River Act supposed to be implied? And does it apply to the lower Taunton? And the answer is simply ''no.'' It doesn't meet the definition.

With that, I yield 4 minutes to the gentleman from Georgia, unless, Mr. Chairman, you would like us to reserve and then come back.

The CHAIRMAN. The gentleman from Georgia is recognized for 4 minutes.

Mr. GINGREY. Mr. Chairman, I thank the gentleman for yielding.

I do rise in strong opposition to this bill, H.R. 415, a bill to designate parts of the lower Taunton River in Massachusetts as part of the National Wild and Scenic River system, especially, Mr. Chairman, in a time when American families are paying $4.11 for a gallon of gasoline.

The gentleman, the author of the bill that just spoke and his colleagues from the Bay State, I will give them the fact that they want to do things for the lower Taunton and the citizens of their district that live on either side of that river. But this really, in my opinion, doesn't quite pass the smell test.

Mr. McGOVERN. Would the gentleman yield?

Mr. GINGREY. I yield to my friend from Massachusetts.

□ 1730

Mr. McGOVERN. Two questions. One is how does LNG reduce the price of gasoline at the pump for the average citizen? And two, how many LNG facilities do you have in Georgia? I think it is one. We have two up and running in Massachusetts and a third one permitted, so don't lecture us about not doing our part in addressing the energy crisis.

Mr. GINGREY. Reclaiming my time, basically in response to my friend from Massachusetts, it is the same response that my colleague from Utah made in reference to the gentleman from Washington State when this same argument came up during the discussion of the rule.

But as the gentleman from Utah points out, the whole purpose of this act, the Wild and Scenic Rivers Act, was not for redevelopment. And I heard the gentleman from Massachusetts (Mr. FRANK) just talk about tearing down a highway, an elevated highway to make this area more scenic. I would like my colleagues to focus in on this poster of the lower Taunton River and see how unscenic it is. It may be wild, but it is certainly not scenic.

This act was never designed for redevelopment and for tearing down bridges and highways. This is not the time to do that. Clearly, this is not a wild and scenic river and doesn't meet that designation.

I would like to continue, Mr. Chairman, and say that when the Natural Resources Committee held hearings on this bill, representatives from the National Park Service testified that this area would be the most industrialized river ever to be given this designation.

Along the shoreline of the Taunton River, you can find a hair salon, a shipyard, a port area, and yes, even a McDonald's. Now, Mr. Chairman, I don't know about you, but I don't see anything that is scenic about this industrialized area.

Furthermore, as a result of this designation, this Congress would prevent future development along the river and would therefore prohibit the proposed use of the Taunton River as a terminal for liquefied natural gas storage and distribution facility.

Again I reference this poster, right here, this is 73 acres of that proposed LNG facility that I am talking about. When brought online, this facility would have the capacity to provide the needed heating oil for up to 35 percent of all New England households. Let me repeat that, the needed heating for up to 35 percent of all New England households.

It seems to me that this majority seems perfectly content to continue with flawed energy policy that prevents a major liquefied natural gas plant from being brought online, inevitably forcing them to later expand the Low Income Home Energy Assistance Program, LIHEAP, to make up for New England's lost home heating ability. At a time when the domestic supply of energy sources is the most important issue in this country, the Democratic majority would rather stymie the growth of supply.

The CHAIRMAN. The gentleman's time has expired.

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. GINGREY. The Democratic majority would rather stymie the growth of supply through this bill than to allow us to debate meaningful legislation that would help hardworking American families out of this energy crisis.

I urge all of my colleagues to oppose H.R. 415.

Mr. GRIJALVA. Mr. Chairman, I think it is important to reaffirm that the United States Coast Guard has found that the Weaver's Cove LNG proposal was unsafe. The Department of Commerce came to that same conclusion. On appeal, it came to that same

conclusion. As a result, the Weaver's Cove LNG proposal is already dead. Decisions have already been made on that subject, and have absolutely nothing to do with the Wild and Scenic Rivers Act or designation.

Mr. Chairman, with that, I yield 2 minutes to the gentleman from the Commonwealth of Massachusetts and also cosponsor of this legislation, Mr. MCGOVERN.

Mr. MCGOVERN. Mr. Chairman, I thank the gentleman. I have spoken at length about this issue this morning, but this debate is absurd. I mean, we have people holding up pictures that aren't even the right picture. The picture that the gentleman from Georgia held up, I should tell him everything south of that bridge is not covered by this designation. This is fiction that is being brought to the floor today.

The gentleman talks about LIHEAP. Yes, we do need emergency fuel assistance in New England. We have cold winters. But LNG doesn't translate into LIHEAP. And in terms of what we are doing to promote liquefied natural gas measures, we are doing much more than you are in Georgia. We have two facilities already up and running, and we have another one licensed. You know, Mr. GINGREY, help us out, do a little more in your State. Join in this cause to help us become more energy independent. Take your responsibility. We are doing it in Massachusetts. So please do not lecture us on the fact that we are not living up to our responsibility. We are.

The bottom line is, as Mr. FRANK pointed out, this is a debate about whether the hardworking people of Fall River and Somerset and other communities deserve to get this designation on the lower Taunton River. And they do.

And it really is offensive to hear the way these people have been characterized, the way these hardworking citizens have been characterized. I am proud to represent Fall River along with Congressman FRANK. These are good people and they don't deserve this and this bill, quite frankly, should not be subject to petty politics, and that is what is happening here.

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman.

Mr. FRANK of Massachusetts. I just want to point out, this is a park that would be excluded. Behind it you do see a superstructure. It walls off the city. That is what Mr. MCGOVERN and I have gotten money to take down, without regard to the wild and scenic, but we want to take this down and open up this waterfront even more. That is what you will deny us by killing this bill.

The CHAIRMAN. The gentleman's time has expired.

Mr. GRIJALVA. I yield an additional 1 minute to Mr. MCGOVERN.

Mr. MCGOVERN. Mr. Chairman, I think we need to have a course in basic energy policy here so my colleagues know the difference between liquefied natural gas and the gasoline you put in your automobile and the oil people use to heat their homes. I mean, listening to this debate here, it seems like you have no clue about the energy that our country relies on. So let's get our facts straight here. Let's stop the fiction and let's do the right thing. Let's pass this bill. The people of Fall River deserve it.

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

I appreciate once again the comments that have been made here. I appreciate the defense of constituencies. I appreciate that there is a difference between gasoline that goes in a car and gasoline that heats a home, and LIHEAP does deal with gas that does heat homes.

But once again, the issue is not the same. I want to focus on the issue. The beautiful picture you had here of the park does not qualify for the purpose of a wild and scenic river designation. That is why under the law, you are supposed to take a quarter mile on either side of the river and stop everything from that area. It is already developed. Development does not qualify even under the concept of recreation under the letter of the law.

This bill is bad because the study itself violated the law. Congress told the National Park Service to study the upper river and paid for a study of the upper river which has legitimate merits to it, and instead they studied the lower river in violation of the congressional directive.

Once they wrote their report, they still said it was problematic. There is no precedent for the lower river. It is still the problem of the details of what the river is supposed to be.

The department still recommends not doing this. The National Park Service recommends not doing this until the entire study has been totally completed. So once again we are back to this issue of what does it mean to have a wild and scenic designation?

The upper Taunton River has those qualities. The lower Taunton River does not because the purpose is for preservation, not for economic development, not for creating more urban parks, not for changing the landscape on the sides. It is for the purpose of preserving a river in its native state. That was the purpose of, and that is the intent, and there has never been a proposal to this date that is this far afield from the purpose of the 1968 act. Never. That is why there is no precedent ever for this type of action. That's why this bill should not go forward.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, how much time remains at this point?

The CHAIRMAN. The gentleman from Arizona has 15 minutes remaining. The gentleman from Utah has 10½ minutes remaining.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I thank Chairman GRIJALVA for offering me the time, and Chairman FRANK for sponsoring this legislation, H.R. 415, the Taunton River Wild and Scenic Act, and let me just say as a Member of Congress from an adjoining district in Rhode Island, I want to repudiate the comments to the effect that these urban rivers are not wild and scenic just because they are in an urban area.

We have the Blackstone River Valley Heritage Corridor which is the Woonasquatucket River which runs right into Providence, Rhode Island, and you have a very urban river. Well, I will tell you, it is right in downtown Providence. And every weekend you have roughly 250,000 people from my State descend on downtown Providence during the weekend in order to watch the water fire because it is one of the great activities along the riverfront that takes place that draws people down to the riverfront every weekend during the summer months, and the spring months and fall months.

We also have children from Central Falls and Providence who wouldn't otherwise know that they live near a river because most of it is overgrown and yet they live merely 20 yards from the river. And now a lot of that is being opened up and they are gaining access to it, and because of the Clean Water Act that was passed in the late 1970s, we are seeing some of the indigenous fish come back and we are able to see these children go out and go fishing on the river and be able to catch fish and go canoeing and see that they can enjoy the environment as well.

The fact of the matter is I for one cannot understand why just because a river is running through a city-like environment, why children and the people who live in that urban environment cannot enjoy that river any differently than someone who lives in a real suburban and rural area, and that is something I want to disabuse everyone from.

I certainly think that the people who live in our inner cities of America deserve just as much of an opportunity to go out and enjoy the water. Frankly, it is the only open space that many of them ever gain access to. When you look at Heritage Harbor that you have seen these pictures of where the battleship *Massachusetts* is, we have Boys & Girls Clubs and we have the Boy Scouts and so forth use that battleship *Massachusetts* every single weekend over the course of the summertime. They are down there in that battleship cove, and they come from Rhode Island and Massachusetts.

This is a very active park. I think this designation fits very handsomely into what the activities of that area are. We need to preserve that area, and I think it would be disastrous to have further development that would spoil what is going on there.

The urban centers of New England are coming back alive. We lost the

manufacturing. We've lost so many of the areas that were keeping the industrial revolution alive. What is bringing these areas back is the tourism and the creative arts. People want to come back to these areas for those reasons, and that's why we want to preserve them.

The last thing we want to do is destroy what we have here which is unique to New England and that is the aesthetic value of these communities by bringing in more new construction, and that's why we want to set back the clock and keep these communities the way they were when they were originally built.

So you're right, we want to keep them historically accurate, and that's why we want them preserved time immemorial and for our children and down the line.

So that's why I think the Coast Guard was right, the National Park Service was right, and I hope my colleagues join me and all of my colleagues in the surrounding area and every single community who has voted in favor of this designation from the surrounding area in supporting H.R. 415 and making this historic Taunton Wild and Scenic Rivers Act a reality.

□ 1745

Mr. BISHOP of Utah. Once again I appreciate the comments from the gentleman, and I would like once again to try and focus on what is indeed the issue. The State of Rhode Island, the State of Massachusetts do, indeed, have coastal zone management acts in which they get Federal money to help maintain the quality of their coastal zones and rivers. The fact that they are cool rivers running in urban areas is wonderful. You can do it, it's great, but not under the definition of this act.

When the gentleman from Rhode Island says you want to put it back to the way it were, it disqualifies it from the concept of preservation of existing facilities and preservation of existing embankments. That's why you have struck too far when you go into the lower Taunton River.

Mr. Chairman, I have letters in opposition to this bill from the Shipbuilders Council of America, as well as from three companies who actually do business on the lower Taunton River who are worried about the kind of economic disadvantage they may be facing that I would like to be placed in the RECORD.

SHIPBUILDERS COUNCIL OF AMERICA,
Washington, DC, October 29, 2007.

Hon. BOB BISHOP,
Ranking Member, Subcommittee on National Parks, Forests, and Public Lands, Natural Resources Committee, 1329 Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN GRIJALVA: I am writing to express the opposition of the Shipbuilders Council of America (SCA) to H.R. 415, legislation to amend the Wild and Scenic Rivers Act (WSRA) to designate segments of the Taunton River as a component of the National Wild and Scenic Rivers System. Specifically, SCA is strongly opposed to the inclusion under the WRSA of the Lower Taunton River (Segment 4).

The Lower Taunton River does not meet designation criteria for inclusion in the WSRA. The WSRA requires that a river be ''free flowing'' defined as ''existing or flowing in a natural condition without impoundment, diversion, straightening, rip-rapping, or other modifications of the waterway''. There is today significant industrialization along Segment 4 of the Taunton River including bridges, a power plant, sewage plants, marinas and shipyards, and granite bulkheads. In addition, this portion of the Taunton has been federally dredged for more than 125 years.

The SCA does not oppose designation under the WSRA of the upper portions of the Taunton River. However, inclusion of the Lower Taunton will harm existing businesses and jeopardize crucial industrial jobs.

SCA is the national association representing U.S. commercial shipyards. SCA represents approximately 40 shipyard companies that own and operate more than 100 shipyards on all three U.S. coasts, the Great Lakes and Hawaii. SCA member yards employ more than 30,000 shipyard workers. Our companies build, repair and maintain America's commercial fleet as well as small and mid-sized vessels for the U.S. military and other government agencies. SCA member yards also repair and maintain Navy combatant ships.

Sincerely,

ALLEN WALKER,
President.

GLADDING-HEARN SHIPBUILDING,
October 25, 2007.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, U.S. Senate, 304 Dirksen Senate Building, Washington, DC.

Hon. PETE DOMENICI,
Ranking Member, Energy and Natural Resources Committee, U.S. Senate, 304 Dirksen Senate Building, Washington, DC.

Subject: Opposition to Bill S868.

Reference: Bill S868, To amend the Wild and Scenic Rivers Act to include segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers Systems.

DEAR CHAIRMAN BINGAMAN AND SENATOR DOMENICI: Please accept this letter expressing our concern about and objection to the above reference Bill S868, to amend the Wild and Scenic Rivers Act (WSRA) to include segments of the Taunton River. If passed, this designation will prevent our company from maintaining and expanding our commercial waterfront facility and will cost the Commonwealth of Massachusetts much needed jobs in manufacturing.

Since 1955 Gladding-Hearn Shipbuilding, Duclos Corporation (www.gladdinghearn.com) has been located on the western shore of the Taunton River in Somerset, on a site where ships have been built for more than 150 years. In our 52 years, we have built more than 360 commercial vessels for service throughout the world. We also provide regular service and maintenance for vessels operating on the east coast.

With annual revenues of about $18 million, we provide employment to more than 100 skilled shipbuilders of all trades and maintain active accounts with more than 800 vendors. We currently have 22 vessels under contract with a backlog extending into early 2010. These contracts include passenger vessels, pilot boats, ship docking tugs and patrol boats for the US Navy. In September of 2006 we were awarded a GSA Multiple Award Schedule on which we now have 8 standard vessels listed.

In order to meet our current contractual commitments and anticipated growing demands we are investing about $1,800,000 in new fabrication and storage facilities that will create the capacity for about 50 new skilled manufacturing jobs.

We are most concerned that the designation of the Taunton River under the WSRA will prevent us from maintaining and expanding our marine railway launching facility and our deep draft dock. In the last six months alone we have turned away several large new build vessel contracts because we do not currently have the railway capacity or draft to launch these vessels. As a result, we have submitted the first phase of our plan to the Army Corps of Engineers to increase the capacity of our marine railway. In the absence of the WSRA, we would not be required to apply for a permit for this project as it would be considered a maintenance project. But even though the Taunton River is only under consideration for the WSRA designation, we are subject the additional expense, time and scrutiny of the Army Corp and the National Park Service (NPS) under what appears to be very loose and subjective WSRA review process.

We applaud the NPS and the Taunton River Study Committee for their efforts toward designating the Upper Segments 1, 2 and 3 but strenuously oppose the inclusion of the Lower Taunton River (Segment 4) because it does not meet any of the ''outstandingly remarkable resource value'' criteria required by the WSRA. The WSRA requires that a river is ''free flowing'' which is defined as ''existing or flowing in a natural condition without impoundment, diversion, straightening, rip-rapping, or other modifications of the waterway''. By contrast Segment 4 can be mostly characterize by two bridges, a power plant, two sewage plants, several marinas and boat builders, a former oil tank farm, granite bulkheads, and a federally dredged channel since 1870. The Port of Fall River is the second largest port in the Commonwealth and is classified under the Massachusetts Coastal Zone Management Program as a ''Designated Port Area'', This policy ''protects and promotes appropriate marine industrial development in port areas with key industrial attributes''.

The NPS Taunton Wild and Scenic River Study fails to consider potential impacts on businesses and property owners along the river as it is required to do. We have no record of any attempt by the NPS or the Taunton Wild and Scenic River Study Committee to solicit our participation in the process of developing the Stewardship Plan and Draft Study.

If the ''standards'' to designate a river under the WRSA can be so distorted then what hope do we have to maintain and expand our waterfront facilities to accommodate the future growth of our business. Including Segment 4 of the Taunton River in the WSRA program is not what Congress intended for this noble legislation.

Very truly yours,

PETER J. DUCLOS,
President, Director of Business Development.

From: Donald V. Church, Owner, Seaboats, Inc.

Date: October 30, 2007

Subject: Act to Designate the Taunton Wild and Scenic River.

To: Subcommittee on National Parks, Forests and Public Lands of the House Natural Resources Committee

I have reviewed the most recent studies of the ''Taunton Wild and Scenic River Study'' as compiled by the Park Service. In my opinion, their report is totally out of context with the lower part of the river as I know it.

The upper reaches of this river are as described ''wild and scenic'', however, the lower segment 4 could not under any stretch

of the imagination be classified this way. The lower segment has power plants, old oil refineries, vessel repair docks, shipyards, bridges that should be removed, Battleship Cove Museum, yacht clubs, night spots and a designated port area.

Fall River is the second deepest harbor in Massachusetts, as such it should have been on a regular dredge maintenance schedule. Dredging has not even been discussed since the 1950s.

A few years ago, a rumor from the Newport, RI pilot office indicated that the Brightman Street Bridge would be removed. If this were to happen, I believe that the river from there north, would be open to economic development. The rumor, however, was unfounded. As a result of not dredging and the hardship of the restrictions of the bridge, Shell Oil was closed and the only gasoline terminal left in South Eastern Massachusetts is in Braintree, a loss for the area east of Fall River and South of Boston. Instead of economic development, it created an economic hardship.

Our company began in 1977 in Rhode Island as a very small organization. However, in Rhode Island we did not own our facility but were on leased land. Our company became concerned about the future as the mayor of Providence was repeatedly suggesting a complete revitalization of the harbor with the usual hotels, restaurants, aquariums, etc. with no room for commercial marine ventures.

With an uncertain future, we started looking for a more business-friendly city and were able to purchase our land and dock in Fall River, MA. The company relocated in 1991 and from a small start-up company, we have grown steadily and now have contributed over 24 million dollars to the economy each year, with a payroll over 5 million.

Seaboats is continuing to grow. We are obligated to an expenditure of another $25,000,000 this year with a payroll of over $5,000,000 and the possibility of an additional $30,000,000 in equipment investment.

As with any business, if you do not continue to grow, eventually you fade away. If the lower Taunton River is designated as a ''wild and scenic river'', it will give the NPS the authority to review certain construction activities that require a federal permit or other federal assistance. Specifically, Section 7(a) of the WSR act stipulates that ''No department or agency of the U.S. shall assist by loan, grant, license, or otherwise in the construction of any water resource project that would have a direct and adverse effect on the values of which such river was established or determined by the Secretary charged with its administration''.

What this would mean in the case of the entire Taunton River is that any ''water resources project'' that requires a federal permit (such as a U.S. Army Corps dredging permit), and that involves construction activity that would affect the flow of the river, could be subject to review by, and require approval from, the NPS. The NPS has very broad discretion to consider whether a project will have an impact on the values for which the river has been designated as a Wild and Scenic River—for example, impacts on water quality or fisheries resources. If it is determined by the NPS that the project will have a ''direct and adverse effect,'' the federal permit or other assistance to the project cannot be issued.

In conclusion, I cannot see any benefit to the economy by designating the lower portion of the Taunton River ''Wild and Scenic'' nor can I see any benefit to the environment. The only possible effect would be to stop economic development.

FORTIER BOATS, INC.,
Somerset, MA, October 25, 2007.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, U.S. Senate, 304 Dirksen Senate Building, Washington, DC.

Hon. PETE DOMENICI,
Ranking Member, Energy and Natural Resources Committee, U.S. Senate, 304 Dirksen Senate Building, Washington, DC.

Subject: Opposition to Bill S868.

Reference: Bill S868, To amend the Wild and Scenic Rivers Act to include segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers Systems.

DEAR CHAIRMAN BINGAMAN AND SENATOR DOMENICI: Please accept this letter expressing our concern about and objection to the above reference Bill S868, to amend the Wild and Scenic Rivers Act (WSRA) to include segments of the Taunton River. If passed, this legislation will prevent our company from maintaining and expanding our commercial waterfront facility and cost the Commonwealth of Massachusetts much needed jobs in manufacturing.

Since the 1940s, the site now occupied by Fortier Boats, Inc. (www.fortierboats.com) has been located on the western shore of the Taunton River in Somerset. It has always been a marina facility. In our 30 years, we have built more than 500 boats for commercial and recreational use for service throughout the world. We also provide regular service and maintenance for vessels operating on the east coast.

With annual revenues of about $1.8 million, we provide employment to 10 skilled boat builders of all trades and maintain active accounts with more than 300 vendors, We currently have a backlog of one year. We have just completed a new building adjacent to our existing building at the cost of $1,000,000 in order to keep up with the growing needs of our present and future customers.

We are most concerned that the designation of the Taunton River under the WSRA will prevent us from maintaining and expanding our marine travel lift facility and our deep draft dock. We are now in the present stages of changing our facility to meet the needs of the Storm Water Prevention Act. In the absence of the WSRA, we would not be required to apply for a permit for this project, as it would be considered a maintenance project. But even though the Taunton River is only under consideration for the WSRA designation, we are subject to the additional expense, time and scrutiny of the Army Corp and the National Park Service (NPS) under what appears to be a very loose and subjective WSRA review process.

We applaud the NPS and the Taunton River Study Committee for their efforts toward designating the Upper Segments 1, 2 and 3 but strenuously oppose the inclusion of the Lower Taunton River (Segment 4) because it does not meet any of the ''outstandingly remarkable resource value'' criteria required by the WSRA. The WSRA requires that a river is ''free flowing'' which is defined as ''existing or flowing in a natural condition without impoundment, diversion, straightening, rip-rapping, or other modifications of the waterway''. By contrast Segment 4 can be mostly characterized by two bridges, a power plant, two sewage plants, several marinas and boat builders, a former oil tank farm, granite bulkheads, and a federally dredged channel since 1870. The Port of Fall River is the second largest port in the Commonwealth and is classified under the Massachusetts Coastal Zone Management Program as a ''Designated Port Area''. This policy ''protects and promotes appropriate marine industrial development in port areas with key industrial attributes''.

The NPS Taunton Wild and Scenic River Study fails to consider potential impacts on businesses and property owners along the river as it is required to do. We have no record of any attempt by the NPS or the Taunton Wild and Scenic River Study Committee to solicit our participation in the process of developing the Stewardship Plan and Draft Study.

If the ''standards'' to designate a river under the WRSA can be so distorted then what hope do we have to maintain and expand our waterfront facilities to accommodate the future growth of our business? Including Segment 4 of the Taunton River in the WSRA program is not what Congress intended for this noble legislation.

Very truly yours,

ROGER W. FORTIER,
President, Fortier Boats, Inc.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, let me yield to the sponsor of the legislation, Mr. FRANK, for such time as he may consume.

Mr. FRANK of Massachusetts. Mr. Chairman, I concede three business people out of this whole area opposed it. So we did not pass this by unanimous consent. Three people were there. Fortunately, my area that I represent is not the Senate. You don't need unanimous consent. If you get 98.9 percent, that's good enough.

What particularly puzzles me, though, is the gentleman from Utah apparently thinks that Congress in 1968 reached the ultimate in wisdom and that because something was passed in 1968 it can never be changed. We're not talking about interpreting the statute, we're talking about passing one. And, in fact, our views of the environment have evolved.

As my colleague from Rhode Island eloquently put it, the nature of the economy of New England has evolved. Back then it was a very industrial economy. We have lost that industrial base for reasons not, I think, largely the fault of the people there, and they are trying now to go in a new direction.

So here is where it is. If you were ever industrialized, according to the gentleman from Utah, that's it. The environment is not for you. He says, well, why doesn't the State do it? Probably because we are talking about navigable waterways, and as there are limits to what the State can impose on navigable waterways. This is a navigable waterway. There is Federal responsibility. So we are coming here to the Federal Government to empower the State. Every single community there. Governors. The previous Governor of Massachusetts, Mitt Romney, was for this. The current Governor is for it. But again the gentleman says, well, because it didn't meet this definition of 1968 you can never do it again.

We are talking about recreation, recreation for the people there, and, yes, we are saying that there is an act of Congress. We look at the 1968 act, we look at our current views of the environment, we look at the needs of the people, and this is the question. This isn't a test on what was in the minds of

people 40 years ago who passed the bill. We are the Congress. We are now passing the bill.

The gentleman's amendment excludes 9 miles, the City of Fall River, whom, again, he characterizes, as, well, the only thing that's wild there are the gangs, the only thing scenic is the graffiti. That is a very unfortunate thing to say about a city of hardworking people in which there are a number of very attractive and useful institutions and places.

But the question is, do the people who live in that 9 miles—by the way, that's on both sides of the river, and there is a less-developed town across that my colleague Mr. MCGOVERN represents—are they to be denied the chance to maximize the quality of their environment? Are they to be denied this planning tool, overwhelmingly supported by the city, so that as we tear down this elevated highway, as they expand the open space, as they take advantage of the river, they can do it in a rational way.

The gentleman keeps saying, well, but what about 1968? What about 1968? Maybe it was a good year for wine.

But the notion that because a bill was passed in 1968, this Congress has lost the ability to make subsequent decisions, makes no sense.

We are asking you, all of us who represent the affected area, all of the elected officials in the area, the overwhelming majority of people in the area, give us this tool so that we can enhance the recreational character, improve our environment, and don't say that because we once had this industrialization, we don't qualify for environmental concerns.

EXECUTIVE DEPARTMENT,
CITY OF FALL RIVER,
Fall River, MA, July 15, 2008.

Hon. BARNEY FRANK,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN FRANK: I am writing to express my full support of the bill you recently sponsored, which is currently awaiting a vote by the House, to designate the Taunton River as a Wild and Scenic River under the federal Wild and Scenic Rivers Act. As the Mayor of the City of Fall River, which is situated on Mount Hope Bay at the mouth of the Taunton River, I recognize the river's value and am pleased to join you and other legislators (Representative James McGovern and Senators John Kerry and Edward Kennedy) in support of legislation that will protect this integral resource from further development.

As a sign of Fall River's commitment the City Council of Fall River passed a resolution on May 20, 2005, in support of the recommendation for designation of the Taunton River as a Wild and Scenic River. In addition, at that same time the City Council endorsed the Taunton River Stewardship Plan developed by the Taunton Wild and Scenic River Study Committee.

Thank you for recognizing the Taunton River's remarkable value and for introducing legislation that will protect it from development and industrial use. The City of Fall River appreciates and fully supports your advocacy efforts in this matter.

Sincerely.

ROBERT CORREIA,
Mayor.

CONSERVATION COMMISSION,
TOWN OF SOMERSET,
July 11, 2005.

TAUNTON RIVER WILD & SCENIC DESIGNATION COMMITTEE,
Taunton, MA.

DEAR COMMITTEE MEMBERS: I am pleased to inform you that on May 16, 2005 the annual town meeting for the Town of Somerset was held, at which time article 28, to see if the Town would endorse the Taunton River Stewardship Plan and seek a Wild and Scenic River Designation of the Taunton River by the United States Congress, was unanimously passed.

Sincerely,

CHRISTINA A. WORDELL,
Secretary.

OFFICE OF THE TOWN CLERK,
TOWN OF FREETOWN,
Assonet, MA, July 6, 2005.

BILL NAPOLITANO,
Taunton, MA.

DEAR MR. NAPOLITANO: This is to certify that the following vote was taken at the Freetown Annual Town Meeting held on June 6, 2005:

ARTICLE 28: To see if the Town will vote to endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic River Study Committee, together with its recommendation to seek Wild and Scenic River designation through act of the United States Congress. Submitted by the Board of Selectmen. Requires Majority Vote. Finance Committee recommends. Motion made and seconded to *accept the article. So voted* unanimously.

Sincerely,

JACQUELINE A. BROWN,
Town Clerk.

OFFICE OF THE TOWN CLERK,
TOWN OF MIDDLEBOROUGH,
Middleborough, MA, August 8, 2005.

TO WHOM IT MAY CONCERN: I do hereby certify that the following vote was taken at the July 11, 2005, adjourned session of the June 6, 2005, Annual Town Meeting, at which a quorum was declared by the Moderator:

ARTICLE 30: Voted by a majority vote to endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic River Committee, together with the recommendation to seek Wild & Scenic River designation through an act of the United States Congress.

Very truly yours,

EILEEN GATES,
Town Clerk.

OFFICE OF THE TOWN CLERK,
TOWN OF BRIDGEWATER,
Taunton, MA, June 22, 2005.

WILLIAM NAPOLITANO,
Principal Environment Planner, Southeastern Regional Planning & Economic Dev., Taunton, MA.

DEAR MR. NAPOLITANO: This is to certify that the following article was unanimously voted at the Annual Town Meeting held on Monday, May 2, 2005:

ARTICLE 8. It was unanimously voted that the Town endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic Study Committee, together with its recommendation to seek Wild and Scenic River designation through act of the United States Congress.

RONALD ADAMS,
Town Clerk.

BOARD OF SELECTMEN,
Somerset, MA, March 30, 2005.

Taunton River Wild & Scenic River Study Committee,
c/o Bill Napolitano, SRPEDD
Taunton, MA.

DEAR MEMBERS: The Somerset Board of Selectmen would like to commend and congratulate you on your efforts to designate the Taunton River as a Wild and Scenic River under the Wild and Scenic Rivers Act. Because the Taunton River is one of the most intact ecosystems in all of New England, the unfragmented habitat and natural estuary are regionally significant. It is imperative to protect this outstanding resource.

The Taunton River has the second largest watershed in Massachusetts. Funding generated from this designation would benefit the entire region. Fragmentation of riparian corridors, floodplains, and continuous upland habitat blocks must be prevented, as well as the spread of invasive species which could displace our native communities of plants and animals. Funds could be used to ensure water quality, protect cold water habitats and restore species and anadromous fish populations.

As a result of this study, we are addressing tidal restrictions in Somerset along the Taunton River at Labor in Vain Brook to improve the biodiversity of our unique marsh system.

The Somerset Board of Selectmen is pleased to endorse the Taunton River Stewardship Plan.

Sincerely,

PATRICK B. O'NEIL,
Chairman.
ELEANOR L. GAGNON.
STEVEN MONIZ.

