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# House of Representatives

CHILDREN'S HEALTH AND MEDICARE PROTECTION ACT OF 2007—Continued

Mr. STARK. Mr. Speaker, at this time, I'm pleased to recognize the gentleman from North Dakota (Mr. POMEROY) for 1 minute. Pending that, I would note that, as a former insurance commissioner, he understands that the endorsement of the National Association of Insurance Commissions is necessary to prevent fraud in the Medicare Advantage program.

Mr. POMEROY. I cannot get out of my mind a picture that appeared in a newspaper a few months ago of a young boy with a toothache. The horrible story running alongside this picture was that this young fellow later contracted a brain infection from the tooth infection, and he later died. Because his family couldn't afford the tooth extraction, this young fellow lost his life. We don't have any more urgent national priority than making sure our children have access to the health care they need.

There is another feature of this bill as well. It's rural health care. If we don't pass this bill, there are very steep cuts slated for doctors of hospitals practicing in our rural areas.

It's hard keeping essential health services available for kids, for seniors, for everyone else in these rural areas. We have got to stop these cuts, help our kids, keep rural medicine thriving. Pass this bill.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished Member from New Jersey, Congressman GARRETT.

Mr. GARRETT of New Jersey. Mr. Speaker, throughout this debate, we have heard a vote against this bill is a vote against the children, a vote against the poor, a vote against those who need the help most; and had this legislation merely reauthorized the current law, the arguments might have had an element of truth to them. But with this unconstrained growth in a welfare entitlement bill that this expansion has become, what we do know is that this bill now undermines the health care of millions of uninsured children and insured children and does so at the expense of American seniors.

Supporters of this bill would say that by no means is this a back door to a mandatory, socialized, government-run health care system. I say, not the back door, but, as PAUL RYAN might say, it's a front-door approach to a socialized, government-run health care system. Also, it opens the windows and the garage door as well.

This bill does not set a cap on the annual income levels of the families it covers, it does not include an asset test to ensure that millionaires are not eligible, and it expands the program to cover childless adults.

It is entirely conceivable, and, actually, it probably will occur, that the States can enroll as many people in this program as local politics will make expedient. A benchmark figure that has been bandied about is 300 percent. They want to enroll families up to 300 percent above the poverty level.

Just what would that system look like? According to the Census Bureau, and I just got these numbers a little while ago, of the 300 million or so people in this country, 48.3 percent, or roughly 145 million people, live at or below the 300 percent of the Federal poverty level. So we're now considering a new entitlement program for nearly half of the entire population of this country. And if you add to that number the 44 million people who are currently enrolled in Medicare, what does that mean? That means, with this bill, almost two-thirds of the entire population of this country will be on a government-run, socialized health care system, two-thirds paid for by one-third.

Mr. Speaker, make no mistake about it. This proposal is a large step towards a single-payer, Washington-run State health care system.

Mr. DINGELL. Mr. Speaker, before I call up the next speaker, I would like to point out that this bill will save 12 million kids from losing their health insurance and that it will prevent New Jersey from having a $200 billion shortfall in their SCHIP program.

At this time, I yield 2 minutes to the distinguished gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, today I rise very proudly in strong support of H.R. 3162, the CHAMP Act.

As policymakers, we have an obligation to make sure that children who are in the program do not lose their coverage and that those who are eligible for coverage but are not enrolled receive that care.

Millions of low-income children and seniors are depending on us to pass a bill so they can receive health care. The CHAMP Act will provide health care to 11 million poor children, reduce health care disparities in communities of color, and protect senior citizens who rightfully need access to their physicians.

Insured children are more likely to receive cost-effective, preventative services and are healthier, which leads to greater success in school and later on in life.

Although programs such as SCHIP and Medicaid have decreased the number of uninsured children, the lack of funding over the last 10 years and outreach efforts have left millions of children who are eligible from receiving this care.

More than 80 percent of uninsured African American and 70 percent of uninsured Latino children are eligible currently for public coverage but are not currently enrolled. In my district alone, 18,000 children go uninsured. The bill ensures that these children will receive that health care coverage.

Some would argue that this bill is a vote on immigration. I'm sorry, but



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they are absolutely wrong. The bill restores State's options to provide the coverage that they need; and the bill ensures that citizens who have lost their birth certificates and other identification are not immediately denied care, like the more than 11,000 children in Virginia and 14,000 children in Kansas who have lost their coverage.

The bill helps one-third of Asian and Pacific Islander American seniors who live in linguistic isolation understand health care.

The bill does not provide services, and I underscore, does not provide services to undocumented immigrants. Those who say that are blatantly wrong.

I urge support of the bill. Let's move on. Let's do the right thing for our children. Vote for the CHAMP Act.

Mr. BARTON of Texas. Mr. Speaker, could I inquire as to how much time I still control?

The SPEAKER pro tempore. The gentleman from Texas controls 10½ minutes of time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I want to recapitulate the debate as I see it today and start off, as I've already said, with what the Republicans are for.

We are for reauthorization of the SCHIP program. This program has been in existence for 10 years. It is a block grant program between the Federal Government and the States where we spend approximately $5 billion each year to help States provide health care and health insurance for low-income and near-low-income children in their States. Some States have received waivers to provide health insurance for adults and for children that are not really in the low income.

We, on the Republican side, support reauthorization of the straightforward SCHIP program.

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We believe that SCHIP should be for children. A Republican substitute, which was not made in order at the Rules Committee last evening, would limit SCHIP to children; that is, individuals in this country that are under 19 years of age or under.

We believe that SCHIP should be for low-income and near low-income children. The Republican substitute, again, allowed SCHIP eligibility for up to 200 percent of poverty. We believe that SCHIP should be for citizens of the United States and legal residents of the United States who have been here at least 5 years.

We believe that SCHIP should be funded without cutting senior citizens' health care, so the Republican substitute had no cuts in Medicare for our senior citizens. We also believe that we should fund SCHIP without tax increases. The Republican substitute had no tax increases to fund our SCHIP reauthorization.

The problems with the pending bill before us have become almost too numerous to mention. But just to go through some of them, first of all, the pending bill changes SCHIP from a block grant program for a limited duration of time to an open-ended entitlement. It has authorized such sums, and there is no time limit on the bill before us.

It removes the limitation on income at the Federal level. If a State chose to certify that millionaires were eligible for SCHIP, as far as we can tell, there is no restriction on covering millionaires, if a State chooses to make that certification.

There are tax increases in the Democratic-sponsored bill. There is a tobacco tax increase that CBO scores at least $52 billion. And there is a cut in Medicare that CBO scores over a 10-year period at $157 billion.

While there is disagreement among my friends on the majority side about this requirement, there are sections of the pending bill that removes the requirement that was put in place several years ago that States have to certify the citizenship of eligible citizens for SCHIP.

Of the 465-page bill that was produced in the Energy and Commerce Committee last week, three-fourths of that bill does not deal with children. The Democratic bill is not just about the children. According to the CBO score that we just received today, the pending bill before us in the SCHIP program, by expanding eligibility requirements, would add an additional 1.1 million children, and by adding enrollment within existing eligibility, another 1 million.

The SCHIP bill that the Democrats are putting before us, according to the CBO, adds 2.1 million children in the SCHIP categories, so that all the other money and all the other things that they are doing, it is not about the children. It is about a lot of other things.

So, I have great respect for the people that are trying to reauthorize SCHIP. I know that at some time this fall, some time in September or maybe in October, we will have a bipartisan effort to reauthorize and send to the President an SCHIP bill that he will sign. But this is not that bill. This bill won't come up in the Senate. This bill won't come up in conference between the House and the Senate in all probability. This bill will be voted on one time, and that is sometime this evening. And then it will just sit there.

So I would rather, as Chairman DINGELL and I talked about back in November, the day after the election when I called to congratulate him on becoming the new chairman of the Energy and Commerce Committee, I would have rather we spent this spring working on a bipartisan basis to come to an agreement on what we could agree on and bring before this body a bipartisan bill on SCHIP. That has not happened.

This bill was presented to the Energy and Commerce Committee at 11:36 last Tuesday evening and the markup was scheduled the next day at 10 a.m. It was presented to the Rules Committee this morning at 12:30 a.m. It was reported out of the Rules Committee at approximately 2:30 a.m. this morning with no amendments and with self-executing changes that nobody had seen, until we had time to look at it this morning.

There have been no amendments on either side; not just on our side, but on their side. So the only people that really know what is in the bill, and the only people that really have input into the bill, are those people on the majority side that are working behind the scenes in the dark of night to craft this bill.

Mr. Speaker, I hope we vote ''no'' on the bill. I hope we vote ''yes'' on the motion to recommit. I hope eventually we will get in a bipartisan mode, work with our friends on the other side of the body, work with the President of the United States, and send to the President some time this fall a bipartisan SCHIP reauthorization bill that is just about the children.

Mr. Speaker, today the Democratic majority will make claims that they support reauthorizing the SCHIP program and, by implication, that Republicans do not. I, for one, fully support reauthorizing the State Children's Health Insurance Program. I also believe we should ensure that the program is covering the population it was intended to serve, and that's low-income children who don't have health insurance. It isn't for adults or for bureaucrats who think adults should pretend to be children. It isn't for men and women making $100,000 salaries. And it shouldn't be an incentive to pull families out of private health insurance coverage and into a public welfare program.

States have used the gaping loopholes in the current SCHIP program to expand coverage to include adults and people with the kinds of salaries that are still a dream to most working people. Our friends on the majority think those are blessings, not problems, and that explains why they've written legislation that makes the list of blessings longer instead of shorter. Their bill is the first giant leap towards government-run, universal health care since Hillarycare collapsed under the weight of its own bureaucracy and deception. More bureaucracy? They're for it. More welfare? They're for it. Rationing health care? They're for it. A blank check? They're for it. In reality, the check isn't exactly blank. The CBO indicates that the cost of this Democratic welfare bill will top $200 billion, and that's only for Federal taxpayers. The States' share of SCHIP will cost the state taxpayers another $300 billion.

The majority would spend hundreds of billions of dollars saying that they are trying to cover low-income children who don't have insurance. That's not what CBO says. According to the Congressional Budget Office, of the newly eligible individuals, 60 percent already had private health insurance coverage.

Democrats say they are not raising the eligibility levels for SCHIP in this bill. They fail to mention that they allow states to determine income and they also do away with the block-

grant nature of the program by providing states swollen Federal matching funds, even for families making above $200,000 a year. Now, some will say I've got it all wrong, but if I'm wrong and they're right, show me. I challenge my friends on the majority to point to the place in the bill where that would be prohibited. Further evidence that this bill is not about low-income children is that their bill actually allows for bonus payments to states if they eliminate asset tests. It looks like they do want welfare for the rich, and the richer, the better. I ask, should a millionaire's child be on SCHIP or Medicaid? I don't think the American people believe so, but the majority's bill encourages it.

Yesterday, on the floor some members spoke about how this bill would pay for services for illegal immigrants. With no true way to refute that assertion the majority, in the managers' amendment that was released after midnight this morning, added a new section that states that no Federal funding can go towards paying for care for illegal immigrants. That was a nice restatement of current law, but it does not change the fact that this bill eliminates the requirement that States verify a person's citizenship before they are enrolled. If we don't verify citizenship, this new section is meaningless. The bill even eliminates the 5-year waiting period that legal immigrants must wait before being enrolled in Medicaid, effectively inviting more illegal immigration.

During the morning session, member after member of the majority rose to say that this bill is about children. I ask my colleagues to show me where in this bill limits this Children's Health Program to children. They can't, because the bill will continue the discredited practice of siphoning off money from children's health care to buy health care for adults. We had amendments filed at the Rules Committee to ensure that SCHIP dollars go toward children, not adults, but these amendments were banned.

The majority also says this isn't kids versus senior citizens, but Democrats pay for their enormous expansion by cutting $200 billion from Medicare. The Democratic bill makes a particular target of the senior citizens who picked Medicare Advantage, and takes over $150 billion away from them. That means more than 8 million of our seniors will have their choice in health care coverage sharply restricted. This bill disproportionately harms rural and low-income Medicare beneficiaries in particular since it cuts payments in these areas so drastically that plans will be driven out of these markets.

The draconian cuts that the Democrats expect the Medicare Advantage program to take will obliterate the benefit. Again, no wonder the Democrats kept this bill away from the public eye. It is hard to explain to seniors why you are cutting their benefits.

These plans are an important option for low-income and minority beneficiaries—57 percent of enrolled beneficiaries have incomes less than $30,000. These plans can reduce cost-sharing relative to traditional Medicare. These plans also offer better access to care—more than 80 percent of plans provide coverage for hospital stays beyond the traditional Medicare benefit, and more than 75 percent cover routine eye and hearing tests. Over 98 percent of beneficiaries can enroll in a plan offering preventive dental benefits.

These are our most vulnerable seniors. Yes, the Democrats would cut their benefits to pay for the higher income children and adults. They made this decision with no legislative hearings and developing the bill behind closed doors. My friends on the majority claim that they have had seven hearings on this. I would like to set the record straight that the Energy and Commerce Committee held one hearing on SCHIP back in February to discuss the general program, and did not discuss anything that is incorporated in this bill. They did not even invite the people who administer SCHIP at the Department of Health and Human Services to testify.

This bill was written in secret, delivered at midnight, and then rewritten from 1 to 3 a.m. this morning.

We have had little time to examine this bill, and we have found glaring weaknesses, I urge all members to be very cautious about what you are voting for because the rhetoric of the authors of the bill doesn't match the substance. The majority adjourned the Full Committee markup without disposing of a single amendment or reporting the bill. The rules Committee allowed no amendments in order. We have had more Committee process in this Congress on bills naming post offices.

It should come as no surprise that the majority wants to ram this through with no public process provided and no changes allowed. They don't want people to know what's in it, and they certainly don't want people to change it. They claim that they have to do this because the program will expire. They have had 8 months to reauthorize the program since the day that Chairman DINGELL and I agreed that SCHIP was to be a high priority in the Energy and Commerce Committee. Where have the Democrats been? They claim that this is of the highest priority, but yet they sat on it until they could create an artificial crisis and then blame Republicans for daring to read their bill. I question why they would treat the reauthorization of SCHIP as a last-minute concern.

I feel it's important to note that SCHIP is only part of the Democrats' bill, which also is laden with attacks on Medicare and Medicaid. The legislation pits children against the elderly. It was brought here today out of the night, when no one was looking.

I urge Members to vote against this bad bill so we can reauthorize this program in a responsible, transparent, and open way that the powerful Democrat leadership promised to conduct the business of the Nation.

PRELIMINARY CBO ESTIMATE OF CHANGES SCHIP AND MEDICAID ENROLLMENT OF CHILDREN UNDER H.R. 3162, THE CHILDREN'S HEALTH AND MEDICARE PROTECTION ACT

[All figures are average monthly enrollment, in millions of individuals. Components may not sum to totals because of rounding.]

| | SCHIP[a] | | | | Medicaid[b] | | | | SCHIP/Medicaid total | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Enrollees moved to SCHIP | Reduction in the uninsured | Reduction in other coverage[c] | Total | Enrollees moved to SCHIP | Reduction in the uninsured | Reduction in other coverage[c] | Total | Reduction in the uninsured | Reduction in other coverage[c] | Total |
| FISCAL YEAR 2012: | | | | | | | | | | | |
| CBO's baseline projections | | | | 3.3 | | | | | | | 28.3 |
| Effect of providing funding to maintain current SCHIP programs | 0.6 | 0.8 | 0.5 | 1.9 | −0.6 | n.a. | n.a. | −0.6 | 0.8 | 0.5 | 1.3 |
| Effect of additional SCHIP funding and other provisions: | | | | | | | | | | | |
| Additional enrollment within existing eligibility groups[d] | n.a. | 0.6 | 0.4 | 1.1 | n.a. | 3.1 | 0.8 | 3.9 | 3.8 | 1.2 | 5.0 |
| Expansion of SCHIP and Medicaid eligibility to new populations | n.a. | 0.5 | 0.5 | 1.0 | n.a. | 0 | 0.2 | 0.2 | 0.5 | 0.7 | 1.2 |
| Subtotal | n.a. | 1.1 | 0.9 | 2.1 | n.a. | 3.1 | 1.0 | 4.1 | 4.2 | 1.9 | 6.2 |
| Total proposed changes | 0.6 | 1.9 | 1.5 | 4.0 | −0.6 | 3.1 | 1.0 | 3.5 | 5.0 | 2.4 | 7.5 |
| Estimated enrollment under proposal | | | | 7.3 | | | | 28.4 | | | 35.8 |

Note: These estimates are based on the bill as ordered reported by the Committee on Ways and Means on July 27, 2007, and modified by the amendments in the legislative language RULES—005, (dated August 1,2007, at 12:25 AM)

[a] The figures in this table include the program's adult enrollees, who account for less than 10 percent of total SCHIP enrollment.

[b] The figures in this table do not include children who receive Medicaid because they are disabled. The figures for "additional enrollment within existing eligibility groups" include about 120,000 adults who would gain eligibility under section 801 of the bill.

[c] "Other coverage" is largely private coverage, but also includes about 200,000 legal immigrant children who now receive coverage under state-funded programs.

[d] For simplicity of display, the Medicaid figures in this line include the additional children enrolled as a side effect of expansions of SCHIP eligibility.

n.a. = not applicable

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Texas has 4 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I would ask unanimous consent that my 4 minutes be controlled by Mr. MCCRERY of Louisiana.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. MCCRERY) now controls 49 minutes, the gentleman from Michigan (Mr. DINGELL) controls 27.5 minutes, and the gentleman from California (Mr. STARK) controls 29.5 minutes.

Mr. DINGELL. Mr. Speaker, I will defer to my good friend from Louisiana (Mr. MCCRERY).

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

Mr. Speaker, as my colleague, the ranking member of the Energy and Commerce Committee, said earlier this afternoon, we in the minority want to reauthorize the Children's Health Insurance Program. Our motion to recommit, which we will offer later today, will do that.

SCHIP should be about a bipartisan program. We think it should focus on low-income children. That was the concept when both parties agreed to create this program back in 1997. But the bill that is on the floor today loses sight of that focus, and, therefore, we cannot support it.

We could support it with significant changes. Unfortunately, the Rules Committee did not allow us the opportunity to offer amendments to change the bill, so we are left to our only device as the minority, and that is a motion to recommit. So that motion will act as kind of a sum of our amendments that we would have offered and hoped to have passed, to put the bill in a form that we hope will pass in a bipartisan manner.

The bill that is before us today, though, without amendment raises taxes by at least $54 billion. We believe it raises those taxes to fund a massive expansion of government-controlled health care. This is not just about helping low-income children. This bill today seems to be spending government funds to lower middle-class, upper middle-class, even wealthy, perhaps, families to opt out of private health coverage and go to government health coverage.

I regret that we have not been able to work together in a bipartisan fashion on this issue. Perhaps when this motion to recommit comes up, we will have enough converts to adopt it, bring it right back to the floor of the House, and we will have a bipartisan bill. Or perhaps if this bill passes and something like it comes back to us in the form of a conference report and the President vetoes it and we sustain the veto, then we will have a chance to operate on a bipartisan basis and reauthorize this program in a timely manner. I hope so.

But this bill before us today, in addition to having a substantial increase on the tobacco tax, they try to hide, at least it appeared that the majority tried to hide, a secret tax increase on health insurance plans.

When it came before the Ways and Means Committee, we did have a markup. We did have the opportunity to explore this bill, at least the part that was in the jurisdiction of the Ways and Means Committee. We discovered this tax increase. It wasn't in the Joint Tax score of the bill. It wasn't listed as a revenue raiser in their report. We asked CBO. They couldn't tell us about it, but we discovered it in the fine print. It is a tax on health insurance policies.

Well, what is that going to do? It is going to raise the cost of private health insurance. Maybe that is what the majority wants, to raise the cost of private health insurance, to drive even more people from private insurance into government health care.

This new tax is going to generate money sufficient to accumulate to about a $3 billion pot of money over the next 10 years. That is a substantial sum of money. And, as we have seen from past experience, a tax like this, while it may not be big at first, it is awfully hard to get rid of, and it is awfully easy to increase.

This legislation also cuts Medicare funding by about $200 billion. It effectively eliminates the Medicare Advantage program. Now, I know the majority is going to say no, no, no, it doesn't cut Medicare by $20 billion. We add back some Medicare benefits, so the net is not nearly that much.

But for the people whose programs are going to be cut, they see it as a cut. They don't understand this ''net'' thing. Medicare Advantage is going to be cut substantially, and Medicare Advantage programs will go away in most rural parts of this country and in a great many inner-city areas serving low-income populations. This bill would effectively eliminate options for millions of seniors who have depended on Medicare Advantage to get better benefits and lower costs for their health care.

In addition, the bill cuts $7.2 billion in home health care benefits and $6.5 billion in nursing home care benefits. These are cuts that are real. They are going to be felt by people utilizing those services.

These cuts are not necessary. I want to stress, these cuts are not necessary to cover needy children. The majority has deliberately chosen to reduce Medicare funding for some of our neediest seniors in order to expand SCHIP to cover anyone up to the age of 21, including, I have heard here today, people up to 300 percent of poverty, 400 percent of poverty.

I would tell my colleagues that have said that, they are wrong. This bill doesn't say you can go up to 300 percent or 400 percent of poverty. It says you can go anywhere you want to. You can cover anybody. If a State chooses under this bill, they can not only choose to cover people of unlimited income, $100,000, $150,000, $200,000. They are entitled to the money.

There is also a bonus program in this bill that says if you get a new enrollee, a new child, maybe he comes from having private insurance, maybe he doesn't, but if he is new to this program, you are going to get a bonus, which means you are going to get an even higher Federal share to fund that new enrollee.

The State can waive the income eligibility as high as they want. So we create a new entitlement program that guarantees States they can get as much money as they want to cover anybody they want under their government health care program. That is what this bill is all about. That is why the minority is intent on stopping its passage today and getting a better alternative for reauthorization for low-income children.