CITY CLERK'S OFFICE,
Taunton, MA, May 27, 2005.

Congressman BARNEY FRANK,
Jones Building,
29 Broadway, Taunton, MA.

DEAR CONGRESSMAN FRANK: At a regular meeting of the Municipal Council held on May 24, 2005, the Municipal Council went on record endorsing the Taunton River Stewardship Plan by the Taunton Wild & Scenic River Study Committee together with its recommendation seeking wild & scenic river designation through the enactment of the United State Congress.

Your attention to this matter is appreciated.

Respectfully,

ROSE MARIE BLACKWELL.

SELECTMEN AND BOARD OF HEALTH,
Raynham, MA, June 13, 2005.

Re Taunton River Stewardship Plan

JIM ROSS,
Chairman, Taunton River Wild & Scenic Committee, c/o SRPEDD, Taunton, MA.

DEAR MR. ROSS: At the November 16, 2004 Town Meeting, residents of Raynham voted unanimously to adopt the Taunton River Stewardship Plan and recommend to Congress that the Taunton River be included in Federal Wild & Scenic Riverway Program.

The Taunton River is and has always been vital to the Town of Raynham in so many ways. From an historical, agricultural and biological perspective, the Taunton River is of unequaled value to Raynham. It has important biodiversity and ecological value. It is a source of recreation of boaters, birders, fishermen and others. And it has great scenic value.

We are hopeful that Congress will designate the Taunton River as Wild and Scenic.

Very truly yours,

RANDALL A. BUCKNER,
Town Administrator.

City of Fall River, In City Council.

Be it resolved, that the City Council of Fall River hereby supports the recommendation for designation of the Taunton River as a Wild and Scenic River through act of the United States Congress, with the southern boundary of this designation defined as the south side of the Braga Bridge, and

Be it further resolved, that the City Council endorses the Taunton River Stewardship Plan developed by the Taunton Wild and Scenic River Study Committee.

In City Council May 10, 2005

Adopted. 9 yeas.

Approved May 20, 2005, Edward M. Lambert, Jr., Mayor.

TOWN CLERK, TREASURER
AND COLLECTOR,
Dighton, MA.

I, Susana Medeiros, duly appointed Clerk of the Town of Dighton, Massachusetts, hereby certify that the following is a true copy of an extract from the minutes of the Annual Town Meeting duly called and held on June 6, 2005:

Article 18. Voted: On motion of James Digits that the Town will endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic Study Committee, together with its recommendation to seek Wild and Scenic River designation through act of the United States Congress.

Witness my hand and the seal of the Town of Dighton this 6th day of July 2005.

SUSANA MEDEIROS.

TOWN OF BERKLEY,
OFFICE OF TOWN CLERK, TREASURER,
Berkley, MA, July 6, 2005.

BILL NAPOLITANO,
SRPEDD,
Taunton, MA.

DEAR MR. NAPOLITANO: As duly qualified Town Clerk of the Town Of Berkley, I hereby certify the following action taken June 6, 2005 at the annual Town Meeting.

Article 32: Voted: That the Town endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic Study Committee together with its recommendation to seek Wild and Scenic River designation through act of the United States Congress.

A true copy of record.
ATTEST:
CAROLYN AWALT,
Town Clerk.

TOWN OF HALIFAX,
OFFICE OF THE TOWN CLERK,
Halifax, MA.

As Town Clerk for the Town of Halifax, I certify that the following Article was voted upon at the duly notified Annual Town Meeting held on May 9, 2005.

Article 28: Voted to endorse the Taunton River Stewardship Plan developed by the Taunton River Wild & Scenic Study Committee together with its recommendations to seek Wild & Scenic River designations through an act of the United States Congress.

Proposed by the Board of Selectmen (T. Garron).

Passed Unanimously.

ATTEST:
MARCIE K. COLE,
Town Clerk.

TOWN OF LAKEVILLE,
TOWN OFFICE BUILDING
Lakeville, MA, December 2, 2004.

TAUNTON WILD & SCENIC RIVER STUDY COMMITTEE,
c/o BILL NAPOLITANO,
SRPEDD, Taunton, MA.

DEAR MEMBERS: The Lakeville Board of Selectmen would like to commend and congratulate you on your efforts to designate the Taunton River as a Wild & Scenic River under the Wild & Scenic River Act. Because the Taunton River is one of the most intact ecosystems in all of New England, the unfragmented habitat and natural estuary are regionally significant. It is imperative to protect this outstanding resource.

The Taunton River has the second largest watershed in Massachusetts. Funding generated from this designation would benefit the entire region. Fragmentation of riparian corridors, floodplains, and contiguous upland habitat blocks must be prevented, as well as, the spread of invasive species which could displace our native communities of plants and animals. Funds could be used to ensure water quality, protect cold water habitats and restore rare species and anadromous fish populations.

We were especially impressed with the Action Strategy. Recognizing that public awareness is vital as we struggle to protect our water resources, Lakeville held its first Biodiversity Day event this year at Ted Williams Camp. We hope to expand the event and continue to celebrate biodiversity every year.

The Lakeville Board of Selectmen is pleased to endorse the Taunton River Stewardship Plan.

Sincerely,

GERALD R. WHITE,
Chairman.
CHAWNER HURD.
RICHARD F. LACAMERA.

TOWN OF SOMERSET,
HISTORICAL COMMISSION,
Somerset, MA, April 23, 2005.

SHEILA WEINBERG,
VIRGINIA JACKSON,
CO-CHAIRWOMEN, SOMERSET, MA.

BOARD OF SELECTMEN: This letter is to inform the board of selectmen of the Historical Commission's support of the Taunton River Wild and Scenic River project.

We would ask that the board of selectmen and Congress endorse the Taunton River Stewardship Plan developed by the Taunton River Wild and Scenic Study Committee, in their efforts to secure a designation for the Taunton River as a National Wild and Scenic River.

We believe this designation would insure the preservation of the Taunton River corridor as an intact river ecosystem and regional resource.

Thank you for your attention to this matter and your support of this project.

Respectfully submitted,

SHERRY L. GALLIPEAU,
Recording Secretary, Somerset Historical Commission.

TOWN OF SOMERSET,
CONSERVATION COMMISSION,
Somerset, MA, March 25, 2005.

Re Congressional Designation of the Taunton River of Massachusetts as a ''Wild and Scenic River''

Hon. SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MR. SPEAKER: The town of Somerset Massachusetts Conservation Commission hereby respectfully requests that the Congress of the United States designate the Taunton River as a ''Wild and Scenic River'' of the United States.

Sincerely yours,

TIMOTHY TURNER,
Chairman, Somerset Conservation Commission.

Mr. BISHOP of Utah. Mr. Chairman, once again, I appreciate the fact that the gentleman from Massachusetts, his views may have evolved. The law has not. We are a nation of laws, not what we wish it to be, but what the law is.

I reserve the balance of my time.

Mr. GRIJALVA. Let me yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. That is a most extraordinary misunderstanding of the law. Yes, there was a law in 1968. Guess what this will be if we pass it—a new law. The notion that a law passed in 1968 somehow defies this Congress of the ability to pass a subsequent law incorporating current judgment doesn't make any sense to me.

You're not in court here arguing. The question is, does this Congress have the right to take into account evolved views to amend the law? Yes, there is a law on the books. If the law on the books, I would say to the gentleman, covered this, we wouldn't need this law, but this is a law that we would pass. So the notion that there was a prior law really makes less sense than a lot of other things I have heard today, which says a lot.

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

Mr. GRIJALVA. Mr. Chairman, we are prepared to close. Let me inquire of my colleague how many speakers he has.

Mr. BISHOP of Utah. I will be happy to close when you are ready.

Mr. GRIJALVA. I will reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate once again the discussion that we have had here today.

The gentleman from Massachusetts, who is the chairman of a very important committee, does a great job, charming, witty, one of the funniest Members we have in Congress, actually said what my close was going to be. Someone once asked me, why do I care about this? I'm from Utah. I don't care about this river in Massachusetts.

And you're right. I really don't. I didn't get involved in this issue by choice. The gentleman introduced a bill that had to come to my committee.

But the reason that I do care is because exactly what the gentleman from Massachusetts said. We are attempting, in a vote, by a majority vote, to change the definition of law.

When I was in college, I had a professor that told me that all those men that went to the Constitutional Convention had baggage that they took, which meant they had a common educational, classic educational system. They understood what they were talking about. They went back to the concepts of Aristotle, who loved to make

definitions of everything. He said government was of the one, the few, and the many, and it could be either good or bad depending upon the attitude of those who were empowered to govern.

Government that was good is a government where the people, the leaders of that government, cared about the individuals and were self-sacrificing. Government that was bad is where the people didn't care and they tried to make things for themselves.

Then he gave definitions to that. So a government of one that was good was a monarchy, called a monarch back then, that's positive. Government of one that was bad was a tyranny. It is no coincidence that Thomas Jefferson, when he wrote the Declaration of Independence, of all the terms he could use to describe King George called him a tyrant, because it harkened back to their common understanding of classical literature and everything that Aristotle wrote.

The government of the many that was good, he called a polity. The government of the many that was bad, bad intentions, bad mindset, he called a democracy.

That's one of the reasons why we very seldom used the term ''democracy'' for the first 150-plus years of this country. The idea was that the worst form of government is one in which by a majority vote you can either take property from someone else and redistribute it or you can change the definition of the law—by a majority vote.

And that's why I object to this bill, because that is exactly what we are trying to do. The language of the original act is still clear and has not been changed. The language is clear, and that's why the Park Service did say that this proposal for the lower Taunton is without precedent, that it is problematic, that it does have its problems, because the law and the words of the law need to have a meaning. The law gives us guidelines. It gives us parameters. It protects the minority at the same time it directs the majority.

It's just like if we ever come to a point of time where by a majority vote we can come in here and change the meaning of the law, we have moved to the time where we are back with Petrucchio and Bianca, where the sun is the moon and night is day and by a majority vote we can accomplish it, and that is why I am so opposed to this bill because it is exactly what the gentleman said and exactly what we are doing.

By a majority vote, we are going to change the definition of wild and scenic rivers. By a majority vote. So I really don't care if you want to do this, if it's nice, if it enhances the attitude of any kind of urban area, it is not explicit with the letter of the law and with the spirit of the law, with the understanding of the law, which is why you are supposed to take a quarter mile of an embankment on either side of the designation and keep it free from development, for preservation purposes, not economic discovery and not economic development.

I have great concerns, and I have expressed this many times, with the process that we have. At no time in the debate on this floor have we had more than perhaps a half dozen Members who have heard the debate and participated in it, perhaps a larger number are listening, but what will soon happen is we will call for the vote on this bill, and through those doors will come 300 Members who have not heard the debate and do not understand the issue of this bill. They will look up on the screen and say, it's an issue, it's a bill for Mr. FRANK, and they will say, I like him. He may be of my party. I'll vote for him. He's an influential chairman. I'll support him. He is a very nice person. He is a very funny person. He is probably the best debater we have on the floor, and I'll vote for it.

But that is not the reason, and that is not a rationale for changing law by vote instead of changing the words. Words have meaning.

And if we ever deny that words have meaning, we no longer have the rule of law. All we have is what Aristotle warned and threatened and criticized that our attitude is going to be what drives us in the future, not what we should do, but what we want to do at the time.

So, yes, it is important what the 1968 bill says. Yes, it is important. Yes, the upper Taunton River has all the qualities for which the gentleman wants. And, yes, the lower Taunton River does not. I don't care whether you are talking about LNG ports or not, it doesn't meet the qualifications of a wild and scenic river.

Until we change the law, we should not, by a simple majority vote on this bill, try and change the definitions of those words. That is why I, from Utah, care about this river.

Because if we can change the meaning of the Wild and Scenic Rivers Act by this vote, there is no river in America that is not in danger of being made wild and scenic if you have enough votes to do it. There is no law that can stand if you have enough votes to do it, which is why this is supposed to be a republic, why the words have meaning and the words of the law are significant and important.

That's why I beseech the handful of Members of this floor who actually are listening to this debate to please understand the rudiments of this debate and the significant issue that we are doing right here. That's why we are making this significant. That's why we are putting this. That's why I am opposed to this bill.

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

Mr. GRIJALVA. Mr. Chairman, notwithstanding the wonderful personal attributes of Mr. FRANK, this bill, in and of itself, has tremendous merit, and that is why we brought it here for support by our colleagues. I should remind all our colleagues that this particular scenic river, the Taunton, was studied under the 1968 law, met the criteria for designation and, consequently, that is what the study recommended after 7 years of study.

Another point I think is important, as I pointed it out in the opening statement, the lower portion of the Taunton River from Muddy Cove to the Route 195 bridge in Fall River is being designated a recreational river, rather than a wild and scenic designation.

This designation is reserved for river stretches that are accessible by road or railroad, may have development, may have undergone some impoundment or diversion, but that offer outstanding opportunity for recreation.

□ 1800

The lower Taunton fits that description perfectly. The National Park Service, as I mentioned, spent 7 years studying this river, working with local communities. And I mention that because if we are going to value opinions, as my colleague from Utah was speaking, then I think a very democratic response needs to be a supportive response as well to the near unanimity of support for this designation by local communities, the elected officials, and the delegation from the State. I think that merits a value, and that value should be to extend support and credibility to their desires to have this designation occur.

I would also caution, on that note, caution my colleagues against substituting our own judgment when we do not represent the area, have not participated in or reviewed the study. This is an 80-page study that found this designation appropriate and recommended that designation.

Further, we were talking about precedent. There are several examples of other rivers, the Lower Delaware in New Jersey, the Allegheny in Pennsylvania, the Sudbury, Assabet and Concord Rivers in Massachusetts, which have similar levels of nearby development and represent very successful designations under the Wild and Scenic Rivers Act. At least, I might mention, at least two of these rivers I just mentioned, by the way, passed the House under Republican rule on suspension.

H.R. 415 is an important piece of legislation. It incorporates the designation, it incorporates the use by urban communities of the designation. It is fitting and it has been verified through study and through the cooperative work of all the communities and the delegation. I ask for its support and urge a ''yes'' vote.

Mr. RAHALL. Mr. Chairman, I rise as the chairman of the Committee on Natural Resources, which reported the pending legislation sponsored by the gentleman from Massachusetts, Chairman BARNEY FRANK, in support of this measure.

The 106th Congress authorized a study of the river to determine whether it is eligible for such designation. The National Park Service released a report in June of last year, finding that the river is eligible and identifying designation of the entire 40-mile segment as the environmentally preferred alternative.

H.R. 415 implements the study's findings by amending the Wild and Scenic Rivers Act to add the Taunton River.

Some apparently feel that, in their opinion, the lower portion of the Taunton River is not deserving of designation. I would first point out that the bill designates this portion of the river as a recreational river—not as a wild or scenic river. This is a designation intended for river segments just like the lower Taunton.

More important, the experts at the National Park Service, the entire Massachusetts congressional delegation, and the 10 local communities along the banks, all think the river does qualify for designation and, with all due respect, their opinions are more informed. Opponents of this river designation have attempted to link this legislation to the apparent demise of a liquefied natural gas facility that had once been proposed along the banks of the Taunton.

Approval for the LNG facility was denied—twice—by the United States Coast Guard for reasons having nothing to do with the wild and scenic designation. In fact, the designation was proposed long before the LNG facility was announced.

This is a good piece of legislation, the river is worthy of designation, and I urge the adoption of this measure.

Mr. MARKEY. Mr. Chairman, I rise in support of this bill.

Many of my Republican friends seem to think that they know better than the Commonwealth of Massachusetts and its elected representatives when it comes to meeting our state's energy needs. They claim to know not only how much LNG we need in our region, but also where these LNG terminals should be located.

I have some news for my Republican friends: you have been sold a bill of goods by the developer of the failed Weaver's Cove project, a project that was rejected by the Coast Guard which will never be built. Before you shed another crocodile tear about our need for LNG, I would like to share with you some facts about LNG in Massachusetts.

The fact is that the Commonwealth of Massachusetts has more LNG terminals in operation or approved by both Federal and State regulators than any other State in the Union! We already have two LNG importation terminals in operation, and we also have a third terminal that will become operational by next year.

Now that is a larger number of LNG terminals than is currently in place in any other State of the Union. In fact—when all three terminals are in place, we will have more LNG terminals in Massachusetts than Texas and Louisiana have today.

So, my Republican friends should stop shedding those crocodile tears about the need for more LNG in Massachusetts. Our State has already seen that need, and we have already responded to it.

Since 1971, there has been an LNG terminal in my district in Everett, Massachusetts. That terminal has been in operation longer than any other LNG importation terminal in the country. In fact, between 1971 and 2003, the Everett terminal has received about half of all of the LNG imported into the United States. The Everett terminal has two LNG storage tanks that have a combined storage capacity of 3.4 billion cubic feet, and the terminal can vaporize this LNG into natural gas at a rate of approximately 1 billion cubic feet each day. Now, this is a facility that is located right in the middle of a densely populated urban area, and never could be built there today due to safety and security concerns.

But we need the gas that this facility produces, so we are forced to continue operating it. The Everett LNG terminal, currently operated by the Suez company, today meets 20 percent of New England's annual natural gas demand. The local natural gas distribution companies served by this terminal store the LNG that they receive from the Everett terminal in satellite terminals all around New England. That allows this LNG to meet an additional 15 percent of New England's peak natural gas demand. So, nearly 40 percent of New England's peak demand for natural gas is served by the existing Everett facility.

Now, in addition to the Everett LNG terminal, the Commonwealth of Massachusetts has also approved two additional offshore LNG terminals to meet our future demand. We learned from the lesson of Everett with these facilities, and wisely chose to locate them offshore, away from any populated areas where they could be an attractive target to terrorists.

The first offshore LNG terminal is called the Northeast Gateway. It is owned by a company called Excelerate, and it is located about 13 miles off the coast north of Boston in Massachusetts Bay. This offshore facility re-gasifies the LNG on the tanker ship, turning it back into natural gas, and then sends that gas into the existing HUB line, which is a natural gas pipeline off our coast. The Excelerate LNG facility received 1 billion cubic feet of natural gas in March, but has received no additional LNG deliveries since then because of low demand. According to Excelerate, this offshore terminal is capable of accommodating up to 800 million cubic feet of natural gas each day future growth, though they initially are projecting that it would operate at a rate of 500 million cubic feet per day and a peak capability to 600 million cubic feet per day.

In addition to this first offshore LNG terminal, there is also a second LNG terminal, which is being built by Suez, the owner of the Everett LNG terminal. Neptune, a liquefied natural gas, LNG, offshore deepwater port, is also being built approximately 10 miles off the coast of Gloucester. Neptune has received all Federal, State and local permits and approvals to proceed with construction. Pipeline construction and testing are planned for mid-July through September 2008. Work on the pipeline connection to HubLine and the buoy installation are scheduled to begin in May and end in September 2009. Neptune will be prepared to receive LNG shipments by late 2009.

When completed, the Neptune LNG project will be capable of delivering approximately 400 million cubic feet per day of natural gas to the region, or enough to heat 1.5 million homes, and 750 million cubic feet per day a peak winter day.

So, the bottom line is that with these two new facilities, we will be going from an LNG capacity of 750 million metric cubic feet per day of natural gas, and 1 billion cubic feet per day in peak periods, up to 1.65 billion cubic feet per day routine delivery capacity, and 2.45 billion peak delivery capacity.

The proposed LNG terminal at Weaver's Cove has been rejected by the Coast Guard. It is opposed by virtually every elected official in Massachusetts. It would be located right in the middle of an urban area, just like Everett. It makes no sense from a security standpoint in a post-9/11 world. The Coast Guard has already said no to Weaver's Cove. The Commonwealth of Massachusetts has already said no. The developer doesn't like that, but his proposal has been rejected. It is going nowhere. It's not going to happen.

It also makes little economic sense to build this facility, at this location, at this time. There is not sufficient economic justification for this facility in light of the three existing or planned LNG terminals in our State. These three existing LNG facilities can meet our State's needs for natural gas for many, many years, and if we need to build another LNG terminal in the future, our State has already demonstrated that we are willing to move quickly to approve the siting of offshore LNG terminals that allow LNG to be imported into our State without any of the safety or terrorism risks associated with the siting of another urban LNG terminal.

So, don't pretend that this bill to designate the Taunton River as a wild and scenic river has anything to do with LNG. The Commonwealth of Massachusetts does not need this facility. Federal regulators have already rejected it. We already have two LNG terminals in our State, with a third on the way, and if we need more LNG in the future we can build more offshore terminals. We've demonstrated a willingness and ability to do so.

I urge the adoption of the bill.

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

The CHAIRMAN. All time for general debate has now expired. Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 415

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

SECTION 1. DESIGNATION OF TAUNTON RIVER, MASSACHUSETTS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) TAUNTON RIVER, MASSACHUSETTS.—The main stem of the Taunton River from its headwaters at the confluence of the Town and Matfield Rivers in the Town of Bridgewater downstream 40 miles to the confluence with the Quequechan River at the Route 195 Bridge in the City of Fall River, to be administered by the Secretary of the Interior in cooperation with the Taunton River Stewardship Council as follows:

''(A) The 18-mile segment from the confluence of the Town and Matfield Rivers to Route 24 in the Town of Raynham, as a scenic river.

''(B) The 5-mile segment from Route 24 to 0.5 miles below Weir Bridge in the City of Taunton, as a recreational river.

''(C) The 8-mile segment from 0.5 miles below Weir Bridge to Muddy Cove in the Town of Dighton, as a scenic river.

''(D) The 9-mile segment from Muddy Cove to the confluence with the Quequechan River at the Route 195 Bridge in the City of Fall River, as a recreational river.''.

SEC. 2. MANAGEMENT OF TAUNTON RIVER, MASSACHUSETTS.

(a) TAUNTON RIVER STEWARDSHIP PLAN.—

(1) IN GENERAL.—Each river segment added to section 3(a) of the Wild and Scenic Rivers Act

by section 1 of this Act shall be managed in accordance with the Taunton River Stewardship Plan, dated July 2005 (including any amendment to the Taunton River Stewardship Plan that the Secretary of the Interior (referred to in this section as the ''Secretary'') determines to be consistent with this Act).

(2) EFFECT.—The Taunton River Stewardship Plan described in paragraph (1) shall be considered to satisfy each requirement relating to the comprehensive management plan required under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(b) COOPERATIVE AGREEMENTS.—To provide for the long-term protection, preservation, and enhancement of each river segment added to section 3(a) of the Wild and Scenic Rivers Act by section 1 of this Act, pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e) and 1282(b)(1)), the Secretary may enter into cooperative agreements (which may include provisions for financial and other assistance) with—

(1) the Commonwealth of Massachusetts (including political subdivisions of the Commonwealth of Massachusetts);

(2) the Taunton River Stewardship Council; and

(3) any appropriate nonprofit organization, as determined by the Secretary.

(c) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), each river segment added to section 3(a) of the Wild and Scenic Rivers Act by section 1 of this Act shall not be—

(1) administered as a unit of the National Park System; or

(2) subject to the laws (including regulations) that govern the administration of the National Park System.

(d) LAND MANAGEMENT.—

(1) ZONING ORDINANCES.—The zoning ordinances adopted by the Towns of Bridgewater, Halifax, Middleborough, Raynham, Berkley, Dighton, Freetown, and Somerset, and the Cities of Taunton and Fall River, Massachusetts (including any provision of the zoning ordinances relating to the conservation of floodplains, wetlands, and watercourses associated with any river segment added to section 3(a) of the Wild and Scenic Rivers Act by section 1 of this Act), shall be considered to satisfy each standard and requirement described in section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(2) VILLAGES.—For the purpose of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)), each town described in paragraph (1) shall be considered to be a village.

(3) ACQUISITION OF LAND.—

(A) LIMITATION OF AUTHORITY OF SECRETARY.—With respect to each river segment added to section 3(a) of the Wild and Scenic Rivers Act by section 1 of this Act, the Secretary may only acquire parcels of land—

(i) by donation; or

(ii) with the consent of the owner of the parcel of land.

(B) PROHIBITION RELATING TO ACQUISITION OF LAND BY CONDEMNATION.—In accordance with section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)), with respect to each river segment added to section 3(a) of the Wild and Scenic Rivers Act by section 1 of this Act, the Secretary may not acquire any parcel of land by condemnation.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–758. Each amendment may be offered only in the order printed in the report by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–758.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BISHOP of Utah:

Page 2, line 24, insert a close quotation mark and period after ''river.''.

Page 3, strike lines 1 through 4.

The CHAIRMAN. Pursuant to House Resolution 1339, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair now recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Once again, I appreciate the discussion we have had on this bill. I think that is perfunctory. We have to say that. But let's once again make common the facts of this particular bill.

The Department, the National Park Service, has not supported this bill. They have asked that we refrain from it until the study is final. They have also, though, in that study, given options, three different options of what to do with this river. This bill happens to take the worst of the options, an option that has no precedent, an option that is problematic.

My amendment makes this a legitimate bill. The area to which I object, the area that does not meet the standards of a wild and scenic river, those areas I am asking to be removed. The Upper Taunton River, that is the area this Congress, in the Year 2000, mandated the study and paid for a study, and that what the study should have done, has those wild and scenic qualifications that match the law.

That is my amendment, to remove the offending sections of this bill and limit just to those which meet the meaning of the words in the law.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I claim the time in opposition.

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

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Utah has the right to close.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

These are the portions of the river bank that would be excluded by the gentleman's amendment. These would not be protected. The historic park enshrining the battleship *Massachusetts* would not be protected.

The gentleman made an argument I found hard to follow. It was because the 1968 Act said one thing, it would be a violation of the rule of law to pass a law. I have never heard that. We are here in the House of Representatives debating a law. If it gets a majority and is passed by the Senate, never to be taken for granted, it will become an addition to the law. The notion that a law being passed somehow distorts the law is a grave error.

The gentleman talked about the will of the people. The overwhelming will of the people in this area is to have this designation. No, it is not wild and scenic in the dictionary definition. It is recreational, which is one of the provisions that the law calls for.

And the question is today, 40 years after the original passage of the law, do we, as a Democratically elected House—the gentleman will forgive me for using the word ''democratic'' affirmatively. Unlike Aristotle, I don't think ''democracy'' is a bad word. Do we have the right to say to urban dwellers, the people in the city of Fall River who are targeted by the gentleman's amendment, the people in the city of Fall River, an industrial area. They are the ones that are being told the environment is not for you. Environmental enhancement, the ability to use this law to get the planning right, you don't get that. You are not entitled to it because you have been an industrial area.

I don't think the House wants to deny the right to environmental improvement and enhancement to working people who live in an urban area.

I reserve the balance of my time.

Mr. BISHOP of Utah. Let me continue to reserve until we are done.

Mr. FRANK of Massachusetts. While the gentleman from Utah is thinking of something to say, I will yield to the gentleman from Arizona (Mr. GRIJALVA) such time as he may consume.

Mr. GRIJALVA. Let me state my opposition to the amendment offered by my colleague from Utah.

As I stated before, the portion of the Taunton River which will be struck out by this amendment is deserving of this designation and has nothing to do with the decisions that have already stopped the Weaver's Cove LNG facility. As we pointed out, the lower portion of the Taunton River is being designated as a recreational river, rather than a wild or scenic designation.

The designation is actually intended for river stretches that look like the Lower Taunton because they are accessible and may have some development and undergone some impoundment or diversion.

The designation is similar, as I mentioned before, to other urbanized river segments in Pennsylvania, New Jersey and Massachusetts.

There has been 7 years of study. The National Park Service thinks this segment qualifies for this designation. The towns along the river think it qualifies, and the Members of Congress from the State think it qualifies.

And I would urge my colleagues to oppose this amendment and preserve the integrity of the legislation that is before us.

Mr. BISHOP of Utah. I am prepared to close whenever the gentleman from Massachusetts is.

Mr. FRANK of Massachusetts. How much time do I have remaining?

The CHAIRMAN. The gentleman from Massachusetts has 2 minutes remaining. The gentleman from Utah has 3½ minutes remaining.

Mr. FRANK of Massachusetts. I will close.

I appreciated the kind words the gentleman from Utah had to say about me. I only wish he would extend those courtesies to my constituents who have, I think, been unfairly denigrated.

And I again want to stress there was nothing inappropriate about 40 years later the Congress deciding, by a vote, this is no fiat here, to look at the law and say, we now believe that this is an appropriate designation. It is to say to an area that has been subjected to deindustrialization, you get the support of this planning mechanism, which is necessary because it is on a navigable waterway, so it can't be entirely done by State authorities. It is supported by all of the locally elected officials, overwhelmingly by the people there, by all of the Members of Congress nearby, by the four United States Senators who would be affected. You get this ability to enhance the quality of your life and, at the same time, to find, as my colleague from Rhode Island said, a new economic pattern. And that is engaging in self-help. We are trying to help them tear down an elevated highway that is a barrier to this river. There is a coordinated set of planning activities to improve it.

And I have to say, the gentleman, I think, has helped me prove the point. In his diligent search to defeat this bill, he came up with three people in the area who were against it. Well, I don't think three people in an area of hundreds of thousands gives you, even under Aristotle's definition, the right to impugn the legitimacy of this, particularly since we are following the regular order.

I would say to my colleagues, Mr. Chairman, please don't tell the people, the hardworking people of an industrial area who are trying to improve the quality of their lives for themselves and the lives of their children, don't tell them that this environmental designation stops where they live, and that they are to be, by a specific vote of the Congress of the United States, excluded from this set of benefits.

Mr. BISHOP of Utah. I appreciate that. And to be honest, I anticipated going first in the closing of this, so the gentleman from Massachusetts could have had the last word. So I will try and be kind with that.

But to be very honest with you, Mr. Chairman, it doesn't matter how many property owners may or may not object to it. Under our constitutional system of laws, if there are three people with property rights, they must be respected. It doesn't matter how many dislike it. They must be respected.

The gentleman has very nice people in his district. I am positive. Look who they elected. But that is not the issue. The issue is the language of the law. The language in section 16 talks about free-flowing rivers, natural waterways, existing and flowing in a natural condition. There should not be low dams, diversion works or other minor structures at the time the river is proposed.

This ain't minor structures. This is a large urban development. It does not meet the definition of those terms. We say it over and over again.

It is not the House that is denying the constituents the right to have this designation. The State of Massachusetts could do the same thing if you just used local ordinances and State authority. It is not the House that will be denying them. It is the law that denies them. It is the law that does not allow this lower river to meet definition of wild and scenic rivers. Period.

Pass the amendment, and I can easily and happily support the bill because if you pass the amendment, the parts that do qualify as wild and scenic rivers will be included as wild and scenic rivers, and the parts that do not qualify will be exempt.

I yield back.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. SHULER

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–758.

Mr. SHULER. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SHULER:

At the end of the bill, add the following:

SEC. 3. HUNTING, FISHING, TRAPPING, AND RECREATIONAL SHOOTING.

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the Commonwealth of Massachusetts to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

The CHAIRMAN. Pursuant to House Resolution 1339, the gentleman from North Carolina (Mr. SHULER) and a Member opposed each will control 5 minutes.

The Chair now recognizes the gentleman from North Carolina.

Mr. SHULER. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I commend the gentleman from Massachusetts for introducing this bill to protect the Taunton River. I have the privilege of representing the mountains of western North Carolina, and I have seen the positive impact that sensible resource management has on a community.

□ 1815

I share the gentleman's commitment to protect America's wild and scenic rivers. However, I feel that additional clarification is needed to ensure that sportsmen will continue to enjoy the river and its surroundings. My amendment makes it clear that H.R. 415 does nothing to eliminate the access of the Taunton River for the purposes of hunting, fishing, trapping, or recreational shooting. These activities are an important element of the outdoor lifestyles enjoyed by thousands of families in this area.

The management and regulations of these activities traditionally have been the responsibilities of the States. This amendment makes it clear that this practice will not be interrupted by the Federal designation.

I urge my colleagues to join me in supporting the amendment and the underlying legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition, though to be honest, I'm not in opposition to this amendment.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. The words of this amendment are hauntingly familiar. As Yogi Berra would say, ''It's déjà vu all over again,'' but I don't like to use cliches that are that old. However, this amendment is a wonderful, positive, good amendment. It's been mine up until the last couple of bills.

I like this amendment. I am proud that the gentleman from North Carolina has seen conversion to this point of view. To be honest, in our committee, on H.R. 1528, this same amendment, you voted against. I'm happy for your conversion. I welcome you over to the side of truth, right, and justice and where words have meaning.

For that reason, we are more than happy to accept this amendment. We will be supportive of this amendment. It's the right thing to do. It's the positive thing to do. It's brilliant verbiage because, to be honest, we wrote it a long time ago.

I yield back the balance of my time.

Mr. SHULER. Mr. Chairman, once again, I urge a ''yes'' vote on this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. SHULER).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. BISHOP OF UTAH

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–758.

Mr. BISHOP of Utah. Mr. Chairman, as Mr. PEARCE's designee, I offer amendment No. 3 made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BISHOP of Utah:

At the end of the bill, add the following:

SEC. 3. ENERGY AND CONGRESSIONAL REVIEW.

The Secretary of the Interior, in consultation with the Secretary of Energy and private industry, shall complete and submit to the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and Senators and Representatives from the States affected by the designation, a report using the best available data and regarding the energy resources available on the lands and waters included in the segments of the Taunton River designated under section 2 of this Act. The report shall—

(1) contain the best available description of the energy resources available on the land and report on the specific amount of energy withdrawn from possible development; and

(2) identify cubic feet of natural gas, natural gas transmission and storage potential, megawatts of geothermal, wind and solar energy that could be commercially produced, annual available biomass for energy production, and any megawatts of hydropower resources available, including tidal, traditional dams, and in-stream flow turbines.

The CHAIRMAN. Pursuant to House Resolution 1339, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Thank you, sir. If I had known we were having a vote on the last one, I might not have fished for the first one.

It's a wonderful opportunity for me to introduce this particular amendment from the gentleman of New Mexico who spends so much time in this area and understands it so well. We're facing, obviously, an energy crisis in the United States, and we do have a dearth of solutions that have been forthcoming in this particular body. And we have repeatedly passed legislation that actually has, over the last 30 years, restricted access, limited our resources.

This amendment is once again simple. It calls upon the Secretary of Interior to provide us the full accounting of the resources this bill may take away from the American people. Simply, the Secretary of the Interior, in consultation with the Secretary of Energy and private industry, if it remains, shall complete and submit a report accounting for the energy resources withdrawn from future development by designation of this land and waters included in the Taunton River bill. Specifically, the report shall identify, among other sources, the amount of geothermal, wind, solar, biomass energy and any impact on electrical transmission.

The amendment is simple. If Congress is acting to take energy resources away from the people, we should know if there is a true impact by these actions.

I would urge your support of Mr. PEARCE's well-thought-out and significant amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Mr. GRIJALVA. The amendment offered by Mr. BISHOP for Mr. PEARCE is unnecessary because the designation of the Taunton River is not going to have any impact whatsoever on energy resources in the country. As a result, this amendment requires a report that will likely be only a sentence or two long.

The energy debate is ongoing in this country and here in Congress, and I can assure you that no matter where you come down on the issues raised by the debate, the Wild and Scenic Rivers Act does not even make the top 100 list of the reasons we're paying so much for gas at the pump. Reports on the impact of the Bush-Cheney energy policies or the energy policies enacted by the former Republican majority would provide significantly more insight into the problems we now face than a report on one wild and scenic river designation.

To go even further, we will debate, and I hope adopt, an amendment sponsored by Representative BOYDA making it absolutely clear that H.R. 415 will have no impact on the supply of domestically produced energy. However, Mr. Chairman, as with most amendments that are completely unnecessary, this amendment does no harm to this legislation, so we will not oppose it.

I yield back the balance of our time.

Mr. BISHOP of Utah. Mr. Chairman, I would suggest a wise choice of action, and I will yield back my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MRS. BOYDA OF KANSAS

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–758.

Mrs. BOYDA of Kansas. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mrs. BOYDA of Kansas:

At the end of the bill, add the following:

SEC. 3. DOMESTICALLY-PRODUCED ENERGY RESOURCES.

Nothing in this Act shall impact the supply of domestically-produced energy resources.

The CHAIRMAN. Pursuant to House Resolution 1339, the gentlewoman from Kansas (Mrs. BOYDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Kansas.

Mrs. BOYDA of Kansas. Mr. Chairman, I rise today to offer an amendment to H.R. 415, and I offer it to clear up any misconceptions there may be about the impact of this bill.

As the amendment states, ''nothing in this act shall impact the supply of domestically produced energy resources.'' Those on the other side of the aisle have held up designating the Taunton River as a national scenic and recreational river because of supposed energy concerns.

I support domestic drilling, and I believe domestic oil production is important to our energy supply. This amendment makes it clear that we are not going to stop energy development in this bill, and we're not going to impede exploration of domestic resources. We're simply taking steps to protect the Taunton River.

We must drop the rhetoric and have a national debate about our real energy priorities by finding real solutions for the rising price of oil and gas. From the cost of fuel to increased fertilizers that are killing our farmers back in Kansas, everyone is hurting. We all know that our country needs a comprehensive energy plan to address our future.

The plan that was developed by Big Oil in the White House 8 years ago has brought us nothing but higher fuel prices, and we've sent trillions of our dollars to unfriendly governments overseas.

If you have heard me talk about the energy policy, then you have heard me talk about the three-legged stool. First and foremost, it's conservation. It's the cheapest, most fastest, and easiest piece of this puzzle. Second is an absolute determination by this country to finally break our addiction to oil through new technologies like plug-in hybrid vehicles that rely on wind or solar or nuclear or alternative sources.

Energy prices are driven by supply and demand, and we have to increase the supply of not only oil, but certainly of alternative fuels.

Third, even with these alternatives and with conservation, we must continue to have oil and gas to play a significant role in our energy policy. But we can use the lands, and we must use the lands that are currently open to drilling, like the National Petroleum Reserve in Alaska, and we need to invest in technologies that make it easier and more environmentally friendly to access.

My home State of Kansas holds wind, solar, biofuels, and yes, even nuclear

potential. If we take the simple step of just making a plug-in hybrid vehicle common and affordable, we can turn off the oil spigot and turn on the energy grid that's powered by alternatives to oil.

Today I think we've said it over and over and over again, Mr. Chairman. There are 68 million acres that are currently leased and are not being drilled. Today the leases are in place, the environmental hurdles have been cleared, but there's not drilling going on. And the American people, certainly the people of Kansas, they want to know why and so do I.

So let's talk about Big Oil's dirty little secret. They don't have the equipment necessary to drill. Eighty percent of the oil that's available on the Outer Continental Shelf is already available for offshore leasing and for drilling. But here is their little secret. There won't be any new rigs available for 1 to 2 years. According to the American Petroleum Institute, the API, that in time of increasing demand when they should have been keeping up with supply, they've been making an enormously high profit. The oil companies haven't even been growing their own stock of drilling equipment even for the lands they currently hold leases on. Mr. Chairman, I find it, and I think the good people of Kansas, as well as America, finds it just simply unbelievable.

My mom always taught me to clean up my plate before I asked for more. But the oil companies aren't following my mom's advice. They've been collecting lease after lease after lease, but they're not drilling on these lands. And it's time they get started.

The high price of oil, it's very clear that it certainly helps the big oil industry. And I don't debate that it's a very good decision to them to limit supply. But it's killing American families. It is hurting our farmers, and it is hurting our businesses.

Congress can't force these oil companies to go out and drill, but we can pass legislation that stops the hoarding of these leases on Federal lands. And we voted to do that here just 3 weeks ago. But like other important energy bills, it's gone right down partisan lines, and it's been opposed by the President.

As important as it is that we get this right, Mr. Chairman, let me go back and say, again, the people of Kansas are too smart to buy all of this. They know that ultimately, though we need that oil to bridge to the new alternative future that we're talking about in energy, we cannot drill our way out of this mess.

America uses 24 percent of the world's oil, yet we only have 2 percent of the world's reserves.

The CHAIRMAN. The time of the gentlewoman has expired.

Mrs. BOYDA of Kansas. Mr. Chairman, I appreciate the time.

Mr. BISHOP of Utah. Mr. Chairman, I rise to claim time in opposition, kind of.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. I think the other side of the aisle will be happy to know that this amendment does nothing to prevent a proposed LNG port in the Taunton River. The legislation does, but the amendment does not. I'm not really sure exactly what the amendment does. About the most you can say is it doesn't appear to do anything negative, and for that purpose I will be happy to support this amendment, because at least it recognizes that energy is important, and that's an excellent first step. A curious one, I admit, but an excellent first step, especially if it's accepted by those who are supporting the underlying legislation without the first Bishop amendment to be added to it.

It is curious also to understand what domestically produced energy source will come in this particular area unless maybe you actually do have the Park Service use their eminent domain power and actually condemn all of the land a quarter mile from either side of the river in the way a real wild and scenic river should be done. But let's see what happens.

An LNG port, if it was actually produced there, would be able within 3 years, according to best estimates, to reduce the amount of energy needs for the people that live in this area by 10 percent or more, just from this one port. But the issue at hand is not domestically produced energy because an LNG port does not bring in domestically produced energy. It's all coming from abroad.

□ 1830

The countries that produce LNG are Australia, Trinidad, Malaysia, Algeria, Nigeria, Oman, Brunei, Qatar, with other developments in Norway, Venezuela, Egypt, Bolivia, Peru, Angola, Equatorial Guinea, and Russia.

It is true that some is produced in Alaska, which I don't know if the gentlelady actually accepts that as part of the United States, but that doesn't go all the way around to the east coast. That stays up here in the West.

That's the issue. So I accept this amendment, but we're actually talking not about domestic production. The LNG port was about foreign production coming in to the country, but because it at least addresses the issue that energy is important, I'm happy to accept it.

I yield back.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Kansas (Mrs. BOYDA).

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

Mrs. BOYDA of Kansas. Mr. Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110–758 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BISHOP of Utah.

Amendment No. 2 by Mr. SHULER of North Carolina.

Amendment No. 4 by Mrs. BOYDA of Kansas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 235, not voting 15, as follows:

[Roll No. 503]

AYES—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton

Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—235

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Blunt
Boswell
Cubin
Fortuño
Gilchrest
Green, Al
Hunter
Johnson, E. B.
Lucas
Miller, Gary
Rush
Shimkus
Smith (TX)
Solis
Weiner

□ 1900

Mr. CLEAVER, Mrs. MALONEY of New York, Mr. DAVIS of Illinois, Mrs. GILLIBRAND, Mr. CHANDLER, Ms. HIRONO, and Messrs. GUTIERREZ and WELCH of Vermont changed their vote from ''aye'' to ''no.''

Mr. LAHOOD and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. SHULER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 425, noes 0, not voting 14, as follows:

[Roll No. 504]

AYES—425

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—14

Barton (TX)
Blunt
Boswell
Cubin
Fortuño
Gilchrest

Green, Al
Hunter
Johnson, E. B.
Lucas
Miller, Gary
Rush
Shimkus
Solis

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1908

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MRS. BOYDA OF KANSAS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Kansas (Mrs. BOYDA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 421, noes 0, not voting 18, as follows:

[Roll No. 505]

AYES—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Barton (TX)
Blunt
Boswell
Cubin
Fortuño
Gilchrest
Graves
Green, Al
Johnson, E. B.
Lucas
McDermott
Miller, Gary
Peterson (PA)
Rush
Scott (GA)
Shimkus
Smith (NE)
Stearns

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members have 2 minutes remaining in the vote.

□ 1915

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Chairman, on rollcall No. 505, I was unavoidably detained. Had I been present, I would have voted "aye."

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CAPUANO) having assumed the chair, Mr. MCNULTY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, pursuant to House Resolution 1339, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WITTMAN OF VIRGINIA

Mr. WITTMAN of Virginia. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. WITTMAN of Virginia. I am, in its current form.

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

The Clerk read as follows:

Mr. WITTMAN of Virginia, moves to recommit the bill H.R. 415 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

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

SEC. 3. SAVINGS CLAUSE.

Nothing in this Act or the stewardship plan referred to in section 2 shall be used as a basis to restrict current and future—

(1) development and management of energy infrastructure;

(2) easements and environmental mitigation related to paragraph (1); or

(3) business and economic activities or expansion of such activities.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. WITTMAN of Virginia. Mr. Speaker, Americans are facing an energy crisis. High fuel costs are cutting short summer vacations, impacting family budgets, shuttering small businesses, increasing food costs and threatening the economic well-being of this country.

Recently, I learned of a small business in the rural part of my district that can't even receive shipments because the delivery trucks can no longer afford to drive all the way down to his shop.

This small shop owner, who operates on already tight margins, has to incur extra costs to meet the delivery truck closer into town. And this is just one of countless similar stories throughout America and throughout Virginia's First District.

The majority's response to this crisis has been to repeatedly deny the American people relief from skyrocketing fuel prices. Defying basic economics, they refuse to increase supply and encourage production of American-made energy.

The majority party decries the timeline of domestic drilling as too long, saying the American people won't see any relief for at least 5 to 10 years, as if it is somehow a bad thing for Congress to act with foresight in order to avert a deeper energy catastrophe in the near future.

In the face of ''all of the above'' energy policy offered by Republicans, one that includes American-made energy, encourages aggressive conservation and invests in and incentivizes clean, renewable energy, Democrats offer misdirected solutions like ''use it or lose it'' and recycle failed ideas of the past, like the windfall profits tax.

Today's consideration of H.R. 415 is another such mistake. Instead of restricting energy development in the name of political partisanship, we need to throw every option on the table. And I'm reminded of a story that a constituent told me about the *Apollo 13* astronauts and how they solved problems where Mission Control took everything they had at their avail, every tool, every piece of equipment at their disposal, to survive and get those astronauts back to Earth. Today, Mr. Speaker, Congress is Mission Control, and we have an energy problem.

This bill abuses the definition of Wild and Scenic Rivers by designating the urban and heavily developed lower section of the Taunton River as wild and scenic. Not coincidentally it's on this lower section of the Taunton River that a liquefied natural gas facility has been proposed. And thus this bill is yet another roadblock to increasing our energy supply. Not only could this legislation encourage budget-busting heating bills, but it will also bury local shipbuilders in an avalanche of bureaucratic red tape. Shipbuilding facilities often need to be modified to meet job specifications. By further complicating the permitting process, this bill stymies these business' ability to meet their customers' needs.

Additionally, Mr. Speaker, the headline in the Fall River Herald News also reads about the impact on businesses where it says, ''scenic river designation could sink waterfront businesses,'' again, another negative impact on businesses.

Congress cannot afford to remain tone deaf to the suffering of our country. This motion to recommit returns our focus on what is truly important to the American people: Relief of skyrocketing energy prices. It prohibits restrictions on the development or management of energy infrastructure. And more importantly, it expands on the language offered by Representative BOYDA to include sources of energy like clean-burning natural gas, which will play a critical role in our development of an ''all of the above'' energy policy.

I urge all Members to support this motion to recommit H.R. 415.

Mr. GRIJALVA. I rise to claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Speaker, let me just read an amendment that passed this House unanimously just previous to this discussion, the amendment to H.R. 415 offered by Mrs. BOYDA of Kansas, ''section 3, domestically-reproduced energy resources. Nothing in this Act shall impact the supply of domestically-produced energy resources.''

The point being that this motion to recommit has nothing to do with the protection of domestic energy resources. It has to do with the ability by putting promptly in the motion to recommit to effectively kill this legislation.

This legislation has the support, almost unanimous support, of communities, elected officials, the delegation of the State, the Governor, and has had 7 years of study in order to receive the recommendation for the designations that are before us in this legislation.

I understand the need to talk about energy on any topic. This particular legislation has nothing to do with the high cost of gas. It has nothing to do with domestic energy supply. If we are looking for reasons, perhaps we could walk over the last 8 years of this administration and a Republican-controlled Congress and look at the failed efforts at really bringing an energy policy to the American people. That is the root cause of our problem. The root cause is not this designation today.

Let me yield now to the sponsor of the legislation, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, first, let's note the nonseriousness of this. It says ''promptly.'' It kills the bill. If you want to vote against the bill, you can vote against the bill. This says ''promptly.'' If it were seriously intended to be a legislative act, it would have said ''forthwith.''

Beyond that, it is not simply about energy. The last two lines say ''nothing shall be used as a basis to restrict current and future business and economic activities.'' This is a license to do any business whatsoever. Now I know a couple of businesses down there that I didn't think the Republican Party would be all in favor of. They would love to have this. They will expand it and invite you down and give you a discount.

This isn't just about energy. First of all, it's about killing the bill. But what does it say? The gentleman from Arizona read the amendment we have adopted about energy. ''Nothing shall be used as a basis to restrict current and future business and economic activities or expansion of such activities.'' It is hardly about energy.

The LNG plant has been rejected twice by the Coast Guard and once by that radical environmentalist, the Secretary of Commerce, Carlos Gutierrez, appointed by George Bush.

I'm about to yield to my colleague from Massachusetts. He and I represent hardworking people, working class people. Many of them are Portuguese immigrants and others who became American citizens who have lost their industrial base. They are trying to enhance the quality of their environment and at the same time offer an alternative economic mode.

Mr. Speaker, I urge my colleagues, don't take it out on them. If we've got a political fight over energy, let's carry it out among the big boys and girls. Don't turn to these working people and say, do you know what? You're not classy enough. You don't deserve environmental protection. That is for the elite. That is for the wealthy.

I yield, finally, to my colleague from Massachusetts.

Mr. MCGOVERN. I thank the gentleman.

Mr. Speaker, this debate has been, to say the least, strange. My friends on the other side of the aisle have come to the floor with pictures of the Taunton River that are not even part of the designation that we're talking about. They have said that this is about LNG and that Massachusetts doesn't want to do its fair share. Yet we have three LNG facilities up and running, and a third that has already been permitted. They have confused their energies. They don't know the difference between liquefied natural gas, oil and the gasoline you put in your automobile. I mean their ignorance on energy is stunning. No wonder why they lost the last election.

And finally, they have tried to make political points at the expense of the constituents that I represent and that BARNEY represents. As BARNEY said, these are hardworking people. The tone

of this debate and the way my constituents have been characterized is insulting. It's a new low even for some of the people on the other side of the aisle.

Mr. Speaker, in closing, let me just say that the Bush administration's National Park Service says that this is a good idea. It was good enough for them. It should be good enough for you. Defeat this motion and vote for the bill.

PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Mr. Speaker, isn't it true that the majority leader and the Speaker of this House could call a vote at any time on increasing U.S. oil production to lower the gas prices for Americans?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his first parliamentary inquiry.

Mr. WESTMORELAND. Mr. Speaker, if this motion did pass, it could be recommitted back to the—and I doubt it will—it could be recommitted back to the committee from which it came and brought forth on the next legislative day.

The SPEAKER pro tempore. As the Chair reaffirmed on November 15, 2007, at some subsequent time, the committee could meet and report the bill back to the House.

□ 1930

Mr. FRANK of Massachusetts. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Speaker, is asking the same unfounded inquiry repeatedly a violation of the House under dilatory tactics?

The SPEAKER pro tempore. Recognition for parliamentary inquiries is within the discretion of the Chair.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. WITTMAN of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered, and the motion to suspend with regard to House Concurrent Resolution 295.

The vote was taken by electronic device, and there were—yeas 188, nays 227, not voting 19, as follows:

[Roll No. 506]

YEAS—188

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

NAYS—227

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

NOT VOTING—19

Barton (TX)
Boswell
Capps
Cubin
Gilchrest
Green, Al
Issa
Johnson, E. B.
Lucas
Miller, Gary
Murphy, Tim
Peterson (PA)
Rush
Saxton
Scott (GA)
Shimkus
Smith (TX)
Stearns
Wilson (OH)

□ 1947

Messrs. STUPAK, NADLER and HOYER changed their vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 506, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 242, nays 175, not voting 18, as follows:

[Roll No. 507]

YEAS—242

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin

Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Foster
Frank (MA)
Frelinghuysen
Giffords
Gillibrand
Gonzalez
Gordon
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—175

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ryan (WI)
Sali
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (NJ)
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Barton (TX)
Boswell
Cole (OK)
Cubin
Gilchrest
Green, Al
Johnson, E. B.
Lucas
Miller, Gary
Peterson (PA)
Royce
Rush
Saxton
Scott (GA)
Shimkus
Smith (TX)
Souder
Stearns

□ 1954

Mr. INGLIS of South Carolina changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Speaker, on rollcalls Nos. 505–507, I was unavoidably detained. Had I been present, I would have voted on rollcall No. 505, Boyda—"yea"; rollcall No. 506, Wittman—"yea"; rollcall No. 507, Passage—"nay." I was unavoidably detained.

EXPRESSING APPRECIATION OF CONGRESS TO THE FAMILIES OF MEMBERS OF ARMED FORCES

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. 295, 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 Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 295.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 19, as follows:

[Roll No. 508]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
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, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick

Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Barton (TX)
Boswell
Cubin
Cuellar
Dicks
Gilchrest
Green, Al
Johnson, E. B.
Lewis (GA)
Lucas
Marshall
Miller, Gary
Murtha
Peterson (PA)
Rush
Saxton
Scott (GA)
Shimkus
Wittman (VA)

□ 2000

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.

Stated for:

Mr. WITTMAN of Virginia. Mr. Speaker, on rollcall No. 508, I was unavoidably detained. Had I been present, I would have voted "yea."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 415, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

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

There was no objection.

COMMUNICATION FROM STAFF MEMBER, THE HONORABLE NANCY PELOSI, SPEAKER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from Nicole Sarabia Rivera, Field Representative/Caseworker, Office of the Honorable NANCY PELOSI, Speaker of the House:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 2008.

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

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have received a civil trial subpoena for documents and testimony, issued by the Small Claims Division of the San Francisco Superior Court.

After consulting with the Office of General Counsel, I have determined that compliance with the documentary aspect of the subpoena is consistent with the privileges and rights of the House, but that compliance with the testimonial aspect of the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

NICOLE SARABIA RIVERA,
Field Representative/Caseworker.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND POLAND ON SOCIAL SECURITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–133)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1)), I transmit herewith the Agreement Between the United States of America and Poland on Social Security, which consists of two separate instruments: a principal agreement and an administrative arrangement. The agreement was signed in Warsaw on April 2, 2008.

I The Unite States-Poland Agreement is similar in objective to the social Security agreements already in force with Australia, Austria, Belgium, Canada, Chile, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Korea, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The United States-Poland Agreement contains all provisions mandated by section 233 and other provisions that deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4).

I also transmit for the information of the Congress a report prepared by the Social Security Administration explaining the key points of the Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and the related administrative arrangement. Attached to this report is the report required by section 233(e)(1) of the Social Security Act, a report on the effect of the Agreement on income and expenditures of the U.S. Social Security program and the number of individuals affected by the Agreement. The Department of State and the Social Security Administration have recommended the Agreement and related documents to me.

I commend to the Congress the United States-Poland Social Security Agreement and related documents.

GEORGE W. BUSH.
THE WHITE HOUSE, *July 16, 2008.*

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–134)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2008.

Today, Liberia continues its peaceful transition to a democratic order under the administration of President Ellen Johnson-Sirleaf. The Government of Liberia has implemented reforms that have allowed for the removal of international sanctions on Liberian timber and diamonds, and Liberia is participating in the Kimberley Process Certification Scheme and the Extractive

Industries Transparency Initiative to ensure that its natural resources are used to benefit the people and country of Liberia, rather than to fuel conflict. Charles Taylor is standing trial in The Hague by the Special Court for Sierra Leone. However, stability in Liberia is still fragile.

The regulations implementing Executive Order 13348 clarify that the subject of this national emergency has been and remains limited to the former Liberian regime of Charles Taylor and specified other persons and not the country, citizens, Government, or Central Bank of Liberia.

The actions and policies of former Liberian President Charles Taylor and other persons—in particular their unlawful depletion of Liberian resources, their trafficking in illegal arms, and their formation of irregular militia—continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies pose an unusual and extraordinary threat to the foreign policy of the United States, and for these reasons, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 16, 2008*.

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.

ASSAULT ON THE CONSTITUTION

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 Supreme Court Justices decide cases based upon the cold written record of proceedings at the trial court. Eight of our nine Justices have never tried a case before a jury. Only one has in some very limited way. For the most part, they have been isolated from the real world all of their lives. They have dwelt in legal theory and constitutional construction, reconstruction and constitutional destruction during their entire judicial careers. They've not heard a witness testify or a defendant plead his case or have had to empanel a jury or have had to listen to little girls testify about graphic, brutal sexual assault.

The Constitution, especially the Bill of Rights, is not that complicated to most Americans, though we keep seeing the Star Chamber court of five Justices on the Supreme Court rule the opposite of the obvious meaning of the Constitution. The Supreme Court, especially recently, makes the Constitution, which is simple, complicated. They do so to twist and turn the Constitution to mean what they want it to mean.

At least five Justices follow the doctrine of former Chief Justice Charles Evans when he said arrogantly in 1935, ''We are under a Constitution, but the Constitution is what [we] the judges say it is.''

This is especially true in the case of Patrick Kennedy versus Louisiana. Here are the facts of that case: Patrick Kennedy sexually assaulted his 8-year-old daughter. So brutal was the attack that she nearly bled to death. She has had to have reconstructive surgery, and her life was only saved by the medical personnel who rescued her. Louisiana and a handful of other States have said that the death penalty is warranted when a person like Patrick Kennedy rapes little kids, especially little girls.

The Supreme Court, with Justice Kennedy writing the opinion, says that that just isn't fair to the criminal in this case. He overruled the will of the people of Louisiana, the legislature of Louisiana and the unanimous jury, who all found that Patrick Kennedy should be executed for his crime. Justice Kennedy reasoned that, since the victim lived, the defendant should not get the death penalty. However, there is no logic in that argument.

The victim, certainly, could have died. If medical people hadn't saved her life, she would have bled to death. She required reconstructive surgery that she will live with for the rest of her life. So the defendant gets a break: the right to live because the hand of God and the hand of the medical personnel saved the life of the victim.

What Justice Kennedy misses is that Louisiana punishes the act of the assault—raping little girls. That's why Louisiana has executed or has written the death penalty into its law. Whether the victim lives or dies should not be a requirement to face the death penalty in Louisiana. The act of child rape alone is dastardly enough to deserve the ultimate punishment.

But, in Justice Kennedy's mind, death must result or it is cruel and unusual punishment under the eighth amendment in our Bill of Rights. Kennedy says the trend is away from the death penalty for anything but murder cases. He is wrong. For these six States that have the death penalty for child rape, these statutes are relatively new, and even our Code of Military Justice now allows the death penalty for child rape if anyone in our military rapes someone on a post or on a base.

Justice Kennedy also says it's not civilized to execute Patrick Kennedy. It's a violation of the eighth amendment. It's just not moral. But what is civilized or moral about now sending Patrick Kennedy to prison? How is that justice to Kennedy or to the victim to let him live?

Now he will be in prison at taxpayer expense at $40,000 a year. He will receive free medical, free Internet. He will have no responsibility. He will receive free legal services. He will receive three hot meals a day and a place to stay as long as he shall live. Is that justice? I think not.

We don't promise that to anyone. We certainly don't promise that to crime victims, because they're basically on their own after a crime is committed. Only the worst people among us get that benefit of our society, and those are child rapists.

Justice Kennedy's opinion is his own moral judgment. His opinion is not any more valuable than my opinion or my next-door neighbor's opinion for that matter. The difference is his opinion is the only one that counts under our Constitution. His opinion, as Justice Evans says, is the Constitution whether we like it or not.

Justice Kennedy is wrong. As my friend Alton Richards, a ranch foreman, has said, ''Patrick Kennedy is wasting good air breathing.''

Victims are denied equal protection under the Constitution because Justices like Kennedy prefer to pander to child rapists rather than to give equal protection to little girls. The same Constitution that protects people like Kennedy should protect the rights of child victims.

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ON THE UNITED STATES ROLE IN THE WORLD

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

Mr. SKELTON. Mr. Speaker, I rise once again to discuss the need for a comprehensive strategy to advance U.S. interests in the world. Last week I delivered two addresses on this topic. In the second speech, I argued that our understanding of the role the U.S. should play in the world is a foundation of our strategy. It will define our vital interests, and it will condition the means we use for advancing those interests.

Today, the United States is the world's dominant economic, political, and military power. There is no peer or near-peer competitor to us, nor does one appear likely to emerge in the near future. Some have characterized the U.S. as a hegemonic power or as the world's policeman, both those who approve and those who disapprove of such a state of affairs. President Clinton, echoing Winston Churchill, eloquently described a vision of the U.S. as ''the indispensable nation,'' not a world hegemon but a consistent and ever-present ally and arbiter acting around the world.

Still others advocate that the U.S. withdraw from a place of central prominence on the world stage to avoid the costs and implicit responsibilities of that role. I believe the U.S. should remain the world's indispensable nation and in a later speech, I will discuss the

ways in which this role should inform the formulation of our comprehensive strategy, but first let me discuss the other options.

Those who would have us significantly reduce our role on the world's stage cannot provide a credible description of who or what would replace the U.S. in the role of world leadership. The U.N. is not up to the task, nor is there any other international organization. As already mentioned, there is no other country in a position to fill the role of world leadership.