This bill is about expanding government health care. Nothing more, nothing less. The minority's motion to recommit will reauthorize the SCHIP program in its bipartisan form. I urge all of us to wait until that motion comes up, vote for that, and then we will truly have a good program for low-income children in this country.

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

Mr. STARK. Mr. Speaker, I yield myself such time as I may consume to respond briefly to the distinguished ranking member of the Ways and Means Committee, just to suggest that AHIP, representing America's Health Insurance Plans, wrote to us recognizing ''the ambitious effort will require significant resources. We believe that comparative effective research should be carried out as a public-private partnership, with funding from public sources and support from private sources, including health insurance plans, employers and manufacturers.'' And also to suggest that any recognition of children above the previously stated levels had to be done with waivers from the Bush administration to Governors requesting it.

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

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Mr. MCCRERY. Mr. Speaker, just in brief response to my good friend from California, our understanding of the provisions of this bill and provisions of the law would allow a State to present a State plan amendment to the administration that is not subject to approval. They have to approve it. So it is not up to the administration to approve that. The States can do that at their own will.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. HULSHOF).

Mr. HULSHOF. Mr. Speaker, I thank the gentleman from Louisiana.

Mr. Speaker, there seems to be a lot of self-congratulations, at least on one side of this Chamber. Let me congratulate some who have spoken here for what appears to this Member to be a pretty breath-taking lack of consistency. My good friend from Fremont Hills has pointed the finger to this side and said we Republicans, we don't care about children.

I would remind my chairman, Mr. Speaker, that the children's health program was created by a Republican majority. The gentleman points out that this bill today is funded, as the gentleman is nodding, as that bill was funded. And I would say, Mr. Speaker, 10 years ago and 2 days on July 30, rollcall vote no. 345, on this floor, on the conference report creating the Children's Health Insurance Program, I was proud to be one of 346 ''aye'' votes. There were 85 ''no'' votes. The gentleman from California was a ''no'' vote. The chairman of the Ways and Means Committee was a ''no'' vote. I find that a bit interesting. Because, today, the gentleman from California talks about this being the identical bill. This is not the identical bill.

As my friend from Louisiana has said, we would love to reauthorize the

program for needy children. But should we allow a family in New York making $80,000 a year free health care, free to them, but paid for by 15,000 constituents I am privileged to represent who would have their vision care or dental benefits or oxygen services cut, and the savings then given to that couple making $80,000 in New York City?

One-half of the new enrollees under the majority's bill, those new enrollees would be people who already have health insurance coverage. There is, as the gentleman pointed out, a brand new, per capita tax on every health plan in America that raises $2 billion. There are rifle-shot reimbursements for hospitals in order, presumably, to sway undecided Members from Michigan and New York and Tennessee.

And can anyone really defend the children's health program for childless adults, childless adults now being able to qualify for the children's health insurance program?

Needy children, absolutely. Well-to-do adults, I suggest no, certainly not at the expense of cuts to senior citizens. We can do better. I urge a ''no'' vote.

Mr. DINGELL. I yield myself 15 seconds to point out to my dear friend from Louisiana (Mr. MCCRERY) that it is the administration which gives waivers to cover parents and adults. The States do not have the authority to do so, and they must get the authority from the Federal Government, and it is from the Department of HHS that these kinds of waivers come, not elsewhere.

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

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from Michigan for yielding to me.

Mr. Speaker, 9 million children in this country lack health insurance coverage, so it shouldn't come as a big surprise that 91 percent of voters support extending to SCHIP coverage to 5 million more children. That is 5 million more children according to the Congressional Budget Office, and that Governors from both sides of the aisle are supporting this legislation across the country.

The real surprise is that our President has threatened to veto this bill, a bill to cover children and to improve Medicare for our Nation's seniors and for people with disabilities. My question is, why are the President and so many of our colleagues saying ''no'' to basic health care to children, for adequate payments to doctors, for protecting Medicare?

In yesterday's New York Times, I think Paul Krugman hit the nail on the head when he said that President Bush must fear the intent of this bill, which is to cover more children, because he fears that it actually might work. That if America sees government helping children, they will wonder why we can't do the same for everyone.

The President said he opposes expanding children's health care because it will hurt private insurance companies. Astounding. Forget uninsured kids. The President is the champion of insurance companies.

And people across the aisle are saying it is really about seniors when they are talking about the Medicare Advantage programs. But let's be clear. The Medicare Advantage HMOs are reaping overpayments of up to 40 percent. The overpayments are being subsidized by 80 percent of the seniors and disabled people who are not in Medicare Advantage plans through higher part B premiums.

I want to urge the former Speaker of the House to cease giving patently false information about the Illinois SCHIP program which insures far more children than their parents.

Let's be on the side of children.

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

Perhaps if we had had a hearing on this bill, we could have discovered what the truth is about this discussion of waivers and State plan amendments.

But our appreciation of the law is that this is not a waiver. I'm not talking about a waiver so it does not have to be approved by the administration. I am talking about a State plan amendment that is simply presented to the administration and it can contain what is known as an income disregard. The attorneys with CMS tell us that the administration does not have the discretion to turn down an income disregard that is presented by a State.

What an income disregard means, in essence, is a State can cover kids from families as rich as they want. And that is our understanding of the law. It is too bad we didn't have, or at least the Energy and Commerce Committee didn't have, a full-blown hearing on this provision or other provisions of the bill so we could have explored that.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER), a member of the committee.

Mr. WELLER of Illinois. Mr. Speaker, in 1997, I voted ''yes'' to create the Children's Health Insurance Program. I was proud a Republican Congress put this plan into place, and I support reauthorization of this program, but I oppose this bill before us.

Why? This bill contains big tax increases. What is interesting, when we want to make health insurance more affordable, they put a new $2 billion tax, they call it a per capita tax, on health insurance policies, causing them to be more expensive.

Then there are some big Medicare cuts, in fact, almost $200 billion in Medicare cuts, probably the biggest cut in Medicare in the history of the program. They want to expand the program, but they want to pay for it on the backs of senior citizens by cutting Medicare. So you wonder who gets hurt when you cut Medicare to pay for the expansion of this program.

If you just take the $7.6 billion in cuts to home health care, you think of that elderly woman that many of us have met. We have been in her home. She is an elderly woman with an easy chair by the window, by the television. She has a tray or table there. It is filled with pill bottles. She is homebound. She watches the world go by. And if she is lucky, she has a cat or a dog for a pet and a companion. But, for her, home health care is important, because not only is it contact with the outside world, but home health care allows her to live in her home in dignity even though she is homebound.

This plan today that is going to be voted on includes a $7.6 billion cut in home health care. So if you vote ''yes'' for this legislation, I hope you keep in mind that elderly woman stuck at home, homebound, who is dependent on home health care; and today she will suffer when this House passes this bill. Vote ''no.''

Mr. STARK. Mr. Speaker, I just make a comment that not all committees are so blessed with ranking members who are so cooperative, and perhaps there might have been hearings in other committees if that were the case.

I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL), and Mr. NEAL recognizes that the American Academy of Pediatrics has said in their letter that they want to stand with us on this important legislation, and they will work for its passage.

Mr. NEAL of Massachusetts. Mr. Speaker, I think there is one acknowledgment that we all ought to come to very quickly, and it goes like this: The wealthy, the healthy and the strong have had a great run of it for the last 6 years.

Think of that terror that overcomes that family with that child who needs health care. Think of that child who died because he had not gotten to a dentist in America in the year 2007. Think of what we are doing today, advancing an opportunity for health care for all members of the American family.

My friend, Mr. MCCRERY, said if we had had an opportunity to vet this issue. Let me remind the audience, the Republicans required us to read the bill. The Ways and Means Committee spent 6 hours reading the bill. To argue that somehow there was not an opportunity to vet the issue when we read the bill is akin to setting the fire and calling the fire department. That is the argument we are being asked to embrace.

This is a good piece of legislation. It ought to have bipartisan support. Use the model of the National Governors Association. That is a bipartisan organization.

Mr. MCCRERY. Mr. Speaker, it is apparent to me from the misunderstandings apparent in this Chamber on this bill that perhaps we should have read the whole bill in greater detail. Maybe we would know more about it.

Mr. Speaker, I yield 2 minutes to another member of the Ways and Means Committee, the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today on behalf of the millions of seniors who will be hurt by this bill. In my home State of Kentucky, over 73,000 seniors are enrolled in Medicare Advantage plans, as well as all 19,000 of Kentucky's retired teachers. Each and every one of these seniors will have their benefits cut as a result of this bill, and some will find themselves without any Medicare Advantage options at all.

It is unconscionable to me that this body would even consider robbing seniors by cutting $197 billion out of the Medicare trust fund to give to families making $80,000, or even more, free health insurance, many of whom already have coverage.

This bill also cuts home health, hospitals, skilled nursing facilities and dialysis centers. It is clear that this bill harms many of our Nation's most vulnerable population. This bill should be about providing poor children with health care, but it rations our Nation's health care, taking from seniors and working-class families to shift Americans from private health insurance into a big, liberal, tax-and-spend government program. Folks, they're back.

I urge my colleagues to stand by their seniors and defeat this bill. Let's get back to helping poor children, not a Michael-Moore-endorsed health care system.

Mr. DINGELL. Mr. Speaker, before I yield to the distinguished gentlewoman from Oregon (Ms. HOOLEY), I would like to point out, in spite of what has been said by some of my Republican colleagues, this is not an entitlement bill. It does, however, protect 11 million kids.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Speaker, I thank my good friend from Michigan for yielding.

This bill is important to children. It was important to our legislature. It was important to our governor. That is why they passed it this session.

But I want to tell you why health insurance for children is so important by telling you about Katelyn, a 6-year-old from Corvallis. Katelyn's hardworking parents make too much money to qualify for SCHIP under current Oregon eligibility levels but far too little to afford the $520-a-month premium for insurance through her father's employer.

□ 1645

Katelyn was ill for several days and her parents had been trying all night to help her stop coughing. Without insurance, the couple had no doctor.

However, the county health department offered pediatric services for low-income children every Monday at reduced costs. So Katelyn's parents decided to wait and take her to the clinic on Monday, 3 days later. By Sunday, Katelyn was worse. Through tears, Katelyn complained that her sides hurt.

When she was able to get to the doctor on Monday, Katelyn was diagnosed with pneumonia. With insurance, Katelyn's parents could have taken her right away to the doctor. Instead, she suffered for days.

This story could have had dire consequences. It is why SCHIP is critically important. The CHAMP Act will provide Oregon with the resources they need to expand health insurance coverage to more children, and hopefully, stories like Katelyn will rarely exist.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. EMANUEL) who helped create the CHIP bill. I can't say he was a midwife for it, but he was there at its inception and was instrumental in negotiating it.

Mr. EMANUEL. Mr. Speaker, in 2002 when I ran for Congress, I met Dolores Sweeney. She works full time in an insurance company, but for years she and her three children did not have health insurance until SCHIP. Her children are enrolled in the health care program.

She did right by her family. She worked full-time, had three children. She's trying to be both a good worker and a good parent, and SCHIP allowed her to do both of those and do them well.

I just talked to her the other day. She has a 19-year-old now and a 14-year-old and a 12-year-old. This bill did right by her because her children are three success stories out of the 6 million who did right.

So we stare at the 11 million children and ask, whose parents work full-time, that are too wealthy for Medicaid, yet cannot afford private insurance, are we just going to throw up our hands to them? Dolores Sweeney and the other parents, they will get the same health insurance that we ourselves will get and our children get. And the question before us will be, are we better than these 11 million children?

You know, DICK CHENEY gets a check-up every other day. Don't America's kids deserve a visit to the doctor, I ask you.

And also I just want to say something to my colleagues who now say they're for SCHIP. I was there when President Clinton proposed it. Speaker Gingrich was against it. You were against it before you became for it. I appreciate your conversion, but you originally were opposed to it.

When President Clinton said that, you said you opposed it. Then you said only pediatric care. Then you agreed to pediatric care, and then eye and dental visits which is what President Clinton proposed, and I do appreciate that you're for it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded that comments must be made through the Chair.

Mr. EMANUEL. Mr. Speaker, Republicans were opposed to this bill before they were for this bill, and what has happened is that pediatric care and the eye and dental care that is in this bill was a principle that President Clinton had and there would be no agreement on a balanced budget until those kids had that bill.

You said then it was an entitlement program. Now you have Governors, Senators of both parties, who are for this. The American Medical Association is for this. Pediatric care is for this. AARP is for this.

And the ultimate question to those children who don't have health care, this time we leave no child behind and give these children the health care they deserve and the parents work full time and do right by their children.

Mr. MCCRERY. Mr. Speaker, in a continuing dialogue with the distinguished chairman of the Energy and Commerce Committee, at least in the manager's amendment presented to the Ways and Means Committee during markup on page 10, this is under section 101 of our bill, it states: if a State's expenditures, under this title, exceed the total amount with allotments available, and if the average number of children enrolled under the State plan exceeds its target average number of such enrollees, the allotment under this section shall be increased. Not may, shall. That is an entitlement to the States for as much money as they want for this program. It is no wonder, I would say to my good friend from Illinois, that the Governors are for this. Duh.

And with that, I yield 2½ minutes to a distinguished member of the committee, Mr. CANTOR.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are again reminded their remarks should be addressed through the Chair.

Mr. CANTOR. Mr. Speaker, I thank the gentleman. I rise in opposition to this bill.

And, Mr. Speaker, I want to speak to some of the remarks that were just made about somehow the Republicans are against insuring poor children and offering them access to health care.

I can tell you one thing, this Republican was not in this body when President Clinton was in office. So I could never have been against this program before I'm for it. So I take issue with that.

I am for, as I believe most of my colleagues are for, a program that provides access to health care for poor children, but what we have here is a 400 percent increase in the SCHIP price tag because what the majority has done has increased eligibility to the 400 percent level over poverty. In many areas of this country, we're well in excess of families who are making $100,000 a year. These are children, 90 percent of whom already have health care coverage.

So what that means is the price that we pay for this type of expansion is a dangerous lurch forward toward a Washington-based, bureaucratic-controlled health care system. Which

medicines will we get? Which surgeries will be available? And when? And when? Which disease is worth treating? These are the vital choices that right now American families are able to make, but frankly, the majority wants the government to make.

But how do they pay for this? They pay for this largely by cutting Medicare. That's what we're about here, choosing to cut Medicare, cut seniors' ability to have a choice under the Medicare program so we can provide access to insurance for children whose parents make over $100,000 a year. That just doesn't make any sense.

Now, secondly, Mr. Speaker, I would say as my colleagues before me, another way that this bill is funded is a brand-new tax on health insurance for all Americans that have health insurance policies.

Again, the bill creates a health care competitiveness-affected research trust fund. That's another attempt basically to allow perhaps, if not run right, a government bureaucrat to dictate which therapies a physician can use.

The bottom line, this bill is misguided. We need to take a much better look at this, and frankly, the last point I was going to make, Mr. Speaker, is this bill makes it up to the States, optional, whether to require documentation as to anyone who is legal who wants to receive benefits under this. This is another attempt, Mr. Speaker, at allowing our SCHIP benefits to go to illegal immigrants, something that I don't believe the American public is in favor of.

Mr. DINGELL. Mr. Speaker, I yield to an extremely valuable and respected member of the Commerce Committee, my good friend from Utah (Mr. MATHESON) 2 minutes.

Mr. MATHESON. Thank you, Mr. Chairman.

My wife and I are very fortunate. We have two wonderful little boys. Their names are William and Harris, and they're really fortunate because they have access to health care because, as a Congressman, I have access to the Federal employee health insurance program. And that's how it is for all of us as Members of Congress. See, we have health insurance and our kids have health insurance.

This debate isn't about us, and as we get caught up in these discussions, this rhetoric about process and concerns about the way this bill has come to the floor, I think we're losing sight about who this issue is really about because we've got 11 million kids in this country who are involved in households where they make enough money they don't qualify for Medicare. How do we get them access to health care?

The CHIP program's done a great job in the past 10 years, and we've got about 6 million of them covered, but there are 5 million kids out there who still aren't.

That's what this debate is about, and I think when you have something sometimes you take it for granted, and all of us take for granted the fact that we have health insurance.

Now, let me tell you why I don't take this for granted because, in my household, my wife happens to be a pediatrician, and she works at a children's hospital in Salt Lake City. She tells me the stories about kids who come into that hospital who have not had access to preventive care, who have health problems that escalated into far more serious circumstances because they didn't have access to health care, and I hear those stories all the time.

That's what we ought to be focused on in this debate. That's what this debate is about. Vote for this bill. Let's do the right thing for our country's children.

Mr. MCCRERY. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore. The gentleman from Louisiana has 30 minutes remaining.

Mr. MCCRERY. And what about the majority?

The SPEAKER pro tempore. The gentleman from California has 25½ minutes remaining. The gentleman from Michigan has 21½ minutes remaining.

Mr. MCCRERY. I think, Mr. Speaker, in order to kind of even out the remaining time, I will yield to my colleagues in the majority if that's okay.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER), and he's a gentleman who understands that most of us in Congress whose children are insured are insured by a government-run, taxpayer-funded health insurance plan which we like quite well.

Mr. BLUMENAUER. Mr. Speaker, actually, I'm not. I rely on my wife.

Mr. Speaker, the same framework that our friends have been complaining about on the other side of the aisle is a State block grant program has been retained. It's successful, but underfunded.

Their complaints of enhanced programs ring hollow when you examine them. I heard my friend the distinguished minority whip come to the floor and talking about his opposition to higher income levels, and I find some irony in that because his State is one of them, Missouri where there was a request by his son, the Republican Governor, for a waiver from the Republican Bush administration which has been granted that allows a level 3 times higher than the poverty level.

They don't feel comfortable with the requests that are coming from the State level for the innovation. However, that's what it was about in the first place.

This program is not about putting Medicare Advantage at risk. It's being adjusted. This bill helps with reform. I am pleased that 157 counties in 27 States are being rewarded with an efficiency bonus. My State's medical system is strengthened by helping kids.

I urge all to vote for this bill.

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

Mr. STARK. Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from Wisconsin (Mr. KIND) who understands that the National Rural Health Association has endorsed the 2007 CHAMP Act as critical to rural children and seniors across the Nation.

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, last fall, my 8-year-old son Matt, while he was sleeping, fell off the top of his bunkbed, broke his clavicle. As Tawni and I were driving to the emergency room to get treatment to this kid in excruciating pain, I thought of the numerous parents throughout America who fear the financial consequences of taking care of their child in an emergency or if they had an ear infection or an abscessed tooth or an asthma attack because they didn't have adequate health care coverage for that child. That is wrong. That is unacceptable. And we change that today.

The CHAMP Act expands health coverage to 5 million more children, and with the reforms we make under the Medicare system, we extend the solvency of Medicare for three additional years, unlike the Republican-passed Medicare reform bill passed just a few years ago that called for the largest expansion of entitlement funding in over 40 years, with no ability to pay for it.

We pay for this bill with a modest increase in the cigarette tax, which is also the best thing we can do to prevent these kids from being addicted to that poison and incurring smoking-related illness with associated life-long health costs.

I ask my colleagues to support the bill.

□ 1700

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to control the time of the gentleman from Michigan.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I rise in support of the CHAMP Act of 2007.

I am disappointed that my Republican colleagues won't stand up to the HMOs and won't stand up for healthy children. In the words of Dr. Martin Luther King, ''Justice delayed is justice denied.'' The Republicans just don't get it. Delay is not debate. Health care delayed is health care denied.

There is no power like the power of a made-up mind; and, early on, the Republicans in the Commerce Committee markup made up their mind to forestall health care for our children. Then, last night and this morning, on this very floor, they made up their mind to stall health care for 12 million uninsured children.

Now it remains up to us, the Democrats in this House, to make up our minds and to install health care for

children, for those 11 million children and low-income pregnant women. Now is the time. There is no other time like this time, so now, most definitely, now is the right time.

I urge my colleagues to support this bill for America's babies. We must champion health care coverage for 11 million children. They need us. They depend on us. They need this health care coverage.

We must pass the CHAMP Act of 2007. We must put our poor children in the winner's circle.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the distinguished majority whip, Mr. CLYBURN.

Mr. CLYBURN. I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today to urge my colleagues to support H.R. 3162, the Children's Health and Medicare Protection Act of 2007.

I want to commend Chairs RANGEL, DINGELL, STARK and PALLONE for working with all of our caucuses in drafting this piece of legislation. I also rise to explain why I and many of my colleagues are unequivocal on the need for Congress to cover all eligible kids.

There is an old judicial axiom that says ''Justice delayed is justice denied.'' The same is true for health care, and there is no better example on how health care delay is health care denied than the story of Devante Johnson from Houston, Texas. Thirteen-year-old Devante Johnson from Houston, Texas, had advanced kidney cancer and could not afford to be without health care coverage. But, last year, the Johnson family spent 4 desperate months uninsured while his mother tried to renew his Medicare coverage.

For years, Devante and his two brothers were covered by Medicaid. Texas families who qualify for Medicaid or CHIP are required to renew their coverage every 6 months. Devante's mother, Tamika, had tried to get a head start by sending their paperwork 2 months before Medicaid was set to expire.

That application sat for 6 weeks until it was processed and then transferred to CHIP, because an employee believed the family no longer qualified for Medicaid. At that point, the paperwork got lost in the system.

For 4 months, Devante went without health insurance as employees unsuccessfully attempted to reinstate his coverage. As a result, he could no longer receive regular treatment and had to rely on clinical trials for care. Meanwhile, his tumors grew.

It wasn't until the State representative intervened that Devante's coverage was immediately reinstated. But it was too late. Devante Johnson died on March 1, 2007.

I want you to look at him. He has to mean something to you. For, in the words of Martin Luther King, Jr., ''There is nothing more dangerous than sincere ignorance and conscious stupidity.''

We cannot allow this to continue. Support the Devantes of our great country and give health care to all of our children.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LINDER), a member of the committee.

Mr. LINDER. Thank you for yielding.