To embrace such an approach, we would have to accept that significant portions of the world would simply be left to their own devices. Yet we know that places as remote as the Hindu Kush are home to those who would attack us and our allies. What other corner of the world, then, do we judge to be so distant and so remote as to be beyond our interest? And how would world fault lines, such as the Taiwan Strait, the India-Pakistan Line of Control, and the Israeli-Palestinian conflict respond to a world leadership vacuum? The answer is, not well. In short, for the U.S. to abdicate its position of world leadership would be highly detrimental to our national interest.

What then does accepting a role of world leadership entail? And if it is a current necessity, is it an inherent good to be indefinitely maintained? In other words, should the U.S. view our position as world leader as so necessary to our security that we act largely to maintain this position, which is the primary characteristic of a hegemonic power or empire? Again, the answer is no. To do so is to put our national interest in opposition to the national interests of much of the rest of the world. It is inconsistent with the desires of the American people, with the extent of the costs they're willing to bear for world leadership and, I would argue, with our sense of morality and fair play. Our vital interests should be defined as suggested by President Clinton, by our role as the world's indispensable nation: taking a leadership role in advancing and protecting our interests around the world in concert with our friends and allies as part of an open and evolving international system that is fair to all nations. To do so, we must restore the prestige and credibility of the United States, and repair and rebuild the relationship with our major international partners. With this role as our goal, we can define those interests critical to achieving it, and develop and adopt an appropriate strategy.

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.)

IT IS TIME TO HELP AMERICANS WITH GAS PRICES

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

Mr. MCHENRY. Mr. Speaker, the American people are hurting with the cost of gasoline at the pumps, the rising price at the pumps, a weak economy that we're facing nationally and pending tax increases, a housing crisis that's facing many Americans, the struggles we've had in western North Carolina with bad trade deals.

Mr. Speaker, the American people are hurting, and it is because of rising prices at the pumps. That is the most egregious and powerful punch that this Democrat Congress has laid before the people of America.

There are some in this House that have been advocating for increasing the supply, making sure that new oil refineries are online, new American production of oil and natural gas. Then we have those, mostly liberals in this House, mostly Democrats, that say, No. We don't want any new production. No. We will side with the extreme environmentalists, not with American people who are screaming. They will support the screaming environmentalists rather than the families that are screaming, screaming when they take their kids to school, screaming when they just go out for a Saturday afternoon.

I will tell you the American people need help when it comes to the price of fuel. And this Democrat Congress has abdicated its responsibility in this role. The American people will be furious when they find out that we have American resources that can be tapped into. And so many of us, my colleagues and many in this House, have been advocating more supply. And yet the Speaker of the House will say, No, we don't want new American supply. That won't do anything to the price of gasoline at the pumps.

Well, just this morning, the Chairman of the Federal Reserve, Ben Bernanke, testified before the Financial Services Committee. And in answering a question about the cost of price at the pumps, the question was posed to him, ''Would increasing supply cut the price of gas at the pumps?'' His response—here. I have blown it up large so that my Democrat colleagues can read it. The Chairman of the Federal Reserve said, ''A 1 percent increase in supply could lower prices by as much as 10 percent.'' A 1 percent increase in supply could lower prices by as much as 10 percent. This was the testimony, as of this morning, in front of the Financial Services Committee.

This is a very important thing for this Congress to understand, that if we allow for more exploration here that has been prevented by law, it can bring down prices.

Now, I'm not a newcomer to this. I have been advocating things from my first days here in Congress. I think we need to have an American energy policy that is multi-tiered. First, we need to have new refineries. We also, along with that, have to have new domestic exploration of oil. That can be done off the deep waters of our coast. It can be done in remote areas of Alaska, such as ANWR. It could be done in the Rocky Mountain West with oil shale production. These things can be done if Congress acts. And I think it's high time Congress acts with the price of gasoline over $4 a gallon in western North Carolina.

But that's not it. We can't just stop there. Certainly it will bring down prices, as the Chairman of the Federal Reserve said, if we increase that production. But we have to go a step further. We have to ask the American people to conserve energy. Conservation is not a means to American energy independence, though it is a sign of personal virtue. But it can help on the margins. And it can help family budgets across western North Carolina.

But beyond that, we have to heavily invest in alternative sources of energy. There will be a day when our economy is powered by alternative sources of energy. Whether it's an electric car or hydrogen-powered automobile, a natural gas-powered automobile, or even perhaps some nuclear-powered device, these things are possible and we have to heavily invest in that. But until that day comes, it is imperative that this Congress act and act now for American energy independence through domestic energy exploration. American oil, American natural gas, that creates American jobs and keeps wealth here in America.

Mr. Speaker, it is time this Congress acts, and it's time that we take the proper steps to help the folks across America who are struggling with high gas prices.

HONORING TONY SNOW

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

Mr. BURGESS. Mr. Speaker, I come to the floor tonight to honor the memory of Tony Snow, commentator, news anchor, White House press secretary, a husband and father. The great American. We lost Tony this last weekend, and it's a tremendous loss for his family, for his colleagues and indeed, for the Nation.

It's also a great loss for humanity at large. Since Tony lost his battle with cancer on July 12, many Americans have heard stories about his wit, his humor, and his devotion to his family. I have a story of my own that I would like to share about Tony, a story that shows that Tony was very much a man of his word.

Mr. Speaker, there are certain privileges that come with being a servant here in the people's House. For me, one of those privileges is from time to time being able to go to 1600 Pennsylvania

Avenue. Whether it is a meeting or a social event, a trip to the White House is always a big deal. It's always exciting.

It was on one of those trips to the White House that I had the great fortune to meet Tony Snow. I didn't set out to meet Tony Snow that day. It happened because I had something that I had been asked to share with the President. It was a letter. It was a letter brought back by a soldier from Iraq. It was a letter that was handwritten by an Iraqi woman. It was a letter that was taken to this soldier early one summer Iraqi morning, the heat, the dust, the barriers, the wire; and this woman made her way up to the checkpoint and handed this letter to the soldier and said, Can you get this to President Bush?

The soldier lived in my district back in north Texas. So after he came home, he brought the letter with him, and he was determined to get it to the President. And he did what anyone else would do with a letter to get to the President; he brought it to the town hall where his congressman was speaking and handed me the letter in front of a great number of people and said, ''Can you please help me get this letter to the President?'' Of course I said I would. But I didn't really know how I was going to do that and brought the letter back to Washington.

I worked with the White House congressional liaison, but I wasn't really getting the letter to where it needed to be. So we had the White House picnic scheduled, and at the last minute, I put the letter in my pocket. I said, Well, if I see the President, I will hand the letter to him personally. But as is usually the case, you go to one of these events and the President is absolutely mobbed by people, and I honestly just didn't think I could get through the swarm of individuals that were lining up to have their picture made with the President.

So I turned around, and there was Tony Snow. I didn't know Tony, but I walked up to him and struck up a conversation. And he was very happy to oblige. He was warm, he was witty, certainly very, very easy to talk with. He was a larger-than-life press person, a pundit, a press secretary, having just a pleasant and regular conversation with a very freshman congressman from Texas.

It dawned on me that day that Tony might be the right person to whom to give this letter to take to the President. I asked him. I said, I have a letter that a soldier asked me to deliver to the President that was given to him by a woman in Iraq. Do you think you can help me? He said of course he would take the letter, and he'd be happy to see that it got into the hands of the President.

Now, that was the White House picnic in June. Many, many months went by, many, many weeks went by, a couple of months went by. I didn't hear anything, and I really wondered what had happened to that letter, if it had ever gotten to where it was intended to go.

And then at another event right at the start of school in September back in my district, the same soldier came up to me at a Chamber of Commerce breakfast. Again, a lot of people around, and very excitedly said, ''I just want you to know what you have meant to me getting my letter to the President.'' And I was somewhat taken aback because I didn't know the President received the letter. He said, Oh, yes. They called me from the White House. They identified themselves. At first I thought it was some of my buddies that were kidding with me. But in fact the letter had gotten to the White House. The President called me and thanked me for it. In the letter, the woman had thanked the President for everything he had done for the Iraqi people and said she was praying for him every day, and the President was deeply touched by the woman's words.

Now, Tony Snow did not have to take that letter from me that day. He didn't have to deliver it to his boss. He didn't have to take it to the President. But that's just the kind of person he was: honest, decent, and a man of his word at all times.

Well, certainly for me it was a great honor for me to meet Tony Snow that day. Certainly the country again mourns his loss, and I just wanted to bring to the floor this evening one of the other stories of what a great American Tony was and how much, as a country, we will miss him and honor his memory.

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AIR FORCE GENERAL MOSELEY AND SECRETARY WYNNE SHOULD BE HONORED, NOT FIRED

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

Mr. STEARNS. Mr. Speaker, the June 5 forced resignations of Air Force Secretary Michael W. Wynne and Chief of Staff General T. Michael Moseley represent the first time in United States history the top uniformed and civilian leaders of any service were ousted simultaneously. The actions of Secretary of Defense Gates are totally unprecedented and deserve deeper scrutiny and inquiry.

Successful leaders must focus on today's problems while simultaneously anticipating future challenges. The tenures of Moseley and Wynne were defined by these characteristics. They cultivated a service that was second to none.

Moseley and Wynne developed and employed new technology, such as the unmanned aerial vehicles that are yielding unparalleled effects on the battlefield. They also recognized that the Air Force has to adapt to a changing world, and they directed the service to build competencies in new areas such as cyberspace and alternative fuels. And finally, Wynne and Moseley took action to re-capitalize the Air Force's aging fleet with a wide array of assets, including the tanker, the F–22, and the next generation bombers. These are steps that will prove essential as the service confronts future challenges.

Secretary Gates' real reasons for the firing of Secretary Wynne and General Moseley may never be known. However, I have come to believe that his stated reasons do not necessarily match up with reality. The publicly stated reason was primarily because of the violation in sending nuclear control units to Taiwan. Perhaps the real reason for the firings is because of disagreements on the strategic defense of this Nation.

The parts that were in violation were removed from the nuclear control list in 1991. The parts shipped were just special lamps. Moseley and Wynne had approved a correction on this matter and were spending over $1 billion to make those corrections. If Secretary Gates, or others in the Pentagon, had some concerns, they could have voiced those concerns much earlier.

In addition, it is important for the Secretary to release the full report by Admiral Kirkland Donald, who investigated the case of the mistaken shipment to Taiwan. Admiral Donald's findings directly led to the firing of Moseley and Wynne, and the report should be made public as soon as possible. I call on the Secretary tonight to make this report public.

Now, there have been reports that Moseley and Wynne constantly clashed with the Secretary of Defense's office over greater procurement of the F–22. In order to avoid a showdown with the Air Force, the Defense Department decided that instead of closing down the F–22 line, it would restrict how many planes the Air Force could buy and leave the ultimate decision to the next administration.

The F–22 will serve as replacements for the aging F–117s and F–15s. The Air Force needs a minimum of 381 F–22s to fill out its 10 air and space expeditionary forces. However, it has been authorized funds for only 183. As a result, the Air Force must keep selected F–15s and F–16s in service much longer than had been expected. Mostly and Wynne fought hard for the F–22 against the wishes of Secretary Gates and his office.

Now, considering the impressive record of General Moseley and Secretary Wynne, one must ask why they were forced to resign. While I certainly understand and share the Secretary's concern regarding the Air Force's control over its nuclear inventory, I think the reason for the firings extends far past his publicly stated reason.

We had a clash of philosophies here. Moseley and Wynne were not leaders that were content with simply toeing the line for today. They were pushing

hard for the future. This garnered much criticism, with many suggesting that it is impossible to adequately focus on today's challenges if one is also thinking about the future. That's what Secretary Gates believed. He even went so far as to deliver a speech where he disparagingly termed this concept as ''next-waritis.'' Is it not the responsibility of the Secretary of Defense to plan for the future defense of this Nation?

Many mistakes that Moseley and Wynne were blamed for can be laid squarely at the feet of the Pentagon leadership. Without a real commitment from the Secretary of Defense' office, many of those problems will persist. To ignore this trend is simply irresponsible. General Moseley and Secretary Wynne understood this. Unfortunately, it led to their dismissal.

Responsible military leaders do not have the luxury of focusing on the present at the expense of the future. Failure to anticipate, adopt and learn lies at the core of military disasters. Given the stakes, "next-war-it is" is a sacred duty, not a reason for decapitating the leadership of the Air Force. History has taught us repeatedly that those who solely fixate on today's problems will be woefully unprepared to address tomorrow's challenges. Iraq and Afghanistan are obviously important, but we must also respond to global trends and realize that future wars may not always mirror our past conflicts.

We must support our military leaders who aggressively tackle the challenges of today and tomorrow. Firing Moseley and Wynne for taking this comprehensive view is simply irresponsible and sets a disastrous precedent. Instead, we owe them a debt of gratitude for all they did to help win today's fight and help the nation posture for the future. They understood the complex array of challenges facing the country and I stand resolute in my support for continuing this encompassing approach—the nation cannot afford to consider any other option.

Many of the mistakes that Moseley and Wynne were blamed for can be laid squarely at the feet of the Pentagon leadership. Without a real commitment from the Secretary of Defense's office, many of these problems will persist. We cannot ask aircrews to fly in combat missions if their airplanes are falling out of the sky due to structural fatigue. We cannot afford the cost of inefficiencies within the Department of Defense that is created by unnecessary overlap in roles and missions. We cannot ask our Airmen to undertake missions if they are not supported with adequate budgets to facilitate those missions that we as a nation ask them to fulfill.

To ignore these trends is simply irresponsible and could prove devastating for the nation. It takes an immense amount of time, planning, and resources to posture for these challenges and we will not have the luxury of any of these elements when what was once a seemingly distant future threat becomes a critical challenge for today. General Moseley and Secretary Wynne understood this. Unfortunately, it led to their dismissals.

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

(Mr. CALVERT 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 Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENERGY SOLUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. BACHMANN. Mr. Speaker, I thank you for that designation of hour, and the purpose for being here this evening is to focus on the number one issue that many of us are hearing from our constituents back home, and that's the pain that they're feeling over the increase in energy prices.

There are a number of us here that are serving in the United States House of Representatives that are hearing the American people, Mr. Speaker, and we are crying out, as our constituents are crying out, to make sure that something can be done.

And the reason why we're bringing this discussion here before this body, the most magnificent body on the planet, the floor of the United States Congress, where freedom reigns, we're bringing this up here because the United States Congress is the entity that caused the current problem that we're under, and let me explain why.

The United States Congress has made it virtually illegal to access America's rich storehouse of energy resources. I know it's hard to believe, Mr. Speaker. It's almost impossible to believe. Why would any group of people, especially in a country where there's freedom, want to restrict access to energy resources? It doesn't make any sense.

So a number of us are here this evening because we want to talk about the possibilities that there are to have energy independence in the United States and to reach the very possible goal of getting back to having Americans pay $2 a gallon or less.

So, to start off this evening, I'd like to call on my colleague and I'd like to defer to him, Mr. PATRICK MCHENRY from the great State of North Carolina.

Mr. MCHENRY. I thank my colleague for yielding, and Congresswoman BACHMANN, thank you for your leadership here. This is your first term in Congress. To take such an active role on energy policy is very helpful, not just for Minnesotans but for the rest of the country as well. Thank you, and thank you for hosting this hour as well.

I think it's important that the American people understand what's happening in terms of energy policy. This challenge was not created overnight, nor will it be fixed overnight. But we have to take steps now to make sure we have an American energy independence day in the future. And what we can do now to decrease the price at the pumps is to increase supply. I think the American people understand the laws of supply and demand, but let's

talk about some of the basics of energy.

First of all, the American people, we consume about 20 million barrels per day; yet we only produce roughly 6 million barrels a day of oil. Now, what that means is we have to import the majority of our oil. Now, that's a dangerous position to be in.

Two of the largest countries we have to import oil from are Venezuela and Saudi Arabia. We know through Hugo Chavez in Venezuela that they're not allies. We also know through terrorist attacks around the world that the Saudi Arabians are not allies either, though they may say it.

Now, this puts us at great risk, not just in terms of our national security because we have to import the fuel from overseas, but it's also a matter of economic security, which we're facing right now.

And folks from Western North Carolina where I represent, they're hurting. The American people are hurting. We're in an economy fueled by oil. It means that every product delivered to market has to be on a truck, a plane, a train, some sort of oil-powered transportation.

Now, that's a risky position we have to be in. So what we have to do now are take positive steps to increase American energy production. How do we do that? Well, we have to streamline the process for licensing so that the oil companies can go out and actually explore areas within Federal control, for instance, off the Outer Continental Shelf. That's an area in the deep waters off the coasts of North Carolina, across the eastern seaboard, off the coast of Texas and the gulf coast region. It's also off the west coast as well.

We have large supplies of oil that have been taken off-line due to congressional action. These areas have been off-line for energy exploration and production. So that means that we can't get oil out of those areas; though, we know oil is there.

We also have areas like remote areas of Alaska, for instance, that are off-line for energy exploration and production. We also have a resource called oil shale in the Rocky Mountain West. We have three times the reserves of Saudi Arabia tied up in oil shale. We have oil here in the Rocky Mountain West that we just need to be able to tap, but Congress has made a law preventing us from doing so.

Now, you can see and the American people can understand and do the math here; yet it's congressional action that's preventing us from being independent when it comes to energy, especially oil.

We also have challenges with natural gas, but going through all this, we understand that we have to increase American production of oil.

In World War I, we produced 67 percent of the world's oil, during World War I. Less than 100 years ago, we produced two-thirds of the world's oil here in the United States. You know, we also invented drilling of oil. We invented the oil derrick here in the United States. We developed the technology, even the drill bit, and everything used to produce oil was originally an American invention, which brings me to the next phase here.

We have to use American ingenuity to go that next step beyond oil, to go that next step beyond natural gas. We can do that. The American people, we have brilliant minds here, brilliant minds. We have to unleash those brilliant minds on this challenge that we have in an oil-powered economy, and we have to break this monopoly that oil has on all that we do as Americans.

And the way we do that, I have a piece of legislation called the Independence Prize. It's a $1 billion prize for a private sector innovation for an American company to produce an American idea that makes us energy independent as Americans. How wonderful is that? We could unleash the private sector on a large public policy issue and thereby take that next step away from oil and natural gas to some future form of energy.

Now, until that day comes, when we have some new American idea to power our economy, we must make sure that we have energy exploration and refining here. We also have to make sure that we use coal. We also have to make sure we use nuclear power. We have to use the resources that God gave us here in the United States.

□ 2045

And if we do that, we can be energy independent.

But we have to have the will of the American people behind us. In the most recent poll, 73 percent support Outer Continental Shelf drilling and energy exploration. Now, that means the American people are behind more energy exploration. The American people also want wind and solar and biomass and all sorts of alternative energy sources to power our economy. And we should do all of those things.

Now, my strategy, and I think the conservative solution—and the American solution, better yet—is to do all of the above when it comes to energy. It's a massive problem. We have to have a massive answer to this by taking every answer possible and pursuing them all.

We're a great Nation, the strongest economy in the world, though we're facing enormous challenges right now brought on by high gas prices and some other challenges. But with the power that we have of the American people, by American ingenuity we can be energy independent. We can increase supply of oil in the meantime to bring down the price of gas at the pumps.

I'm so grateful that my colleague, Congresswoman BACHMANN, is hosting this hour to ensure that the American people can hear directly what we're facing here in Congress. And it is the liberal Democrat-controlled Congress that refuses to bring up legislation that I've outlined and that Congresswoman BACHMANN will be talking about this evening.

Now, it's the failure of action that has resulted in high gas prices. And it's high time Congress acted so we can actually become energy independent as Americans.

Thank you, Congresswoman BACHMANN.

Mrs. BACHMANN. I thank the gentleman. I appreciate, Congressman MCHENRY, your passion, your work on the issue, particularly the work that you are doing offering that spectacular prize.

One thing that we do understand and know in the depth of our bones is that American innovation has never died, it has always been alive and well. And when you hold that tremendous carrot out there, we know the American people can deliver, Mr. Speaker. That has been proved generation after generation. Every generation has been presented with a crisis.

Today, in the United States, this Special Order hour and the speakers who will be speaking now during this time are addressing the number one challenge of our age. And the great thing is the fact that we have an answer. It's entirely possible to solve this crisis. And we know the formula: It's explore here in America. Do it now so that the American people can get back to paying $2 a gallon for gas or less. It's entirely possible, and it can be done.

That's why so many of us are excited. This coming weekend the Republican leader, JOHN BOEHNER, will be hosting a trip with about 10 freshmen, and we will be doing an American energy tour. On that tour, we will have a chance to go to Golden, Colorado to take a look at the national alternative energy laboratories, where we can find some of the ideas of the next generation, innovation that is yet to come on energy use and independence. And from there we will go up to Alaska, to ANWR, where there are proven reserves.

To speak out more on ANWR tonight, I've asked, and he has accepted, the Representative from western Iowa, Representative STEVE KING, who has been to the ANWR region of Alaska, who has been there, who knows the value of energy independence.

Before I yield to my brother, I want to just highlight today in the Financial Services Committee—of which I am a member and of which Congressman MCHENRY, who was here speaking before myself, is also a member—we had the occasion to have the Federal Reserve Chairman, Mr. Ben Bernanke, in front of the committee today. And for all of us this was an enlightening moment because the Federal Reserve Chair stated without blinking an eye today in committee, he said, ''A 1 percent increase in supply of energy''—American energy—''could lower prices by as much as 10 percent.''

Mr. Speaker, this is the Chairman of the Federal Reserve Board, who told

our Committee on Financial Services that if you increase the source of American supply by even 1 percent, you can lower the price at the pump by 10 percent. Well, Mr. Speaker, the Republicans in the United States House of Representatives want to increase American supply vastly more than by 1 percent. We can do that, and we can get back to $2 a gallon of gasoline.

So now I would like to take the opportunity, Mr. Speaker, to yield to my colleague, the esteemed Representative STEVE KING from western Iowa, on the issue of ANWR.

Mr. KING of Iowa. I thank the gentlelady from Minnesota. Thanks for organizing this Special Order and thanks for taking a leadership role on this energy issue and a number of other issues and establishing yourself here in the United States Congress.

The issue of ANWR is something that I've talked about some in the past. And I will try to confine my discussion to ANWR, the Arctic National Wildlife Refuge.

And I will start this way: A couple or 3 years ago I was at the Iowa State Fair where they asked us, as elected representatives, to give a 20-minute speech while the press listens to the 20-minute speech, then they write some stories about what we said and we get into the news. So Members of Congress line up there and candidates line up. And I drug a bale of straw down to stand on.

And so I was standing there on a bale of straw at the Iowa State Fair, and I began to tell people about ANWR, the Arctic National Wildlife Refuge. And one of the things that I said was, there are no trees in ANWR. And if you've seen a commercial, perhaps a commercial published by the Sierra Club, that shows or imagines a pristine alpine forest, if you see a picture of a pristine alpine forest and people are telling you we can't drill in ANWR, I can guarantee you it's not a picture of ANWR. It's not a picture of the Arctic National Wildlife Refuge.

The first thing we need to remember is that ''arctic'' means up in that area north of the Arctic Circle. The definition of the Arctic Circle is—go back to your eighth grade general science, Mr. Speaker, and ladies and gentlemen, where we learned in about eighth grade that the Arctic Circle is that circle around the globe north of which trees can't grow. And so, by definition, if it's the Arctic National Wildlife Refuge, there are no trees up there.

And so, in any case, there was a trucker standing in the crowd that began to scream at me, ''liar, liar''—which is no way to treat a public servant. And I was ready to come down off of that bale of straw and deal with him like the boys who grew up in the corn fields, but in the end I convinced some other folks to go down there and do what I would do if I didn't have to give the speech.

And the paper wrote up a story about how Steve King wasn't entirely accurate because they talked to a botanist who alleged that there was a tiny little sliver of plant that grows within the tundra that doesn't get more than 10 to 12 inches tall that technically could be considered a tree, not one you could cut a log out of, not one you could climb, not one that a squirrel would recognize as a tree, but according to a botanist, a tree just the same. So I guess you could say that maybe there are some trees in ANWR, but they aren't as tall as the tundra grass. And that's all that you'll see out there for millions and millions of acres.

Part of it's the Brooks Range, a lot of it is mountainous, mountainous bare stone with snow that's on it 12 months out of the year 24 hours a day. But we're talking about drilling in the oil deposits in the Arctic Coastal Plain. The Arctic Coastal Plain of the Arctic National Wildlife Refuge people imagine as just teeming with caribou and arctic wolves or fox or whatever they have up there, all of this teeming with wildlife because they've given it a name called the Arctic National Wildlife Refuge.

Well, ladies and gentlemen, and Mr. Speaker, there are 19.6 million acres in ANWR. Most of it is mountainous—and we don't want to go in there, you couldn't get a drill rig in there anyway. We want to drill the Coastal Plain. The Coastal Plain is just a flat coastal plain, pretty close down near sea level. It undulates a little bit, and it has permafrost all of 10 months out of the year. And then when it thaws and when the sun shines and the midnight sun shines on it, it will penetrate down through the permafrost a foot to 18 inches, something like that.

And so we hear people like Senator TOM HARKIN say, I went to ANWR and I camped up in ANWR and I floated a river in ANWR—now I didn't see any rivers there, but I take him at his word—he floated a river in ANWR, and he could dip his cup into the water and take a drink. And he thinks that's pretty nice and we ought to keep it that way.

Well, it still is that way. You can float the rivers on the North Slope of Alaska and dip your cup in the water and drink them and they're just as clean and pristine as they ever were. I would be a little worried about the polar bears walking through it, a little worried about what the salmon do in it, but nonetheless, if you choose to drink out of that river it's going to be as safe for you today as it was 50 years ago or 100 years ago. But that's no reason to deprive the United States of America of energy.

And so, the Coastal Plain of the Arctic National Wildlife Refuge, for example, the North Slope of Alaska, which we've already developed, has a caribou herd there—actually, it has several of them scattered around. In fact, in 1970, when we began to open up the North Slope of Alaska and they said, you'll destroy this environment, and so we can't go up there and drill. And the environmentalists stuck some court injunctions on it and they were successful for 2 years in keeping us out of there.

But when they started that, there were 7,000 caribou on the North Slope of Alaska running around out there, eating the Arctic tundra grass that was there. And then we went ahead and started building the pipeline in 1972 and completed it in 1975—and perhaps I'll go back to that. And then we watched that caribou herd that went from 7,000 head of caribou in 1970 to—about 3 years ago when I did this trip and we had the count—28,000 caribou on the North Slope of Alaska. Well, that would convince me that the environment, if there was any damage up there, surely it didn't damage the reproductive capabilities of the caribou. And I made that statement to a reporter one day, and he said, well, of course there's a lot of caribou on the North Slope of Alaska, that's because the pipeliners shot all the wolves. Now, you've got to be a little bit off on the other side to come to an immediate conclusion like that.

And I can tell the gentlelady from Minnesota and the Speaker, I can tell you that that aim that he took was way off the mark on pipeliners shooting all the wolves that would have eaten the caribou and held the herd down to 7,000 head. That didn't happen. It didn't happen by the pipeliners because I was signed up to go up on that pipeline. And I can tell you what it paid, it was $9.75 an hour in 1972. And we worked seven 14-hour days of the week, and we did that for six weeks. We got 2 weeks off. I didn't get to go because of the court injunction—I was actually signed up in 1970—the court injunction shut down my travels up there. So that was the situation.

And that was a lot of money in 1972. They had to pay that kind of money, $9.75 an hour, then because here were the rules: We're going to hire men to go up there and build these roads and these pipelines and drill these wells and open up this oil field. And the rules are this; first rule is, no women. You have to pay a man a lot of money to go someplace where there are no women. Second thing, no booze. And I'll add a little more to the per-hour scale of that. Third thing, no gambling. Well, it's pretty tough when you've got nothing to do up there, with no booze and no women, to do anything but gamble. The fourth thing was, no guns. So if there's no women, no gambling, no booze and no guns, there were no pipeliners shooting any wolves on the North Slope of Alaska. Therefore, one could conclude, short of another one of those crazy explanations, that the caribou thrived with the new environment that they had, which allowed them to get up out of that ice cold water, where they were dropping their calves during calving time, and up on the dry near the Alaska Pipeline, where it's warm, too.

So what we have is this: We've developed the North Slope of Alaska. We did

that from 1972 until 1975. We built a 600-mile road from Fairbanks North to get up there to Prudhoe Bay and Deadhorse access—milepost zero of the Alaska Pipeline—to build an 800-mile pipeline from Deadhorse on the Arctic Ocean down to the Port of Valdez, drilled a bunch of wells up there, sunk the casings down, cemented the casings and put pumps down in those casings. You can fly over that area today, the North Slope of Alaska, the identical environment and topography of ANWR, and I can take DENNIS KUCINICH up there, my friend, and I would have to point to him and say, here's a well, here's a well. He wouldn't recognize them from the air, even flying along at about 4,000 feet or less, because, first of all, there are no derricks up there, not one. There are only six drill rigs working in Alaska now because of the environmental lawsuits that have shut them down. And so you'll have a hard time finding a drill rig, there won't be derricks in the North Slope.

And when you think of the pump jacks, the traditional oil well pumps that have the counterweight that chug around, they aren't up there either. So unless you're an expert, you're not going to even see where the wells are.

But if you look real close and you know what you're looking for, you will see these work over pads that I judge to be about 50 feet wide and maybe 100 or 125 feet long, big enough to bring a rig up on if you need to pull the pump out. And it's a pad of white rock, maybe three feet thick or so, and they use that in the wintertime, come in on an ice road if they need to work on a well, and go in and pop the cap off and go down and start pulling the pump pipe out, they go down and pull out a submersible pump from down there, work the pump over, put in a new one, drop it in, get the well going again. But there is not a pump sitting above the surface of the North Slope of Alaska that I could find. There may be some out there that I couldn't see.

So what we've done is, in a very environmentally friendly fashion, gone into identical environment and topography on the North Slope of Alaska, developed an oil field with 1970s technology, built a pipeline 800 miles long, built a road 600 miles long to get up there, built a service road alongside that pipeline part of the time—and most of that's ice roads today—got all of that done from '72 to '75, and pumped oil. And yet I stand on the floor of this Congress and I hear people on the other side of the aisle, you and you stand up and say, well, it's going to take 10 years to get oil out of ANWR. And the other night it was 20 years to get oil out of ANWR.

And so I look at that and I think, wait a minute, we had the Manhattan Project. We started after the beginning of World War II to build an atom bomb, a series of them, figure out how to deliver them and how to penetrate the air defenses of Japan. We built the atom bombs, we flew them over Japan and we dropped them on Hiroshima and Nagasaki in 1945. Three plus years to do the Manhattan Project.

And then, what else was amazing? Let's see. It was in 1963, when John F. Kennedy said, hey, let's go to the Moon. That little nudge that he gave in that important speech inspired America and NASA, and 6 years later we're on the Moon with Neal Armstrong. One giant step and we're on the Moon, 6 years.

□ 2100

And they are telling us that we can't build 74 miles of pipeline from Prudhoe Bay, Deadhorse access, east over into ANWR and hook onto some wells that we would sink down and not get oil coming out for a decade or two until another generation has come and gone? That's a defeatist attitude. That's not the America I know.

And there is no argument that the environment was damaged on the North Slope or they would have brought up posters here and put this on the floor over and over again.

So we need to drill ANWR. We need to drill the Outer Continental Shelf. We need to drill the nonnational park public lands. And we need to drill everywhere all the time. It's not an environmental issue. The issue is people that want to ride bicycles instead of drive cars, that's the people on that side of the aisle that are shutting down our access to energy.

I thank the gentlewoman from Minnesota.

Mrs. BACHMANN. Thank you, Representative KING, for your firsthand eyewitness experience of the ANWR area. I know the freshmen that are planning to go this weekend can't wait to get that same bird's-eye view.

Mr. KING of Iowa. Will the gentlewoman yield for just a moment?

Mrs. BACHMANN. Yes, I would be happy to.

Mr. KING of Iowa. Thank you. I had forgotten that you're going, and I am so glad that you're going up there to see it for yourself.

Now, when you get in that 19-passenger twin-engine Grumman and you fly out of Deadhorse and you fly over to Kaktovik, ask that pilot to get down real low and have everybody on that plane looking for wildlife. We did that. We zigzagged around across the Coastal Plain looking for the wildlife.

I forgot to tell you there is no resident caribou herd in ANWR. They live in Canada. They come over to have their calves mid-May until mid-June. When the calves can walk, they go back. It's a kind of migrant maternity ward is what it is. They go back to Canada and live over there, and they're doing fine. So this is after mid-June. So fly around out there and look around for wildlife. What we found when we looked were four musk oxen standing there with their heads down. They wouldn't have known if they were standing next to an oil well or not either.

Mrs. BACHMANN. I thank the gentleman for yielding back.

We are excited about being able to go up there this coming weekend. And just think, here we are at the end of July. The end of July. And when we had our briefing this afternoon, what we were told is that essentially we should be taking with us a waterproof down parka. So this is not necessarily an area where we are going to find tourists lying on a beach. There probably couldn't be a better square footage area on the planet to drill than the ANWR area. And I know the freshmen that are going look forward to having another Special Order when we come back, Mr. Speaker, so we can report to the American people on our findings.

Before I yield to the gentlewoman from Ohio, I just wanted to mention that one argument that we have been hearing a lot from the Democrats who are in charge of Congress—the Democrats control the agenda both in the House and in the Senate. And it's really mind bending to think that the Democrats have taken virtually no initiative whatsoever to add even one new drop of oil into the American pipeline nor one new watt of electricity. It's absolutely true. There has been complete inertia on the part of increasing America's energy supply.

What have we heard from the Democrats? We have heard for a catcall from them that 68 million acres that are leased out right now to companies that want to produce energy in America that apparently, according to Democrats, they're just sitting on that land.

Well, now, first of all, that doesn't make sense. My husband and I are business owners. One thing business owners don't do because there's not a lot of margin, there's not a lot of fluff or paddling left in your business budget, you don't just buy assets and leave them to not produce. It's a nonsensical argument from the Democrats. When they're saying that there are 68 million acres that are being leased, recognize, as the people, and your Federal Government, Mr. Speaker, deal with onshore and offshore leases, they told me this: They said, Representative BACHMANN, every single acre is leased, and every single acre is in the current range of exploration. It takes so long to permit. And then the Federal Government allows 11 different points in the permitting process where lawsuits can be filed against the people who want to produce energy. So these energy producing wannabes are in a very difficult position of putting their capital on the table, their money on the table to try to drill for energy, and at the same time they have to wait for these artificial timelines to expire for a permitting process and they have to deal with these nonstop lawsuits. It's amazing anyone wants to go into the business. And yet, unfortunately, this is the only thing that our colleagues on the other side, the Democrats, have come up with as an excuse on drilling. It doesn't make any sense to me. I'm

sure, Mr. Speaker, it makes no sense to the people who are watching tonight.

So I would like to yield to the gentlewoman from Ohio, Mrs. JEAN SCHMIDT, for her comments now on energy.

Mrs. SCHMIDT. I want to thank the gentlewoman from Minnesota for providing us this hour for a commonsense view on the energy situation and for my colleague from Iowa for his bird's-eye perspective of what it is actually like in Alaska.

Behind me it says $2 a gallon. I wish I could say that it was a long time ago that we saw $2 a gallon at the pump, but it really wasn't that long ago. And that's unfortunate because Americans are feeling squeezed as they see the price at the pump continue to rise.

You know, since the new Congress took over in January of 2006, we have seen an almost 70 percent increase in the price of gas. So that means every time Americans go to the pump, they're seeing more and more of their precious dollars out of their wallet being used for their transportation costs. And this is making them make some really tough decisions.

Discretionary spending is down, which is, in part, affecting our economy. Americans are feeling squeezed, and some are feeling that squeeze when they try to feed their family at the table.

And you might ask what does food cost have to do with petroleum? Well, it has a lot to do with petroleum. Half of my district is agriculture. And I hear from farmers that the cost of producing their crops, their grain, their cattle is rising exponentially.

Mrs. BACHMANN. Reclaiming my time, I had the Minnesota turkey producers in my office just a few days ago, and they told me that their energy prices have tripled this year in three different ways: One is in the area of feed. Another is the climate control that they have to have in the turkey houses. In Minnesota it gets hot and it gets cold. And then the third is on the transporting of the birds both to and from being produced. So they said they're getting hit on every single level. And the Minnesota Farm Bureau was in my office yesterday. They told me the same thing.

It doesn't matter which part of agriculture we are talking about. In Minnesota we have a lot of agriculture. Our farmers are feeling it, and not only are our farmers feeling it, our constituents, every time they go to the grocery store, are feeling it. So I thank the gentlewoman for bringing up this very important point.

I yield to the gentlewoman.

Mrs. SCHMIDT. Exactly. Because everything they do to produce the food at our table has some sort of a petroleum element to it. It's hard to remove the petroleum element from the production of food.

But farmers are not alone in feeling the price at the pump. Governments are also feeling that price, and I think we forget about that. Local governments especially are hard hit with the pain because their ability to garner dollars for their governments are so restricted. When you just think about police departments and how much fuel they use and how much of their budget is now eaten up with the price of fuel, what kind of decisions are they having to make in order to meet their fuel costs?

It's not just the police departments. Think about your road departments. When you put asphalt on the ground, that's petroleum based, and so now you're looking at trying to put new pavement on the ground. You're looking at an exponential rise in the cost of that pavement. What kind of decisions are being made there?

But it's not just that part of local government. Think about our schools and how hard hit our schools are because it's not just in keeping their buses running, which is, again, fuel based, but keeping the lights and heat on in their schools. How much of their budget is being eaten up in operational costs, costs that should be going to educating our children?

But my folks in my district, especially the rural parts of my district, are being especially hard hit, and it's because we don't have the luxury of mass transit when you get to parts of my district like the eastern part of Clermont County and Brown County and Adams County and the rest of the counties out east. So they have to rely on cars to get to their jobs. And when you look at folks in Adams County and Brown County and you look at their average commute to and from work, it's not surprising to see them go over 100 miles a day to and from work just to put the food on their table. And when they see gas prices rising from $2.33, which was the average price of a gallon of gas 2 years ago, to $4.09 a gallon, which is the average price today, you can imagine what kind of a bite that's taken out of many of the folks in my district.

It is our responsibility to address this problem and address this problem now. Our folks are saying they can't afford for us to wait. They can't afford for bickering and partisan politics. They want us to come together and solve this issue. And we can do that. But it requires us to do two things, my good friend from Minnesota. It means increasing the supply and decreasing the demand. And that's what we can do and do now.

When most Americans are asked in poll after poll, they're willing to drill, drill in the Outer Continental Shelf, drill in Alaska. And they understand that we now have technology that is environmentally sensitive to do this.

But it's not just drilling that will solve this issue. We must also decrease demand. And Americans are doing their part. They're driving less. They're conserving their energy. They are doing their part. They are doing what they can because they have got strained wallets. It's up to us to complete the task and do ours. But, unfortunately, this new Congress, with its Democratic leadership, lacks the will to do just that.

It is the middle of July, and we have done nothing to address this situation. Why aren't we looking at drilling and not just drilling but looking at wind, solar, hydrogen, nuclear, all those things that will help us reduce the demand for foreign oil and increase the supply of energy here in the United States?

My dear friend from Minnesota, the American public expects us to act and act now. They are tired of our bickering. They're tired of the partisan politics. I thank you tonight for talking about this critical issue. I am willing to roll up my sleeves. I know you are willing to roll up yours. It is incumbent upon each and every one of us to do our part because we can no longer wait. Thank you.

Mrs. BACHMANN. I thank the gentlewoman from Ohio, JEAN SCHMIDT, for her work that she has done and for listening to her constituents.

I know off the floor we have talked about the beating that your constituents are taking on this issue. I know your heart is breaking for the people back in your district in Ohio. You see the reality of how this is impacting people.

And you spoke about petroleum, how petroleum is a part of every meal that we have. And I know that truckers in Minnesota told me that everything you have on your table takes about on average 1,200 miles in a truck or in some form of transportation to get to that table. So if we haven't seen increases in groceries, and I know in Minnesota we have seen increases in groceries, we are going to continue to see them if we don't solve this problem. We can get back to $2 a gallon gasoline. It's entirely possible because we have the resources.

So I thank you for your fervor on this issue. And I know one thing: Had the Republicans been in control of Congress this year, we would have seen action. We wouldn't have seen inertia. Just like the Republican-controlled Congress passed measures before in previous years to drill in ANWR. Unfortunately, when those measures made it to the Senate, they weren't passed. The one year when both the House and the Senate passed a bill to begin drilling in ANWR, which was in 1995, unfortunately, President Bill Clinton chose to veto that legislation. We would have had all of that oil online and swooshing down the pipeline from Alaska down to the lower 48 so that we could have had that available.

□ 2115

Mrs. SCHMIDT. If we had acted in 1995, look where we would be today. I don't think we would be in this energy situation, this energy crisis that we're in. I don't think we would see a downturn in our economy, because we would be relying on ourselves and not the rest

of the world to keep our lights on. It is incumbent from not just a national security perspective, an economic security perspective, but the perspective of the American public that we act and we act now. I thank you so much for this opportunity.

Mrs. BACHMANN. I thank the gentlelady.

With that, I will yield to the gentleman from Ohio, your colleague, Mr. BOB LATTA, a new Member to this body as I am a new Member to the body, but a longtime friend of liberty and an individual who understands the importance of American energy independence. And I thank the gentleman for his willingness to be a part of this hour this evening.

Mr. LATTA. I thank the gentlelady from Minnesota for this hour and for her leadership on this issue. It is an important issue. It is probably the most important issue facing this Nation today. Our well-being and our economic independence relies upon it. And the other Members that have spoken, the gentlelady from Ohio, the gentleman from Iowa and the gentleman from North Carolina all touched on these major issues that we have to be looking at from ANWR, to drilling, to making sure that we have energy conservation in this country.

So I thank the gentlelady for her time here tonight and for her leadership. The big issue really is this: The people back home understand what the issue is, and Congress doesn't. That is the big issue. We have had many telephone town halls that we have conducted. The people back home, the vast majority of that hour and a half is all dedicated to one thing: What is Congress going to be doing about energy in this country? We have got to be doing something right now.

Why is it important? Because you have to think about a few things. As we have seen in these charts and the graphs tonight, when gasoline is over $4 a gallon, when diesel is over $4.69 a gallon, we are talking energy equals manufacturing equals jobs. It spreads out across the economy. And when you are talking about spreading across the economy, we have people having to pay more and more and more for the energy to put in their vehicles, energy to put in their trucks and tractors and to heat their homes this winter.

We are in trouble because we have been told over and over that Americans aren't saving enough. We're not saving enough. Well, if we are going to put more and watch more of our dollars go overseas, and a lot of people are starting to see the commercials, that T. Boone Pickens is running right now showing how many dollars are flowing out, over 65 percent or 70 percent of every gallon of oil that comes into this country is imported that we are using, 65 percent. That is really a tough thing for us to be doing.

So we have to make sure that the future holds that America can take care of itself. Because we want to make sure that our kids can have a good college education, that people can buy a home, that people can make sure they can save for their future, for their retirement.

But if all we're going to be doing is putting more and more dollars into an envelope and shipping it overseas, that is not the future for America. It has already been stated, we have to produce and we have to conserve in this country. But we can't wait. And it has been talked about earlier, when President Clinton vetoed the bill back in 1995, we would have 1 million extra barrels of oil flowing down here every day, 1 million barrels. But we don't.

And it's also the naysayers saying that, well, it might take time. Well, we don't know how much time we're talking about. We can always say it can take 10 or 15 or 20 years. But it can take a lot less. But that is the spirit of America. If we put our minds to it, we are going to get it done. We're in a crisis. And in a crisis, that is where America shines. So we want to make sure that we start working on this.

The other thing that was mentioned by the gentlelady from Ohio, my colleague, is that when you're talking about all these groups out there, organizations, local government and schools that are being hit hard, one of the things she didn't mention is the volunteer firemen out there. We have a lot of volunteer fire departments across my entire district. We don't have a lot of departments that are there 24 hours a day. And a lot of these volunteers out there are now saying we don't know if we will have enough fuel to get to these fires. Because there is just not enough money. The price keeps going up. They are running at a cash crunch.

We talk about public safety out there that we have to worry about. And we're talking about those volunteer firemen out there that have to make sure that they get that fire truck to that fire in time.

The other thing happening in my district right now is across the entire country. It is wheat harvest time. And so the farmers are out there bringing in that wheat. But again, they're paying a lot of money to do it. And not only once they get the wheat harvested with the combine and with the diesel fuel, but then they have to put it in trucks to haul that wheat to the elevators or wherever it is going to be stored. So again, there is costs involved over and over. It's driving up the price for all of America. We've got to be doing something now. We can't wait.

And again, the folks back home get it. Congress isn't getting it. The Democratic-controlled Congress here has got to realize that the American people are saying we have got to conserve and we have got to drill. We have to make sure that we use the assets we have in this country to do it. And as my district points out, according to the National Manufacturers, we have about the ninth largest number of manufacturing jobs across the entire country. I have the number one agricultural district in the State of Ohio. I have transportation in my district. At one point you can almost be within 60 percent of the United States population in one day's hard drive.

So we have all these things going on. But we're not going to be producing food. We're not going to stay food-independent in this country if we don't do something about this right now. So the time to act is now, not later. When the President just the other day said that he was going to lift the ban on his end on offshore drilling, it is time for Congress to do the same. And I demand that we start working on that to make sure we get that done right now. Because you know what happened right off the bat, the world market said, do you know what? The Americans are serious. The Americans are saying we're going to go out there and drill. That price of oil is starting to go down. It's down about $9 from where it was. But that is because the world is thinking, hey, America might be getting serious about this.

We have all these energy resources out there. As has been pointed out, 10.3 billion barrels in ANWR. And again we're only talking about as the gentleman from Iowa stated, you are talking about a 2,000-acre out of a 19.5-million acre area, a very small footprint that would be confined. It would be an area that we can make sure we get that oil drilled. And we have to do it. We have to get that oil up. We have to get it moving.

The Outer Continental Shelf, we are talking about 420 trillion cubic feet of natural gas. We are talking about 86 billion barrels of oil. What are we doing? Absolutely nothing. It's time to start acting and start acting now, because if we don't, it will be, well, if another year goes by, we can't do it because it will take that much more time. The time to act is absolutely right now. And we have to get it done.

America has so many resources at its disposal. But we're not using them. We've talked about oil. We've talked about natural gas. The other thing up here that has also been talked about a little earlier is oil shale. We are talking about 2.1 trillion barrels of oil in oil shale out West. And what are we doing? Nothing. Congress has to start lifting the restrictions so that America will be energy independent and get it done right now. Because if we don't do it, we can't be held hostage by dictators around the world and also by Middle Eastern oil. It's time to act right now.

And as we also talk about some other things that we have in this country that we want to make sure that we keep using, we have over 24 percent or 25 percent of the world's coal. And what are we doing in this country? Well, we don't like coal. Well, we have an abundance of coal. We can gasify it. We can liquefy it. And we can make

sure it is done in a clean manner and start utilizing it. In Ohio we have what we call ''high sulfur'' coal. It is too expensive to use. Well, not only if we can use it in a clean system what we can do out there with that coal is in a clean system we can put more people to work that want to go out there and mine that coal. We have other people that can transport that coal. So we want to make sure that we have that coal out there for Americans to be using and using it today.

Another area is of course that we have talked a little bit about earlier, we talked about the alternatives, the supplementals. In my district alone, we can talk about several things. Out my back door we have the only four wind turbines in the State of Ohio. We can also use those wind turbines across the country. We can start utilizing them. But we also have other things in my district. We have solar power production. We have folks out there producing and working on getting a hydrogen engine. We have people out there working with ethanol, biodiesel.

So America has all these resources. We are a great country. We can get it done. And I just want to thank the gentlelady from Minnesota again for her leadership on this and for putting this hour on tonight. We have got to get this out to the American people. But it is one of those issues that the people back home are far ahead of us here in Congress. And it's time that the people here in Washington start listening to what the people back home say.

Mrs. BACHMANN. I thank the gentleman from the Buckeye State, Mr. LATTA, for your words because you understand the answer, which the American people get. This is not terribly complicated. This is not difficult to figure out. America has made a big mistake. And it isn't the American people that have made a big mistake. It's the Members of Congress that made a big mistake when they made it illegal, and that's right, the United States Congress made it illegal to access the answer to our energy problem.

Mr. LATTA has laid that case out very well. He has made the case. And he has made the case that we need to change the way we're doing business, and we need to make it legal. And instead of being one of the biggest importers of energy, we can be the biggest exporter. Because it's all about jobs.

And that is why I would like to hand out the baton now to my esteemed colleague from the State of Michigan, Representative TIM WALBERG. Because in the State of Michigan, Mr. Speaker, there is possibly no other State that compares in terms of the misery that they have dealt with with their recession and with the job losses. And I think probably no one can speak to this better than Representative TIM WALBERG and also his esteemed colleague, THADDEUS MCCOTTER.

And now I will yield to my friend, Representative TIM WALBERG.

Mr. WALBERG. I thank the gentlelady from Minnesota for hosting this hour and leading us in it. And you're absolutely right. Michigan is hurting. People are angry. They are fearful. They're worried about things that they seem to feel they have no control over. And this is an issue that is number one on their mind. The bottom line is, they do not agree with the Democratic majority that says that their strategy right now on lowering gas prices is ''to drive small cars and wait for the wind.''

That very week that that statement was made, I was spending some time back in the district, and I had the opportunity to pump gas. I would walk up to a car in a gas station and say, hi, I'm Congressman TIM WALBERG, and if you'll allow me to pump your gas for you, I would like to hear what you have to say about energy, your ideas, your comments, your concerns.

And the talking points came right from my playbook without even indicating to them where I was standing on the issue. The people of Michigan in my district that I talked to, one after another, these were just general random picks at the gas station, said, we need to drill now. We need to drill the Outer Continental Shelf. We need to drill ANWR. We need to use nuclear power. We need to conserve. We need to use biofuels. We need to use wind, solar energy. Across the board, they get it.

And so our agenda as Republicans has been, and I think it needs to continue to be until we get relief and get the answer, agree to, that is to hold a vote to increase the production of American-made energy before we go home for our break. It's the only thing that we ought to do. The people are asking for it. And the leadership, Mr. Speaker, needs, needs to let us have these votes that will allow it.

I talked to a lady at the gas station that I was pumping. And she first said, do you really want to hear my concern? I said absolutely. And she said, I work at the University of Michigan Hospital. I drive from Adrian, Michigan, to Ann Arbor. And I have had to choose now, and it has worked out with the hospital that I go only 2 days a week. I work two 8-hour shifts back to back each of those days so I don't have to drive as much and I can spend the time at home with my family. Then she turned and she said, my daughter here is 13 years old. She was in the car with her. She said, when I was 16 years of age and got my driver's license, on Friday nights generally I had a battle royal with my father arguing why I should be allowed to have the keys to the car to go out with my friends. And then her face saddened as she said to me, my daughter won't have that opportunity to argue with me, because when she asks for those keys, the only answer is, we don't have the fuel to do that. And she said that is a part of childhood, that is a part of the teenage years. That is just traditional. And we are giving that away, along with many other things we have talked about tonight.

So what are we going to do about it? Well, we don't just talk about it. There are at present bills in committee that would do all of the above that we have talked about. There are five discharge petitions on the floor of the House at this point in time, one that I have offered that would bring out of committee for a vote the No More Excuses Energy Act that simply says get it done, use anything that we can here in this country to be totally independent. That has not been agreed to yet. We have another discharge on expanding American refinery capacity using closed military installations. It makes all good sense to get on with refinery. The third one that is on the floor is to repeal the ban on acquiring alternative fuels like shale oil, tar sands and coal-to-liquid technology. It's amazing we won't bring that bill to the floor to vote on. The people want it.

□ 2130

A fourth that is on the floor is the Coal-to-Liquid Fuel Act which makes all good sense because that also can be used in our fighter planes.

And a final one that came on this week was the Fuel Mandate Reduction Act of 2007 which says let's suspend the boutique fuels, the special blends that add additional costs when they come to the pump.

People in my district, which is the largest ag district in the State of Michigan, are frustrated with the costs that go into food and its production, and all of the above, and they are saying the time is now, not drive small cars and wait for the wind.

I know my good friend, the gentleman from Michigan (Mr. MCCOTTER) has a different district than I have, but I bet that your people are saying basically the same thing.

Mrs. BACHMANN. I yield to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. We all have different constituencies, but I think you said something that I can't quite agree with, and that is that everybody seems to understand this problem and what the solutions are.

I had a friend. We used to play in a band back in Detroit Rock City, and my brother one time loaned him my guitar. So it dawned on me that before the statute of limitations expired, I better go get my guitar back.

So I went to see Bob. He was living in his parents' basement and he was enjoying some goat's milk and granola. I complimented him on his earth shoes and I said, ''Dude, I want my guitar back.''

He said, ''You can have it back because it doesn't make very much noise.''

I said, ''Bob, it's an electric guitar. You have to plug it in.'' Bob didn't like that because Bob believed he was getting electricity from the local nuclear plant and had to make a stand even at the expense of no one hearing his cacophony of terrible folk music.

He then said, ''You work in Congress, right?''

''Yes, I do.''

''So you go up to Lansing to do that?''

''No, Bob, I go up to Washington.''

He said, ''I have something to tell you people.''

I was fascinated, so I said, ''What do you have?''

He said, ''We have to get the rest of the world to like us, and we have to stop our reliance on foreign oil. And we have to make sure that we don't tear up America's natural resources trying to drill our way out of this problem.''

I looked at Bob and I said, ''Bob, I would rather have the world respect America, but be that as it may. You want people to like America, but you have just told them you are not going to buy their product because they are foreigners. This might be detrimental to your cause. And if you are talking about not producing American oil, where are you going to get the oil to compensate for that so as supply increases, prices can come down?''

He then said that he agreed with many Democrats that we should have OPEC produce more oil.

I then asked Bob if he understood that OPEC is composed of foreigners whose oil he no longer wanted to buy so we could break America's reliance on foreign oil. The dazed look on his face was akin to the one that he had probably around 1983 prom night shortly before his parents took away the car keys for quite some time.

The reality is we hear circular arguments about what needs to be done. Bob is not an exception. Every day here on the floor of the Congress we hear every excuse in the book as to why the American people will not be allowed to solve the gas price problem and the energy problem.

As Ronald Reagan once said: In this instance, government is not the solution, government is the problem.

If the government would just get out of the way, remove its regulations, litigation, taxation, and other obstacles to the production of American energy by entrepreneurs and allow free markets to work, the supply of oil will increase. It will be American oil. The price will start to stabilize as investors within the world markets realize that we are serious about attaining energy security. Gas prices will precipitously fall, and not only will the energy problem begin to be addressed by the very people who can do it best, the American people, you will also to start to see people understand that there is no other alternative than to face the reality that if you want energy security, you must concomitantly reduce the bureaucracy.

Again in a nutshell, if we want to help our little guys and gals, get big government out of their way, allow American energy production, allow for commonsense conservation, allow for free market innovations as we transition to energy security and independence. That is the best thing we can do for our constituents and for my friend Bob.

I yield back.

Mrs. BACHMANN. Mr. Speaker, I think it is important for the American people to understand, as incredulous as it sounds, the majority, which again is run by the Democrats, both in the House and in the Senate, have made a deliberate decision to do absolutely nothing, nothing, nothing to bring even one drop of oil or one new watt of electricity online for the American people.

I just read this morning in my clips in Minnesota that energy went out in the afternoon. It was so hot, the demand was so high our energy grid is getting overloaded and we haven't been building the new power plants and exploring for the new energy.

This is key, Mr. Speaker, for the American people to know. The Republicans in Congress have a plan. It is American energy, yes. The Democrats have said American energy, no. We want $2 a gallon gas. We can get there if we drill here, drill now, so the American people can pay less. It's entirely possible.

The Democrat plan has been drive less, pay more. It's not working real well, Mr. Speaker. People don't like that plan. They really would like to be able to pay $2 a gallon gas, especially when they know it is possible.

We are so grateful we can have this opportunity tonight, so grateful. But I tell you, the passion burns pretty deep in here because we know when we go home fairly soon for the August break, we have a lot of angry people on our hands at home, and they have every right to be angry. We are here calling on the Democrat Congress, pleading with the Democrat Congress, listen to the American people. Drill here, drill now so the American people can pay less.

30-SOMETHING WORKING GROUP

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

Mr. MEEK of Florida. Mr. Speaker, I want to thank you. It is always an honor to come before the House and the 30-Something Working Group, running some 5 or 6 years strong now, coming to the floor on behalf of the American people with fact not fiction. We know that in this day and time it is easy to be misled. And I don't know if it is something that someone means to do or doesn't mean to do, but it happens sometimes. We take great pride in not only having footnotes for what we do and what we say, but making sure that we have the facts to back up what we are sharing with the Members.

Every 30-Something Working Group we start off by sharing with the Members what is happening in Iraq. As of today, July 16, 2008, by 10 a.m., total casualties in Operation Iraqi Freedom is 4,121; total number wounded in action returned to duty, 16,901; and total number wounded in action not returning to duty is 3,508.

I think it is very important that we continue to pay close attention to that issue of what is happening right now in Iraq and what is happening in many of the American families that we cherish and celebrate and honor that are military families that are having to worry about their loved ones in harm's way. We have to keep that at the forefront.

As you know, over the past 2 weeks Members have been coming to the floor speaking on the issue of energy. I am happy to not only report but continue to say it wasn't until this Democratic Congress when it was elected, Mr. Speaker, and Members, to lead on behalf of the American people that once upon a time in the 108th Congress and 109th Congress, we talked about if given the opportunity to lead what we would do.

It is one thing in politics to talk about if you give me a chance, this is what I will do. I will go to Washington, DC, and make this or that happen. It is a good thing because we have actually moved in that direction.

I couldn't help but hear my colleagues who I have a great deal of respect for, but I may disagree with from time to time. I can tell you in light of me disagreeing with them, I am just so happy that I do have fact on my side and on the side of the American people because we have been trying to move this Congress and we have done so with the American people's help in electing a Democratic majority Congress.

But we have not been able to overcome the executive branch which is the Bush White House. I think it is also important for us to understand that this whole issue of how we got to $4.30-something gas was not engineered by anyone on the Democratic side of the aisle. I think the policies, the energy policies that were set forth by the Bush administration, the 2001 meeting which took place in Vice President CHENEY's part of the White House, the working group on energy, the 108th Congress and the 109th Congress who worked very hard to, and the Congress before that, the Republican-led Congresses which worked hard to follow this policy that the Bush administration set out to please oil companies that has led us into the prices that we are paying here today.

I have to lay that out, Mr. Speaker, to get to what Democrats have done. I am going to do that very quickly because I think I am on the side of solutions versus argument. But for the Members to understand what the solutions should be and the direction that we should be running in at a very fast pace or run or sprint is one of fact and not fiction.

You would have a number of Members in this Congress believe and the American people believe that with two

oil men in the White House we would have some sort of solution as it relates to this issue of oil, but that is not the case.

As we continue to deal with this issue of oil only, because it seems like that is what the Republican side is talking about, it seems to be a part of the problem and not the solution.

If you want to resolve something, you have to start looking at doing things differently. You can't do the same thing expecting different results. When you look at oil and you look at the number of those who have given their life in Iraq, and the reason why Iraq is so important to this country is based on energy. If we had action when the Bush administration took over the executive branch and when the Republicans had the opportunity to lead, well, it was already there according to economists and others, but if they would have had the courage to stand up against Big Oil and say no, we know what you want, but the studies have shown we need to start looking toward alternative fuel, we need to start being innovative and deal with cafe standards and make sure that our vehicles get more mileage. We have to incentivize through tax incentives Detroit and other auto-making parts of America, that we want vehicles that run on less fuel. But no, that was not the argument. That was not what the Republican majority pushed towards. They kept pushing towards this kind of cake and ice cream experience with the oil industry.

I have nothing against the oil industry. Some neighborhoods they may say I am not mad at the oil industry, but I think it is important to note that the only way they could have gotten away with what they have gotten away with is with the help of individuals that were in those Congresses previous to this Congress, the Democratic-led Congress. The only way they got what they are celebrating now is because there is two oil men in the White House. It is well-documented. It is not just me saying that. Anyone can go on the Internet and get this information because that's where their history has been.

□ 2145

I have a couple of charts here: 8 years of Bush, two oil men in the White House, $4 a gallon gas. I mean, I just leave it up to your imagination. I am just one Member of Congress that has a theory, not a theory, but following fact.

What are some of the great ideas on the other side? Well, let's drill in the Arctic wildlife refuge. Let's do that. I think that's important. Yes, let's drill. That was last Congress' argument. Some have said this Congress has a solution. I am not talking fiction, I am talking fact.

That would only bring about 1.8 cents per gallon savings in 2025. Now that's 2025. That's not talking about right now, Members. That's not talking about how families are trying to figure out how they are going to, when they are looking at their vehicles and knowing they are no longer going to be able to afford to take their kids to extracurricular activities, in some cases not even being able to take them to school, in some cases having to walk to make it to religious events, whichever their religion may be, because they can't afford fuel.

Some have had to turn off certain things like cable television or had to do away with certain activities that their children were involved in or philanthropic contributions, at their own level, but it was just $10 or $50 a month to make the world better. They had to cut back on that, put it in the tank.

But this is what the Republicans were talking about and Democrats fought them back. I talked about the 2001 meeting that took place in the White House. It is well documented, well documented.