Mr. Speaker, about 2 years ago, the Government Accountability Office brought before the Ways and Means Committee a study that said if we continue to tax at the current percentage of the economy and continue to spend in discretionary spending at the current percentage of the economy that just 33 years from today the entire Federal revenue stream will be insufficient to just pay the interest on the debt.

I know the Democrats will say raise taxes. In 100 percent of the time in the last 60 times that we have raised taxes, we have slowed the economy and slowed revenues.

This Congress will not reduce spending. So what is their solution to our dilemma? The problems are, as the GAO said, three entitlement programs, Medicare, Social Security and Medicaid. They propose to give us another one, with no caps, expanding coverage to illegal immigrants, by the language from the CBO, expanding coverage to adults with no children, by the definition of their act, and allowing the States to lift the ceiling on eligibility entirely.

This is a back-door or front-door entrance for Hillary care, national health care. You will recall that in that program if a doctor treated a patient for free outside the system, they are liable for criminal fines. That isn't in this bill, yet.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. I thank the gentleman from New Jersey for yielding, also for his outstanding leadership on this issue.

Mr. Speaker, I rise in support of this bill. I operate from a very simple premise, and that is this, that if America is the greatest country in the world, then all of our children should have health insurance.

It's that simple. This bill does that. It covers 5 million additional children of the working poor; and it gives them health care, dental care and access to mental care health services. That's what's needed in this country.

It's amazing to listen to the scare tactics of Republicans. It's almost amusing.

First, they start talking about illegal aliens. No, that's not what this bill is about. They said, well you are going to kill our private insurance. These are working poor people. They don't have insurance.

They said, well, it's $100,000 families. No, it's the existing eligibility limit. Then they say, well, you are going to create a massive new entitlement program. No, it's a grant program with bonuses for States that do a good job of insuring more people.

Finally, they resort to Hillary care. We are all supposed to be scared.

We are taking this issue very seriously, because we understand that there are working poor people in America that work every day. Half of them are women. They work in the service industries, they work in labor jobs, and those jobs do not offer health insurance. That's why we are here.

We are here because when they don't have health insurance. Their children don't get screenings. Their children don't get check-ups. They can't get treated for asthma. When their children are in severe pain, they go to the emergency room, and that costs more money.

I will give you example from my district. Deamonte Driver, he had a toothache, tooth decay. It would have cost $80. He didn't get it. The tooth became infected. The infection traveled to his brain.

Two surgeries costing $250,000 were attempted to save his life. They were unsuccessful. Deamonte Driver died. We need to prevent these types of tragedies in America.

I am appalled when I think about it, that if a third-world Communist country like Cuba can offer health insurance to the families of factory workers, we have to be able to do it here in America, the greatest country in the world.

Mr. MCCRERY. Mr. Speaker, before I recognize our next speaker, I want to point out two things. Number one, there has been a couple of references to this child who died because of a tooth problem. According to the Washington Post story, I don't know this, but according to the Washington Post story, this child was actually on Medicaid. He was covered by Medicaid. But because so few dentists in that State accepted Medicaid patients because of the poor quality of the Medicaid program, this child didn't get access. But he was covered.

I don't see how it's relevant to the discussion we are having on SCHIP.

Mr. Speaker, I yield 3 minutes to a distinguished member of the Ways and Means committee and the ranking member of the Budget Committee, Mr. RYAN.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Mr. Speaker, this debate is really puzzling. If this was a status quo bill, if this was the same law that we already have in place, no new people, then why does it cost $130 billion in more money? Why does it cost so much more?

This bill goes way beyond insuring low-income children. If this was all about just giving health insurance to uninsured low-income children, no problem. You would have a near unanimous vote out of here. That's not what this bill does.

They say this bill doesn't have those income limits. This bill has no income limits. This bill says to the States, give it to whomever you want, no asset test, no income limits. That's why this test costs so much money.

In fact, the Congressional Budget Office is saying in analyzing this bill that they will push 2.4 million kids off of private insurance onto government health care, not my statistics, the Congressional Budget Office.

They are already acknowledging that this is more about insuring low-income, uninsured kids. This is really about putting people on government health care, especially those who even have health insurance today.

My friends, our constituents, the U.S. taxpayer, don't want to pay for health care that's already being paid for by someone else. But that is what this bill does. This bill creates an enormous budget mess.

I find it kind of ironic that the majority that could not find $1 worth of entitlement savings in their budget comes to this floor with $200 billion of cuts to Medicare to pay for expanding this new program. When it came time to reducing the deficit and keeping taxes low, no savings to be found. Now, hey, $200 billion in Medicare cuts, cut 3 million seniors off the Medicare Advantage program to grow a new entitlement.

Yes, this is a new entitlement program, a new entitlement for States. It gives them a never-ending spigot of new money. But what's so, so critical, what's so hypocritical about this bill is, after cranking up spending for 5 years, after putting 5 million children on health care, kicking 2.4 million off of private health insurance, what do they do to conform with their PAYGO rules? What do they do to shoehorn this huge program into their budget? They just kick everybody off. They just rescind the program. They just turn the spigot money off.

Does anybody believe that after putting 5 million people on health insurance we are just going to take it away from them in 2014? No, we're not.

So this whole thing really is a bug sham. What they are saying is, with this legislation, we want to give 5 million people health insurance for kids, no matter what income limit. But, in 2014, we are taking it away from them. That's crazy. That's not budgeting. That's creating a new program, a new entitlement, and not paying for it.

This puts our fiscal house, which is already messed up, in serious jeopardy.

I urge a ''no'' vote on this bill.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, one of the great falsehoods I have heard today, unfortunately, is this attempt by one side of the aisle who is against trying to get kids health insurance here keep saying somehow we are raising the eligibility to those folks who are hanging out at the country club. That is simply not true. That is bogus. We are maintaining the same levels of eligibility in America that exist today, yesterday and tomorrow in this bill.

What we are doing is simply allowing our State governments, our local governments, the ones that I know many of my Republican friends believe are effective and more efficient than the Federal Government, to fulfill their desire to reach these kids who are eligible today, but the Federal Government is not actually reaching to provide this insurance.

Now, where is the criminality in that in that? Where is the inefficiency in that? We have simply said federally that children of a certain income level should have health insurance, and we are simply saying those same children of the same exact economic considerations are now going to actually get it. That's all we are doing.

I want to mention another thing we are doing here. We have 11 States that have really been ahead of the Federal Government in providing health insurance for their kids. As a result, for a decade now, they have been punished in that they haven't been able to use the same resources to reach the kid they have already insured.

We fix that, 100 percent fix today. The States, if you are from the States of Washington, Wisconsin, New Mexico, Connecticut, Hawaii, Rhode Island, Minnesota, Maryland, New Hampshire, Vermont and Tennessee, do not vote against this bill, because it finally, finally restores this inequity that finally we will be able to get fair treatment for your States and your children.

So, today, we have got a fair bill all the way around.

Mr. MCCRERY. Mr. Speaker, I ask unanimous consent to have the gentleman from Michigan (Mr. CAMP), the distinguished ranking member of the Health Subcommittee of the Ways and Means Committee, control the remainder of the time for the minority.

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

There was no objection.

□ 1715

Mr. CAMP of Michigan. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Pennsylvania, a member of the Ways and Means Committee.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, today I rise in reluctant opposition to H.R. 3162.

Yesterday, I joined my colleague, the gentlelady from New Mexico (Mrs. WILSON) in the introduction of a bill which embodied the Senate version of SCHIP reauthorization. I am proud to be an original cosponsor; I fully support that legislation.

Unlike the bill we are debating today, the Senate version is far less pernicious and does not raid low-income seniors to pay for an expansion of coverage for middle-class families.

Proposed Medicare cuts in this legislation could have a devastating impact on access to Medicare Advantage plans. The seniors that use these plans, if they didn't experience an outright loss of coverage, would, at minimum, experience higher premiums, benefit cuts, or both.

According to an April 2007 study by Emory University researchers Ken Thorpe and Adam Atherly, 3 million people would lose their access to MA coverage if Congress sets MA payments at the same level as payments for traditional Medicare.

Moving from the macro numbers to the practical effects of seniors in my district, it causes even more concern. Over 15,000 seniors in Butler County, Pennsylvania would experience a 15 percent cut in their plan's reimbursement. Nearly 15,000 seniors in Erie County would experience a 29 percent cut, and over 8,000 seniors in Mercer County would be impacted by a 17 percent cut in their plan's reimbursement should this bill be passed.

This blatant raid on seniors' pocketbooks contained in this bill is enough to warrant a vote in opposition. But, Mr. Speaker, the most troubling factor in this bill is that this raid on seniors is being used to pay, in many cases, for families with incomes as high as over $82,000 a year. At a time when so many seniors are tightening their belts on fixed incomes, raiding their pocketbooks to pay for health care for middle-class households is simply not right.

I have been a supporter of SCHIP from the beginning. I have trumpeted its success. But this SCHIP reauthorization has been hijacked by people who have a different agenda. We will have another vote on this when it comes back from the other Chamber and from conference. I am voting ''no'' on this wrongheaded approach on a very important issue.

Mr. STARK. Mr. Speaker, at this time I am happy to recognize the gentleman from New Jersey (Mr. PASCRELL) for 1½ minutes, and, pending that, point out that he recognizes that the hospitals and physicians in Pennsylvania overwhelmingly endorse this bill.

Mr. PASCRELL. Mr. Speaker, we could certainly slow the aging process down if it had to work its way through Congress.

This year, 6 million children will have access to quality affordable health insurance because of the program we know as the SCHIP. These children are in working families with parents who either can't afford insurance or hold jobs that lack health care benefits. We have an opportunity today.

In New Jersey, we have over 100,000 of eligible kids who aren't enrolled in New Jersey alone. Are we going to do the same thing on health care that we did to those kids in Head Start? So many eligible, not enough resources, wrongheaded priorities?

Contrary to what my friends on the other side said, the Ways and Means Committee has also worked to protect the integrity and solvency of Medicare and to approve the benefits for all beneficiaries within this bill.

The fully paid for CHAMP Act protects Medicare from privatization, promotes fiscal responsibility, you have got to read the bill, by reducing overpayments to private plans. I see nothing wrong with that. Adding 3 years to the Medicare trust fund solvency, I think that is a home run. Limiting premium increases, two home runs, and improving access and benefits for all Medicare participants.

Mr. Speaker, this bill needs everyone's support in here. It should be and will be bipartisan.

Mr. CAMP of Michigan. Mr. Speaker, may I ask how much time remains?

The SPEAKER pro tempore. The gentleman from Michigan has 22½ minutes remaining; the gentleman from California has 19 minutes remaining; the gentleman from New Jersey has 15½ minutes remaining.

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

Mr. STARK. Mr. Speaker, at this time, I am happy to yield 1 minute to the distinguished lady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding.

I rise in support of the CHAMP Act, and I want to tell you why. This bill will ensure continued coverage for the 39,000 kids already covered by SCHIP in my State of Nevada, while providing resources to reach the 70,000 children currently eligible but that remain uninsured because there is not enough money.

This bill also makes needed updates and improvements to Medicare to ensure that our seniors receive preventative services, mental health care, and physical speech and occupational therapies that they need. Almost 98,000 low-income seniors in Nevada will benefit from improvements in Medicare savings programs and low-income subsidy programs as well.

Passing this bill is also necessary to ensure access to physicians for Medicare patients. The CHAMP Act restores funding necessary to reimburse the doctors for their services.

My district has the fastest growing senior population in the United States. It is essential that these seniors have access to their doctors under the Medicare program. This bill ensures they will.

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

Mr. STARK. Mr. Speaker, I am delighted to yield 1 minute to the distinguished lady from Pennsylvania (Ms. SCHWARTZ), who understands that the National Committee to Preserve Social Security and Medicare has overwhelmingly endorsed the 2007 CHAMP Act.

Ms. SCHWARTZ. Mr. Speaker, I rise proudly in strong support of the Children's Health and Medicare Protection Act.

As someone who helped to create one of the first CHIP programs in the country in Pennsylvania in 1992, I know what a difference it has made in the lives of literally hundreds of thousands of children in Pennsylvania. And since 1997, it has made a difference in the lives of 6 million children across this country.

Today, we build on the success of CHIP. It is a public-private, Federal-State partnership and secures access to coverage for 11 million children of hardworking American families.

At a time of rising health care costs for working families and increasing numbers of uninsured children, today we have an answer for American families. The action we take today will sustain health coverage for 6 million children currently enrolled, and will make available affordable coverage for an additional 5 million American children.

This is an extraordinary step forward in ensuring access to health coverage for American children. It is simply not good enough to say you support improving access to health coverage for children and then vote ''no.'' Rather, vote with children of this country and their parents. I urge passage of this legislation.

Mr. STARK. Mr. Speaker, I am delighted at this time to recognize the distinguished gentleman from Connecticut (Mr. LARSON) for 1 minute, who understands well how private health insurance companies have overprofited from their overpayment.

Mr. LARSON of Connecticut. Mr. Speaker, I want to applaud Mr. STARK, Mr. RANGEL, Mr. DINGELL, and Mr. PALLONE for their outstanding leadership in bringing this bill before us today.

I turn to my colleagues on the other side of the aisle and say to them, do not remain frozen in the ice of your own indifference towards the needs of children in this country.

It is imperative that we pass this bill. It is imperative not because of the statistics and the numbers, but because these are our children and our kids. That you find the time and the money to blindly put forward into reconstruction efforts in Iraq, but not the time, not the effort to make sure that kids in our own country receive the necessary funding that they need.

It is written that the difference between CHAMP and CHUMP is ''U.'' Do not become the vote that turns away the children in this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to address their remarks through the Chair.

Mr. CAMP of Michigan. Mr. Speaker, at this time I yield 2 minutes to a distinguished member of the Ways and Means Committee, Mr. TIBERI.

Mr. TIBERI. Mr. Speaker, I rise in reluctant opposition to this bill today.

I support the Children's Health Insurance Program. The original goal was worthy, Mr. Speaker: Cover poor children. Unfortunately this bill does much more than that. It expands the program to more adults and to children of middle-class parents who may already have insurance, and funds this expansion through relying on tobacco taxes that are going to bring in less revenues through the years, including tax increases on private health care plans, cuts to community hospitals, nursing homes, home health care providers, and, yes, cuts to Medicare beneficiaries.

Democrats are cutting Medicare, specifically the Medicare Advantage program. Seniors in my district have been writing and calling me, and I have been talking to them.

One said to me, ''The quality of our health coverage is greatly improved through Medicare Advantage.'' Another said, ''I cannot afford higher out-of-pocket costs. I get preventative care. I also get some dental coverage and eye care that I would not be entitled to under original Medicare.'' And, lastly, ''Please, in the name of decency, do not vote to change my health care.''

Mr. Speaker, over 13,000 of my constituents benefit from Medicare Advantage. I will not vote to cut their benefits today. I will not, Mr. Speaker, support this bill which pits grandparents versus their grandkids.

Mr. DINGELL. Mr. Speaker, at this time I yield to the distinguished gentlewoman from Wisconsin (Ms. BALDWIN) 2 minutes.

Ms. BALDWIN. Mr. Speaker, I rise in strong support of the CHAMP Act, and our chairmen who have worked so hard to craft this bill deserve great credit. It is a very strong measure.

There are many reasons to support this bill, but chief among them is the fact that this bill will provide health care coverage for an additional 5 million low income children, bringing the total to 11 million insured infants and children covered under SCHIP. This represents real progress at reducing America's 46.6 million uninsured people, and I am proud to support this progress.

Mr. Speaker, I am also proud to note that the CHAMP Act does not pit children against seniors, as has been suggested by many of the Republicans, but instead works to improve health care for both children and seniors.

The bill includes many investments in Medicare that will directly benefit the health of our seniors. The bill includes a physician fix so that our doctors will not be subjected to the harsh 10 percent scheduled cut in reimbursement, and, providing this fix will ensure that beneficiaries have continued access to their physicians.

In addition, this bill provides many more protections to Medicare beneficiaries by expanding and improving the programs which ensure that Medicare remains affordable to those with lower income. The CHAMP Act also expands access to preventative benefits and mental health benefits for all Medicare seniors.

But back to my first point. If this Congress stands for anything, it should stand for children, for providing them with comprehensive health care, for giving them the support and care they need for a healthy life.

I am reminded of the first day of this session when Speaker PELOSI invited all the children to join her at the podium. This Congress should be judged based on how we protect our Nation's children. That is this vote.

□ 1730

Mr. STARK. Mr. Speaker, I'm happy to yield 1 minute to the distinguished lady from Ohio (Ms. TUBBS JONES). And, pending that, I suggest that she understands that the American Nurses Association has expressed their undying support for the Children's Health and Medicare Protection Act.

Mrs. JONES of Ohio. Mr. Speaker, I rise today in support of H.R. 3162, the Children's Health and Medicare Protection Act. And for the RECORD, I want to compliment the Chair, Mr. RANGEL; the ranking member, Mr. STARK; and the staff of the Ways and Means Committee for all of their hard work, because I was one of those at the table battling on behalf of a whole lot of people.

This piece of legislation will be critically important to children. But while expanding access to health care for children is my key focus, I remain watchful of the provisions that could have adversely affected persons with end-stage renal disease. I'm pleased that there are provisions in the bill that will help measure and, hopefully, reduce racial and ethnic disparities in kidney care, bolster the health and health care of our low-income seniors and protect our Nation's hardworking health providers.

As I have said many times before, the CHAMP Act is an example of a socially responsible and medically appropriate health policy that will improve the health and well-being of our Nation's most vulnerable residents.

I call upon all of my colleagues to join us in supporting this legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must observe that if Members yielding time in debate also include extensive comments, the Chair may have to charge the time consumed by such remarks against that Member's time for debate.

Mr. DINGELL. Mr. Speaker, at this time, I yield 2 minutes to my distinguished colleague from North Carolina, Mr. BUTTERFIELD.

Mr. BUTTERFIELD. Mr. Speaker, I rise today to thank Chairmen DINGELL, RANGEL, PALLONE and STARK for their bold leadership in bringing this legislation to the House floor. As Congressman for the 15th poorest district in the Nation, a district where 50 percent of the children qualify for SCHIP, I enthusiastically support passage.

The CHAMP Act of 2007 reflects what should be our Nation's priorities. It is the duty of Congress to keep the promise of our Constitution, to provide for the general welfare of our people. What better way, Mr. Speaker, to keep that promise than to guarantee that our children are afforded adequate health insurance.

The sad fact is that a majority of uninsured children are minority, including 1.4 million black children and 3.4 million Hispanic children. In my State of North Carolina, 195,000 children are eligible but not enrolled in the program. We have a moral obligation to ensure all children who are unable to afford insurance have that insurance. To do less would be shameful.

Let me close, Mr. Speaker, by thanking the gentleman for giving me this time and also expressing disappointment with my Republican friends who have engaged in nothing but obstructionism and filibuster as we have struggled to bring this legislation to the floor.

You insisted on reading a 495-page bill, consuming 18 hours of our committee time. You have made your adjournment motions this week, and you have wrongfully suggested that we want to insure illegal aliens. That's wrong. And then you accuse us of taking Medicare benefits from our seniors; and then you use that worn out phrase, ''tax increase''.

The American people have figured it out. You are doing every conceivable thing to prevent giving insurance coverage to 5 million children of the working poor.

My friends, you are wrong.

Mr. STARK. Mr. Speaker, as quickly as I can, I would like to recognize the distinguished gentleman from Alabama (Mr. DAVIS) for 1½ minutes.

Mr. DAVIS of Alabama. I've listened to a lot of allegations, Mr. Speaker, that the Democratic Party, the party that crafted Medicare and Social Security and Medicaid, is somehow cutting health care benefits. I don't want this debate to end without putting a few simple facts in perspective.

There is one party in this Chamber that said to 13 million working class families on Medicaid for the first time, you have to make a co-pay for your kids to go to the doctor.

There is one party in this Chamber that, 4 years ago, in the Medicare Modernization Act, tucked in the fine print of the bill a requirement of guaranteed Medicare cuts in the next several years.

There is one party in this Chamber that passed the prescription drug bill that contained a massive doughnut hole for seniors which allowed them to lose their coverage for a period of time.

There's one party in this Chamber that has sent five budgets, just in my tenure, to the floor of the Congress cutting Medicaid benefits.

There is one party in this Chamber that has proposed to cut, that has passed a guaranteed 10 percent cut for reimbursements for doctors, set to go into effect beginning on January 1.

It is the Republican party.

Let there be no debate, Mr. Speaker. There is one party that has its bona fides on the question of health care. It is the party that is moving today a bill that will provide universal coverage for all children who need it.

It is shameful for this debate to have been twisted and distorted in the manner that it has.

Mr. CAMP of Michigan. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 21 minutes. The gentleman from California has 13½ minutes. The gentleman from Michigan (Mr. DINGELL) has 11½ minutes.

Mr. CAMP of Michigan. At this time, Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, I rise in strong opposition to the CHAMP Act. The message of this bill is, Washington knows best.

I recently received a letter from one of my over 4,500 seniors in my district who could lose their Medicare Advantage benefits under this bill. Kathleen Lopez of Marysville, California, writes, ''I chose a Medicare Advantage plan because I receive Social Security benefits less than $700 net per month. This plan encourages preventive care, has some vision and dental coverage. This type of plan eliminates costly monthly expenses for health coverage.''

In addition to slashing Medicare Advantage, this bill contains massive expansion of SCHIP that takes kids from middle-class and even upper-class families off private insurance and puts them into a government-paid program.

All of us support reauthorization of SCHIP. Everyone supports health care for low-income children. But what we are debating here today is whether to turn this successful anti-poverty program into an open-ended entitlement with effectively no limits on eligibility.

Mr. Speaker, we have a choice. We can move towards a 21st century patient-centered health care system driven by competition and innovation, or we can go backwards towards a system of socialized medicine like the one that the Canadian doctors come here to escape.

Mr. Speaker, this bill goes in the wrong direction. I urge my colleagues to reject it.

Mr. STARK. Mr. Speaker, at this time, I'm delighted to yield 1½ minutes to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, we all pay the price when 46 million Americans, 9 million of them children, have no health insurance. We all have a responsibility, a moral responsibility to make sure that our most vulnerable get the health care coverage they need.

The State Children's Health Insurance Program is perhaps the best social policy success story of the last decade. At a time when most Americans want to see this program reach more of the 6 million children who are eligible but still uninsured, the administration's proposal would result in hundreds of thousands of children losing their coverage. That is the wrong direction and the wrong choice for our country.

The Children's Health and Medicare Protection Act will take us in the right direction, reaching children most in need, while improving Medicare for 44 million seniors and people with disabilities.

This is about embracing our Nation's most serious challenge, a challenge the Federal government has the ability, the capacity, the resources and the moral obligation to help us meet.

We all have a stake in solving this crisis. No one, not even the President, should be able to undermine the great promise of a healthy future for our kids.

Mr. DINGELL. Mr. Speaker, I'm delighted to yield 1 minute to my good friend and colleague from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I rise in strong support of the Children's Health and Medicare Protection Act. This bill provides health care to those who most need it, our children. That's what this bill is about.

The CHAMP Act means that the coverage of almost 50,000 children enrolled in Iowa's CHIP Program, called the Hawkeye program, will be secured. This bill also provides essential funding for the State to reach the almost 30,000 children who are eligible for the program but remain uninsured.

In addition, the CHAMP Act would provide the State of Iowa with a new option to cover an additional 47,000 children who are aging out of Medicare and CHIP.

No child should go without health care. No child should go without regular checkups, preventive care and treatment of illnesses. The CHAMP Act serves as a crucial health care safety net for low-income, uninsured children. That's what it's all about. And I urge my colleagues to support its passage.

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

Mr. BRADY of Texas. Mr. Speaker, for the RECORD, there is only one party that fought hard to make sure our seniors had life-saving drugs, even though our colleagues across the aisle had 8 years of the White House and control of the Senate and never brought a bill to the floor to help our seniors with their medicines.

And I'd point out that while many lobbyists in Washington support this bill, I've not heard from one hospital, not one nurse, not one physician, not one senior who supports this bill.

380,000, that's how many Texas elderly will likely lose their personal Medicare plan as a result of this bill. 107,000, that's how many seniors in the Houston-Beaumont-Huntsville region will see serious cuts in their Medicare Advantage plan, or be forced into other plans with less health care coverage as a result of $50 billion of unnecessary and drastic Medicare cuts.

This is kid care versus Medicare. And only in the poisonous environment of Washington do politicians pit children against their grandparents. It is a cynical and a false choice that will leave many seniors stranded without the health care plan that fits their needs.

I, like others, support covering more children for health insurance, but not at the expense of elderly.

I sit on the committee charged with preserving Medicare, keeping seniors healthy; and these Medicare Advantage plans are the preferred plan for many of our Texas elderly. They're especially critical to our rural and low-income and minority seniors because they provide a comprehensive plan with medicines and emphasis on prevention.

I also believe that before Congress expands CHIP to higher-income families, it should first help the children of low-income families which the program was designed to serve. Maybe we should subsidize the coverage for the bank president's kids, but shouldn't we first help the health care for the bank teller's kids?

Texas, like many States, barely covers half of the children already eligible for this; and, as a Congress, our goal should be to cover the children of working poor first.

Mr. STARK. Mr. Speaker, at this time, I'm privileged to yield 1 minute to the Delegate from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. I'm proud to be here, Mr. Speaker, to stand in strong support of the Children's Health and Medicare Protection Act of 2007.

We also have additional champs in Chairmen DINGELL, RANGEL, STARK and PALLONE, as well as the Speaker and the Democratic leadership.

Today, we're fulfilling a commitment we made on the first day of this Congress to take care of America's children. By passing H.R. 3162, we will take the first step to insuring the 6 million low-income, now uninsured children in this country, including many who are racial and ethnic minorities; and we'll be investing in a healthier future for them and our country by ensuring they get comprehensive care.

□ 1745

In CHAMP we also fulfill a commitment to our seniors and persons with disabilities, especially those of low income, to remove some of the remaining barriers to Medicare. This bill helps children and seniors.

And we are beginning to help bring provider payments in line with the rising cost of providing medical care as well as to start the reform this country needs. This legislation is not only good for our children, our seniors, and our disabled, it is good for our country.

If we only extended CHIP, as our Republican colleagues suggested, it would cause 800,000 children to lose coverage. We can't do that.

Support this bill. Reject the motion to recommit.

Mr. CAMP of Michigan. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding.

I have heard a lot of generosity on the floor today, Mr. Speaker. People can always be generous with other people's money. And it seems that the new majority back in power has already gone the way of the old Democratic majority and, in fairness, along the way of mistakes that we made.

I was one of the Republicans that opposed our effort to vastly expand Medicare with the prescription drug entitlement. I think voters actually put some of us on the pavement because, with an $8 trillion national debt, they are tired of reckless and runaway spending in Washington, D.C.

This bill is a massive increase in the government's role in health care. It makes millions of middle-class families eligible for government insurance, many of which are already covered under private plans. I don't think taxpayers should be required to pay for government insurance for the children of parents who earn up to $80,000 a year. And we do this at the expense of seniors, cutting into the Medicare Advantage program.

And I would say to you American taxpayers should not have to support a system that provides health insurance coverage for illegal immigrants. This legislation allows funding of illegal immigrants in health care. It cuts health care for millions of senior citizens in the Medicare Advantage program. It provides government insurance for higher-income families, and it drastically expands the role of the government in America's health care system.

It just seems to me this new majority does well when it reminds the American people that we have a moral obligation to come to terms with an $8 trillion national debt. The next time I hear one of those speeches on the floor, Mr. Speaker, you will forgive me if I run to the floor to remind people of a $47 billion middle-class entitlement that passed the Congress today.

I urge my colleagues to oppose the CHAMP Act, to oppose middle-class entitlements.

Mr. STARK. Mr. Speaker, at this time I am pleased to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, on the other hand unlike the minority, I rise to champion the CHAMP Act. Let me thank Chairman STARK, let me thank Mr. DINGELL, and Mr. RANGEL for providing the threesome who understood that our children are in need!

Mr. Speaker, it is a crisis. The CHIPS is getting ready to expire. I am very glad that we did something monumental in 1997 by implementing a program to help America's children—

CHIP. Five million children will be added. It will make it a total of 11 million children. Also seniors will have their choice of hospitals an doctors and they will be able to get all of their benefits under Medicare.

We will follow the current immigration law so the argument regarding undocumented immigrants is unfounded. But a sick person is a sick person, a sick baby is a sick baby, and Texas needs dollars, and America needs this health coverage.

At the same time, I look forward to working with the committee so that our doctor-owned hospitals in rural and underserved areas will be able to get a waiver so that they can continue to serve in those areas. But I am proud that we are providing more benefits, not fewer benefits, and we are providing more dollars for the State of Texas' most neediest residents—children and seniors—they need good health care now.

I urge my colleagues to support the CHAMP Act.

Mr. Speaker, I rise today in strong support of the Children's Health and Medicare Protection Act of 2007 (CHAMP Act). I would like to thank my colleague Mr. DINGELL for introducing this legislation, and for his leadership, together with that of Mr. RANGEL, in shepherding this legislation through both the Energy and Commerce and the Ways and Means Committees.

This important legislation commits $50 billion to reauthorize and improve the State Children's Health Insurance Program, SCHIP, and it also makes critical investments in Medicare to protect the health care available to our Nation's senior citizens. I strongly urge my colleagues to join me in supporting this excellent bill.

Mr. Speaker, SCHIP was created in 1997, with broad bipartisan support, to address the critical issue of the large numbers of children in our country without access to health care. It serves the children of working families who earn too much money to qualify for Medicaid, but who either are not able to afford health insurance or whose parents hold jobs without health care benefits.

Children without health insurance often forgo crucial preventative treatment. They cannot go to the doctor for annual checkups or to receive treatment for relatively minor illnesses, allowing easily treatable ailments to become serious medical emergencies. They must instead rely on costly emergency care. This has serious health implications for these children, and it creates additional financial burdens on their families, communities, and the entire Nation.

This year alone, 6 million children are receiving health care as a result of SCHIP. However, funding for this visionary program expires September 30. Congress must act now to ensure that these millions of children can continue to receive quality, affordable health insurance. President Bush has employed rhetoric in support of this program while on the campaign trail, stating in 2004 that "In a new term, we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for government health insurance programs." Unfortunately, however, in practice both the Administration and my colleagues on the other side of the aisle in Congress have proposed significant cuts in the program. If these are approved, millions of children will lose health coverage.

As chair of the Congressional Children's Caucus, I can think of few goals more important than ensuring that our children have access to health coverage. It costs us less than $3.50 a day to cover a child through SCHIP. For this small sum, we can ensure that a child from a working family can receive crucial preventative care, allowing them to be more successful in school and in life. Without this program, millions of children will lose health coverage, further straining our already tenuous healthcare safety net.

Additionally, through this legislation, we have an opportunity to make health care even more available to America's children. The majority of uninsured children are currently eligible for coverage, either through SCHIP or through Medicaid. We must demonstrate our commitment to identifying and enrolling these children, through both increased funding and a campaign of concerted outreach. This legislation provides States with the tools and incentives they need to reach these unenrolled children without expanding the program to make more children eligible.

In my home State of Texas, as of June 2006, SCHIP was benefiting 293,000 children. This is a decline of over 33,000 children from the previous year. We must continue to work to ensure that all eligible children can participate in this important program. To this end, Texas Governor Rick Perry signed legislation in June to, among other things, create a community outreach campaign for SCHIP.

In addition to reauthorizing and improving the SCHIP program, this legislation also protects and improves Medicare. Due to a broken payment formula, access to medical services for senior citizens and people with disabilities is currently in jeopardy. Physicians who provide healthcare to Medicare beneficiaries face a 10 percent cut in their reimbursement rates next year, with the prospect of further reductions in years to come looming on the horizon. The budget proposed by the Bush administration does not help these doctors, or the patients that they serve.

Mr. Speaker, I believe that senior citizens and individuals with disabilities deserve access to quality and affordable healthcare. Currently, there are 35 million seniors without private health plans, and, at current rates, the Medicare Trust Fund will be depleted early because of excess payments to HMOs. This legislation reverses Republican efforts to privatize Medicare, and it ensures that seniors will have access to the doctor of their choice.

This is extremely important legislation providing for the health coverage of 11 million low-income children, as well as protecting the health services available to senior citizens and persons with disabilities. I strongly support this bill, and I urge my colleagues to do the same.

Mr. DINGELL. Mr. Speaker, at this time I yield 1 minute to the distinguished gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I am astonished at what I have heard from the other side of the aisle: disingenuous talk about great deficit; the deficit caused by the Republican majority's work or lack of work over the last 12 years; giving tax breaks to the rich while sending our troops to a war that has cost us half a trillion dollars and approaching a trillion dollars. That is where the deficit has come from, and this disingenuous talk is shocking to hear.

And the admission that they are against giving children of middle-class families health care. The Republican party, Mr. Speaker, used to say they cared about the middle class. Now they say they don't want to give health benefits to their children. That is amazing. And doctors, who used to be one of their main interest groups, would get reimbursement that they are entitled so that they can continue to participate in Medicare under this plan, and they oppose that.

I would ask you to look at the wall and Daniel Webster, who says, engraved in stone here: Do something of monumental proportions. Do something that generations will remember, something great.

That is what this bill will do. I am happy to be here in support of the CHAMP bill. Hubert Humphrey was a champion of children, and I am happy to stand here for him.

Mr. CAMP of Michigan. Mr. Speaker, I yield 2¼ minutes to the distinguished gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Speaker, if there ever was a bill that should have bipartisan support, it is this SCHIP bill. All of us support health care for children.

But the problem that we have in this process is that this is a bill that really did not receive the full vent of the Congress. And so here we find ourselves on the floor debating a bill that is going to be a dramatic change and expansion of government health care.

The original SCHIP program was designed for 250 percent of the poverty level and above. This bill removes that limit so that States can do whatever they want to.

Today there are 700,000 adults on the Children's Health Program. This bill is going to greatly expand the number of adults on the program. There even are incentives so that children will leave their parents' health plan and go to the government health plan, and in doing so, since children are generally a healthy group, the private health plan premiums are going to increase in cost. They are also imposing a fee on every private health plan in America, every self-insured health plan in America.

In addition to that, they are going to lower the reimbursement for the Medicare Advantage program, which is particularly strong in rural areas, which will hurt the seniors on the Medicare Advantage program.

So the bottom line, and philosophically we are not questioning anyone's motives, but there should be a full debate on this. This is dramatically expanding government health care and diminishing private health care. And that is what this debate is really all about.

And I would say this: We need a strong private health system. That has been the tradition in America. And last year, for example, the MD Anderson Cancer Center in Texas spent more money on research and development in health care and health needs and curing diseases than all of the entities in the Canadian health plan. That is why we are upset about this program. Not that we don't want to cover children.

I thank the gentleman for his generosity of time.

Mr. STARK. Mr. Speaker, at this time I yield for the purpose of making a unanimous consent request to the distinguished gentleman from Oregon (Mr. WU).

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

Mr. WU. Mr. Speaker, I rise in support of the CHAMP Act and the reauthorization of the State Children's Health Insurance Program, or SCHIP.

This bill will cover the nearly 11 million children who fall into the gap between Medicaid and private insurance.

Not only will the CHAMP Act provide health insurance for millions of additional children, but also the peace of mind for millions of families who work hard to provide all of life's essentials for their families.

For my state of Oregon the passage of the CHAMP Act means many of the 107,000 uninsured children will have access to health care.

And while the legislation before us today is a suitable and necessary short-term solution, the long-term need remains: America is falling short of our moral obligation to provide all children with access to health care.

Access to health care is not only a struggle for those with the lowest incomes; it now also is a struggle for those we have traditionally considered middle-class, and therefore should be able to afford health insurance.

Since 1965 Medicare has ensured our Nation's senior citizens have access to health care. That success should be extended to cover our youngest citizens. I am developing new legislation will do just that.

My MediKids legislation would provide access to comprehensive health care for all children and expecting mothers. Every child would be automatically enrolled at birth. But parents would retain the right to choose to enroll their children in private plans or others such as SCHIP or Medicaid.

MediKids also would act as a safety net. If parents have a lapse in other insurance, a common concern and constant worry among many families, MediKids would provide coverage.

America has the best health care in the world, but fewer and fewer families can actually afford it. We should not make our children, and their parents, wait any longer.

I urge my colleagues to support the legislation before us, but to continue to work toward a long-term solution for today's and tomorrow's youngest citizens.

Mr. DINGELL. Mr. Speaker, at this time I am delighted to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, I continue to hear my colleagues on the other side of the aisle say that this bill is a move towards government-run health care that will cause seniors to lose their Medicare.

I would suggest to my colleagues who complain inaccurately that Medicare beneficiaries will lose coverage under this bill that, if my colleagues are so worried about that, they should consider the implications of doctors refusing to see Medicare patients, which is exactly what could happen if we don't pass this bill and fix physician reimbursement.

SCHIP is a State block grant program and will remain so under this bill. Nearly every State contracts out the SCHIP program to private insurers. That is far from a government-run program.

These are children who live in families where the head of household works but they don't make enough money to afford health insurance. These are families that work hard and play by the rules but still can't afford health care for their kids. That is what we are talking about here today, Mr. Speaker.

This bill protects and strengthens the Medicare trust fund and invests in our children, and I ask my colleagues to support this bill.

Mr. CAMP of Michigan. Mr. Speaker, I yield myself 2 minutes.

First, I would like to make one point perfectly clear. Republicans support health care for low-income children. We support reauthorizing the program we passed in 1997. And that shouldn't come as a surprise to anyone. After all, it was the Republican majority that created the State Children's Health Insurance Program, and we did it in a bipartisan manner.

Today, sadly, we do not have a bipartisan bill before us. When we talk about insuring the Nation's needy children, we should talk about it in a bipartisan way. And if the majority had crafted a bill that was just about helping low-income children, we would stand here today ready to overwhelmingly approve that legislation.

Unfortunately, this bill doesn't focus on low-income children. Instead, it draws scarce resources away from these needy children in order to take a giant leap toward universal, government-controlled health care.

Worst of all, this dramatic step comes at the expense of Medicare, seniors' health insurance, in order to give middle-class and even upper middle-class families a new Federal health benefit.

These are not minor cuts in senior health care. The majority's bill cuts or eliminates many Medicare benefits and services: $157 billion in cuts to Medicare Advantage, which are health plans that offer additional benefits to low-income seniors like disease management, vision, dental, and hearing benefits, and improves the quality of care they receive; billions in cuts to hospitals; billions in cuts to home health care services, to wheelchairs, to patient rehab facilities, to nursing homes, to dialysis patients, and to oxygen treatment. And because of a new insurance tax on every insured American, health costs to seniors and all Americans will go up.

I don't know about you, but I can't look a 75-year-old widow in the eye in my district and honestly ask her to give up her benefits so that a 45-year-old couple making $80,000 a year or more with a 21-year-old can receive government health care.

This bill did not have to be this way. It should not be this way. I urge my colleagues to vote against this bill, and I urge the majority to bring us back a bill that focuses on helping low-income children. That is a bill we can all support.

Mr. STARK. Mr. Speaker, I would like to yield 1 minute to the distinguished gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Mr. Speaker, I thank my friend from California for yielding.

We talked a lot about how this bill is great for kids. I want to join Mr. ALTMIRE in talking about this bill is great for seniors as well.

Four years ago this House passed an expansion of the Medicare program to cover drugs. It should have done it a long time ago. The problem was when you finally did it under Republican control, it ended up benefiting the drug companies and insurance companies and really being a burden for many senior citizens. That ends in large part today with the passage of this bill.

The underlying CHAMP Act today is going to finally allow seniors to be able to switch their plans when the plans change the drugs that they cover. It is going to begin to remove the doughnut hole, especially for the most vulnerable Medicare recipients out there. And it is finally going to get rid of those burdensome late penalties for the lowest of income seniors.

This bill is undoubtedly a great bill for kids. This bill is also going to be a great step forward for the millions of seniors around this country who have been struggling with the Medicare part D program for the last 4 years.

I thank the gentleman for his work on this bill.

□ 1800

Mr. CAMP of Michigan. At this time, Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. I thank the gentleman for yielding.

I rise in opposition to a bill that is more about politics than children's health insurance. The so-called CHAMP Act represents a missed opportunity to expand SCHIP in a focused manner to help provide health care to our Nation's neediest kids.

I'm extremely disappointed that this bill raises taxes and cuts Medicare to expand the program well beyond its original intent. This bill would cut Medicare benefits to more than 45,000 of my constituents who rely on their Medicare Advantage plans for services

and benefits they otherwise could not afford.

Mr. Speaker, I urge our colleagues to, instead, support the motion to recommit, which will extend the SCHIP program and stop scheduled Medicare physician payment cuts without raising taxes or cutting Medicare.

I will oppose this bill if the motion to recommit fails because I oppose politicizing an issue that should be above the partisan differences that too often divide us.

Mr. DINGELL. Mr. Speaker, at this time, I am delighted to yield 1 minute to the distinguished gentleman from Georgia (Mr. SCOTT) and to note that he provided extraordinary leadership in the creation of a program of this type in Georgia. He is entitled to speak, I think, with real wisdom. We thank you.

Mr. SCOTT of Georgia. I thank the distinguished gentleman, Mr. DINGELL, for his courtesies.

This is, indeed, our finest hour of opportunity, and I urge my Republican friends not to blow this.

Now, I have come to this well because I come from Georgia, a State that is in dire need of this bill being passed. We have nearly 300,000 children who are affected by this program. And I want to take just a minute because there is so much I want to say I have only a minute to say it.

There are so many reasons that the Republicans have used to try to come up against this bill. I cannot for the life of me understand why you are not standing forefront in favor of getting health care for our children. But perhaps the most devious one of all that you use is to try to fight the immigration fight on this bill.

In this law, it clearly states, ''No Federal funding for illegal aliens.'' Nothing in this act allows Federal payment for individuals who are not legal residents. Gentlemen, that is a false, false horse to ride.

Vote for the children. Vote for this bill.

Mr. CAMP of Michigan. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Yesterday, we passed lobby reform legislation that deals with earmarks, gives Members certain notice. You have to put your name next to it. There is certain transparency and accountability, some of which is good.

I should note, with this legislation, in the middle of the night last night we did the equivalent of earmarking on an authorization bill. We, in the middle of the night, designated some 25 hospitals, giving them a different designation, which will save those hospitals millions and millions of dollars. That's the equivalent of appropriation earmarks in an authorization bill, done without debate, without notice. We're getting it now.

And there is a process within the executive branch to deal with this. We have circumvented that process and said we're going to do it legislatively. That is simply not right and certainly not in keeping with the spirit of legislation that was passed just yesterday.

Mr. STARK. Mr. Speaker, I yield myself such time as I may consume to respond to my distinguished friend from Arizona.

And I have to admit, in honesty, that there are earmarks in this bill. There are 11 million earmarks, six million children whose names we now have and five million children to be added to the bill. And I'm proud to say those earmarks are in the bill.

Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. I want to compliment my colleague on his concern about earmarks; and I hate to see your record and credibility shattered merely because many Members, Republicans and Democrats, did not want certain hospitals to suffer the cuts, as has been recommended by this administration. And where we could and where there appeared to be some doubt, I gave my word to the members of the Ways and Means Committee, as did Mr. MCCRERY, that PETE STARK and I would be taking a look at each and every one of them. But it would be a tremendous stretch of anyone's imagination to call that an earmark.

Mr. CAMP of Michigan. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I appreciate the gentleman for yielding.

Mr. Speaker, I have been listening to the debate, and I haven't heard of any way that this is going to be paid for, the 130 something billion dollars over 10 years, except for 45 cent a pack increase in the tax on tobacco. So while I heard some Members over there talking about this is going to be a deterrent to people smoking, you better hope a bunch of people start smoking because you're going to have to sell a ton of cigarettes to come up with $132 billion. But then the closer you look at it, you find out that this is, again, smoke and mirrors from this majority in Congress.