I can tell you, when I come back to the floor, I am going to bring my chart out that I used to bring, actually the letter that talked about, and the news report, from the Washington Post, it talked about the meeting that took place in 2001.

I know this is hard to see for many of the Members, but in 2002, that meeting started to pay off for Big Oil. Meanwhile, our Republican colleagues, who were in the majority, just stood idly by, and turned the other cheek. There was no problem with oil. There was no problem.

The alternative, why do we have to deal with that when we have oil? Why do we have to deal with that when we have over 143 troops that are in Iraq that's protecting the Iraqi oil, and we have our Commander in Chief holding the hand of the Saudi Arabian king. We have those relationships.

Meanwhile, our constituents, Members, people here in America are not celebrating what these oil companies are celebrating. Again, I have nothing against oil companies, they are doing what they do in a capital society, but they are only allowed to do this because of the Republican past Congress. Remember, I want to make sure the Members know. I'm coming to what we did in this Congress and what role you played in that solution towards bringing gas prices down, or, what I may add, energy prices.

In 2000, the record-breaking profits of some $30 billion; 2003, again, breaking records, $59 billion; 2004, $82 billion for the oil companies and profits; 2005, $109 billion in profits; 2006, $118 billion. It's, again, climbing, and in 2007, $23.3 billion in profits for oil companies based on the Republican-led energy initiatives.

Now they are in the minority, they are now saying, well, we can't get what we want on the table. They have already voted to drill in not only environmentally sensitive places, but places that the oil companies have not even started to drill in yet. We just gave out a whole bunch of leases to the oil companies. They are not even using 80-some odd percent of those leases that have been allowed, they have been allowed to drill. They haven't done it.

So it's almost like having a full plate of food. Imagine you at home, okay, and sitting around the table, Big Oil with food just falling off all ends of the plate, something real heavy like a big steak or something, and mashed potatoes and beans, you know, rolling all over the table, saying we need more. That's what they are saying as it relates to more leases, more drilling. We need more. Okay.

Imagine the individual that's going there to fill the tank with very little on their plate, because they can't afford to put food on their plate because they are too busy paying what we are looking at in these record-breaking profits for these oil companies, with very little on their plate, if anything at all. When you start talking about more drilling, more drilling, you know, it doesn't add up because you have talked about some of these issues.

Let me just mention something here. I am so glad that I got this because I asked for it. I couldn't happen but see the President yesterday quoted in his press conference. We started talking about issues as it relates to oil, I mean, drilling. The President says a lot, so it's kind of hard to try to deal with what he is saying. But he said that, in so many words, and I will go ahead, because it's a lot of words here that he used to describe one thing, in his remarks, he said that drilling will not deal with the oil prices tomorrow. It won't give us the relief that we're looking for.

That's what the President said yesterday on his press conference. Now you can go on pretty much to cnn.com, any other Web site that would have the transcript, but basically we pull these remarks from the transcript. I want to make sure that we get a chart so that people can see it, and we may want to put it on our Web site.

Now, on the Democratic side, we have talked about a number of initiatives. Our comprehensive strategy has been about not only incentivizing wind, solar, geothermal, hydro and American-grown biofuels, but also promote energy, like I mentioned, energy efficiency, efficient cars, buildings. The greening of the Capitol is already under way and has happened. Actually, I wrote a piece this month in the Capital File Magazine talking about what we are doing here in the Capitol to green the Capitol and save our environment and lead by example.

The Speaker is leading that in a very special way, making homes and appliances more energy efficient, boosting American innovation and research, reward conservation, expedite responsible American drilling and also telling Big Oil to use it or lose it. Basically, when you are looking at all the leases that are out there, all the opportunities that Big Oil has right now, but, better yet, it's almost like what we

call the Potomac two-step, because I think that's what the Republican side is doing and the White House is doing.

They are saying drill, drill, drill, because, guess what, that's what's been putting gas in their tank, I think, politically, because the oil companies believe that they are our friends.

The Democrats, they are the problem, because we are talking about alternative fuel. We are talking about conserving. We are talking about investing in the Midwest versus the Middle East. So we are disrupting, when I say we, the American people who voted for this new Congress that we celebrate now, voted for this fact-not-fiction Congress, voted for this new-direction Congress, they voted for change. Republicans are still here singing a song that these oil companies have put on a sheet and started talking about we need to drill to create jobs.

Well, guess what, why haven't they done it with all of the leases that are out there right now and all of the jobs that need to be created. If Big Oil, based on the profits that they have made, can turn this whole economy around and take us out of this recession that some speak of, just with the snap of their fingers, but, guess what, there is something that we call stockholders. They want their money.

They want those dollars to be placed. They don't want to employ people. That will have something to do with my bottom line. So when folks start coming to the floor and start talking about oh, we drill $2 gas, I look forward to that. But we are going to get there doing the same thing, doing the same thing expecting different results.

It's almost like going to the refrigerator, pulling out a carton of milk and saying oh, wow, it's spoiled, put it back in, maybe it will be fresh tomorrow. That doesn't make sense. It doesn't make sense to keep doing the same thing.

Now, let me just mention here what we have done, and this is, as I understand, on the Speaker's Web site, www.speaker.gov. I think this is important because this is in the CONGRESSIONAL RECORD and also Congressional Action. Now law because of what the Democrats have done here. The farm bill which is an historic investment in affordable biofuel and also beefed up oversight on market manipulation. House bill 2419. The President's veto was overridden.

Now this is the President. You would think, you out there paying this gas, you are paying this big-time deal for gas. We are trying to find some competition for Saudi Arabia and other OPEC countries saying, guess what, we're not going to have to hold your hand walking down some park, our Commander in Chief. We're not going to have to go to war in the Middle East because we have to protect the oil so that we can continue to run our vehicles. We're going to come up with our own bill. We're going to come up with our own way of building energy in a clean way.

And to those that believe in shipping jobs overseas, we're going to create green jobs while we're at it. We are going to make sure that Americans have jobs from those that just have a GED or no high school diploma at all, to those that are architects and have postgraduate studies and who have gone on to do so many things in our society, everyone gets to work in a green society. That's what we are creating, and that's what that farm bill moved, but we had to override the President on May 21, 2008, with a vote of 316–108, and the Democrats moved in that direction.

I think it's important that everyone understand what's taking place here, because when folks come to the floor and talk about they have the answer, many of these individuals have not even voted for the bills that would do exactly what they are talking about doing. This is fact. That's not fiction. Thanks to the Members, we did override with some Republican support. But if it wasn't for the Democratic leadership, this would have never, never happened.

The veto threat, Renewable Energy and Jobs Act, H.R. 6049, passed on May 21. The Democrats, we voted 263–160. I think it's important that everyone understands that that vote came about with 228 Democrats voting in the affirmative versus 35 Republicans voting in the affirmative with 159 Republicans voting against it.

Another veto threat, which is Gas Price Relief for Consumers Act holding OPEC, which is, you know, the oil companies accountable for price fixing, H.R. 6074, again. We have the President that has put out a veto threat. That bill passed the House on May 20, this year, 324 voting in the affirmative, 84 Republicans voting against it, now law. This is the legislation that we put forth, never would have been law if we wouldn't have put it forth. When I say we, I'm saying the Democrats here in Congress.

The Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act, H.R. 6022. I think it's important that you look at this. It passed May 13, 2008, some 385–25. I think it's important that we look at the fact that all Democrats voted for it, 223 voting, Republicans voted in the affirmative, 162–25. That issue, that's now law.

Repeal subsidies to profit-rich big oil companies, invest in renewable energy and fuel efficiency, H.R. 5351, passed February 27. It passed by a 236 vote, 182 voting against the legislation. 219 Democrats voted in the affirmative, 8 voted against. The Republicans, 17 voted for, 174 voted against. You have got to think about that, you have got to think about the whole issue, and that has been threatened by the President that he is going to veto it.

Now, we start talking about the profits that we use, because the real issue is that we need money to come up with alternative fuel. But, again, when it comes down to standing up to Big Oil, cricket sounds on the other side. You know, all bold when it's talking about what Democrats won't let us do. That's interesting, because I have been in Congress under Republican leadership for 4 years, and I have only been in Congress for a year and some change under the Democratic leadership and I can't believe some of the arguments that are coming out on the other side about what they can't do when they've had all of these years to do it.

The American people, I am not talking about Democrats, I am talking about Republicans. I am talking about independents. I am taking about first-time voters, and say, guess what, if you are going to do what you do for Big Oil, then we're going to find somebody else to represent us, and they did.

□ 2200

And the numbers within the double digits on the Republican side are now watching me here on the floor, talking to the Members, Mr. Speaker, because they made the wrong decisions because they followed leadership. We're going to talk about that in a minute right after this chart. They followed their Republican leadership that led them into a hole, and that hole is right in the La-Z-Boy at home, checking this fact-not fiction piece that I'm giving here on the floor. When you look at that vote, that's telling in itself.

Now law. Energy independence law and market manipulation banned and new vehicle mileage standards: H.R. 6. It was passed on December 18 of 2007. 314 votes. The Democrats voted in the affirmative. 100 voted against, Republicans. 219 Democrats voted in the affirmative. Only 4 Democrats voted against it. Republicans were 95 voting in the affirmative and 96 voting against it. That's now law. It never would have been if it weren't for a Democratic-led Congress bringing about that kind of justice on behalf of the American people.

The America Competes Act with energy, research and the development of clean energy and technologies: H.R. 2272. It passed into law—it is now law—on August 2, 2007. 369 Democrats voted in the affirmative. There was an overall vote of 369 to 57 Republicans who voted against it.

Veto threat. Crack down on gas price gouging. Like my pastor would say, I'm going to read that again. Crack down on gas price gouging: H.R. 1252. It passed on May 23 of 2007 with 284 voting in the affirmative and 141 voting against it. On the Democrat side, 228 voting in the affirmative, 1 Democrat voting against it. On the Republican side, 56 Republicans voting for it, 140 against it.

That's part of the solution there. I think that's something we need to look at and something that the President has said that he's going to veto.

Veto threat, holding OPEC accountable, oil price fixing, again, that's standing up to Big Oil. That's standing up to the Middle East, saying we're no longer going to let you lead us by the

nose. We're going to take responsibility for our own energy. It passed May 22, 2007 with 345 voting in the affirmative and 72 voting against. The President has said that he's going to veto it.

Now, when we start talking about who's doing what and who's not, you may see these pieces of paper here, but basically, we just covered up the names of the Republican leadership because that's just a personal policy of mine, Mr. Speaker. I just don't want to, you know, ''out'' these individuals because, I think, the record speaks for itself, but I'm still making the point, and they know who they are.

This is the Republican leadership from top to bottom, and I think that it's important that everyone pays attention to this. As to some of the legislation that I read off, these very individuals voted against it, and I think that's the reason we see the kind of discourse from the other side of the aisle in talking about the old direction versus the new direction. They will throw some new direction stuff in there, knowing that, you know, they really don't mean it. You know, we had the opportunity to do it, but we didn't do it, but we're going to criticize the other side and say they haven't done it.

We have done it. It is the body of several pieces of legislation that have not only become law but that are in the process of becoming law if there were a President in the White House who would allow it to become law.

You remember that old bill on Capitol Hill. This goes down to the majority leader. This goes all the way down to the whip and to the Republican Conference Chair. We have the policy Chairs and all. If you will look at when it came down to OPEC price fixing, the two top leaders on the Republican side voted against that legislation. The No. 5 leadership, No. 6 and No. 7 voted against it.

When you look at the price-gouging legislation that we passed, when we were looking for that leadership of coming together in a bipartisan way, the top Republican leader voted against it. The whip voted against it. The third in charge voted against it. The fifth in charge voted against it. The sixth, seventh, eighth, and ninth voted against it and on down the line. This is not fiction. This is fact, okay? This is the CONGRESSIONAL RECORD.

Renewable energy. The first man voted against it over on the Republican side and the second, third, fourth, fifth, sixth, seventh, eighth, and ninth, all the way down. Now, if I'm wrong, somebody come and tell me I'm wrong. I don't think so. This is in the CONGRESSIONAL RECORD.

Energy security. The top voted against it. If you jump down, No. 4 voted against it as well as No. 5, No. 6, No. 7, and No. 8.

So, when folks come to the floor and start talking about ''we have a plan'' and ''we know the answer,'' show me the beef, like that Wendy's commercial used to go. You know, it used to say, ''Now show me the beef.'' I want to know where it is. I don't see it.

I've just come to the floor just to share a little bit because I'm glad that my constituents in the 17th Congressional District from South Florida federalized me to come here to provide this kind of representation and to be able to shed light on the action that has taken place. It's not over yet. We don't have everything that we need to be able to do the things that we need to do on behalf of our constituents because we still have some rules over in the other body across the hall, and we still have the issue in the White House as it relates to the two architects, if I could put it that way, of our energy plan now, who are defending that plan to the end. They have talked about they're not going to do some of the things that we feel should be done now, things that a number of people have said that would help.

We talked about a number of issues as they relate to our passage of legislation, but one thing I left out on that chart that I think we need to share with the Members tonight is the Drill Responsibly in Leased Lands Act, which is called the DRILL Act. It mandates annual lease sales in the Alaska National Petroleum Reserve. It also has more oil than the Arctic National Wildlife Refuge, and the oil can be brought to the market more quickly.

It requires the Bush administration to facilitate the competition of oil pipeline infrastructure in the Reserve and to facilitate the construction of the Alaskan natural gas pipeline, and it bans the export of Alaskan oil outside of the U.S.

It also incorporates the ''use it or lose it'' legislation. I can tell you that it is compelling oil companies to start drilling on the 68 million acres of undeveloped Federal oil reserves which they are currently warehousing or they are losing the ability to obtain the new leases. I think that it's important that we deal with those issues sooner rather than later.

Before I get into another part of my talk, here is my good friend, Representative ARCURI, from the great State of New York. We have been to a number of places together. We've been to Iraq, and we've also been on some other defense-related visits. I'm so glad that he's here to share a little bit about this issue of energy.

Mr. ARCURI. I thank my friend for yielding. Although it has been a couple of years since I was 30-something, I appreciate your yielding me some time.

Thank you for being here tonight and for talking about some reasonable positions that we're taking with respect to energy in this country. It's sad. I've been here for the past couple of hours, listening to my colleagues and to my friends from the other side of the aisle who were talking about their perception of what Congress is doing. It's sad because it's a real revisionist sort of perception because they see it from a perspective that, frankly, just isn't the case.

When they say that nothing is being done, frankly, I don't know what they're talking about or what they're seeing, because there are a number of things being done. They may not be the things that they would like to see done, but clearly, a number of steps have been taken, and I think they are steps that are practical and smart and wise.

One of the things that troubles me is that the only thing we hear from the other side of the aisle is drill, drill, drill. All they ever talk about is drill, and that presumes that we are going to be drilling for oil and that we are going to be reliant upon oil. You know, that's what put us in the situation we're in now—the reliance upon a finite resource that is not going to last forever. They want to continue to drill, and it's important.

I was just reading an article, and it talks about how important it is to drill. I support drilling. I think we should drill. There are 68 million acres that are available to drill on, and we should be drilling on them. We should be drilling in Alaska on the Strategic Petroleum Reserve. That's why they call it the ''petroleum reserve,'' because there's petroleum there. We can be drilling there. We should be drilling there. The oil companies can do it. Why aren't they doing it? Well, if their companies are making the biggest profits in the history of their business, why would they do anything differently?

That's why we have backed legislation that says ''use it or lose it.'' It's the same thing that we do for the coal companies. If they have reserves, if they have leases on the properties, they should very well be drilling on them.

You know, recently, I spoke to a group of teenagers, high school students, in an organization called Boys State, in New York State. There were about 600 young boys, and I was speaking to them, and I was talking to them about how important it will be in the future for energy policy to be focused on not just finite resources but on the future.

It's interesting because, when you talk to young people about the future, when you talk to young people about renewables, when you talk to young people about geothermal, about wind power, about solar power, and about cellulosic ethanol, they get it. It occurred to me that our generation got it back in the '70s. When everybody was talking about the energy crisis back in the '70s, we got it. We understood exactly what needed to be done. Only it wasn't done, and the last generation passed the problem on to us. Now it is our responsibility to do something, not to pass it on, not to just drill, drill, drill, drill, and then in 10 years or in 15 years have our children and our grandchildren have to deal with the very same problems that we're dealing with today.

We need to have a responsible, reasonable energy policy. That's the difference between what our side of the aisle is developing and what the other side of the aisle is developing. They're not developing an energy policy. Drill, drill, drill is not an energy policy. You cannot drill your way to energy independence. All you can do is become more dependent.

I'm a former D.A., and it's a lot like being addicted to drugs. When you see drug dealers, people who are addicted to drugs, all they want are more and more drugs. We can not be addicted to oil. We can't just constantly look for more and more oil. That is part of the solution, but it is only a part of the solution.

It's also the renewables. It's natural gas. It's geothermal. It is cellulosic ethanol. It's biofuels. That is the future. That is what our country should be looking at. That's real energy policy. That's the futuristic kind of energy policy that I want to pass on to my children so that my children don't have to be saddled with the same problems that our generation is saddled with. Those are the kinds of things that we should be doing, as any good parent would do.

I heard my colleagues a little earlier talking about natural gas reserves. I'm fortunate to represent an area in Upstate New York that actually has one of the largest shale deposits of natural gas, the Marcellus Shale Deposit, which extends from northern Pennsylvania into southern New York and into eastern Ohio.

There, the Federal Government doesn't control or own any of that land. That's privately owned by farmers, by individuals, and we're starting to see some oil companies leasing small amounts of that property. Well, there's no governmental regulation here. There's no difficulty in terms of getting leases. If the energy companies want to come out and get the leases, they can do it. It is available to them. So, when we hear these arguments that Congress is putting some kinds of limitations on the ability of energy companies to drill, that just isn't the case. That isn't factual.

What we need to develop in this country is a real long-term energy policy that deals not only with the short term but with the middle term and with the long term. There are a couple of other points that I think are very important that I would just like to touch on.

Recently, we passed a piece of legislation that required the President to stop buying into the Strategic Petroleum Reserve. That was critically important. Additionally, we need to do a little more. Perhaps we need to have the President release some of the petroleum that is in the Strategic Petroleum Reserve.

□ 2215

You know, it's there for a reason. It's there for an emergency. I would say there is an emergency that we're in today. And perhaps that's the kind of thing that the President should be looking at now.

Additionally, in Congress we've taken some intermediate steps like we reappropriated the Amtrak bill. That's critical. We've passed legislation that provides for rural mass transit. In a time when energy prices are high, people are going to rely more upon mass transit.

That is the kind of strategy that we need, a full-scale energy strategy that deals not just with drilling, that deals not just with nuclear, that deals not just with renewables, but across the board.

So I think that is clearly what the Democratic majority is working towards. It's working towards trying to move America off our addiction to finite resources like gas and oil and move it into something that makes more sense for our future, for our children, and for our grandchildren.

I would like to thank the gentleman very much for yielding the time to me.

Mr. MEEK of Florida. No problem. Anytime you're ready, Mr. ARCURI. I'm no longer 30, but I'm part of the ''Something'' part. So you're always welcome in the 30-Something Working Group. And I want to thank you for bringing those facts to the floor. I think it's important the more Members we get from different parts of the country sharing what they know, what their constituents share with them when they go back home, I think it's important for the Members to hear that. The diversity of ideas makes this body great.

We do have some great ideas coming from the other side of the aisle, too, but it's important that we don't do an us-against-them kind of atmosphere. I believe in bipartisanship. We've had more bipartisanship votes on major pieces of legislation in the 110th Congress than we have had in the previous Congresses. I think that's what the American people are looking for, Mr. Speaker, and I think that's what the Members would like to have.

But in a time of crisis, the last thing that we need to do is to have the kind of dragging down of efforts that we're trying to carry out, of saying, Well, the Democrats won't allow us to do this; they will not allow us to do that. If it's a body of a piece of legislation, just because one of your Members doesn't need that legislation doesn't mean that it's bad legislation.

We're in the majority just like the Republicans were in the majority once upon a time. And we're leading on behalf of the American people. A number of the votes that we've taken on energy, we celebrate a number of Republican votes being with us on those votes. That's the reason some of them become law. That's the reason why we are able to override the President.

So we cannot defend the actions of the President when he's wrong, and I commend some of my colleagues on the other side of being a part of that, but there are a number in double digits, and sometimes, you know, into the hundreds that defend the President to protect the White House. We're not up here to protect the White House. If it's a Democrat or Republican there, we weren't sent up here to say, ''Oh, we're here to protect the White House.'' We're here to protect the American people. So I think that's important.

I want to mention a few things of what we've done as Democrats.

I'm going to read, Mr. Speaker, from the 2008 letter on July 8 that the Speaker sent the President about the Strategic Petroleum Reserve, which we call the SPR, signed bipartisan legislation into law that I talked about earlier to urge the President to release some of the oil, that refined fuel, from the Strategic Oil Reserve. Now this is not the first time. This is not something that the Speaker said, Oh, let's just do this because of the first time that we would have ever done it in the country. That's not the case. Desert Shield, Desert Storm drawdown by George W. Bush I, withdraw from the Strategic Oil Reserve on January 17, 1991. That brought gas prices down.

Also, we started looking at President Bill Clinton in 2000, released 30 million barrels from the Strategic Oil Reserve, and I will talk about what it did to gas prices. It happened then.

And in 2005, this President, President Bush, after Hurricane Katrina drew down, offered some 30 million gallons out of there which brought prices down. I think that it's important that everyone understands that.

The President can make a decision that can bring gas prices down now. Will it be forever? No, it will not be forever. Is the Reserve at 97 percent full? Yes, it is. Authorities said that it should be at 85 percent. But we're at 97 percent.

What's happening right now, probably not to the Members of this Chamber because we're paid beyond what the average Americans would be paid, over some $160,000, and a lot of our travel is per diem travel as we move around our districts, reimbursement for gas. The Members here are probably not affected. But for those individuals who don't have per diem reimbursement, for those individuals who know what it means to punch in every day and punch out every day, for those individuals that are trying to make it from point A to point B, who have a family member with a health care crisis and have to make the decision whether you're going to make that hour-long trip or not based on the price of gas, being able to release fuel from the Strategic Oil Reserve would be the right thing to do.

What happens? We're talking fact, not fiction. Using the Strategic Petroleum Reserve, it brings down prices of oil. In 1991, did I mention earlier? It brought it down 33.4 percent. In 2000, it brought it down 18.7 percent. In 2005, it brought it down 9.1 percent. And it

would even bring it down even more if we were to do it now.

I say all of that, Mr. Speaker and Members, that as we start looking at alternative fuel, as we start looking at what Big Oil should be doing versus trying to say this is the last day of school, let's get more leases and push this kind of drill thing as though that's the answer—because if that was the answer, we wouldn't be at over $4 a gallon that individuals are paying for gas. If you are fortune enough to have a Pontiac Grand Prix, it costs $62.74 for you to fill it up, leave alone someone that may have a Honda Accord. An Accord, it costs $68.26. If you happen to have a Chevy Impala, lucky enough to have one, $62.73 and $2,798 a year.

A Chevy Suburban, many small businesses have to be able to move around big loads. You have $124 at the pump, some $4,391 that one may spend a year. A Ford Escape costs $60.88 to be able to fill up, and many small businesses have Ford F10 trucks that cost $113.83 to be able to fill that up.

I think that's important. For those individuals who are paying through the nose right here, right now understand what it means.

I'm going to close with this. A lot of air travel. A lot of people want to take trips this summer. Cannot take those trips, cannot reunite with family, cannot go on that business trip that they needed to go on to be able to keep that small business going because of the prices of flying on airlines right now, leave alone trying to take something with you. You get to the airport, now that's $35, sometimes $50, sometimes $100 to carry a bag on the plane to check it, to get on the plane.

You better get some water because if you're trying to get water on the plane, that's $5, leave alone a bag of mixed nuts or some sort of potato chips. They even sell them now, I mean it's almost like $10 a pack, okay. Leave alone the price of the ticket.

And what we find out from the chairman of Transportation, if we were to go into the Strategic Petroleum Reserve, it would be a $10 drop in the price per barrel of oil as a result. It would save $420 million per year for Northwest Airlines. You got folks getting laid off because folks walking around here talking about drilling only and not talking about some of the things we could do now to be able to save this economy.

It would bring about also a $840 million saving per year to United Airlines, a $900 million savings for American Airlines, another airline that's laid off thousands of people.

So when we look at this, we're looking at what we're paying because of the inaction of the White House. All we can do is put pressure on the White House. We ask our friends on the other side to join us on that. Some have. We're asking for more to do so. We're asking for the American people to not only work in a way of moving in a more greener way, but we also want to incentivize you in doing that.

Mr. Speaker, with that, it's always a great honor to come before the House. I'm glad that Mr. ARCURI joined me for a short while tonight, and we want to thank not only the Democratic leadership but all the Members of Congress that are about the solution as it relates to these gas prices, as it relates to moving in the direction, a new direction we look at in alternative energy; and it will be a brighter day not only for this country but also as it relates to the whole military issue that I will talk about the next time we come to the floor. I'm talking about what the military spends, which is the largest consumer of energy and which may save fuel on the face of the earth when it comes down to one entity.

With that, we yield back the balance of our time.

GREAT AMERICANS

The SPEAKER pro tempore (Mr. PATRICK J. MURPHY of Pennsylvania). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING. Mr. Speaker, I appreciate being recognized to address you here on the floor of the United States Congress.

All of this subject matter that we have before us, we have weighty decisions here before this Congress. As we prepare to go forward into a Presidential election, these issues come more and more to the focus.

But also I know that while we are deliberating on our intense issues that will set the destiny of America, we have great Americans that have served in this Congress that have helped set the destiny and direction of this country as well. And as we move towards those dates, it's important that we recognize those people.

One of those folks that is among that group I'm talking about is with us here tonight, Mr. Speaker, and that's the gentleman from California, the ranking member of the Armed Services Committee, the former chairman of the Armed Services Committee, a brave patriot in his own right.

I would be happy to yield so much time as he may consume to Mr. DUNCAN HUNTER of California.

Mr. HUNTER. I thank the gentleman for yielding, and I'm ready to give him more time with that wonderful introduction, one that I don't deserve. But I thank the gentleman.

I asked Mr. KING to let me take a little time from his time tonight to talk about a couple of wonderful individuals. The first person I would like to mention is, of course, a lady who has been a wonderful representative from my office for many years in Imperial County, which was a big part of my congressional district for many years, and that's Carole Starr. And Carole Starr, when I got my congressional district moved out to Imperial County from San Diego County and went literally all the way from the Pacific Ocean to the Colorado River to Arizona, taking in the entire Mexican-California border, I found that I had a brand new constituency. It's a lot like the gentleman's from Iowa.

I had a large farming constituency, a community in Imperial County with people of great character and people with lots of issues that were vastly different than the issues of folks who live in San Diego, but also people with a wonderful sense of patriotism. In that big valley, Imperial Valley, we had the Naval Air Facility where the Blue Angels train in the wintertime, and where we now have one of the best training grounds of any location in the United States. We're adjacent to the big Chocolate Mountain Gunnery Range, and an airplane or a group coming from any part of the United States to train can get up there and train 365 days a year in that good desert air.

We also have that wonderful farming constituency, probably the most productive land in the world, acre-for-acre, under irrigation from the Colorado River. It's a place where we have lots of people with great character. And communities like Brawley and El Centro and Calexico and Imperial and lots of other wonderful communities in Imperial County.

Running that entire county for our office was a wonderful lady named Carole Starr. I lost the Valley a few years ago, Imperial Valley, in redistricting, but Carole Starr was such a fantastic person, and today is quite ill, she's under the weather right now and is home resting in Imperial County with a very difficult ailment. But I just thought it would be important to take the floor and talk about Carole for a minute because she was such a big part of our operation in Imperial County and such a wonderful leader in that county.

□ 2230

You know, I had a pretty full office in San Diego County and usually seven or eight folks there in the office. Carole Starr ran the Imperial County office all by herself, and whether you were a person of means in Imperial County, or if you just hitchhiked in and just came in off of the freeway off-ramp, you could walk into our congressional office in Imperial Valley Airport in Imperial and knock on that door, and Carole Starr would greet with you with a smile and say, ''How can I be of service to you?''

And Carole weathered all these very difficult issues that we had, from the carnal bunt disease that took down our green crop one year, to the myriad problems with the Colorado River, the desalinization plant there at Yuma, the ongoing water struggles that always engulfed California politics, and of course, all of the day-to-day work that you find in any congressional office where you have folks that need to get that Social Security check or make sure that they get that particular veterans' service or have some help with the IRS.

Anybody could walk in Carole Starr's door, and they would be greeted with great professionalism, a warm smile, and a ''How can I help you'' attitude, and I always called Carole Starr the ''Star of the Valley.''

And you know, over the years, Mr. Speaker, when I would visit Imperial Valley with my family, and especially my two boys, Duncan and Sam, Sam started out when we got Imperial County. Really, he had just been born. He was a brand new baby, and over the years, he grew, and one of the things that we did many times when we were in Imperial Valley was we would always match up Carole, who stood about five three, with Sam. And Carole always wanted to see how fast he was growing and try to estimate when he would surpass her height.

I know one time, back when DICK CHENEY came to Imperial County to work with me on some of the desert issues, and Carole Starr would always do a back-to-back with my son Sam to see how much he had grown over the last month or so. And on that occasion—and that was about, oh, I don't know, about 1992 or 1994—in fact, my son Sam Hunter at that point surpassed Carole Starr in height, and of course, he's been growing ever since. He's now about six two.

But Carole Starr was just a warm, wonderful person who had a trademark of directness and honesty and good will. And today, she lies quite stricken by a very severe ailment, and I just hope that God will hold her in the palm of his hand and take care of her and give comfort to her family because Carole Starr represented the very best of our outreach to our community.

And I know every Member of this body has several dimensions to their service. One dimension is what we do here on the House floor and what we do with respect to legislation and bills and the administration, whether it's Democrat or Republican. But the other dimension is how we relate to our constituents in our district, and just like the gentleman from Iowa, we all have about 700,000 folks in our district. And some of them have real pressing problems, and in some cases, we are the last resort for those constituents who have been to Federal agencies and have been turned down or stiff-armed or have no other options, and they come to us.

And sometimes we're able to help them, but we're only able to help them when we have great, wonderful people serving us in our district offices, and Carole Starr, who ran the entire Imperial County—and I called her the ''Star of the Desert'' because she truly was one of those people with a great, great heart and great professionalism.

Mr. Speaker, I'd also like to mention a couple of other individuals who are very important to me, and I know we've got lots of people retiring this year. We've got a lot of folks that have served here for many years. I just want to mention a couple of people, JIMMY SAXTON and TERRY EVERETT, two great personal friends and two great servants of this country on the House Armed Services Committee are, in fact, retiring.