What this is going to do in 2011 is actually cut doctors' pay 12 percent. Now, if anybody really believes in this room that we're going to cut doctors' pay by 10 or 12 percent, they're kidding themselves. This is another gimmick, more smoke and mirrors, more illusion for the people of this country.

The people of this country are smarter than that. When they recognize what this is, then I think that the majority is going to find out that they do not want the CHUMP bill passed.

Mr. STARK. Mr. Speaker, at this time, I'm pleased to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. It's been said that it is how we treat the least of these that we will be judged. I think about my own four children, Francis and Chip and Cameron and Chandler. I think about the night I spent at the Children's Hospital all night long with my daughter because she suffered from dehydration. It's wonderful that she has insurance and we can provide for the best coverage at the best Children's Hospital, I think, anywhere in the world. But this bill is about helping all of our children, the six million that will continue to have coverage and the five million that we're adding.

The AMA, the AARP, the National Committee to Preserve and Protect Social Security, the Children's Defense Fund, all of these entities that represent these interests have lined up on behalf of this bill. And we need to line up this House on the right side of history.

I want to commend the chairmen, RANGEL and DINGELL and PALLONE and STARK, for their work and ask for a unanimous vote on behalf of the CHAMP Act.

Mr. CAMP of Michigan. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, what a fascinating debate it is that we are having; and I thank the gentleman for yielding a few moments of time.

You know, we're beginning to hear from some of the nearly 54,000 Medicare beneficiaries that we have in our district because they have figured out that this is going to be financed on their back; and we have nearly 9,000 Medicare Advantage beneficiaries that are in our district. Our Congressional Budget Office estimates are telling us that this looks like it's going to end up costing us over $11 million in our district.

Now, we know that we're going to see the tax on private insurance. We've heard from some of our individuals who are questioning why in the world are you putting a tax, you've got a tax on everything, why are you taxing our health insurance benefits?

We're hearing from our tobacco farmers and our friends in the agriculture community that are quite upset about cigarette and cigar and tobacco taxes there. And as the gentleman from Georgia just said, this grand plan basically says, seniors, we need you to smoke more so that you can help pay for this plan to expand SCHIP to middle- and upper-income families.

And being a mother, I can tell you that a 25-year-old probably is a little bit offended to be called a child, because 25-year-olds are adults. They are young adults, and they are working, and they do not need to be on those programs.

Mr. STARK. Mr. Speaker, at this time, I am pleased to yield as much time as he may consume to the distinguished chairman of the Ways and Means Committee, Mr. RANGEL.

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

Mr. RANGEL. Let me extend an olive leaf to my friends on the Republican

side, because it just wouldn't be fair for you to be going home thinking that people will be talking about politics and process when the bottom line is: Where were you when this government, as big as it is, wanted to protect 11 million kids in health insurance? That's going to really be the bottom line.

And if you think that government is really so big that $50 billion is just too much money to invest in these little kids, then kind of think about what you're willing to invest in Afghanistan, in Baghdad, in improving its schools and its hospitals.

And think of what we get back. Just think of what we get back in preventing these kids from getting diseases and illnesses that would not only cost us billions of dollars in health care, but the lost competition, the inability to learn and to be productive. What a heck of an investment this is, even for our United States Government, to be concerned with 11 million Americans becoming healthy, better educated and competitive.

This is not a question of Democrats being so dumb, so stupid, so apolitical that we want to hurt our own folks. Unlike children, they vote. And every organization that has dedicated themselves to older Americans for health services have endorsed this: the hospitals, the doctors, the nurses, the Catholics, the Protestants, the Jews, the gentiles. People who are concerned about human lives are concerned that we do these things.

What do you think we are? We were born yesterday? No. I don't know what the President intends to do, but you can't hurt this President anymore. You don't have to do this to yourselves. Just think about your explanations: The bill wasn't ready; it didn't come out of committee. I don't know. How are you going to pay for it in 2012? Or maybe some of you youngsters have to think about it. But just think about how many people are going to get health care between now and 2012 before we look at the President's tax cuts. Somehow they kind of broke it off at 2010. So it's not the first time people had these creative ideas.

But let me suggest this to you: This bill expires on September 30. Now, I don't know whether they have town hall meetings on the other side or not, STENY, but I would hate to be at one of them when they explain why there is not going to be insurance for these six million, and additional five. I hate for them to say how they were reading the bill because they didn't participate.

These are things that we can improve upon. And Mr. MCCRERY and I work every day to see whether we can do a better job on communication. But don't you let our lack of communication interfere with having coverage for 11 million kids who deserve better than what we've given them in terms of the debates and the discussion on this historical piece of legislation.

So we have the opportunity to join with hundreds of Americans that are concerned about our young people, our old people, a better America. Our educators, our teachers want to do this. I cannot think of anything that's more important for our national security and our national defense than investing in these young people who carry the torch of freedom for the generations that follow us.

But if you don't do this, if they find themselves without health care, if their parents cannot be productive on the job because they're worried about their kids and not being able to get to a clinic, if they can't enjoy the preventive care that you enjoy and I enjoy and our children and grandchildren enjoy, you explain it, that we weren't talking to each other, we didn't cooperate, and the program just expired.

No. I don't want you to go that way. I don't even think the President wants to go that way. I want you to think about the bottom line: 11 million kids, an improved Medicare system, $15 billion helping citizens or older that don't have the funds to get insurance, 5 billion for those in the rural areas that don't have access to health care. This is what we're doing.

You may not have liked the roadmap, but you can't walk away from what we've done. You can never say anything that's wrong about helping children. So let us try to think about how we end this up, because come this November people will be asking the questions. I don't think it's going to be on process. I don't think it's going to be how long you kept us up at night. I don't think it's going to be how many parliamentary maneuvers we had. I don't think it's whether we missed our Easter recess. Did you let this program expire and were you there when the children called on you?

I hope we can count on your vote.

□ 1815

Mr. CAMP of Michigan. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, everyone who is about to vote for this bill needs to read it.

Mr. Speaker, on page 3 of the bill, on the bottom of the page, each State is going to conduct its own audit of eligibility of people that they are providing federally funded health insurance for.

Now, we know already the State of California has said they want to provide health insurance coverage to all children in the State, regardless of whether they are here legally or not. But they can't do that. California cannot extend health insurance to people who are undocumented, because Federal law currently requires that you must prove you are here legally or that you are a citizen under existing law. But this bill repeals that verification requirement. The bill specifically allows each State ''shall audit itself.''

Under State law, States can use any verification method they wish to determine whether or not somebody is a citizen or they are here legally. Obviously, this law repeals the verification requirement and allows the State to provide health insurance coverage to people who are here illegally or undocumented aliens. In fact, there is no way to even verify their income level.

This is an open-ended faucet that the States are going to be able to tap into the Federal treasury. This is a creation of ''HillaryCare'' where everyone in this Nation under the age of 25, we are going to kick seniors off of Medicaid and Medicare and allow States to sign up people who are undocumented aliens for the first time in this Nation's history, at a time of record debt, record deficit, and at a time the taxpayers cannot afford it.

Mr. Speaker, this spendthrift majority is going to bankrupt this Nation.

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

Mr. Speaker, first of all, I take this opportunity before we have closing remarks to thank the ranking member of the Ways and Means Committee and the ranking member of the Health Subcommittee for their comity during all of our discussions and the hearings in the past.

I also want to take the chance and take the time to thank our staff, Cybele Bjorklund; Debbie Curtis; Deb Mizeur; Jennifer Friedman; Chad Shearer; Dr. Gene Rich, one of the most overpaid physicians in the country; Drew Dawson; Dana Sun, our intern from the Massachusetts Institute of Technology; Karen McAfee; Ed Grossman; Jessica Shapiro; Mark Miller and the MedPAC staff.

I would also like to thank Chuck Clapton, Joelle Oishi and Dan Elling from the minority staff.

I would like to thank also the staff of the Energy and Commerce Committee: Bridgett Taylor, Amy Hall, Yvette Fontenot, Heather Foster, and Christie Houlihan. All of these people contributed to work to see that we could be as fair and as equitable as we could in drafting this bill. I think they can all be proud of both the work and their efforts to see that this bill was fair and equitable.

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

Mr. DINGELL. Mr. Speaker, could I ask how much time remains to the different Members?

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining, the gentleman from Michigan (Mr. CAMP) has 4¾ minutes remaining, and the gentleman from Michigan (Mr. DINGELL) has 7½ minutes remaining.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished majority leader (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to thank my extraordinarily generous friend from Michigan, for whom I have not only great respect but great affection as well. I want to thank him for his more than half a century of leadership on issues of health care in America, on extending health care and insurance to every American, to ensuring

that in this great country of ours every American has the opportunity to receive the extraordinary quality health care that we have available in this great country.

I also want to thank my good friend, the chairman of the Ways and Means Committee, CHARLIE RANGEL, who has for so many years fought the good fight. As he said on this floor, this is an opportunity for us to extend to children the benefits of health care. I want to mention the President's intent as well.

I want to thank my friend from California, PETE STARK, who has been the Chair of this subcommittee and who has been so faithful.

And I want to thank Mr. MCCRERY and the ranking member of this subcommittee. I understand we may have a difference of view, but we are working together now, as the American people expect us to do.

I said on this floor last night that we would have a robust debate on this important legislation, the Children's Health and Medicare Protection Act. I think we have had that robust debate.

While we may disagree on elements of this bill, I believe that virtually all of us agree that it is unacceptable and, indeed, immoral that millions of children in the wealthiest Nation on the face of the Earth do not have health insurance. That is unlike every industrialized nation in the world, other than ourselves.

This historic legislation addresses this national challenge, building upon the successes of the State Children's Health Insurance Program, which received strong bipartisan support in the Republican-led Congress in 1997 and which was signed into law by a Democratic President, President Clinton.

Under this bill, 11 million American children, six million who currently are covered under SCHIP and an additional five million children who currently lack health insurance, will have access to quality, affordable health insurance. It seems to me that is why so many of us serve in this body, to ensure that our people have that access.

Let us be clear. Contrary to the claims of some, including, sadly, at this point in time, President Bush, this legislation does not expand the SCHIP program. Let me repeat that. This legislation does not expand the SCHIP program. Instead, this legislation provides the resources needed to enroll children who are eligible under existing law but who are currently not enrolled. Let me reiterate. The CHAMP Act maintains current law regarding eligibility for SCHIP.

Furthermore, this legislation ensures seniors access to the doctors of their choice by stopping a scheduled 10 percent payment cut to doctors. It phases out overpayments to private plans.

My friends on the other side, of course, want to make sure that the government is very careful in its expenditure of funds, and it urges us to adopt the practices of the private sector, which are driven by competition on price. However, in this case, we have mandated by law that the competitors receive 100 percent reimbursement while the competitors that are favored receive 111 to 130-plus percent. That is a little bit like the prescription drug bill where we can't negotiate for price.

This bill maintains competition and access, and in so doing, the bill would extend Medicare solvency by 3 years, while protecting seniors and people from disabilities from having to pay higher monthly premiums. In addition, my friends, this bill improves Medicare by, among other things, providing new preventive benefits.

I must note, Mr. Speaker, that nearly 3 years ago, in the middle of a presidential campaign, President Bush said the following, and I quote. And this, by the way, was at the 2004 Republican national convention when President Bush was seeking the votes of Americans throughout this country to be reelected President.

This is what he said: ''America's children must have a healthy start in life,'' to which clearly all of us as we watched the television said, Amen. ''In a new term,'' he said, ''we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for government health insurance programs.''

Mr. President, that is what we are doing this afternoon.

But now, unfortunately, a mere 36 months later, the President is threatening to veto legislation that does precisely what he said he wanted to do in 2004 as he was running for President and seeking the votes in that convention.

Mr. Speaker, contrary to the claims of the President and other opponents of this bill, it does not constitute a government takeover of health care. That is a straw man. That is a shibboleth. That is not accurate. In fact, three-fourths of the children in the SCHIP program receive care today through private insurance plans that contract with the States.

Nor is the bill fiscally irresponsible. A curious claim, I would say, coming from the President and congressional Republicans whose policies added more than $3 trillion to the debt. I got a letter just a few days ago, maybe you got it as well, Mr. MCCRERY, from Secretary Paulson. He said, ''you know, we are running up against the debt limit.''

Does anybody here know in the 4 years preceding this Bush administration's policies how many times we raised the debt? Not once. But we have raised it five times in the last 6 years, if we raise it again.

So when we talk about fiscal responsibility, it is fiscally responsible to invest in the health care of our children, because they will be healthier citizens, more productive citizens, and we will have a better, more economically viable country. In fact, the Democratic majority has taken pains to pay for this legislation and abide by pay-as-you-go budget rules which provided for 4 years of surplus immediately preceding this administration.

Mr. Speaker, in the final analysis, the question before the Members of this body really is this: Do you support reauthorizing this critical program and providing health insurance to eligible children, eligible children, eligible children, or not? I urge my colleagues, vote to provide health care for our children. Vote to improve and protect Medicare. Vote for the CHAMP Act.

Mr. CAMP of Michigan. Mr. Speaker, I yield to the distinguished gentleman from Florida (Mr. YOUNG) for the purpose of making a unanimous consent request.

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of children and older Americans this afternoon because I have supported and initiated many legislative efforts in this House to provide health care benefits to both groups.

Yet I must oppose this legislation today because the process under which we are considering it is a disservice to young and old alike. We have before us a major expansion of a Federal entitlement program, a $54 billion tax increase, and the largest cut in the history of the Medicare program under a procedure that allows no member—Republican or Democrat—to offer an amendment to improve this bill. This is the people's House, and yet only a handful of our 435 members have had a chance to write this legislation. Two major committees—Ways and Means and Energy and Commerce—had primary jurisdiction over this matter, but the Energy and Commerce Committee did not even hold public hearings on this important issue.

The State Children's Health Insurance Program (SCHIP) was established with my support in 1997 through a bipartisan effort of this Congress. It has been an unqualified success in providing life-saving medical care to children throughout our Nation. The SCHIP program in Florida now covers children in families with annual incomes of up to 200 percent of the poverty level. In the 10th Congressional District I have the privilege to represent, 21,779 families, or 34 percent of all families with children under the age of 18, are already eligible for Medicaid or SCHIP.

While we could have extended the current, very successful program and modified it to make some program improvements in the coverage of those children who have no insurance, those who wrote this legislation seek to expand the program to include children who come from families that already have health insurance. Children from families with incomes as high as $82,000 could become eligible for health care benefits. And the authors of this legislation pay for this new coverage by cutting Medicare benefits upon which thousands of seniors in my district rely on for their health care needs. It is estimated that these cuts total upwards of $194 billion over the next 10 years.

This would cut funding for the 42,843 seniors in my district who are currently enrolled in a Medicare Advantage Program.

This legislation cuts payments for seniors' hospital and inpatient care by $2.7 billion.

This legislation cuts payments for seniors' inpatient rehabilitation services by $6.6 billion.

This legislation cuts payments for seniors' skilled nursing facilities by $6.5 billion.

This legislation cuts payments for seniors' home health care services by $7.2 billion.

This legislation cuts payments for those of all ages with End Stage Renal Disease by $3.6 billion.

This legislation would impede the mobility of seniors by making them wait a full month to receive Medicare coverage for a motorized wheelchair.

And this legislation would reduce the amount of time seniors can receive Medicare coverage of home oxygen equipment from 36 to 13 months.

Mr. Speaker, my district is home to All Children's Hospital in St. Petersburg, Florida. My wife Beverly and I have spent countless hours there with children and their families, as well as with their doctors and medical staff. You can be sure we understand the special needs of children, particularly those without health insurance coverage. The program we established 10 years ago was a major improvement in expanding the health care options of children. It also provided important reassurance for their parents.

There is no doubt that we could have improved this legislation by working together. Republicans and Democrats alike support providing health care coverage for children and seniors. Instead, this reauthorization of what was a major bipartisan health care initiative has been rewritten with the input and ideas of just a select few members without the opportunity of amendment by all the members of this House.

In fact, the last changes to this legislation were made at 3 this morning. Those changes even wrote into this bill specific program carve outs for 36 hospitals identified by name or location. None are in Florida. How were those hospitals selected?

Mr. Speaker, when it comes to providing health care for young or old alike we should work together in a bipartisan manner to create the best program possible. The best ideas do not reside in just one committee or one political party. We should all have the opportunity to contribute to this legislation, to debate amendments, and to vote on those amendments. A majority of members, not a majority party, should determine what is best for the American people.

While I will vote against this legislation today in large part because of the procedure under which it is being considered and my concern about the negative impact it will have on older Americans, it is my hope that when it returns from the Senate and a conference between the House and Senate, it will be something that I can support, that the majority of my colleagues can support, and most importantly that Americans of all ages can support.

Mr. CAMP of Michigan. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, it is clear, the Democrat majority will soon ram through this Congress the single largest step in Washington-controlled, bureaucratized, rationed, socialized health care. And they are going to do it all under the guise of helping the neediest of our children. But by passing this bill, they are threatening the quality, the access and the choice of health care for all children in America. It is a sad day indeed for our children's physical health. It is a sad day for their fiscal health.

We all know, Mr. Speaker, that Medicaid is the program for the neediest of our children, and we know that SCHIP today is providing for the health care of those low-income working parents.

This is about something else. This is about taking adults off of private health care and putting them on public health care. It is about creating a new permanent entitlement, no matter what the majority may say. There will be no income limit on SCHIP eligibility, no sunset of the program, no annual allotment for the States. It shifts children participating in private insurance that their parents have chosen to that run by the government.

In creating a new entitlement, we are on the verge of leaving the next generation with a lower standard of living. Defeat this program.

□ 1830

Mr. DINGELL. Mr. Speaker, I believe here we have two remaining speakers. As I understand the practices of the House, it is, of course, the right of the chairman of the committee of jurisdiction to close.

I am the only speaker other than our Speaker who wishes to speak and from whom we wish to hear. I would ask first my colleagues on the minority side how many more speakers they have.

Mr. CAMP of Michigan. I just have one speaker remaining, Mr. Speaker.

The SPEAKER pro tempore. The Chair will recognize Members to close in the following order: the gentleman from California, the gentleman from Michigan (Mr. CAMP), and then the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I would ask unanimous consent that I be able to speak but that our Speaker be able to close for this side.

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

Mr. CAMP of Michigan. Reserving the right to object, if I can inquire of the gentleman, are there only two speakers?

Mr. STARK. I will be glad to yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from California may reserve the ½ minute to recognize the Speaker if he wishes.

Mr. STARK. I would like to do that if I may.

Mr. CAMP of Michigan. I withdraw my reservation of objection.

Mr. SPEAKER pro tempore. The reservation is withdrawn.

The Chair will note that the gentleman from California will yield his ½ minute to the Speaker. The gentleman from Michigan (Mr. DINGELL) has 6½ minutes remaining. The gentleman from Michigan (Mr. CAMP) has 3¼ minutes remaining.

Mr. DINGELL. If the gentleman from Michigan so desires, I would defer to him and allow him to speak now, then I will have my remarks, and then the Speaker will close.

The SPEAKER pro tempore. The gentleman from California will be first recognized to close. The gentleman from Michigan (Mr. CAMP) will be next recognized to close. The gentleman from Michigan (Mr. DINGELL) will be recognized to close. Mr. DINGELL can reserve 1 minute at the end of his time to recognize the Speaker to close if he wishes.

Mr. DINGELL. That is my unanimous consent request.

The SPEAKER pro tempore. In that case the gentleman from California (Mr. STARK) has 30 seconds.

Mr. STARK. Mr. Speaker, I am happy to yield back the balance of my time.

Mr. CAMP of Michigan. Mr. Speaker, I yield the balance of my time to the gentleman from Louisiana (Mr. MCCRERY), the distinguished ranking member of the Ways and Means Committee.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 3¼ minutes.

Mr. MCCRERY. Mr. Speaker, I think this has been a good debate today. It has been a good debate in part because I believe a number of Members on both sides of the aisle have learned things about this legislation that they didn't know before this debate. I think there are enough questions that were raised today about exactly what is and is not in this bill to warrant this House taking more time to get it right.

The motion to recommit that we will offer in just a few minutes will give this House that opportunity because we in the motion to recommit ask the committee to report back forthwith, which means that this House can today pass what is in our motion to recommit. And in that motion to recommit we will reauthorize the current SCHIP program for 1 year, and we will do a fix for the doctors' reimbursement for 1 year. That will allow this House to give the appropriate amount of time to discover what is and what is not in this legislation that the majority has presented us today and figure out, perhaps in a bipartisan way, the best manner in which to proceed on a long-term basis with the SCHIP program.

I would ask those fiscal conservatives in the majority, some of whom have in good conscience complained about some of the actions of the former majority, there are signs in the hall talking about the national debt, and I ask those Members to think before they vote for this bill. Do they really want to establish a new entitlement program that is open-ended in this country, that is not properly funded? It is funded with a tobacco tax. That is going to be a decreasing source of revenue for this country, not increasing. It is funded with changes to the Medicare program, cuts to the Medicare Advantage program. That is not going to have long-

lasting consequences? So, really, I want those people who are concerned about the deficit and concerned about the debt to think before they vote for this bill.

We are giving you an opportunity in the motion to recommit to sustain the SCHIP program, do what you've talked about doing, fix the doctors' reimbursement for a year, and give us more time to talk back and forth a little bit and explore the consequences of some of the provisions that are in this bill that we think would do injury to the fitness of this country, and we think that we can work together to provide a better way for insuring children in this country, not the way that is in this bill.

I believe that this bill is fiscally irresponsible. It is too bad we didn't have fuller hearings and fuller opportunities in committees, in both the Ways and Means Committee and the Energy and Commerce Committee, to explore some of the particulars that the majority decided to put into this bill and just informed the House about within the last 24 hours or so.

Had we had that opportunity, I believe Members with goodwill on both sides of the aisle could have worked out what I believe would have been a much, much better bill than what I perceive to be a hastily put together bill that is before us today.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that every Member have 5 legislative days in which to revise and extend their remarks and include extraneous material on the legislation now before us.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself 6 minutes, and I yield the balance of the time to our distinguished Speaker for purposes of closing.

Mr. Speaker, we have had a good debate. I believe the Members have become understanding of not only the situation but of the legislation before us.

I want to particularly commend the staff of the Energy and Commerce Committee: Amy Hall, Yvette Fonteno, Christie Houlihan, Heather Foster, Jessica McNiece and Bridgett Taylor, who all did a superb job on behalf of the Congress.

I also want to thank Cybele Bjorklund, Deb Mizeur, Jennifer Friedman, Chad Shearer, Brian Biles, Bobby Clark, Debbie Curtis, Ed Grossman and Jessica Shapiro from the Ways and Means Committee staff. Their really valuable contribution did much to make this possible.

I want to commend my colleagues on the minority side, Mr. CAMP and Mr. MCCRERY and Mr. BARTON, and my special friend, Mr. STARK, and the distinguished Chairman RANGEL for the superb job they have done. I also thank the subcommittee chairman in the Energy and Commerce Committee, Mr. PALLONE, for his outstanding job.

The legislation before us is really very simple. The issues before us are not procedure. Rather, they are: Are we going to take care of our kids?

For this Congress, this is perhaps the greatest opportunity we will have. We have three responsibilities to the country and to our kids: See that they are properly nourished, see that they are properly educated, and see to it that they have the health that they need so they can be meaningful contributors to the future of this country. It is not only a humanitarian and compassionate concern of this country, it is the future of the country.

I know the President has indicated that he thinks that this is bad legislation. I grieve that he has come to that conclusion. He has no reason to do so.

First of all, we have the pay-fors. We have taken care of the cost of this. We are seeing to it that, first of all, a modest tax on tobacco comes into play.

Second, we are seeing to it that HMOs that are getting as much as 30 percent more than other HMOs are going to get 100 percent of what other HMOs get, no more, no less. We are not taking anything away from senior citizens. I think we are just taking it out of the pocket of a few people who have too much in the HMO business.

Having said that, let's look to see who supports this legislation. I think that tells us as much or more as anything we can get. The NAACP, the AMA, the different health organizations, the hospital associations, the National Rural Health Association, the American Academy of Pediatrics, the March of Dimes, the Children's Defense Fund, and the National Governor's Association whose meeting I attended last weekend in Traverse City where a major concern was how are we going to provide them the means that they desperately need to provide for the health care for the children under CHIP? That was on the lips, the mind, and in the heart of every one of the governors who spoke there.

I would observe that the Catholic Health Association also speaks to this because they have a concern that this is the best way we can take care of the children and we can see to it that we give a decent right to life to every American.

I would offer to my colleagues, any or all of them, a list of those who do, the organizations who are supportive of this legislation; and I point out that you will find almost every organization that cares about kids or health or the well-being of our young people as supporters of this bill, including the great American labor organizations, the AFL–CIO and the UAW. That should speak clearly to us of the needs.

I would point out that there are a number of misunderstandings that have been stated here. It has been said this is going to raise costs and it is going to raise the amount that is paid to individual recipients. Not so. This is a program which is going to be governed by the costs which were fixed when the legislation was first offered and first introduced and first put into law under the leadership of, for example, Newt Gingrich and Dick Armey. So it is not fiscally irresponsible.

The legislation is going to do something else. It is not going to take care of illegals, nor is it going to engage in any weird practices. If there are waivers given, and they can be given, they will be given in the same fashion as they were given before, and that is by this administration saying this is something that is justified, justifiable and proper and which will help kids. I will note that they have not been overly generous in giving those particular waivers.

So what we have a chance to do today, Mr. Speaker, and my friends and colleagues, is to take care of the kids, to support those who are least able to look to their own well-being and who are most defenseless and to suit them best for a healthy, growing adult life so they may contribute to a better, richer, stronger and safer America.

We are doing something else. We are seeing to it that we are compassionate, and we may best be judged by that because, in doing that, we are best looked at by being those who really care for those who have the least.

I urge my colleagues to vote for the CHAMP legislation. It is good. It is in the public interest.

I now yield to the distinguished Speaker. Madam Speaker.

The SPEAKER pro tempore. The gentlewoman from California, the distinguished Speaker of the House of Representatives, is recognized for 1 minute.

Ms. PELOSI. Mr. Speaker, as I rise here today, something after 6:30 p.m., I was reminded as I listened to the presentations of a poem that most of us memorized when we were young by Henry Wadsworth Longfellow:

Between the dark and the daylight,
When the night is beginning to lower,
Comes a pause in the day's occupations,
That is known as the Children's Hour.

That's this time of day. This is the children's hour. Because of the leadership of so many of our colleagues, we are able to meet our moral obligation to our children. It isn't a pause in our occupation. It is our mission, this moral obligation that we have to the future.

When I was sworn in as Speaker, I was surrounded by children. It was very exhilarating, and I called the House of Representatives to order on behalf of all of America's children, establishing this Chamber as the champion for our children and for the future.

Our legislation is called CHAMP because it does just that. It champions quality health care for America's children and for our seniors, strengthening families. It is just one way in which this new direction Congress is putting health care and particularly the needs of our children at the top of the Nation's agenda.

With the passage of this legislation, the new-direction Congress will ensure that 11 million of America's children receive health care coverage, and seniors will receive improved benefits under Medicare.

I want to join those of my colleagues who have expressed their appreciation for the exceptional leadership of our chairmen of the full committees and the subcommittees and the ranking members of the full committees and the subcommittees for the honest debate that we are having about this legislation today.

□ 1845

I think it's important to note, because it's history, that our distinguished chairman of the Energy and Commerce Committee, Mr. DINGELL, when he was a new Member of Congress gaveled down the Medicare bill. That's his family tradition, looking out for health care for all Americans. His father was a leader on that subject in this Congress, and imagine that he as a young Member, well still a young Member, but a younger Member of Congress, gaveled down Medicare. And today, he is in the lead on this legislation that will strengthen Medicare for America's seniors.

And at the same time, thank you, Mr. Chairman and Mr. RANGEL. Between the two of them, Mr. RANGEL and Mr. DINGELL, they had 22 hearings on the subject of SCHIP. So this Congress has had a thorough review of this subject, and this excellent legislation is the product of that.

I was inspired by your speech, Mr. RANGEL. You persuaded me, not persuaded me to vote for the bill. I always intended to do that, but persuaded me that it was possible that we might have a strong bipartisan support for this bill because it is so much the right thing to do.

I thank Congressman STARK and Congressman PALLONE, Chairs of the appropriate subcommittees of their committees, for their leadership, their intense knowledge of this subject, the judgment they were able to bring on decisions that we had to make about what would be in this bill. Thank you, Mr. STARK and Mr. PALLONE, and thank you again, Mr. RANGEL.

And I thank again Mr. MCCRERY for his, again, comity and the dignity and the knowledge that he brings to this debate. Thank you, Mr. MCCRERY.

And to all of the staff on both sides of the aisle, thank you for your hard work on this. Their efforts will help millions of American children and seniors live better lives.

SCHIP, created by a Republican Congress and a Democratic President, signed into law by President Clinton, SCHIP has dramatically reduced the number of poor, uninsured children in America. The legislation before us today will improve SCHIP and the lives of millions of working families in America by improving coverage for all 6 million children currently insured under SCHIP and by extending that coverage to 5 million additional children. Those children will receive dental care and, thanks to Congressman Patrick Kennedy, mental health services.

Dental care, we so take it for granted for our own children, but after this legislation is passed, no more will we have the Demonte Driver where we have to have a situation like that where a child will die because he had an abscessed tooth that turned into a brain infection. We're all familiar with the details of that sad story. Today, we are doing something about it.

Let us be clear, most SCHIP beneficiaries receive their coverage through private managed care plans, not through the government.

And let us be clear, as the chairman just pointed out, this legislation is paid for; no new deficit spending, no heaping mountain of debt on these children to pay for the health care they so rightly deserve.

In addition to providing coverage to children, the CHAMP Act also, as we know, strengthens and improves Medicare for every senior by eliminating co-insurance requirements and deductibles for preventive care. Imagine that, for preventive care, how important that is. The legislation reduces copayments and provides for mental health parity, and many more seniors will no longer face the doughnut hole. Remember our old friend, the doughnut hole. Well, many more seniors will no longer face the doughnut hole in the prescription drug benefit. We do all of this and more for seniors and, I repeat, with pay-as-you-go budget rules and extend the life of the Medicare trust fund by 3 years.

By passing the CHAMP Act, the New Direction Congress is keeping our promise to seniors on Medicare and meeting our obligation to our future, our children. Again, and it is paid for. I can't say that enough.

The distinguished chairman of the Energy and Commerce Committee read a long list. There are pages and pages. I would submit them for the RECORD, except it would be very expensive to print. There are so many names that are endorsing this legislation. They range from the Children's Defense Fund, as was mentioned, the Catholic Hospitals Association, National Committee to Preserve Social Security and Medicare, the old, the young, everyone across the board, all the health organizations that administer to the needs of our children and our seniors.

I just say in conclusion, Mr. Speaker, as Pearl Buck said, ''If our American way of life fails the child, it fails us all.'' With this CHAMP Act, we are not going to fail America's children. We are championing them and their grandparents.

This legislation has fiscal soundness. It has a values base, and it should have the support of everyone in this body.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of the CHAMP Act, the Children's Health and Medicare Protection Act.

The CHAMP Act reauthorizes and improves the very successful State Children's Health Insurance Program, SCHIP. Created in 1997 by Congress with broad bipartisan support, the SCHIP program currently covers 6 million children who otherwise would have no access to health insurance. Despite its many successes, there are still more than five million children who are eligible for SCHIP, but not yet enrolled in the program. This bill seeks to cover those vulnerable children.

Unfortunately, President Bush's proposal seeks to turn back the clock and take us in the wrong direction. The President has proposed funding SCHIP at a rate that does not even take into account any increases for inflation or population growth. Under the President's proposal, more than 1.5 million children will lose SCHIP coverage and many States, including Maryland, will continue to face funding shortfalls. Indeed, the non-partisan Congressional Budget Office, CBO, has confirmed that the President's proposal would be too little to keep covering the children who are currently enrolled in SCHIP.

In contrast to President Bush's proposal, this bill will extend coverage to an additional 5 million children who are currently eligible for SCHIP but are not yet enrolled. I am also pleased that the bill provides for guaranteed dental coverage in SCHIP—good oral health care is integral to the health of children and no child should have to suffer because they cannot access adequate dental care. No family should have to suffer the loss of a child because they lack access to dental care, as happened in the tragic case of Deamonte Driver, a 12-year old Marylander who died earlier this year when an infection from an untreated abscessed tooth spread to his brain. I am also pleased that this bill provides important mental health coverage for children.

The reauthorization and improvement of SCHIP will benefit the approximately 136,000 children who are currently enrolled in Maryland's CHIP program and prevent Maryland from facing further funding shortfalls in its SCHIP allotment as has been the case in recent years. The CHAMP Act will also provide essential funding to Maryland to enroll 68,000 children in families with incomes under 200 percent of the federal poverty level who remain uninsured. It will also provide Maryland with a new option to cover more than 65,000 children who are aging out of Medicaid and SCHIP. And because of the bill, Maryland will have an increase in its SCHIP allotment of $99.7 million from last year, allowing it room to reach additional eligible but uninsured children.

Not so long ago, President Bush promised to expand coverage of SCHIP to include eligible children who are not yet enrolled. In his September 2004 speech to the Republican National Convention, the President stated—and I am quoting here, ''America's children must also have a healthy start in life. In the new term, we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government's health insurance programs. We will not allow a lack of attention, or information, to stand between these children and the health care they need.''

Now, the President has reversed course. In his July 10, 2007, speech in Cleveland, Ohio, he forgot his 2004 pledge and stated, ''I mean, people have access to health care in America. After all, you just go to an emergency room.''

I hope the President will reconsider his position and help Congress provide health insurance to 11 million children who are one of the most vulnerable segments of our society.

In addition to reauthorizing SCHIP, the CHAMP Act makes improvements in Medicare that will strengthen that important program. The legislation reduces overpayments to Medicare Advantage plans, which are paid, according to non-partisan CBO and other independent entities analysis, on average, 12 percent more than the cost of care in traditional Medicare. This will increase Medicare's solvency by two years. In addition, the legislation prevents the impending physician reimbursement cuts and provides positive updates in 2008 and 2009. Also, the bill will increase Medicare beneficiaries' access to preventive services by eliminating co-payments and deductibles for current and future preventive benefits and authorizing Medicare to add additional preventive services.

The CHAMP Act also increases the tobacco tax by 45 cents to a total of 84 cents. Increasing the tobacco tax will save billions in health costs and is one of the most effective ways to reduce tobacco use, especially among children. In short, raising the tobacco tax will prevent thousands of children from starting to smoke and the proceeds of the tax will be used to expand health coverage for children. That is a win-win result.

Mr. Speaker, the clock is ticking. I urge all of my colleagues to vote for this much needed legislation.

Mr. LANGEVIN. Mr. Speaker, I rise in support of H.R. 3162, the Children's Health and Medicare Protection Act. I know that this was not an easy piece of legislation to put together and I appreciate the hard work of my colleagues on the Committees on Rules, Energy & Commerce and Ways & Means.

This bill is an important step in addressing the health care crisis faced by millions of families. Access to affordable insurance and quality preventive care is critical to the well-being and security of all Americans. The CHAMP Act will ensure that all eligible children are afforded the opportunity to enroll in State Children's Health Insurance Programs and takes important steps to improve efficiency and secure the solvency of the Medicare program, relied on by so many of our seniors.

The State Children's Health Insurance Program SCHIP, known as RIte Care in Rhode Island, has made health insurance a reality for over 12,000 children in my home State this year—the majority of them in families where one or more adult is part of the workforce. It is a critical component of health care delivery in Rhode Island, as it is across the country. I am so honored to be part of a Congress that is taking steps to ensure that all children who are eligible for this program are able to participate. By reauthorizing the SCHIP program, we renew our national commitment to achieving the goal of insuring all children whose parents cannot afford private health insurance coverage.

This bill also contains important components for Medicare beneficiaries. The elimination of overpayments to private plans that participate in Medicare delivery is a necessary step to increasing efficiency of this program. This action will go a long way in preventing premium increases for Medicare beneficiaries and will strengthen Medicare's finances for the future. While we still have work to do in improving certain aspects of the Medicare program—particularly the prescription drug benefit—this bill will ease the process for seniors who wish to change their prescription drug plan, and it will increase access to preventive services, saving lives and money.

Finally, I would also note that this legislation contains a fix to the scheduled 10 percent cut in physician payments under Medicare. I am pleased to support this fix and look forward to working with my colleagues to craft a permanent solution to the flawed funding formula that continues to recommend such cuts. We cannot offer high quality health care to our Nation's seniors if health care providers cannot afford to see Medicare patients.

I am pleased that this Congress has made access to health care a priority, particularly for our Nation's children and seniors. I urge all my colleagues to vote in favor of the CHAMP Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, I rise in strong support of H.R. 3162, which represents the agreement between the House and Senate on the ''Honest Leadership and Open Government Act of 2007,'' which the House passed in May 2007. With the adoption of this legislation, we begin to make good on our pledge to ''drain the swamp'' and end the ''culture of corruption'' that pervaded the 109th Congress.

It is critically important that we adopt the reforms contained in H.R. 3162 because Americans are paying for the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste, fraud and no-bid contracts in the Gulf Coast and Iraq for Administration cronies.

The cozy relationship between Congress and special interests we saw during the 109th resulted in serious lobbying scandals, such as those involving Republican super lobbyist Jack Abramoff. In this scandal, several congressional staff members and a former congressman pleaded guilty to conspiring to commit fraud—accepting all-expense-paid trips to play golf in Scotland and accepting meals, sports and concert tickets, while providing legislative favors for Abramoff's clients.

But that is not all. Under the previous Republican leadership of the House, lobbyists were permitted to write legislation, 15-minute votes were held open for hours, and entirely new legislation was sneaked into signed conference reports in the dead of night.

The American people registered their disgust at this sordid way of running the Congress last November and voted for reform. Democrats picked up 30 seats held by Republicans and exit polls indicated that 74 percent of voters cited corruption as an extremely important or a very important issue in their choice at the polls.

Ending the culture of corruption and delivering ethics reform is one of the top priorities of the new majority of House Democrats. That is why, as our first responsibility in fulfilling the mandate given the new majority by the voters, Democrats are offering an aggressive ethics reform package. We seek to end the excesses we witnessed under the Republican leadership and to restore the public's trust in the Congress of the United States.

Mr. Speaker, Federal lobbying is a multi-billion dollar industry, and spending to influence members of Congress and executive branch officials has increased greatly in the last decade. While the Lobbying Disclosure Act of 1995, LDA, is one of the main laws to promote transparency and accountability in the federal lobbying industry and represents the most comprehensive overhaul of the laws regulating lobbying practices in 50 years prior to 1995, it falls far short of a complete solution, as even recognized by its staunchest supporters, during congressional hearings on the issue.

The need for further reform was highlighted by a major study of the federal lobbying industry published in April 2006 by the Center for Public Integrity, which found that since 1998, lobbyists have spent nearly $13 billion to influence members of Congress and other federal officials on legislation and regulations. The same study found that in 2003 alone, lobbyists spent $2.4 billion, with expenditures for 2004 estimated to grow to at least $3 billion. This is roughly twice as much as the already vast amount that was spent on federal political campaigns in the same time period.

The LDA contains a number of measures to help prevent inappropriate influence in the lobbying arena and promote sunshine on lobbying activities. However, according to the Center's study, compliance with these requirements has been less than exemplary.

For example, the report found: during the last six years, 49 out of the top 50 lobbying firms have failed to file one or more of the required forms; nearly 14,000 documents that should have been filed are missing; almost 300 individuals, companies, or associates have lobbied without being registered; more than 2,000 initial registrations were filed after the legal deadline; and in more than 2,000 instances, lobbyists never filed the required termination documents at all.

Under the LDA, the Secretary of the Senate and the Clerk of the House must notify in writing any lobbyist or lobbying firm of noncompliance with registration and reporting requirements, and they must also notify the U.S. Attorney for the District of Columbia of the noncompliance if the lobbyist or lobbying firm fails to respond within 60 days of its notification. It appears that until very recently, however, these cases of noncompliance were not being referred to the Department of Justice for enforcement. It is also clear that the infractions that are actually being investigated by the Secretary or the Clerk do not coincide with the extent of noncompliance, and it is entirely unknown whether enforcement actions are being effectively pursued by the Department of Justice. Clearly, further reform is needed.

Mr. Speaker, I commend the leadership of Speaker PELOSI and her team for the excellent work in preparing this lobbying reform package. The reforms contained in the package are tough but not nearly too tough for persons elected to represent the interests of the 600,000 constituents in their congressional districts. Indeed, similar bipartisan lobbying and government reform proposals were debated and passed by the House and Senate in 2006 but the Congress failed to reconcile the two versions.

Mr Speaker, I support H.R. 3162 because it closes the ''Revolving Door,'' requires full public disclosure of lobbying activities, provides tougher enforcement of lobbying restrictions, and requires increased disclosure.

H.R. 3162 closes the ''Revolving Door'' by retaining the current one-year ban on lobbying by former members and senior staff and requires them to notify the Committee on Standards of Official Conduct within three days of

engaging in any negotiations or reaching any agreements regarding future employment or salary. The members' notification will be publicly disclosed.

The bill also requires members and senior staff to recuse themselves during negotiations regarding future employment from any matter in which there is a conflict of interest or an appearance of a conflict.

Mr. Speaker, this legislation also ends the ''K Street Project,'' made notorious during the 12 years of Republican control of Congress. Members and senior staff are prohibited from influencing employment decisions or practices of private entities for partisan political gain. Violators of this provision will be fined or imprisoned for a term of up to 15 years.

Second, H.R. 3162 requires full public disclosure of lobbying activities by strengthening lobbying disclosure requirements. It does this by mandating quarterly, rather than semiannual, disclosure of lobbying reports. It covers more lobbyists by reducing the contribution thresholds from $5,000 to $2,500 in income from lobbying activities and from $20,000 to $10,000 in total lobbying expenses. It also reduces the contribution threshold of any organization other than client that contributes to lobbying activities to $5000, $10,000 under current law.

Third, the legislation increases disclosure of lobbyists' contributions to lawmakers and entities controlled by lawmakers, including contributions to members' charities, to pay the cost of events or entities honoring members, contributions intended to pay the cost of a meeting or a retreat, and contributions disclosed under FECA relating to reports by conduits.

Fourth, the bill requires the House Clerk to provide public Internet access to lobbying reports within 48 hours of electronic filing and requires that the lobbyist/employing firm provide a certification or disclosure report attesting that it did not violate House/Senate gift ban rules. And it makes it a violation of the LDA for a lobbyist to provide a gift or travel to a member/officer or employee of Congress with knowledge that the gift or travel is in violation of House/Senate rules.

Transparency is increased by the requirements in the bill that lobbyists to disclose past Executive and Congressional employment and that lobbying reports be filed electronically and maintained in a searchable, downloadable database. For good reason, the bill also requires disclosure of lobbying activities by certain coalitions but expressly exempts 501(c) and 527 organizations.

Finally, Mr. Speaker, H.R. 3162 increases civil penalties for violation of the Lobby Disclosure Act from $50,000 to $200,000 and adds a criminal penalty of up to 5 years for knowing and corrupt failure to comply. Finally, the bill requires members to prohibit their staff from having any official contact with the member's spouse who is a registered lobbyist or is employed or retained by such an individual and establishes a public database of member Travel and Personal Financial Disclosure Forms.