You know, JIMMY SAXTON came in, I believe it was in 1982 when he came into office, and I remember he replaced Ed Forsythe. In fact, when he went in to get the obligatory picture taken with then-President Ronald Reagan when he was a candidate for Congress, Ed Forsythe had passed away. And he was that well-known Congressman who had a butch haircut, and he wore a bow tie and was quite well-known on Capitol Hill.

And when JIMMY SAXTON walked up to Ronald Reagan and said I'm running for Ed Forsythe's seat, Ronald Reagan, not having read the Washington Post all that much, said ''Go get him,'' and of course, JIMMY SAXTON said, ''I can't do that, he's a decedent, and I'm running for the open seat.''

But JIMMY SAXTON started a career in which he represented his Third District in New Jersey so ably, and he worked on environmental matters. He worked on local issues, and he protected those important military bases and gave them their best shot at surviving base closure, which he did very effectively, I might add, and he helped to bring the New Jersey back to New Jersey, that great battleship.

But I think JIMMY'S most important work was done in the Armed Services Committee, in that committee and on the House floor. He chaired that very important Subcommittee on Terrorism. He traveled around the world. Every time you found two Green Berets or Navy SEALs or Army Rangers, JIMMY SAXTON was there talking to them, learning what they needed, learning about operations, and then making a difference when we marked up the Defense bill.

And JIMMY SAXTON will be sorely missed. He's now the ranking member on the Air and Land Forces Subcommittee that makes important decisions. To Chairman ABERCROMBIE, he's the ranking member, and he of course is still the JIMMY SAXTON of great diligence who puts in lots of hours, working these important issues.

And I'm going to miss JIMMY SAXTON. He's one of those great public servants who gives so much more to this country than he gets, and he likes it that way.

And he's got a little bit of a back ailment right now. I think that's because he was probably the only guy in the history of New Jersey athletics who was about a 5-foot-9 shot-putter, held the State shot put record as a high schooler, weighing a whopping 160 pounds. And maybe JIMMY SAXTON started out at six two or six three, but right now he's got a little bit of an ailing back because of that great prowess that he had with the shot put.

JIMMY SAXTON is just a great, wonderful person, and he's helped to make the Special Operations that is now so important to war fighting and especially important to the war on terror, to make our Special Operations effective and to make it not only a leading command in many of the theaters, a command that is to be supported by the combatant commanders in those particular theaters, but also a supporting force when it's necessary.

And the way the Special Operations has laminated and integrated and worked with the line units in our warfighting theaters has been a real part of the success of the American operations in Iraq and Afghanistan. A lot of that was due to JIMMY SAXTON. He is a guy who can look at an issue, without becoming parochial and without becoming polarized, get all the information and try to make a wise decision, using that great judgment.

And so I'm going to miss JIMMY SAXTON, and more than that, I think this is country going to miss him.

You know, the other guy I'd like to talk about just briefly is TERRY EVERETT. Here's a guy who came from a working background, went to work for a newspaper, was a writer and editor and, finally, a publisher and an owner of a little string of newspapers in Alabama and then ran for Congress and got elected. And TERRY EVERETT is another one of those guys who, like JIMMY SAXTON, has gone right to the heart of national security.

And as the chairman of the Strategic Subcommittee, and also a member of the Armed Services Committee who's on the Intelligence Committee, he has a unique understanding of the importance of space assets and what we have to do with space assets to maintain our economy and our security. And there's probably very few people, if anybody else, in the Congress who understands space as well as TERRY EVERETT.

TERRY EVERETT's not a guy you will find making speeches. He's always the guy with the shortest remarks at the press conference when he attends a press conference. But when you close the doors, when you're working on the Intel Committee or the Armed Services Committee, or a combination of issues that affect both those committees, he's one of the hardest working guys that you will ever see.

It's guys like TERRY EVERETT that make this country's security apparatus run so well. They don't put out a lot of press releases, but they put out a lot of hard work.

And also, TERRY's got that great sense of being able to work with people, gain their trust, find out what the issues are, and then work to resolve those issues. That's so important when you work with lots of intelligence officers, when you work with the Special Operations Command, when you work with the space command, and you have to not only do that but you've got to serve the people back home.

And TERRY also, incidentally, is a master woodworker. I remember I was in his little woodworking studio there at his house in Alabama, and I was going to ask TERRY if I could work on

some cabinets in his woodworking studio. And he said sure, and I looked down and there were some spots of blood on the floor. I said, ''What's that?'' He said, ''Well, that's just where I cut my hand kind of badly with that machine over there.'' He said, ''I leave that blood there just to remind me to be careful.'' I haven't completed my woodworking course with TERRY EVERETT, but I look forward to that.

So, Mr. Speaker, those are a couple of great individuals who have really made their mark in this House, and they're going to be leaving us. We're sorry to see them go.

And incidentally, another guy who's done a great job on this committee, ROB ANDREWS from New Jersey, also. Great, great, wonderful individual, often was really a center of bipartisan cooperation on important issues. And you know, we'd be sometimes polarizing on the Armed Services Committee, with a Democrat position and Republican position. Most of the time we're bipartisan, but then we'd start to polarize. We'd all kind of wait to listen to ROB ANDREWS because he would look at the issue on the merits. And sometimes he'd come down on one side and sometimes he'd come down on the other, but you knew that his position was always a result of reason and was not necessarily a result of looking over and kind of counting the votes and trying to figure out where his team was going or where the other team was going.

We need folks like that in these difficult, partisan times to bring us together, find that common ground and move the country forward. And I always thought ROB was the very representative of that style that is so important to the success of this House.

So, Mr. Speaker, thanks for letting me take this time. It's always fun to come down and take a big bite out of somebody else's time, and I want to thank the gentleman from Iowa for letting me take some of his minutes here. I really appreciate it.

And the gentleman from Iowa, incidentally, is a very wonderful friend and a great colleague and a guy who really has been working this energy issue with great energy and was a wonderful host to those of us who spent our time in Iowa in that Presidential race, including those of us like myself who had rather short-lived campaigns. The gentleman from Iowa was always there, always gracious, always willing to put a group together, and helped to create that great forum that is Iowa politics. I want to thank the gentleman.

And I want to thank him, also, for his great help on the border fence, a very important issue. And he helped to push this bill that we finally got passed in 2006. We got a mandate to build 854 miles of double-border fence, got watered down a little bit by the other body, but we're still constructing. And we've got projects now in Arizona, New Mexico, Texas, and California. And the gentleman did a lot of work to make sure that happens.

So I want to thank him.

Mr. KING of Iowa. Well, I really thank the gentleman from California as I reclaim my time, and I'd be glad to yield however much time might be needed to continue the compliments to myself. I'll be quite as generous with that particular time.

But I want to say, Mr. DUNCAN HUNTER from California is a brave and great patriot and has poured forth his appreciation for many of his colleagues, and I'm sure as the months unfold we'll hear this emerge in many accolades for the accomplishments of DUNCAN HUNTER.

And I want to say as you came to Iowa to campaign for the Presidency, and sometimes it was late nights, and it was often early mornings. And I remember this situation, the night of the straw poll, August 11, 2007, when it was the big test. And everybody had to count their straw polls and votes that came in, and however that shook out, that gave some people momentum, and other people lost momentum. And some people that had momentum had already left the State before the votes were counted.

But I had an early press call to be down to the State Fair on the east side of Des Moines fairly early the following morning. It was a Sunday morning. I arrived there, but I had to wait in line because DUNCAN HUNTER was there with his cowboy hat, and he was already working the State Fair. I don't know if it was before the sun came up, but it was right away in the morning. That's the kind of tenacity that we expect in your successor, and I yield back to you.

Mr. HUNTER. I thank you, and let me tell you, the State Fair in Iowa was wonderful. It was also wonderfully hot. That was a good little scorcher, the State Fair, but man, you had a tremendous State Fair. I've never seen one like it.

□ 2245

So I just want to thank you and all of the wonderful people of Iowa. The great thing about them, they'll always listen to you and they'll let you make your point. And they very much, I think, treasure the fact that they're one of the first primaries in the Nation. And where they point this thing has a lot to do with the final nominations for both parties.

It was a lot of fun. And let me tell you, campaigning in a State where you get to go to a lot of State fairs is not a bad deal. We had a great, great time in Iowa. And also going to the county fairs in the various counties. And I will say that in some counties there's a lot of road between fairs. But the gentleman takes that in stride.

Mr. KING of Iowa. There is that. And we have some county fairs that are larger than a lot of State fairs.

We live our fairs there in the State and we live our politics. And it's all politics all the time, 24/7. And that brings people to where they're paying attention to the issues and they take it seriously. And we have a statewide conversation going on constantly—over the telephones, the e-mail, over the back yard, in the coffee shop, at the fairs, all the activities that are going on.

Mr. HUNTER. I thank the gentleman. Thanks a lot for letting me take that time to talk about Carole Starr and TERRY EVERETT and JIMMY SAXTON.

Mr. KING of Iowa. Thanks for your comments. I thank, again, the gentleman from California as I reclaim the balance of my time.

I think that my transition, as I watch the former chairman of the Armed Services Committee walk from the floor, I take this over to the subject matter of Iraq and Afghanistan, Mr. Speaker. It's been a little while since we've had intense discussions on that here on the floor.

I would point out, as a matter of refreshment to those who haven't been so focused on our situation, we are a country at war. And we were attacked on September 11, 2001 and we lost 3,000 Americans in those three locations where we were attacked.

The President then launched an offensive in Afghanistan, drove the Taliban out of Afghanistan, and people on that land voted for the first time in the history of man. Ever since Adam and Eve there hadn't been people go to the polls in Afghanistan. That happened fairly quickly; I believe it was about a little more than 1 year from the time that we went in.

And in Iraq, where Saddam Hussein was violating, let me say, the United Nations Resolution 1441—and many others—the decision was made, based upon global intelligence, to go in and remove that tyrant who was killing his own people on a regular basis. He had started a war against Iran, where there were more than 1 million killed. And he had used weapons of mass destruction to destroy thousands of his own country men, women and children.

I have made a number of trips into Iraq. I sat with the chief justice who was on the panel that was lined up to try Saddam. And I asked the chief justice and the other justices, what is the penalty that Saddam is looking at? Now, he was in jail, and no one knew whether he was going to face the death penalty. And one of the other junior judges tried to explain to me, and he said that the penalty that Saddam is facing, well, we have a series of penalties; we have prison terms, we have life without parole—well, actually, he said we have the death penalty, then we have life in prison, and then we have other shorter terms, and it goes on down just like it does in the United States.

And as I watched the chief justice listen to the more junior justice explain that to me—which didn't explain a lot, actually—the chief justice, sitting there with a big white mustache, was tapping his pencil on the table and he wanted to be recognized. And I turned

to him for clarification and he said, Saddam is charged with crimes against humanity. Under Iraqi law, there is only one penalty, and that's death. And that's, ladies and gentlemen, when the world found out that Saddam was actually facing a death penalty. And about a year later then he did meet the end of his rope.

And that was a dramatic time in the history of Iraq. It took the fear away from the Iraqis. They were never sure whether he was going to emerge, whether he would be found not guilty and released onto the streets. They were never sure if he would light up again or reconfigure his Baathist political machine, reestablish his force of tyranny across the country, take over the control of the people and terrorize the Shias, and control the oil again and use that country for his own evil purposes. They knew that Uday and Qusay were dead, but they didn't know that Saddam would not come back until they knew he was dead as well. That changed the dynamics in Iraq. And thousands, in fact, millions of Iraqis are grateful for the sacrifice that's been made by coalition troops, American troops and American taxpayers, who have given up a fair amount of treasure to match a significantly large loss of blood and humanity in that country.

But what do we have today and where are we today and how did we get here? Well, in this Congress, this 110th Congress, Mr. Speaker, when NANCY PELOSI took the gavel—I will not forget that moment in time—and they began, on that side of the aisle, to bring resolutions to the floor in an attempt to unfund the war in Iraq. A whole series of pieces of legislation came raining down in this 110th Congress, directed to the floor, approved to coming to the floor by Speaker PELOSI, forty resolutions to undermine our military effort in Iraq. Forty different resolutions on the floor of this Congress calling for votes, trying to divide us, trying to see where they could find a way where they could squeeze off the resources to our military and ensure defeat, which is what it surely would have done. But we stood up, and we put the pressure back on the other side. And enough Democrats voted with Republicans to save this agenda that so many have sacrificed their lives and their blood for.

When I talk to the soldiers that serve there, and the airmen and the Marines and the Navy personnel, and when I talk to the parents who have lost a son or a daughter, they say, You can't pull us out of this fight. Don't do this to us, please. We're all volunteers. We're all volunteers here to carry out this mission. We want to take this fight away from our children and our grandchildren. We want it done in our time.

They put their lives on the line and they set aside years of their lives, many of them multiple deployments to go over there, 100 percent of them volunteers. Not just for the military. They didn't just sign up, they knew when they signed up or when they reupped that the odds were good that they would be deployed into the theater of either Iraq or Afghanistan.

And so they're all volunteers, Mr. Speaker. And they volunteer because they love this country, they understand our history, and they understand that we need to direct its destiny, not people that live in foreign countries, not the people that hate America, but the people that love America are the ones that protect our destiny. They're in uniform, they're in places like Iraq and Afghanistan, they're standing up and defending our freedom, and we need to stand with them.

And so I'm troubled, Mr. Speaker, when I pick up an op-ed, and it was written by the junior Senator from Illinois, the junior Senator who served 147 days in the United States Senate, his only Federal office exposure, until he decided that he wanted to be the President of the United States. That junior Senator has been to Iraq one time, one time almost 900 days ago, but for more than 900 days he said, We've got to get out of Iraq, we've got to get out now, we've got to pull our troops immediately out of Iraq. And the only conditions are leave a rear guard there to guard their backs so they don't get shot in the back on their way out of Iraq. That's what I heard. I heard it not exactly in those words, but I heard that theme over and over again. And it was exactly the words ''immediately pull our troops out of Iraq.'' That's what the junior Senator from Illinois said. That's the position he holds today.

He does understand that to pull 142,000 troops out of Iraq takes a little bit of time. He has said in his op-ed that's printed July 14 in the New York Times that he would consult with commanders on the ground and the Iraqi Government to ensure that our troops were redeployed safely and our interests protected. Well, that's the only consultation he's willing to accept is if somebody else will plan the logistics of the retreat.

And I would remind the body that victory in a war is defined by who's standing on the ground that was fought over when the war is over. It's like a street fight; whoever is standing there on the corner won the fight, and the one whose buddies drug him off or walked or ran away is the one that lost. We all know that. You can't run away from a fight and declare victory. It doesn't work in a street fight, it doesn't work in a battle, and it doesn't work in a war. And you can say what you want to about history, but they're going to write history according to the facts; and the facts will be who was standing in Iraq at the end of the war, not who declared defeat and pulled troops out.

But it is not just tantamount to a declaration of defeat to pull troops out and run away from an enemy, it is a declaration of defeat itself by any measure, by any judgment of history. I would just remind, again, Mr. Speaker, that we pulled out of Vietnam, ''peace with honor,'' I remember, ''peace with honor.'' And I remember this Congress voting to shut off all dollars to go to the South Vietnamese where they were, by then, trained to defend themselves. And we had made a sacred oath to the South Vietnamese people that we would provide for them all of the military equipment, all the munitions, and all of the air cover that they would need and use to defend themselves. And they were trained and equipped and they had their military squared away to do that. And this Congress passed legislation on an appropriations bill that said, ''These monies in this appropriations bill and any monies heretofore appropriated shall be prohibited from being spent to defend any military mission in Vietnam, on the ground of Vietnam, in the skies over Vietnam, in the seas around Vietnam''—North or South Vietnam it actually said—''or in the skies or land around Laos and Cambodia, neighboring counties.'' They covered it pretty good.

Any money that was in the pipeline was prohibited from being spent to allow the South Vietnamese people to defend themselves. And any money in the Department of Defense appropriations bill would be prohibited from being used to let the South Vietnamese people defend themselves with those resources.

We failed the South Vietnamese people. We gave them a solemn promise and a solemn oath, and we pulled out on them. And this country remembers people hanging on to the struts of helicopters as they lifted off of the U.S. Embassy in Saigon, a disgraceful image in the minds not just of patriotic Americans who saw that, sadly, but an image in the minds of people like al Qaeda who are inspired now because we didn't stick it out then.

And I read General Giap's book, the general who is credited with being the mastermind that set up the strategy that historians will describe as the defeat of the United States in South Vietnam. I would argue that we were not defeated there, but we were defeated here on the floor of this Congress. That's the fact of it, Mr. Speaker.

And on page eight of General Giap's book, he writes that he got his first inspiration that they could defeat the United States because we were willing to settle for a negotiated settlement in Korea. Because we didn't press forward for a complete 100 percent total victory over North Korea, he got the sense that we didn't have the stomach to finish a war that we were in. And so he set about with a strategy of the war of attrition, and they lost over 100,000 of their troops, killed in the Tet Offensive in 1968. And Walter Cronkite turned that into a defeat for the United States rather than a victory for our troops that so gloriously defended their positions and their compounds and the

South Vietnamese people. Over 100,000 North Vietnamese troops killed in the Tet Offensive, and Walter Cronkite interpreted that as a defeat for the United States because he didn't know why there were sappers inside the wall but not inside the U.S. Embassy in Saigon.

That's how history turned. History turned because it was redefined by liberal media people, and has since then been redefined by historians. And it's defined this way in the minds of Osama bin Ladin, General Giap, and also people like Muqtada al Sadr. And as I was actually in Kuwait, June 11, 2004, watching al Jazeera TV, Muqtada al Sadr came on and he said—and I was watching the closed caption going underneath the screen, he was speaking, I presume, in Arabic, the closed caption said—and I heard the voice of Muqtada al Sadr, he said, ''If we keep attacking Americans, they will leave Iraq, the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu.''

The inspiration for our enemies doesn't come from some ideology that causes them to rise up and move in a fashion that—they're not seeking a better world or a better life, it's hatred for us. And they think they can defeat us because they believe we're soft and we lack resolve. And they go back and keep score of our history and they say, well, they pulled out of Vietnam, they pulled out of Lebanon, they pulled out of Mogadishu, surely they'll pull out of Iraq. Well, they're dealing with a different Commander in Chief today than who was in charge in any of those circumstances. This time it's George W. Bush who is sticking this out. And I'm sticking it out with him, Mr. Speaker, because he's right. The central battle in this global war on terror is now and has been for a long time Iraq, Iraq, Iraq.

□ 2300

That's changing. It's transitioning over to Afghanistan, perhaps Pakistan, but today it's Iraq, Iraq, Iraq. And we have everything but a sewed-up victory there.

When I look at the statistics that come out of Iraq, it tells me this: that civilian violence is off. It's down by about 80 percent from its peaks. Our military casualties are down dramatically as well. There has been 1 week where the accidental deaths in Iraq, 1 by my record so far, where the accidental deaths in Iraq were greater than the combat deaths in Iraq. That means you're getting down to one or two or three for the week. The casualties in Afghanistan have been for the last 4 to 6 weeks roughly equal to or greater than they are in Iraq.

Now, I would ask, Mr. Speaker, that you consider this: that we have about 140,000 to 142,000 troops in Iraq; we have about 26,000 troops in Afghanistan. So the numbers work out to be that there are about 5.38 times more troops in Iraq than there are in Afghanistan. And if the casualties are roughly equivalent in each of the two countries, the casualty rate in Afghanistan is 5.38 times greater than the casualty rate in Iraq. That is a dramatic sea change, Mr. Speaker, in the numbers of casualties within the two countries. And it isn't just because the casualties have gone up in Afghanistan, which they have, but it's because they have gone down dramatically in Iraq.

And the Department of Defense issued a couple of weeks ago sectarian attack statistics. Now, if you remember, we had people like the gentleman from Pennsylvania, who professes to be an expert on these issues, the one who said pull the troops out now, let's cut and run out of there and move them back to their horizon, who said that we had a civil war in Iraq and we had sectarian violence in Iraq and the place was melting down in shambles and chaos and the war could not be won. It was already lost. That from a retired Marine, that we already lost. Well, the sectarian violence, the violence that was described as uncontrollable, unmanageable, and going to get worse, the last report that came from the Department of Defense was sectarian violence, Shias killing Sunnis, Sunnis killing Shias for the sake that they are opposite sects, sectarian violence: zero. No recorded cases of attacks for sectarian reasons. Civilian violence off at least 80 percent, our casualties down to a level below where they are in Afghanistan for the last couple of weeks at least and spanning over the last 6 weeks equivalent roughly to Afghanistan. But the casualty rates in Afghanistan are 5.38 times higher than they are in Iraq.

Now, why is anybody unsatisfied with this? When I kept asking the question: Describe for me, define for me a victory in Iraq. How do you define that victory in Iraq? These folks over here are pretty cagy, Mr. Speaker, because they're not going to define a victory in Iraq. They know that we can achieve that. So they set up these benchmarks, 18 benchmarks for the Iraqis to reach, and if they didn't meet the benchmarks, then they were going to pull the plug on the funding and shut off the support for the troops and bring them all home. That was the strategy. And that was the strategy when General Petraeus came here to Congress—I think it was the 12th or 15th of September last year—and he gave a report on the situation in Iraq. And the junior Senator from New York said, ''It would require the willful suspension of disbelief to believe you, General Petraeus.'' ''The willful suspension of disbelief.''

Well, look where we are today, Mr. Speaker? Who was telling the truth then? Was it the skeptic that came forward and denied the facts that were in front of her? Was it the general that laid out objectively the circumstances, with proper cautions, with proper caveats, but still with the proper strategy? And he sat down at Leavenworth and spent months writing the manual, the counterinsurgency manual. And I have that manual, and I have pored through it. I haven't read every word of it, but I have read a lot of the pieces in it. And that strategy was put together, as I sense it, as I read it, from the experience that General Petraeus had in Iraq and other experiences around other locations where he had been deployed, plus a lot of reading, a lot of experience, a lot of activity with other officers.

I remember going to Iraq for the first time in 2003, and I talked to the officers. They didn't know very much about the culture in the Middle East, and they didn't have a lot of books that they'd read about it. And I came home and started to read. I went back to Iraq, and I saw the bookshelves in their offices in places like Baghdad and Fallujah with more books on the Arabic culture, on the Muslim religion, on ways to understand the culture and the religion and the military tactics. We saw our officers start to get up to speed and learn, and they got up to speed and learned. And no one has learned that I can tell any more or any faster than General Petraeus.

And when I read this op-ed in the New York Times, written by the junior Senator from Illinois, who spent 147 days in the Senate and decided he should be the leader of the free world, he writes a few things in here that are quite disturbing. I will just take this kind of from the top. This is his op-ed that says what he is going to learn when he goes to Iraq. Now, this is a classic case of really getting the sequence of things wrong.

Now, I'm a cynical person sometimes. That's what it takes to maintain sanity in this Congress, Mr. Speaker, and I would say that I could name more than one individual in this Congress that decided that they were getting enough pressure from their constituents that they wanted to flip and change their position on the war on terror and particularly the central battlefield of that, which is Iraq. And I can name more than one individual that I believe decided they wanted to change their position, turn against the war, and so they set up a trip to go to Iraq so that they could learn what was going on over there, having already made up their mind that they were going to flip and turn against it. I could name more than one person. I choose not to do that, but I can do that. And they aren't all Democrats either, Mr. Speaker. That is a cynical thing to do. It's a cynical thing to do to come to a conclusion without the facts and then set up a trip so that you can validate the conclusion that you've already come to and come back and say, ''Well, here's what I've learned. I've learned that we've got to pull out and pull out now, and since I have been there, I really am convinced of that.'' That has happened in this Congress multiple times actually from both sides of the aisle.

Well, Senator OBAMA takes it way another level. He goes to way another level, and he decides, I'm going to go to Iraq for the first time in 900 days. For more than 900 days, he has said we're going to pull the troops immediately out of there. And he's already decided what he's going to find out when he gets there. That's not exclusive new. I said I can name some people who have done that, and I think it's cynical and it's wrong. And remember when he said ''the audacity of hope''? Now, that's kind of an oxymoron. Hope is not in an active sense. Wishful thinking is what hope is. ''The audacity of hope.'' Well, what about the audacity of declaring to the world what he's going to learn when he gets there in a couple of weeks and putting it in an op-ed in the New York Times and telling us, well, I will go there and I am going to learn what's there, and then here's what I am going to do when I come back after I learn what it is I don't know. He's going to pull the troops out immediately. And he writes in his op-ed, dated the 14th of July: ''But the same factors that led me to oppose the surge still hold true.''

How does he know that, Mr. Speaker? How can he know that the same factors that led him to oppose the surge, the same factors presumably that led him to oppose our operations in Iraq, still hold true? What factors? What factors has he verified today that he thinks are going to be confirmed when he gets there? And if he already has his mind made up, why waste the jet fuel? Why put those global warming greenhouse gasses up in the atmosphere and fly over to Iraq if you already know what you think? What is going to be validated by his presence there when he already invalidates his own objective judgment by writing the op-ed that tells the world what it is that he wants us to know that he has concluded after he actually goes there but tells us before?

And he says of the Iraqis that the ''leaders have failed to invest tens of billions of dollars in oil revenues in rebuilding their own country.''

Not so. They are investing now tens of billions of dollars. I know that they were in a situation where they had about $60 billion in revenue and they were working furiously to get it so that they could get it down and out to the people. And we are getting that revenue out to the people. I met with the mayor of Ramadi some months ago. He sounded like, let's say, the mayor of Altoona: ''I need more resources. I can't quite get the bureaucrats out of the way. I've got to build a sewer. We need a water plant. We have got to fix some streets.'' That's what it sounded like to me. And those are the streets that al Qaeda owned them less than a year before, and we went shopping in downtown Ramadi. It was the center of death for a long time there.

So the Iraqis are investing tens of billions of dollars. But if they weren't, is the punishment for not taking your tens of billions of dollars and investing it, is the punishment turning your back over to al Qaeda? What kind of a foreign policy is that?

And then we go on and he says: ''They have not reached the political accommodation that was the stated purpose of the surge.'' Well, what is that political accommodation? He does not say. And he doesn't say because he can move that ball of string in front of the kitten again. He can play Lucy with Charlie Brown and the football in the fall, set the ball, and when Charlie comes along, the Iraqis, to make their political accommodations and they get ready like Charlie Brown to kick the football, then Lucy, the junior Senator from Illinois, can say, ''Whoops. Nope, that wasn't the target. That was a different political accommodation. I'll tell you what it is if you hit it.'' Well, you're not going to hit it with this man. He already has his mind made up. No amount of accomplishments, no amount of statistics, no amount of real data on the ground, no amount of sacrifice is going to change his mind because politically he has concluded that it strengthens his hand to, let me say, invalidate the sacrifice of thousands and thousands of Americans who have either given their lives; their limbs; parts of their bodies; their health, mental and physical; their treasure; and years out of their lives. To take that fight from us, to take that fight from our children and grandchildren would all be invalidated because it would strengthen his hand politically. That's the calculus.

So it says here, and again I am reading from this New York Times op-ed dated July 14 by the junior Senator from Illinois, 147 days in the Senate and decided he wanted to be President—it says here in his op-ed: ''The good news is that Iraq's leaders want to take responsibility for their country by negotiating a timetable for the removal of American troops.''

Well, that's an opinion on an opinion. And my opinion on that opinion is, Mr. Speaker, that the Iraqis are starting to feel their oats a little bit. Yes, we have made a lot of progress, and a very good sign of the progress is that at least politically Prime Minister Maliki needs to say, ''I want to negotiate a timetable.'' That tells me that the Iraqis are building in their confidence, and that's good news.

Two other things that have happened in the last 1½ years that didn't exist before is the Iraqi people understand we are not there for their oil and they understand we are not there to occupy, and that has helped dramatically in helping the Iraqis to make progress moving forward. But ''the good news is that Iraq's leaders want to take responsibility for their country by negotiating a timetable for the removal of American troops,'' he could have chosen his words a little better. That sets a little wrong with me, that word ''removal.'' But what that says is we are succeeding in Iraq. And a year ago, 2 years ago, 3 years ago, 4 years ago, the answer was did all the Iraqis want us to leave? Yes. All of the Iraqis wanted us to leave, just not anytime soon. They wanted to make sure that their country was stable. We have been training troops there for a long time, Mr. Speaker, and I don't know that the junior Senator knows that.

But in any case, the timetable for American troops coming home needs to be set upon the security levels in Iraq, not some arbitrary date. But the dates that are being proposed by the Iraqi leadership are well beyond the date that is in this op-ed that's written by the junior Senator from Illinois. So they are not on the same page. Maybe he doesn't know that because he hasn't gone there for 900 days. And when he sits down and talks to them, and I hope he does, is he going to come back and correct this? I don't think so because he already has his mind up. He has given us a report from Iraq, sent to us a couple weeks before he goes to Iraq. That's kind of being a little bit trigger happy with your op-ed, I would say.

□ 2315

Now here is another piece that I underlined. Obama says, ''Only by redeploying our troops can we press the Iraqis to reach comprehensive political accommodation and achieve a successful transition to Iraqis' taking responsibility for the security and stability of their country. Instead of seizing the moment and encouraging Iraqis to step up, the Bush administration and Senator MCCAIN are refusing to embrace this transition.''

Really? If he had gone to Iraq like I have and dozens and dozens of Members of Congress have and thousands upon thousands of Americans in uniform have, he might have been exposed to some of the things I have seen. For example, October 2003, Mosul, Iraq, General Petraeus commanding the 101st Airborne showed us, and this would be about 11:30 at night, he brought Iraqi troops into formation that had been training. And those Iraqi troops stood at attention. And we reviewed the Iraqi trainee troops October 2003. May, 2003, they had elections in Mosul. Liberation took place about the 22nd and 23rd in that area of March 2003. Just a little over a month later, there were elections in Mosul, Iraq, where they elected a governor, a vice governor and other officers there. That was all under the direction of General Petraeus.

And so if you go there, Mr. Speaker, and you witness those things, you understand the reality on the ground is significantly different than the reality imagined by the gentleman who penned this op-ed. And I would continue, by the way, I repeat the statement where he says, the Bush administration and Senator MCCAIN are refusing to embrace this transition to Iraqi security forces providing the security in Iraq. They are the people that invented it, Mr. Speaker. It has been the President and his appointed officers who have

made sure that we had the resources to train Iraqi troops and to get Iraqi troops stood up so our troops could stand down. Do you remember that phrase? When the Iraqi troops stand up, we can stand down. That statement came out over and over again.

And I have met with Iraqi troops across that country over and over again. And sometimes they train pretty good. And sometimes they didn't perform so well. But today, we know they fight well for Prime Minister Maliki. And because of that, the day is coming where we can transition. And we've drawn the surge volume of the troops down now, and we're back to the more stable number of 100,000 to 142,000 troops. We think those numbers will be diminished some more throughout the summer.

But let it be a strategic decision, not a political decision. Politicians don't do a good job of fighting wars. I've described what we did on the floor of this Congress to pull the rug out from underneath the South Vietnamese. I just didn't tell you about the 2 or 3 million who died in the aftermath. That blood is on the hands of the people who didn't keep their promise to the South Vietnamese. And I don't want the blood on our hands for not following through on our mission that we committed ourselves to. Once you engage, you're with the troops 100 percent. You're with the mission 100 percent. You cannot separate the troops from their mission. And it doesn't work to say, I'm for the troops but I oppose their mission. It doesn't work to say, I celebrate our brave troops, but I brought a resolution to the floor, an amendment to try to cut the funding for them. I tried to cut their food, their fuel, their bulletproof vests, M–4s and their Humvees. That is not support. And they need moral support as well as financial support, Mr. Speaker.

And under the next paragraph in his op-ed in the New York Times it says, ''It is a strategy for staying that runs contrary to the will of the Iraqi people.'' Really? How would he know what the will of the Iraqi people is? It helps to go there and find out. You can get somebody in this country to tell you anything you want to hear. And you can repeat it over and over again. When you go there and you see the faces of the Iraqi people and you move among their troops and among their civilians, you get an entirely different idea. You get an idea of gratitude. I have gotten written letters from them where they have profoundly thanked us for the sacrifice of our American soldiers, sailors, airmen and marines. We've given them a lot. We've given them our treasure. And we've given them our sons and daughters. And they're willing to step up to this freedom. We cannot squander it.

This is another comment made by OBAMA in this op-ed to the New York Times. It says, ''It is a strategy for staying that runs contrary to the will of the Iraqi people.'' And moving forward it says, ''That is why, on my first day in office, on my first day in office, I would give the military a new mission: Ending this war.'' That is the definitive statement made by the junior Senator from Illinois: ''On my first day in office, I would give the military a new mission: Ending this war.''

Regardless of the circumstances on the ground, Mr. Speaker, regardless of how badly we might need to have troops there to stabilize the Iraqi defense forces, regardless of the threat, regardless of the threat across the Straits of Hormuz, Iran and their nuclear efforts and Ahmadinejad's lunatic approach to the world, denying the holocaust, declaring that he wants to annihilate Israel and annihilate the United States, and have him sitting there on one side of the Straits of Hormuz where 42.6 percent of the world's oil supply comes through and take our troops and skedaddle out of Iraq, and hand southern Iraq over to the influence of the Iranians perhaps? Where 70 to 80 percent of the Iraqi oil is? And again, right on the other side of the Straits of Hormuz, on both sides of the Straits is where most of the oil is in Iran, on the east side of the Straits of Hormuz and Iraq on the west side of the Straits of Hormuz, in there is a mother lode of oil. Those oil fields are developed, that oil is coming out of there, and it's coming down the Straits now. And if Iran follows through on their threat to close the Straits of Hormuz, they have a stranglehold on the oil supply for the world. Not only do they have that, but they have a stranglehold on the valve that turns the economy off or on if they choose to do so. And they have threatened to close the Straits. And we have in the past put our Navy in there to keep the Straits open.

That, Mr. Speaker, is the time for the Speaker, NANCY PELOSI from San Francisco, to declare that we should open up our Strategic Petroleum Reserves, dump that oil on the market where we have, I understand, about 2 months of supply in the Strategic Petroleum Reserve and use that to drive the price down? What do we do when those reserves are empty and the oil production in the world hasn't gone up, and we haven't developed our energy supplies in the United States? What do we do then? What do we do if Ahmadinejad then closes the Straits of Hormuz after our Strategic Petroleum Reserve is empty and we have taken a dime or so off the gas price in the United States, taken some pressure off the world demand for oil because we wouldn't be quite so much in the market which would give the Chinese a better deal on oil, that would be the strategy that we're working with?

Our national security is at risk. The destiny of this Nation is at risk. And if we pull out of Iraq, if we elect an OBAMA for President, and he follows through on this thing that he is about to learn in a couple of weeks when he goes to Iraq and he has already concluded and he writes in the op-ed, I'm going to editorialize this part, and I will be straight about that, he writes in the op-ed, I'm going to Iraq, and I'm going to learn all this, and I'm going to come back, and these are the decisions I have already made, and I'm going to remake them when I come back. ''That is why on my first day in office, I would give the military a new mission: Ending this war.'' That means get out of Iraq. Pull out immediately. He said it over and over again, leave that blood and treasure there and leave the disgrace of pulling out there, and let the world declare it to be a defeat for the United States. Let al Qaeda use it as a recruiting tool, a recruiting tool for them to pick up terrorists around the world. That is what would happen, Mr. Speaker, if we pull out.

And I do think we're close to where the Iraqis can stand on their own and it is far more stable. But to just simply betray the judgment of General Petraeus before setting foot on the ground that has been liberated by the surge and the people who have given their lives, their blood and their treasure is a disgrace to do. And so I urge this body to urge some of their Presidential candidate to shift his position.

In the meantime, I intend to stand with a man who is an authentic American hero, a man who has served America for every day of his adult life, a man who sat in the Hanoi Hilton for at least 5½ years, that served there with our own great SAM JOHNSON in this Congress, served with the most decorated living American hero who happens to be from Sioux City, Iowa, and a man whom I call a friend, Colonel Bud Day, a Medal of Honor and 69 other medals on down. Those men stand up with JOHN MCCAIN for his service. And they know that that he has character. It can't be challenged. The background of JOHN MCCAIN is a solid background all the way through. And the background that we have, that we follow for the junior Senator for Illinois, we're having trouble finding the place that would give us encouragement that he would have the tools necessary to lead the United States.

Mr. Speaker, I want somebody that stands up for our freedom. I want somebody who has got an attitude of an east Texan serving us in the United States, in the White House. I want somebody with an attitude like President Bush has. Sometimes you have to be a lit bit ornery, a little cussed, a little belligerent and a little bit of an enigma. And that will keep our enemies off of our back and keep them guessing a little bit. But they need to know. Our enemies need to know we're committed to victory. And we're going to stick with victory. And we're not going to let up, that Iraq cannot be our Alamo. And it will not if we send a Commander in Chief that will stand for victory. I would conclude, Mr. Speaker, that America has never elected a President who was for retreat at a time of war. We will not do it again in 2008.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today after 5 p.m. and the balance of the week on account of personal reasons due to family matters.

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 Mr. SKELTON) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 23.

Mr. JONES of North Carolina, for 5 minutes, July 23.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. STEARNS, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 9, 2008 she presented to the President of the United States, for his approval, the following bill.

H.R. 6304. To amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

Lorraine C. Miller, Clerk of the House reports that on July 10, 2008 she presented to the President of the United States, for his approval, the following bills.

H.R. 802. To amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.

H.R. 3721. To designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the ''Marine Gunnery Sgt. John D. Fry Post Office Building''.

H.R. 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.R. 4185. To designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the ''Marisol Heredia Post Office Building''.

H.R. 5168. To designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the ''Cody Grater Post Office Building''.

H.R. 5395. To designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building''.

H.R. 5479. To designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the ''Alonzo Woodruff Post Office Building''.

H.R. 5517. To designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the ''Texas Military Veterans Post Office''.

H.R. 5528. To designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the ''Rocky Marciano Post Office Building''.

H.R. 6331. To amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Thursday, July 17, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7580. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the eighteenth annual report on the Profitability of Credit Card Operations of Depository Institutions, pursuant to 15 U.S.C. 1637 note. Public Law 100-583, section 8 (102 Stat. 2969); to the Committee on Financial Services.

7581. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's Annual Report to Congress on the Presidential $1 Coin Program, pursuant to 31 U.S.C. 5112 Public Law 109-145, section 104(3)(B); to the Committee on Financial Services.

7582. A letter from the Senior Vice President, Office of Congressional Affairs, Export-Import Bank, transmitting the Bank's report on export credit competition and the Export-Import Bank of the United States for the period January 1, 2007 through December 31, 2007; to the Committee on Financial Services.

7583. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7584. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7585. A letter from the Secretary, Department of Education, transmitting the Department's final rule — The Teacher Education Assistance for College and Higher Education (TEACH) Grant Program and Other Federal Student Aid Programs [Docket ID ED-2008-OPE-0001] (RIN: 1840-AC93) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7586. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Community Services Block Grant Statistical Report and Report on Performance Outcomes for Fiscal Year 2005; to the Committee on Education and Labor.

7587. A communication from the President of the United States, transmitting notification terminating the suspensions pertaining to the issuance of temporary munitions export licenses for exports to the People's Republic of China, pursuant to Public Law 101-246, section 902(b)(2) (104 Stat. 85); to the Committee on Foreign Affairs.

7588. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

7589. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for FY 2008 that no United Nations organization or United Nations affiliated agency grants an official status, accreditation, or recognition to any organization which promotes, condones, or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization, pursuant to Public Law 103-236, section 565(b) (108 Stat. 845); to the Committee on Foreign Affairs.

7590. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Texts of Conventions and Recommendations adopted by the International Labor Conference at Geneva, pursuant to Art. 19 of the Constitution of the International Labor Organization; to the Committee on Foreign Affairs.

7591. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement for technical data, defense services, and defense articles to the United Arab Emirates (Transmittal No. DDTC 003-08); to the Committee on Foreign Affairs.

7592. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles or defense services to the Government of Japan (Transmittal No. DDTC 012-08); to the Committee on Foreign Affairs.

7593. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of the United Kingdom (Transmittal No. DDTC 045-08); to the Committee on Foreign Affairs.

7594. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding an application for a license for the manufacture of military equipment abroad and the export of defense services, including technical data, and defense articles to the Government of Poland (Transmittal No. DDTC 071-08); to the Committee on Foreign Affairs.

7595. A letter from the Board of Directors, Tusiad, transmitting an analysis of the factual and legal deficiencies of H. Res. 106; to the Committee on Foreign Affairs.

7596. A letter from the Adjutant General, Veterans of Foreign Wars of the U.S., transmitting proceedings of the 108th National Convention of the Veterans of Foreign Wars of the United States, held in Kansas City, Missouri, August 18-23, 2007, pursuant to 36 U.S.C. 118 and 44 U.S.C. 1332; (H. Doc. No. 110-

132); to the Committee on Veterans' Affairs and ordered to be printed.

7597. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Notification of the intention to waive the prohibition on the use of FY 2007 Economic Support Funds provided with respect to Bolivia, Costa Rica, Cyprus, Ecuador, Kenya, Mali, Mexico, Namibia, Niger, Paraguay, Peru, Samoa, South Africa, and Tanzania, pursuant to Public Law 109-102, section 574; jointly to the Committees on Foreign Affairs and Appropriations.

7598. A letter from the Board Members, Railroad Retirement Board, transmitting the 2008 annual report on the financial status of the railroad unemployment insurance system, pursuant to Public Law 100-647, section 7105; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH of Vermont: Committee on Rules. House Resolution 1350. Resolution providing for consideration of motions to suspend the rules (Rept. 110–761). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOUSTANY:

H.R. 6506. A bill to amend title XXI of the Social Security Act to require SCHIP annual reports to include information on the HEDIS measure relating to access to primary care practitioners by individuals eligible for child health assistance under such plans and on State efforts to avoid certain displacement of private health coverage, and to express the sense of Congress that such States should utilize Consumer Assessment of Healthcare Providers and Systems consumer satisfaction surveys to measure access by such individuals to physicians; to the Committee on Energy and Commerce.

By Mr. CHILDERS:

H.R. 6507. A bill to amend the Internal Revenue Code of 1986 to modify the partial exclusion for gain from certain small business stocks; to the Committee on Ways and Means.

By Mr. MILLER of North Carolina (for himself, Mr. CONYERS, Mr. NADLER, Ms. LINDA T. SÁNCHEZ of California, and Mr. PRICE of North Carolina):

H.R. 6508. A bill to provide an alternate procedure for the prosecution of certain criminal contempts referred for prosecution by the House of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. SMITH of Texas, Mr. SCOTT of Virginia, Mr. GOHMERT, and Ms. NORTON):

H.R. 6509. A bill to provide for the continued performance of the functions of the United States Parole Commission; to the Committee on the Judiciary.

By Mr. HOEKSTRA:

H.R. 6510. A bill to require the Director of National Intelligence to conduct a national intelligence assessment on national security and energy security issues relating to rapidly escalating energy costs; to the Committee on Intelligence (Permanent Select).

By Mr. TANCREDO:

H.R. 6511. A bill to designate the Department of Veterans Affairs hospital under construction in Aurora, Colorado, as the ''Petty Officer 2nd Class Danny Dietz Department of Veterans Affairs Hospital''; to the Committee on Veterans' Affairs.

By Mr. BARRETT of South Carolina:

H.R. 6512. A bill to require agencies to review all major rules within 10 years after issuance, including a cost-benefit analysis using a standard government-wide methodology, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KANJORSKI (for himself, Mr. BACHUS, Mr. FRANK of Massachusetts, Ms. PRYCE of Ohio, Mr. MEEKS of New York, Mr. CAMPBELL of California, Ms. BEAN, Mr. DAVIS of Kentucky, Mr. HINOJOSA, Mr. ROSKAM, Mr. MOORE of Kansas, Mr. CASTLE, Mr. SCOTT of Georgia, Mr. SHAYS, Mr. HODES, and Mrs. CAPITO):

H.R. 6513. A bill to amend the Federal securities laws to enhance the effectiveness of the Securities and Exchange Commission's enforcement, corporation finance, trading and markets, investment management, and examination programs, and for other purposes; to the Committee on Financial Services.

By Mr. JONES of North Carolina (for himself and Mr. PAUL):

H.R. 6514. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. RAHALL (for himself, Mr. WELCH of Vermont, Ms. SUTTON, Ms. CASTOR, Mr. CARSON, Mrs. BOYDA of Kansas, Mr. WALZ of Minnesota, Ms. GIFFORDS, Mrs. GILLIBRAND, Mr. HODES, Mr. HALL of New York, Mr. SPACE, Mr. SIRES, Mr. WILSON of Ohio, Mr. YARMUTH, Mr. COURTNEY, Mr. MCNERNEY, Mr. FALEOMAVAEGA, and Mr. FOSTER):

H.R. 6515. A bill to amend the Naval Petroleum Reserves Production Act of 1976 to require the Secretary of the Interior to conduct an expeditious environmentally responsible program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, 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. ABERCROMBIE (for himself, Mr. YOUNG of Alaska, and Ms. HIRONO):

H.R. 6516. A bill to provide for retirement equity for Federal employees in nonforeign areas outside the 48 contiguous States and the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, 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. ACKERMAN (for himself, Mrs. MALONEY of New York, and Mr. CAPUANO):

H.R. 6517. A bill to require the Securities and Exchange Commission to reinstate the uptick rule on short sales of securities; to the Committee on Financial Services.

By Mr. COHEN:

H.R. 6518. A bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process; to the Committee on the Judiciary.

By Mr. COHEN (for himself and Mr. ISSA):

H.R. 6519. A bill to amend the Immigration and Nationality Act with respect to temporary admission of nonimmigrant aliens to the United States for the purpose of receiving medical treatment, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas (for herself, Ms. WATSON, Mr. DELAHUNT, Mr. PITTS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Mr. PAYNE, Ms. KILPATRICK, Mr. SMITH of New Jersey, Ms. SOLIS, and Mr. HASTINGS of Florida):

H.R. 6520. A bill to increase global stability and security for the United States and the international community by reducing the number of individuals who are de jure or de facto stateless and at risk of being trafficked; to the Committee on Foreign Affairs.

By Mr. GARRETT of New Jersey (for himself, Mr. MCHENRY, Mr. MCCOTTER, Mr. PRICE of Georgia, Mr. ROYCE, Mr. HENSARLING, Mr. BACHUS, Mr. FEENEY, Mr. BARRETT of South Carolina, Mrs. BACHMANN, Mr. LUCAS, and Mr. JONES of North Carolina):

H.R. 6521. A bill to reform the regulation of certain housing-related Government-sponsored enterprises; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself, Mrs. CUBIN, Mr. POMEROY, Mrs. BOYDA of Kansas, Mr. KAGEN, and Mrs. MCMORRIS RODGERS):

H.R. 6522. A bill to prohibit the importation of ruminants and swine, and fresh and frozen meat and products of ruminants and swine, from Argentina until the Secretary of Agriculture certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination; to the Committee on Agriculture.

By Mr. KAGEN:

H.R. 6523. A bill to ban the export of Alaskan oil; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, 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. LATOURETTE (for himself and Mr. OBERSTAR):

H.R. 6524. A bill to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM of Minnesota (for herself and Mr. WALZ of Minnesota):

H.R. 6525. A bill to amend the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, and for other purposes; to the Committee on Education and Labor.

By Mr. MELANCON:

H.R. 6526. A bill to establish the 8/29 Investigation Team to examine the events beginning on August 29, 2005, with respect to the

failure of the flood protection system in response to Hurricanes Katrina and Rita, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROHRABACHER (for himself, Mr. ROYCE, Mr. AKIN, Mr. BROUN of Georgia, Mr. JONES of North Carolina, Mr. FRANKS of Arizona, Mr. YOUNG of Alaska, and Mr. GARY G. MILLER of California):

H.R. 6527. A bill to amend the National Environmental Policy Act of 1969 to exempt any solar energy project on lands managed by the Bureau of Land Management from an environmental impact statement requirement; to the Committee on Natural Resources.

By Mr. CHABOT:

H. Res. 1351. A resolution expressing support for the United Nations African Union Mission in Darfur (UNAMID) and calling upon United Nations Member States and the international community to contribute the resources necessary to ensure the success of UNAMID; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. MCHUGH.
H.R. 690: Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Ms. MATSUI, and Mr. ORTIZ.
H.R. 821: Mr. BRADY of Pennsylvania.
H.R. 996: Mr. PAYNE, Mr. TOWNS, and Mr. RANGEL.
H.R. 1073: Mr. DOGGETT and Mr. GOODE.
H.R. 1153: Mr. BISHOP of Utah, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. DOOLITTLE, Mr. FRANKS of Arizona, and Mr. KLINE of Minnesota.
H.R. 1228: Mr. BRADY of Pennsylvania.
H.R. 1385: Mr. ALTMIRE.
H.R. 1428: Mr. GERLACH.
H.R. 1436: Mr. GERLACH.
H.R. 1524: Mr. SPACE.
H.R. 1606: Mr. CUMMINGS.
H.R. 1671: Mr. SERRANO, Ms. MCCOLLUM of Minnesota, Ms. WOOLSEY, Mr. FORTUÑO, Mr. WEXLER, and Mrs. DAVIS of California.
H.R. 1774: Mr. MILLER of North Carolina.
H.R. 1927: Mr. GERLACH.
H.R. 1942: Mr. DENT.
H.R. 2020: Mr. SOUDER.
H.R. 2045: Mrs. CAPITO.
H.R. 2123: Mr. FATTAH and Mr. ELLISON.
H.R. 2164: Mr. TIERNEY.
H.R. 2169: Mr. MEEKS of New York.
H.R. 2205: Ms. GIFFORDS.
H.R. 2233: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2289: Mr. TIERNEY.
H.R. 2343: Ms. MOORE of Wisconsin.
H.R. 2493: Mr. TIM MURPHY of Pennsylvania.
H.R. 2686: Mr. DOGGETT.
H.R. 2923: Mr. STUPAK and Mr. CARNEY.
H.R. 2981: Mrs. MYRICK.
H.R. 3024: Mr. WATT.
H.R. 3089: Mr. PORTER.
H.R. 3098: Mrs. MUSGRAVE.
H.R. 3132: Mr. WEINER.
H.R. 3175: Mr. SESTAK.
H.R. 3187: Mr. PETERSON of Minnesota and Mr. RYAN of Ohio.
H.R. 3202: Mr. BOUSTANY.
H.R. 3212: Ms. CASTOR.
H.R. 3334: Mr. KILDEE and Mr. RYAN of Ohio.
H.R. 3438: Mr. BRADY of Pennsylvania.
H.R. 3439: Mr. CONYERS and Ms. HIRONO.
H.R. 3622: Mr. HULSHOF and Mr. MARIO DIAZ-BALART of Florida.
H.R. 3689: Mr. WITTMAN of Virginia.
H.R. 3737: Mr. MCCOTTER, Mr. MCDERMOTT, and Mr. FARR.
H.R. 3753: Mr. COOPER, Mr. CARSON, and Mr. TERRY.
H.R. 3829: Mr. HINCHEY.
H.R. 3846: Mr. MCDERMOTT and Mr. FALEOMAVAEGA.
H.R. 3874: Ms. PRYCE of Ohio.
H.R. 4014: Mr. ALLEN.
H.R. 4015: Mr. ALLEN.
H.R. 4016: Mr. ALLEN.
H.R. 4071: Mr. SMITH of New Jersey.
H.R. 4093: Mr. SARBANES.
H.R. 4109: Ms. SCHAKOWSKY.
H.R. 4157: Mr. LUCAS, Mr. EHLERS, Mr. WILSON of South Carolina, Mr. SCALISE, and Mr. WITTMAN of Virginia.
H.R. 4188: Mr. SESTAK.
H.R. 4310: Mr. GRIJALVA.
H.R. 4344: Mr. CALVERT.
H.R. 4544: Ms. GINNY BROWN-WAITE of Florida, Mr. WILSON of Ohio, Mr. KAGEN, Mr. BROWN of South Carolina, Mr. BISHOP of New York, Mr. ADERHOLT, Mr. MARKEY, Mr. CARNEY, Mr. SERRANO, Mr. CONAWAY, and Mr. WITTMAN of Virginia.
H.R. 4775: Mr. SMITH of Washington and Ms. MATSUI.
H.R. 4854: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4987: Mr. WESTMORELAND, Mr. DUNCAN, and Mr. PORTER.
H.R. 5110: Mr. SARBANES.
H.R. 5161: Mr. SIRES.
H.R. 5265: Ms. HOOLEY and Mrs. WILSON of New Mexico.
H.R. 5268: Mr. LEWIS of Georgia, Mr. TIERNEY, Mr. LARSON of Connecticut, Mr. THOMPSON of Mississippi, Mr. STUPAK, and Mr. GUTIERREZ.
H.R. 5404: Mr. BOYD of Florida.
H.R. 5441: Mr. DAVID DAVIS of Tennessee.
H.R. 5447: Mr. NADLER.
H.R. 5466: Mr. JACKSON of Illinois.
H.R. 5534: Ms. SOLIS.
H.R. 5564: Mr. BRADY of Pennsylvania.
H.R. 5573: Mr. SARBANES.
H.R. 5632: Mr. CAZAYOUX and Mr. JEFFERSON.
H.R. 5646: Mr. LAMBORN and Mr. KLINE of Minnesota.
H.R. 5652: Mr. WALSH of New York.
H.R. 5684: Mr. GERLACH.
H.R. 5723: Mrs. EMERSON.
H.R. 5756: Mr. TIERNEY, Mr. UDALL of Colorado, and Mr. CLAY.
H.R. 5774: Mr. CONYERS, Mr. PALLONE, and Mr. BRADY of Pennsylvania.
H.R. 5852: Mr. CAPUANO.
H.R. 5882: Mr. SESSIONS and Mrs. MYRICK.
H.R. 5914: Mrs. EMERSON.
H.R. 5921: Mr. SESSIONS.
H.R. 5936: Mr. TIERNEY.
H.R. 5946: Mr. HONDA.
H.R. 5951: Ms. JACKSON-LEE of Texas.
H.R. 5954: Mr. ALLEN and Mr. FORTUÑO.
H.R. 5971: Mr. SHADEGG.
H.R. 5990: Ms. LINDA T. SÁNCHEZ of California.
H.R. 6039: Mr. CAMPBELL of California and Mr. SESSIONS.
H.R. 6076: Mr. FATTAH and Mr. CUMMINGS.
H.R. 6113: Ms. FOXX, Ms. GIFFORDS, and Mr. JOHNSON of Georgia.
H.R. 6120: Mr. BRADY of Pennsylvania.
H.R. 6123: Mr. DAVIS of Illinois.
H.R. 6140: Mr. SALI.
H.R. 6172: Ms. DEGETTE and Mr. TANCREDO.
H.R. 6185: Mrs. DRAKE and Ms. GINNY BROWN-WAITE of Florida.
H.R. 6199: Mr. KING of New York.
H.R. 6203: Ms. KAPTUR.
H.R. 6210: Mr. DONNELLY and Mr. CROWLEY.
H.R. 6277: Mrs. EMERSON.
H.R. 6282: Mr. PAYNE.
H.R. 6283: Mr. FILNER.
H.R. 6288: Mr. HERGER.
H.R. 6328: Ms. ROS-LEHTINEN and Mr. SMITH of New Jersey.
H.R. 6368: Mrs. BLACKBURN.
H.R. 6371: Mr. WELCH of Vermont.
H.R. 6379: Mr. BISHOP of Utah, Mr. MCHENRY, and Mr. DOOLITTLE.
H.R. 6404: Ms. BORDALLO, Ms. MCCOLLUM of Minnesota, and Mr. PAYNE.
H.R. 6418: Mr. PITTS, Mr. AKIN, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. WALBERG, Mr. SAM JOHNSON of Texas, Mr. BONNER, Mr. WELDON of Florida, Mr. MCCOTTER, Mr. SALI, Mr. MCHENRY, Ms. FALLIN, Mr. BISHOP of Utah, Mr. BROWN of South Carolina, Mr. PRICE of Georgia, Mr. RYAN of Wisconsin, Mr. MARCHANT, Mrs. MYRICK, and Mr. MCCAUL of Texas.
H.R. 6424: Mr. BUTTERFIELD.
H.R. 6428: Mr. ALEXANDER, Mr. BISHOP of Utah, Ms. FALLIN, Mr. DOOLITTLE, Mr. SALI, Mr. MCCOTTER, Mr. WELDON of Florida, Mr. SAM JOHNSON of Texas, Mr. WALBERG, Mrs. SCHMIDT, Mr. PITTS, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. WAMP, and Mr. BROWN of South Carolina.
H.R. 6439: Mr. JOHNSON of Georgia and Mr. SPACE.
H.R. 6453: Mr. SOUDER and Mr. SALI.
H.R. 6458: Ms. ESHOO and Mr. STARK.
H.R. 6460: Ms. SUTTON, Mrs. MILLER of Michigan, Ms. MOORE of Wisconsin, Mr. DINGELL, Mr. WALBERG, and Mr. SIRES.
H. R. 6478: Ms. BERKLEY, Mr. BOREN, and Mr. ROSS.
H.R. 6479: Ms. LEE, Ms. PELOSI, Ms. WOOLSEY, and Mr. HONDA.
H.R. 6486: Mr. MCNULTY.
H.J. Res. 79: Ms. MCCOLLUM of Minnesota and Ms. SUTTON.
H.J. Res. 89: Mr. GOODLATTE, Mr. HERGER, and Mr. HULSHOF.
H.J. Res. 94: Mr. SALI.
H. Con. Res. 24: Mr. RUSH.
H. Con. Res. 73: Mr. BUTTERFIELD.
H. Con. Res. 214: Mr. COSTA.
H. Con. Res. 356: Mr. COHEN and Mr. BERRY.
H. Con. Res. 357: Mr. HULSHOF and Mr. ROGERS of Kentucky.
H. Con. Res. 361: Mr. SHERMAN.
H. Con. Res. 386: Mr. GOODE.
H. Res. 645: Mr. BRADY of Pennsylvania, Mr. BLUNT, Mrs. MYRICK, Mr. WALDEN of Oregon, and Mr. BISHOP of Georgia.
H. Res. 655: Mr. COHEN.
H. Res. 672: Mr. TOWNS, Mr. REYES, and Mr. LEWIS of Georgia.
H. Res. 937: Mr. SHERMAN.
H. Res. 1052: Mr. COHEN.
H. Res. 1069: Mr. SHERMAN.
H. Res. 1078: Ms. WOOLSEY and Mr. MCDERMOTT.
H. Res. 1161: Mr. TIERNEY.
H. Res. 1179: Mr. EVERETT, Mr. PORTER, Mr. RUPPERSBERGER, and Mr. CALVERT.
H. Res. 1202: Mr. MCHENRY and Mr. KNOLLENBERG.
H. Res. 1254: Mr. SHERMAN and Ms. ROS-LEHTINEN.
H. Res. 1279: Mr. HOLDEN, Ms. SUTTON, and Mr. GRIJALVA.
H. Res. 1290: Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Mr. SHERMAN, Mr. BACA, Mr. FATTAH, Mr. ENGLISH of Pennsylvania, and Mr. BISHOP of Georgia.
H. Res. 1296: Ms. MOORE of Wisconsin, Ms. WATSON, Mr. ELLISON, Mr. HASTINGS of Florida, Mr. KLEIN of Florida, Mr. HAYES, Mr. CAPUANO, Mr. HARE, Mr. COURTNEY, Mr. JOHNSON of Georgia, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. EDWARDS of Maryland, Ms. SHEA-PORTER, Ms. CLARKE, Ms. FOXX, Mr. KAGEN, Mr. DONNELLY, Mrs. DAVIS of California, and Mr. HODES.
H. Res. 1306: Mr. ROGERS of Kentucky and Mr. MICHAUD.
H. Res. 1319: Mr. BISHOP of New York.
H. Res. 1324: Ms. MCCOLLUM of Minnesota and Mr. GENE GREEN of Texas.
H. Res. 1328: Mr. SHAYS, Mr. WILSON of South Carolina, Mr. WOLF, Mr. GERLACH, Mr. KENNEDY, Ms. GINNY BROWN-WAITE of Florida, and Mr. CARNEY.

H. Res. 1329: Ms. SOLIS.
H. Res. 1330: Mr. WITTMAN of Virginia.
H. Res. 1336: Mrs. BLACKBURN, Mr. GINGREY, Mr. DAVIS of Kentucky, Mrs. MYRICK, Mr. CUELLAR, and Mr. SULLIVAN.
H. Res. 1345: Mr. WEXLER and Ms. LEE.

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 ROB BISHOP, or a designee, to H.R. 415, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, 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.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

290. The SPEAKER presented a petition of the General Assembly of the United Nations, relative to Resolution A/RES/62/178 encouraging Member States to include parliamentarians in their national delegation to the high-level review meeting; to the Committee on Foreign Affairs.

291. Also, a petition of the Parliament of Georgia, relative to a resolution requesting support and clear position to condemn Russia's infringement of Georgia's national integrity; to the Committee on Foreign Affairs.

292. Also, a petition of the California Federation of Teachers, relative to a Resolution supporting H.R. 1008, condemning the persecution of Baha'is in Iran; to the Committee on Foreign Affairs.