Mr. Speaker, it is wholly fitting and proper that at the beginning of this new 110th Congress, the Members of this House, along with all of the American people, paid fitting tribute to the late President Gerald R. ''Jerry'' Ford, a former leader in this House, who did so much to heal our Nation in the aftermath of Watergate. Upon assuming the Presidency, President Ford assured the Nation: ''My fellow Americans, our long national nightmare is over.'' By his words and deeds, President Ford helped turn the country back on the right track. He will be forever remembered for his integrity, good character, and commitment to the national interest.

This House today faces a similar challenge. To restore public confidence in this institution we must commit ourselves to being the most honest, most ethical, most responsive, most transparent Congress in history. We can end the nightmare of the last 6 years by putting the needs of the American people before those of the lobbyists and special interests. To do that, we can start by adopting by H.R. 3162.

Ms. CORRINE BROWN of Florida. Mr. Speaker, today I rise in strong support of the CHAMP Act. The CHAMP Act is another achievement that the Democratic Congress can point to that is fulfilling the needs of the American people.

In my home State of Florida, KidCare—Florida's CHIP program—covered 303,595 children in 2006, but 718,603 children remain uninsured. The CHAMP Act could provide Florida with approximately $2.54 billion in new federal funding and an opportunity to get more children covered. States like Florida need to step up to the plate and fund their CHIP program to the fullest extent.

The CHAMP Act would provide continued health insurance to six million children already covered and add an additional five million children who currently lack health insurance nationwide. That alone should be enough to vote for this bill, but the Republicans continue to play political games.

Fortunately, the Republicans have no ground to stand on this bill and they know it. They are trapped in a corner crying about tax increases instead of supporting health care for five million children. Let me tell you, this is why your party is no longer in control—you've stopped listening to the people.

Opponents also say this is a fiscally irresponsible bill. Let me say that your party doesn't understand fiscal responsibility. The Republican party has run up the largest deficits in history and they call this bill fiscally irresponsible. We have spent over $600 billion on the President's war in Iraq and we can't spend less than $3.50 a day to cover a child through CHIP. Seventy-six percent of Americans believe that access to health insurance is more important than cutting taxes.

This bill will be one of the most important healthcare issues this Congress will deal with and the American public will know who voted for it. The number of uninsured children in the country is an embarrassment. The Democrats are making the American public a priority again and I encourage all of my colleagues to support this bill and vote for the children.

Mr. ORTIZ. Mr. Speaker, today's CHAMP bill is one of the best pieces of legislation the house has considered in a decade. It illustrates the difference between how this Congress writes legislation and how the Republican Congress wrote bills; today's bill favors children, the Republican bill favored insurance companies.

This bill will provide health care to 11 million kids—five million who currently lack health insurance and six million who are currently covered by the Children's Health Insurance Program, SCHIP—by reauthorizing and improving SCHIP. In Texas, more than 120,000 will benefit.

This bill also reverses the Republican drive to privatize Medicare and strengthens Medicare to: ensure beneficiaries' access to their doctors; expand preventive benefits, mental health services and physical, occupational and speech therapies; reduce costs for seniors and people with disabilities with low incomes; protect consumers; and extend policies that protect access to health care in rural communities.

Congress created SCHIP in 1997 with broad bipartisan support. This year, six million children have health care because of SCHIP. The program has worked well in Texas. This is an excellent investment for this Nation given that health care costs without insurance would be much more expensive.

The funding for SCHIP expires September 30. If Congress does not act, these six million children will no longer have access to quality, affordable health insurance. These children are in working families with parents who either cannot afford insurance or hold jobs that lack health care benefits.

The President highlighted his support for SCHIP while running for re-election in 2004, yet the Bush Administration and our Republican colleagues propose underfunding the program significantly, which would cause millions of children to lose coverage.

The CHAMP Act protects Medicare from privatization and promotes fiscal responsibility by reducing overpayments to private plans. Current overpayments to private plans cost taxpayers tens of billions of dollars. According to nonpartisan analysts, private plans are paid, on average, 12 percent more than traditional Medicare—and overpayments to certain plans exceed 50 percent.

These overpayments are the result of a decade-long campaign by President Bush and Republicans in Congress to privatize Medicare by undermining traditional Medicare and promoting private insurance. Republicans believe that the greater the number of beneficiaries enrolled in private plans, the easier it will be to privatize Medicare.

The CHAMP Act guarantees seniors and people with disabilities can continue to see their doctors by preventing scheduled physician payment cuts from taking place.

The CHAMP Act extends expiring provisions that, if left unchanged, would negatively affect rural beneficiaries' access to physicians, hospitals, home health, ambulances, and lab services—all of which are important to south Texas.

The bill also adds important consumer protections to Medicare. It provides States with the authority to regulate private plans' marketing abuses and increases penalties for violations, enables all beneficiaries to switch Part D plans if plans alter their formulas. This empowers low-income beneficiaries to change plans at any time. It also requires greater quality reporting to ensure patients are getting the best care available.

I urge my colleagues to support this important bill—and I encourage the President to do the right thing and sign it, our children and their grandparents are waiting.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.R. 3162, the Children's Health and Medicare Protection Act (CHAMP Act). This legislation will reauthorize the State Children's Health Insurance Program, ensuring

that millions of children receive the care they need, and will protect Medicare for America's seniors.

Even though I support this legislation, I rise today with a heavy heart. It is nothing short of a disgrace that here, in the wealthiest country on earth, eight million children lack health insurance coverage. We ought to be ashamed that we are having this debate at all.

I am absolutely stunned that Congressional Republicans and the President are opposing this legislation, particularly in light of the fact that the President used CHIP as part of his campaign platform in 2004. Talk about shock and awe! I am shocked beyond belief that they can stand before the American people with straight faces and refuse health care for children. I am in awe of the gall required to base the denial of these vital, life-saving services on an ideological talking point. Madam Speaker, the ideology of my colleagues on the other side of the aisle has not provided health care for these children yet. It is impossible for any serious person to believe that if this legislation is defeated the Republican ideology will suddenly start working its magic and provide health care for these children whose parents can't afford to buy it in the open market.

In my years fighting for universal health care, we have often said, ''Covering children is easy. How could anyone publicly refuse to support coverage for children?'' It was coverage for adults that was always perceived as the real challenge.

But today, the Republicans have stooped lower than even I thought was possible. Not only are they saying ''We can't afford to give our children health care.'' This is the same party, by the way, that finds money for tax cuts for the rich, that finds money to fund a disaster of a war. Many times more money than what is needed to cover these children, in fact.

Not only are the Republicans admitting that they prioritize tax cuts for the wealthy and feeding the military industrial complex over insuring our children. They are now standing before the American people and saying ''It is not our job to guarantee health insurance coverage for America's children.'' They are refusing to make that promise. Instead, they propose that our children's health should be subject to the ups and downs of the stock market, that it should depend on their parents' employment status, or how much they have in a bank account. It is utterly beyond conception how the Republicans can possibly think these ideas will be accepted by the American people. But I will leave my colleagues on the other side of the aisle to face the repercussions of this folly next November.

Let me move on to a more positive subject: the bill under consideration today, which we will pass over these shameful objections. The Children's Health and Medicare Protection Act, also known as the CHAMP Act, reauthorizes the State Children's Health Insurance Program (CHIP) and protects coverage for 6 million children, including 89,257 in Michigan, while extending health care coverage to another 5 million low-income children. All told, this bill will ensure essential health care coverage for 11 million of our most vulnerable children.

The Children's Health and Medicare Protection Act also makes needed fixes to the Medicare program. It stops a 10 percent payment cut to doctors, thereby ensuring that I, we seniors will continue to have access to the doctors of their choice. It encourages seniors to seek preventive health benefits by eliminating co-payments and deductibles for these services. The bill protects low-income seniors by expanding and improving programs that help keep Medicare affordable for those with lower incomes. It stops overpayments to HMOs that are draining money away from health care and into their profit margins. And it also shores up Medicare's finances by extending the solvency of the Medicare Trust Fund by two years.

Failing to pass this legislation would have real consequences for children and seniors. If the State Children's Health Insurance Program is not reauthorized by September 30th, 2007, millions of children could lose their health insurance. Seniors will lose access to their doctors and pay higher Medicare premiums to subsidize overpayments to HMOs. I find it quite interesting that we haven't heard these so-called fiscally responsible Republicans lamenting the fact that their friends in the HMO industry are overbilling our government to line their pockets. It seems that fiscal responsibility only applies when poor children are on the receiving end.

Let's defeat the sham S–CHIP bill offered by Representatives BARTON, SHIMKUS and BLACKBURN that would leave millions of children without health care while slashing Medicare and harming our seniors. Let's tell the White House and Congressional Republicans that it's time to stop playing political games. Let's tell them it's time to work together to ensure more children across the country have the high-quality medical care they deserve and strengthen Medicare for our seniors. They might not be able to understand that it's the right thing to do, but the American people certainly will.

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this bill.

Dr. Martin Luther King, Jr. said ''of all the forms of inequality, injustice in health care is the most shocking and inhumane.'' The CHAMP Act addresses many problems that we currently have in our health care system. It does not end health care inequality, but it will increase coverage for low income children, and it will stave off payment cuts for hard-working physicians, while increasing choices for seniors and strengthening traditional Medicare.

I believe that health care should be a right, not a privilege, and this act is a step in the right direction. The Children's Health Insurance Program (CHIP) is set to expire on September 30, 2007. This year, six million children have health care because of CHIP. If Congress does not act, these six million will no longer have access to quality, affordable health insurance. This legislation also provides coverage for an additional 5 million children who currently qualify but who are not yet enrolled under CHIP. These children are in working families with parents who either can't afford insurance or have jobs that lack health care benefits.

Despite claims by some, this bill does nothing to ''expand'' the CHIP program. Instead, it maintains current eligibility requirements for CHIP. The majority of uninsured children are currently eligible for coverage—but better outreach and adequate funding are needed to identify and enroll them. This bill gives states the tools and incentives necessary to reach millions of uninsured children who are eligible for, but not enrolled in, the program.

It has been said that the CHAMP Act creates an entitlement for illegal immigrants. But in fact the CHAMP Act does not change existing law, which states that undocumented immigrants are not eligible for CHIP or regular Medicaid. And the CHAMP Act explicitly states that it provides no federal funding for Medicaid or CHIP for undocumented immigrants and requires audits of all State programs to ensure that federal funds are not being spent on undocumented children.

The CHAMP Act will protect and improve Medicare by increasing fiscal responsibility and ensuring access to doctors for seniors and those with disabilities. Currently experts agree that Medicare Advantage (MA) plans receive, on average, 12 percent more than the cost of care in traditional Medicare. Overpayments to certain plans can exceed 50 percent. By phasing out these overpayments over the next four years the Congressional Budget Office estimates that billions of dollars will be saved each year. While, increasing the solvency of Medicare and simultaneously reversing the catastrophic 10% payment cuts to physicians who serve Medicare patients. By reducing overpayments to Medicare Advantage plans, wasteful spending will be reduced while increasing patient access to physicians.

Medicare Advantage plans originally sought to give beneficiaries more choices at a lower cost. However, overpayments to MA plans do not increase benefits but rather pay for the administrative costs, marketing costs and profits for private plans. The CHAMP Act levels the playing field by decreasing premiums for those enrolled in traditional Medicare.

By curbing the overpayments to Medicare Advantage plans, this legislation decreases the cost for preventative health services for seniors, eliminating co-payments and deductibles for these vital services while saving lives and money. Further, this bill includes $3 billion for the rural health care safety net. This ensures access to quality care for those in rural America.

The health of our children is vital to the success of our society. The CHAMP act will raise the federal tobacco tax by 45 cents. According to the Campaign for Tobacco-Free Kids, a 45-cent increase means that 1,381,000 fewer children will take up smoking. Adults, too, would be less likely to smoke, which means fewer smoking-related illnesses and lower health costs. Estimates are that this tobacco tax increase will result in long-term health savings of $32.4 billion and 669,000 fewer smoking related deaths.

The CHAMP Act has the support of the American Medical Association, American Association of Retired Persons, Catholic Health Association, National Rural Health Association, American Hospital Association, Federation of American Hospitals, American Nurses Association, Families USA, National Partnership for Women and Families, Children's Defense Fund, Child Welfare League of America, and the National Committee to Preserve Social Security & Medicare.

I am proud to vote for this bill that seeks to protect those that are most vulnerable in our society by increasing health insurance coverage for low-income children and protecting and improving coverage for those enrolled in Medicare and Medicaid.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in opposition to the Rule. Mr. Speaker, I strongly believe we must ensure access to

quality and affordable health care; this has been a top priority for me as eastern Washington's Representative in this House. I wholeheartedly support renewing the SCHIP program, which was originally created under Republican control of Congress in a bipartisan fashion. Ensuring health care for low income children who need it the most should be our priority.

I also wholeheartedly support access to health care for seniors—but unfortunately, because of partisan politics, a vote for this proposal is a vote to kick over 157,000 seniors off their Medicare advantage plans in Washington state.

Further, if this rule and this bill pass the House today, two hospitals in my district, North Valley Hospital in Tonasket and Mid-Valley Hospital in Omak, would be forced to close their doors to our community.

These hospitals were started by concerned physicians who banded together to provide health care in a remote region that is largely comprised of Medicare and Medicaid beneficiaries. This bill forces these doctors to sell their ''share'' of the hospital—which is less than 1 percent a piece—because it incorrectly assumes they are unethically self-referring patients.

That may be a problem in other parts of the country but not in Okanogan County. These two hospitals are the closest hospitals within 5,000 square miles and serve the county's 40,000 residents. There has to be a better way to prohibit unethical practices. Shutting down the only vehicle for health care delivery is not the answer, which is why I cosponsored an amendment to this rule that would have allowed these hospitals to continue to serve all residents—from kids to seniors—in Okanogan County. Unfortunately, this amendment was not allowed under the Democratic leadership.

Not only does this bill devastate the already delicate rural health care infrastructure in parts of eastern Washington, but it cuts deep in the pocket of seniors in order to pay for a runaway expansion of this children's health program that covers a 25-year-old adult.

Proponents of this bill might argue that it is necessary to kick seniors off of their Medicare plans in order to cover poor children. I would then ask them: do you consider a family of four making $82,000 dollars a year, a poor family? That is who we are covering here.

In eastern Washington alone, over 10,000 seniors would lose their choice in Medicare coverage to pay for this reckless expansion. They will be forced to find and pay out of pocket for their own prescription drug plans, pay for rapidly increased premiums, lose direct senior services, and have a harder time finding a primary care doctor because most prefer the Medicare Advantage payment rate.

Meanwhile, this rule and the underlying bill will make it easier for illegal immigrants to get health care—funded on the backs of middle class families and small businesses. Not only do this bill and the underlying rule slash $193 billion from seniors' health care, but its stealth tax increases will draw off money from every American with a health insurance plan. This rule endangers seniors in my community—Mr. Speaker, we can and must do better.

Mr. BOUSTANY. Mr. Speaker, I rise in opposition to H.R. 3162. Last night, I offered an amendment in the Rules Committee that would require states to report their plan to target the lowest income families for enrollment first and to report their plan to avoid displacing private insurance coverage that families already enjoy. Unfortunately, the Majority does not want to encourage states to work to cover the neediest children first.

Many low income families in hurricane damaged areas of my own district remain eligible but not enrolled in SCHIP. According to the State of Louisiana, more than 68,000 children in families that make less than 200 percent of the federal poverty level remained eligible but unenrolled in SCHIP as of May 2007.

Instead of targeting sufficient outreach to low income families, the bill wastes scarce outreach dollars by encouraging states like New York to enroll families making more than $82,000 who already have insurance. Research by the Kaiser Family Foundation shows that half of the children in families making 300 percent above the federal poverty level who currently have private insurance could be pushed out of that coverage and onto new government programs.

The bill also harms rural seniors who will be harmed by cuts to Medicare Advantage. Don't forget that more than 2,000 seniors in Calcasieu Parish lost coverage after Washington's last cuts to that program, and now Washington is poised to do it again.

Scarce federal tax dollars should be used to target the neediest children first. I urge my colleagues to oppose the bill.

Ms. DEGETTE. Mr, Speaker, as co-chair of the bipartisan Congressional Diabetes Caucus, one of the largest House Caucuses-with over 250 members, I want to highlight the increased investment in diabetes research included in the ''Children's Health and Medicare Protection Act,'' As the single most costly chronic disease in the United States, diabetes places a tremendous economic burden on our country, costing more than $132 billion annually and accounting for one out of every three Medicare dollars.

Diabetes inflicts an enormous personal toll on individuals and their families. Individuals with diabetes have more than twice the prevalence of disability from amputation, loss of vision, and other serious complications such as stroke, kidney failure and heart disease. Even with continuous and vigilant management, patients are still susceptible to developing serious, long-term complications.

Absent a significant federal investment in conquering this disease, the personal and economic toll of diabetes will continue to grow. It is estimated that one out of every three children who are born in the year 2000 will develop diabetes during their lifetime.

Despite this alarming trend, real advances are being made and tremendous research opportunities exist, in large part due to the Special Statutory Funding Program for Type 1 Diabetes Research which was originally created as a provision of the State Children's Health Insurance Program in 1997. This program has produced tangible results that are improving people's lives today as we continue towards our ultimate goal of a cure. However, unless this program is reauthorized, there will be a 35% reduction in federal support for type 1 diabetes research.

Chairman DINGELL, I want to thank you for including a one year extension at current funding levels for this program. I know that difficult choices had to be made to accomplish multiple goals within a tight budget, and his support for this critical program is greatly appreciated.

It is important to note, however, that because the program has previously provided continuity of funding over multiple years, the National Institutes of Health has been able to support longer-term, innovative research projects that have led to significant advances. Such efforts would not be continued if the program was not extended for multiple years.

I am committed to continuing my work with Chairman JOHN DINGELL and the rest of my colleagues on this issue to ensure that we can adequately fund this program in upcoming years.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 3162, the Children's Health and Medicare Protection Act.

Texas has the highest rate of uninsured children in the nation. Twenty-five percent of Texas kids have no health insurance.

The Texas state legislature has done a great disservice to these children, and they are working to remedy the problems but have a long way to go.

The Federal Government can help by expanding SCHIP so that States can enroll more kids into the program. These are children of the working poor.

I support generous expansion of this program.

Children with health insurance are more likely to be up to date on immunizations and to receive treatment for sore throats, ear aches and other illnesses.

Good health means fewer sick days and better school performance—and less burden on our emergency rooms.

I urge my colleagues to avoid delay in passing this bill, that is critical for the health of so many children.

Mrs. JONES of Ohio. Mr. Speaker, the House Ways and Means Democrats have put our nose to the grindstone and produced a well-balanced piece of legislation that will ultimately provide necessary and much improved care for both children and seniors.

Along with providing health care to 11 million children, including five million who currently lack health insurance, it eliminates pending physician cuts in 2008 and 2009 and enacts a positive .5 percent increase in both years, providing for stability in reimbursement and ensuring that beneficiaries can continue to see the doctor of their choice. Additionally, the legislation expands preventive benefits including mental health services and physical, occupational and speech therapies, and reduces costs for seniors, people with disabilities and low incomes.

Some of the most encouraging provisions of this legislation relate to health disparities. The legislation provides both incentives and instructions to our national health care providers on addressing the critical and debilitating phenomenon of health care disparities in the minority community. For the first time we identify, codify and target health care disparities with a goal toward eradicating these problems. Additionally, the bill proposes significant changes to the treatment of patients in End Stage Renal Disease and I have proposed a study on its impact on the African American community. Through this study we will learn how best to provide this most critical service to some of the nation's most vulnerable patients.

I am pleased that we were able to secure a Medicare waiver for the Ireland Cancer Center of University Hospital Health Systems that will

allow them to provide immediate care to Medicare patients upon operation.

While I do have some concerns regarding provisions regarding wheel-chair access, oxygen and imaging services, I am confident that as we move toward enhancing our healthcare systems that these issues will be adequately addressed.

Mrs. BIGGERT. Mr. Speaker, I rise in opposition to the CHAMP Act.

I am a strong supporter of the State Children's Health Insurance Program—or SCHIP as it is commonly called. In my State of Illinois, there are approximately 167,000 low-income children who are enrolled in the program. Many of these children are in families where their parents work hard each month to make ends meet. And for many of these families, SCHIP is the safety net they need when they cannot afford private health insurance.

I support reauthorization of the SCHIP Program when the goals of the reauthorization are to cover low- to moderate-income children that do not already have health insurance. However, I cannot support legislation that will provide government-sponsored insurance for higher-income families at the expense of seniors.

The legislation we are considering today would allow States to cover children and adults well above the poverty level. A little-know provision in current law known as ''income disregard'' allows States to determine what is and is not income for the purposes of determining eligibility. This loophole allows States to provide SCHIP coverage to a family of four making more than $72,000 a year, or 350 percent of the Federal poverty level. While $72,000 a year may not get you on the cover of Forbes magazine, it is a level that most Americans would agree is above poverty.

For families with private health insurance making $72,000 a year, this legislation would provide them with an incentive to shift from their private insurance to the Government program. And who can blame them? But I don't think that the taxpayers in my district would support a bill that shifts individuals from private insurance to Government programs.

To expand coverage to middle-income families, the legislation would cut coverage to seniors in the Medicare Advantage program. In my district, there are more than 5,000 seniors who are enrolled in Medicare Advantage plans. I often hear about the additional benefits that these individuals enjoy that are otherwise unavailable or available at a much higher cost.

We should not be forced to choose between seniors and children—particularly when the majority does not allow the minority to properly review the legislation, debate it in the committee or on the floor, or allow amendments and alternative ideas to be considered.

I support reauthorizing the SCHIP program when that legislation is focused on the most vulnerable population—the population the program was intended to help—poor children. But I cannot support legislation that will eliminate coverage for senior in order to provide coverage to middle-income adults and children—many of whom already have health insurance.

I urge my colleagues to oppose this legislation.

Mr. MARKEY. Mr. Speaker, I rise today in strong support of the children's Health and Medicare Protection Act.

The United States has the highest gross domestic product in the world. We have the most advanced technology, the strongest research program, and for some, the best medicine in the world.

But last year, 18,000 Americans died because they were uninsured and did not have access to health care. Many of them were children.

Providing health care for poor children used to be a bipartisan issue. But today the Republicans say that they philosophically object to this bill claiming that it is a massive expansion of Government-run healthcare.

But this bill does not change the structure of the program that the Republicans voted for in 1997. The only explanation is that they philosophically object to spending the $50 billion necessary to find and give healthcare to all 11 million poor, eligible children. What kind of philosophy is that?

President Bush used to talk about compassionate conservatism, but this debate has exposed a Republican Party that is neither compassionate nor conservative.

Instead, we are seeing some on the other side of the aisle choosing corporations over children. They demand that we continue Federal subsidies for their friends in the big, for-profit, insurance companies, while denying uninsured children the healthcare they need.

If you kick these Republicans in the heart, you'll break your toe.

I urge you to vote ''yes'' on this critical children's health bill.

Mr. TOWNS. Mr. Speaker, I believe that we have a good bill that will help provide needed health insurance for 5 million more low-income children, that helps us reduce health disparities, equalizes payments under Medicare to allied health professions, acknowleges the role of schools in health care service delivery and protects senior citizens from deceptive and aggressive marketing tactics by private Medicare sales people. I applaud the inclusion of health information technology in this bill. I have a draft bill in this area related to connecting medically underserved communities to reduce health disparities and I believe this bill could further that process.

I applaud this bill for making a number of efforts to collect racial and ethnic health data. Numerous groups including the Rand Corporation, the Congressional Black Caucus, and the Kaiser Family Foundation and others have stressed that efforts to reduce and eliminate racial and ethnic health disparities cannot proceed without comprehensive data collection.

I am pleased that this bill creates payment fixes under Medicare for a number of allied health professions, including midwives and marriage and family therapists. I had hoped a similar provision for physicians' assistants could have been included. However, this bill can address the ability of physicians to delegate hospice care to physicians' assistants without any further cost considerations.

I am particularly pleased that the overall tone of the bill is to help children improve their lives and their health by offering a guaranteed dental benefit and helping States enroll and retain more eligible children, including the children of legal immigrants. I am fully supportive of the idea of allowing ''qualifying States'' to use their CHIP allotments for Medicaid if that will cover more kids.

I believe that the attempt to categorize this bill as cutting Medicare is nothing more than a sham. Thousands of seniors who need part ''D'' assistance will benefit from easier enrollement procedures. Almost 550,000 seniors in my State will be protected on limitations to out-of-pocket costs for prescription drugs. Companies have for 3 years overcharged Medicare from 19 to 70 percent and have told seniors that cutting these over payments will cut their benefits. That is simply not true. It is not necessary to choose between funding health care for children and health care for seniors. This legislation does both.

Urban and rural districts will benefit from the proactive approach in this bill to reach out to ''hard-to-reach'' communities to spread the word about enrolling in SCHIP. That makes good sense and is supported by a wide range of groups in our community, including the National Medical Association.

My city, State and many stakeholder groups are also fully supportive of simplifying the applications process and speeding up and streamlining eligibility determinations. In addition, States like New York that fund SCHIP beyond 200 percent of Federal poverty levels are appreciative of the ability to earn bonus payments available to States that have implemented 5 of 7 practices that would increase outreach, enrollment, and retention efforts.

In addition, I am supportive of the option to enroll children who would otherwise age out of Medicaid or CHIP.

The majority tried very hard to include all medically necessary services, but cost factors did not make that fully possible. Indeed, I am appreciative that you were able to include dental and mental health services in this bill as a State mandate because these services are predictors of good health status. In fact when these services are not readily available it can be tragic. We witnessed the unfortunate demise of young Deamonte Driver in Maryland from a tooth abscess this past winter, preventable by extracting a tooth at the cost of about $80. Instead, he suffered a brain infection that cost the system $250,000 in surgery bills and Deamonte his life because he could not receive treatment in time. This bill will help avoid these types of tragedies.

I am very supportive of the creation of the Children's Access Payment and Equity Commission because I believe that with a good balance of commissioners, including those from medically underserved communities, we can more closely monitor access to care from these communities.

Other features of this bill that I fully support include: coverage of pregnant women; the increase for allowable resources for asset testing; continuous enrollment and the encouragement of culturally appropriate enrollment and retention practices.

I do, however, have a number of concerns. I am very concerned that New York's public hospital system stands to lose up to $350 million if the moratorium on intergovernment tax transfers is not extended. In addition, our State and city will lose even more than that if we eliminate graduate medical education payments. I hope that we can work together to prevent this tragedy, not rust for my own State and city, but for others as well.

I am still concerned that we need to give a date certain to the Secretary of Health and Human Services to begin an additional compendia to support coverage of off-label uses of cancer drugs.

I am concerned that the freeze on payments to the home health industry will continue to have negative effects in my State and city.

I am also concerned that Medicare beneficiaries will not receive all of the necessary treatments available to them. Further, I would prefer they have the broadest formulary coverage so that seniors are not forced to switch to other medications which are not rated as therapeutic equivalents.

Mr. WELDON of Florida. I rise to express my opposition to the bill before us. As a physician who still sees patients I find this piece of legislation to be completely unacceptable and extremely irresponsible.

The Democrat majority—under the guise of providing insurance to uninsured lower-income children—has chosen to expand the State Children Health Insurance Program (SCHIP) far beyond its original intent of insuring low-income children. What is worse, they've chosen to pay for it by cutting benefits for Seniors and other Medicare beneficiaries by more than $157 billion.

They have rushed this 500-page bill to the House floor without first allowing the committees of jurisdiction to fully debate and amend the bill. They introduced their bill last night just before midnight. Shortly after midnight, they added a 45-page amendment. This morning they made this available to Members of the House. Now they have only allowed two hours of debate and denied Members of Congress any opportunity to offer amendments to the bill. In fact, they are brazenly complaining that by giving Members time to read the bill, it would unnecessarily delay moving this bill forward.

What is so offensive about suggesting that Members of Congress have an opportunity to read the bill before being asked to vote on it? Why the rush? Why the secrecy? Why are they shutting down the legislative process and rushing this bill through before anyone can read it?

It is because they don't want the American people to know what they are doing until it is too late. And they don't want Members of Congress to know what they are voting on and what the true effects of the legislation will be.

They don't want the 780,000 seniors in the state of Florida—including over 40,000 seniors in my congressional district—to know that their Medicare benefits will be cut in order to provide health insurance to non-U.S. citizens, including illegal immigrants, and millions of children who already have health coverage.

They don't want 8 million seniors enrolled in Medicare Advantage plans across this Nation to know that their benefits are being cut so that the SCHIP program can be expanded to subsidize health care benefits for adults in states like New Jersey, some with annual incomes of $80,000 per year.

They want to hide from America's seniors the fact that Medicare benefits are being cut in order to subsidize health care benefits to a new group of ''children'' who happen to be between 18 and 25 years of age.

They don't want seniors to know that budget experts in Congress estimate that nearly one-half of the children who will be signed up to the SCHIP program after this bill passes—using money that is being cut from Medicare—are simply dropping their private health care coverage in order to get the federal subsidy under the SCHIP program.

Earlier this year, I was troubled by the fact that Democrats planned to significantly expand the SCHIP program and I offered an amendment in the House Appropriations Committee that would have focused the program so that states would first be required to ensure that all children in homes earning below 200 percent of the poverty level were covered. My amendment was rejected by the Democrat majority in that Committee who said they opposed it because my amendment would focus the program on serving uninsured children. They made it clear that they had no intent of focusing this program on lower income children, but rather planned to expand the program to those well above the poverty level and to include adults and non-citizens.

What else is in this bill that they are trying to hide from the American people?

They repeal the requirement that individuals must prove citizenship in order to enroll in Medicaid and SCHIP. This opens the program to fraud and the enrollment of illegal immigrants. In 2006, the Inspector General (IG) of the Department of Health and Human Services found that 46 states allowed anyone seeking Medicaid or SCHIP to simply state they were citizens. The IG found that 27 states never sought to verify that enrollees were indeed citizens. The Congressional Budget Office (CBO) estimates that repealing this requirement will cost $1.9 billion.

The bill provides a bonus payment to states that choose not to implement an asset test for those enrolling in SCHIP. In other words, a family could hold assets of as much as $1 million (a house, car, mutual fund) but could still qualify for SCHIP if their income for that year fell within the amount allowed for SCHIP enrollment. For example, a family of four living in a $1 million home in New York with an annual income of $80,000 could qualify for enrollment in SCHIP. And if New York does this—they get a bonus!

It is my understanding that this 500-plus-page bill imposes a tax on private health insurance. Certainly, they want to hide that from the American people.

Mr. Speaker, it is clear that they don't want the American people to know that they are creating a massive new entitlement program just at the time when the financial strains of the Social Security and Medicare entitlements are being stretched as Baby Boomers retire. They are putting this Nation on a path to bankruptcy by creating a huge new entitlement program that they have no way of sustaining long-term. This is the wrong time to be saddling the American taxpayers with a gigantic new program.

Additionally, I am concerned that this bill fails to secure the senior's long-term access to quality physicians. The 1997 Budget Act (a bill I voted against) created a formula that has resulted in payment to doctors being cut. As a result, today some doctors (typically the best doctors with the busiest practices) are starting to refuse to see new Medicare patients. This SCHIP bill does not fix this problem. It provides doctors with a 1 percent increase over 2 years then cuts doctor reimbursement by 12 percent in 2010 and 12 percent in 2011, or 23 percent over 2 years. The effect of these cuts could be devastating with many doctors facing the possibility of losing money when they see Medicare patients. The result will be seniors will not be able to see a doctor.

Mr. Speaker, I could go on about the additional cuts to Medicare, including cuts to the following Medicare benefits: home health, end stage renal disease, oxygen therapy, imaging services, dialysis, and skilled nursing facilities.

By cutting Medicare and spending the money elsewhere, this bill will make the challenge of securing the long-term solvency of Medicare even more difficult.

Mr. Speaker, it is disappointing that the Democrat leaders have chosen to pit health care benefits for America's senior citizens against those of children. There is a better way. Had the Democrat leadership chosen to consider this bill under the regular legislative process, we could have worked through this in a bipartisan manner. Unfortunately, Speaker PELOSI has chosen to put politics before prudence. This bill goes far beyond the bill passed by the Senate, and the President has vowed to veto the House bill. This bill should be sent back to committee and debated in regular order. America's seniors, uninsured children, and the American taxpayer deserve better.

Mr. ETHERIDGE. Mr. Speaker, I rise reluctantly in opposition to the Children's Health and Medicare Preservation Act. I fully support the goals of this legislation—to provide healthcare to millions of uninsured children, to improve Medicare benefits for our seniors, and to help rural areas provide healthcare. Unfortunately, however, I cannot support legislation that unfairly impacts the second district and all of North Carolina with the burdens of this cost.

I have been a long-time supporter of the State Children's Health Insurance Program, or SCHIP, and I am proud that the Budget Committee on which I serve authorized the increase reflected in this bill. I support reauthorizing and strengthening SCHIP, without which nearly six million children will lose access to healthcare. In North Carolina, NC Health Choice provides cost-effective and high-quality health services to 250,000 at-risk children. An additional 180,000 uninsured children in North Carolina are eligible for coverage, and the $50 billion in the budget I helped write would enable more of these children to be covered.

It is also vital that we enable physicians to provide health services, in SCHIP, Medicaid, .and in Medicare. This legislation implements a 2-year fix that enables doctors to continue their participation in the program without going bankrupt. Without this fix, North Carolina physicians will lose $460 million for the care of elderly and disabled patients over the next 2 years, and face a 1.6 percent geographic cut above the baseline reductions in other parts of the country. I appreciate Medicare physicians who have made many sacrifices to continue to cover the Medicare population, and without a fix this year doctors may start dropping out and refuse to see Medicare patients. We must maintain our commitment to universal coverage for our Nation's seniors and people with disabilities. This legislation takes a positive step in that direction.

There are many other positive provisions in this legislation: fixes that strengthen the Medicare Trust Fund, provide more access to preventative care, and provide lower premiums for many seniors; extensions for important rural health care initiatives that ensure access to care for people across the country, especially in the second district of North Carolina; support for the Special Diabetes Programs, which provide essential funding for research and innovative diabetes prevention activities for thousands of children in communities throughout the country; provides parity for

mental health coverage under Medicare; the list goes on and on. I understand what these improvements mean to the people of North Carolina, and I wholeheartedly support them.

These provisions have a cost, however, and as important as these priorities are we also must value the principle of fairness. I do not support smoking, and I have never smoked, but this bill is not fair to those who grow or use tobacco. The cigarette tax is regressive; falling hardest on those who can least afford it. Although it is a national tax, it also unevenly impacts the country, with North Carolina and a few other states footing the bill for the benefits the CHAMP Act seeks to deliver. North Carolina's citizens pay over four percent of the costs of this legislation while receiving about two percent of the benefit.

Researchers at North Carolina State University estimate that North Carolina's economy would lose at least $540 million a year through the tax's indirect impact as well. North Carolina's tobacco farmers grow a legal crop. These hard working farm families have suffered greatly from transformations in the global economy. Because my district is the second largest tobacco producing district in the country, H.R. 3162 disproportionately affects my constituents who work hard to be able to pay their bills and provide a better life for their children. This just doesn't pass the fairness test.

Mr. Speaker, I wish I could support this bill for all of its laudable goals. I join with my colleagues in my desire to provide healthcare for children, strengthen Medicare and protect it from privatization, and improve health services for rural communities, diabetes patients, and others. When we are able to do so without placing undue burden on North Carolina's farmers and low-income families, I will gladly vote in favor of doing so. With the current funding mechanism, however, I cannot support this bill.

Mr. MORAN of Virginia. Mr. Speaker, Republicans have attacked a provision in the CHAMP Act that would allow states flexibility in how they verify the citizenship of the American children applying for or renewing coverage under Medicaid, claiming that language in the 2005 Deficit Reduction Act (DRA) that imposed harsher citizenship verification requirements on state Medicaid programs is the only barrier protecting taxpayer dollars from being spent on healthcare for illegal immigrants.

Empirical evidence from the first nine months of the implementation of this rule demonstrates, in fact, that the new requirements have denied tens of thousands of American children access to health care.

In my own state of Virginia, this draconian requirement has adversely affected thousands of U.S. citizen children, children who are among the most medically vulnerable in the state. In the first nine months of implementation, there was a net decline of more than 11,000 children enrolled in Medicaid. Had growth in enrollment continued at the same rate it had during the previous 2 years, the state would have seen a net increase of 9,000 poor children, suggesting that overall, at least 20,000 have been denied access to health coverage.

Among those who do receive coverage, the average wait time for processing has increased from sixteen days to four to six months.

Twenty-one other states also reported declines in enrollment since the implementation of the DRA, including a net decline of 14,000 children in Kansas.

While the DRA's requirements have unfortunately limited access to care for so many low-income U.S. citizen children, they also have imposed enormous administrative costs on the states, our financial partners in this program. In Virginia, the number of ''pending'' cases awaiting further documentation skyrocketed from about 50 per month to 4000. The DRA requirements have made measures to increase the efficiency of the Medicaid application process (including mail-in, phone and online applications) impossible.

The DRA requirements don't seem to be succeeding in fulfilling its objective: in the first nine months of implementation, six states spent $17 million implementing the DRA requirements, but only identified eight undocumented immigrants out of a total of 3.6 million Medicaid beneficiaries.

In addition, enrollment has fallen significantly in these states among white and African-American children, while enrollment among Latino children has increased—which would not be occurring if the provision were affecting undocumented immigrants, 78% of whom are from Mexico, Central America or South America, according to the Pew Hispanic Center.

The DRA requirements imposed substantial bureaucratic costs on the states, but have produced almost no cost savings. Instead, millions of dollars spent implementing the DRA requirements have served only to deny care to tens of thousands of American children.

The costs of care denied to low-income U.S. citizen children are passed on to taxpayers in the form of uncompensated emergency room visits and costs to treat the infectious diseases that these children may contract and unknowingly pass on while awaiting access to treatment.

The debate about CHAMP should be about the public health and improving the health of our children. Attacks on this provision come from Members who are grasping at straws, trying to come up with reasons to oppose this bill, which takes monumental steps to improve the health of low-income children in this country.

In a recent survey, 90 percent of parents applying for Medicaid for their children indicated that they have no other health coverage available. Allowing state flexibility in citizenship verification is sound public health policy that would enable thousands of American children access to vital health services to help them live better, healthier, and more productive lives. Because Medicaid is now the single largest cost to state taxpayers, we ought to make a concerted effort to support state flexibility.

State flexibility is widely supported. Twenty-four Senators signed letters to Chairman BAUCUS asking him to include this measure in the Senate's bipartisan SCHIP bill, and fifty-one other House Members joined me in requesting that Chairman DINGELL include this provision in the bill. I urge your support of this landmark legislation to protect the health of our most vulnerable low-income children, and your support of state flexibility in citizenship verification.

Mr. HERGER. Mr. Speaker, I rise in strong opposition to the ''CHAMP Act.'' I do support averting the 10 percent cut in physician payments scheduled for next year, and I am pleased that the bill reforms the Medicare geographic cost payments index for California and holds rural counties harmless through 2010—although I would have preferred to see a permanent fix so that the physicians I represent do not face the prospect of a 5 to 7 percent cut a few years down the road.

However, I am very troubled by the overall thrust of the CHAMP Act, which is to expand big government health care at the expense of competition and consumer choice. This bill would effectively destroy the Medicare Advantage program, especially in rural areas like the district I represent.

I would like to read to my colleagues from a letter I received just the other day from one of my constituents, Kathleen Lopez of Marysville, California. Kathleen writes, ''I chose a Medicare Advantage plan because I receive Social Security benefits less than $700 net per month; our annual income hovers around $20 thousand. This plan encourages preventive care, has Plan D Medicare, has some vision and dental coverage. . . . This type of plan eliminates costly monthly expenses for health coverage as well as prescription drug coverage.'' Over 4,500 other senior citizens in my district are receiving similar benefits. Most—if not all—of them will lose their benefits under this bill.

Mr. Speaker, not only does this bill sharply reduce incentives for Medicare Advantage plans to offer coverage to low-income rural seniors like Kathleen Lopez, it also imposes new constraints and regulations to prevent Medicare Advantage plans from offering better deals. The message of this bill is ''Washington knows best.'' Instead of promoting competition and choice, we are going to push everybody into a one-size-fits-all plan.

That message is reinforced with the massive expansion of SCHIP that takes kids from middle-class and possibly even upper-class families off private insurance and puts them into a government program. Mr. Speaker, all of us support reauthorizing SCHIP. Everyone supports providing health care for low income children. But let us be clear: That is not the question we are discussing today. What we are debating is whether to turn SCHIP into a massive new entitlement under which every child in America—even if their families are well-off, even if they already have good health coverage—can become eligible for health care provided by the Federal Government.

Don't be fooled—this bill is the first step toward the Federal Government taking over health care. Some members who were closely involved in writing this bill have even openly stated their support for creating a government-run health care system and literally banning market-driven health care providers. We have a decision before us: We can move toward a 21st-century, patient-centered health care system driven by competition, choice, and innovation. Or we can go backwards toward a system of socialized medicine, like the ones that are crumbling in Europe or the one that Canadian doctors come to our country to escape.

Mr. Speaker, this bill goes in the wrong direction, and I urge my colleagues to reject it.

Ms. PRYCE of Ohio. Mr. Speaker, this legislation wasted an opportunity to reauthorize a bipartisan health care program for low-income children. I support SCHIP and would welcome its renewal and improvement. But this House is abandoning its mission of providing needed health care coverage for low-income children who otherwise would go without, and instead

enrolling millions of middle class families—even adults—with income upwards of $80,000, some who already have private insurance, in this government-run health care plan.

Why are we pushing our middle class into government health care when there are so many low-income kids who still need help? And why are we asking seniors to pay for it? In Ohio, 70 percent of uninsured children who are currently eligible for SCHIP are not enrolled in the program. Congress should work to cover these children before it pursues this overly ambitious and costly entitlement expansion on the backs of our senior citizens.

In my district, some 13,000 seniors would be dropped from their Medicare plan to pay for this bill. Additionally, many of the services seniors rely on most will be cut under this bill—from cuts to skilled nursing facilities, to oxygen, to wheelchairs, to home health care. This is simply unnecessary and unfair.

I have devoted much of my career in the House to giving a voice to children and promoting programs to help them. It is therefore truly unfortunate and disappointing that the Democrat majority has rushed this bill to the floor, with no Republican input and no chance of improving it through the amendment process. And, I regret, that due to this unnecessary over-reaching, one-sided legislative process, I was compelled to oppose this irresponsible bill. We can do better. Our kids and our seniors deserve better.

Mr. PETRI. Mr. Speaker, I am a strong supporter of the State Children's Health Insurance Program (SCHIP) that provides needed health care coverage to millions of children across this nation. It is vital to our nation's children and is in need of expansion in order to cover all eligible uninsured children.

In fact, this February I joined many of my colleagues in sending a letter to the Budget Committee requesting that the fiscal year 2008 budget include sufficient funding to maintain existing SCHIP caseloads, as well as make reauthorization of the program a high priority.

Unfortunately, I believe that H.R. 3162 takes the wrong approach and goes beyond what is necessary to cover uninsured children in America. Furthermore, the legislation puts seniors in my district at risk by making cuts to the Medicare Program. By trying to do too much in this bill, we have shifted our focus from helping our nation's children and now have a bill that has become mired in controversy.

I believe the Senate's stand-alone reauthorization legislation is a more reasonable approach. It focuses solely on strengthening SCHIP by implementing measures to expand the enrollment of low-income children as well as to improve the quality of health care that children in the program receive.

House passage today is not the final step in the legislative process, of course. While I cannot support the bill before us today, I hope that when a conference report is brought before us, it will be a reasonable compromise that provides needed expansion of SCHIP without the troublesome provisions of this bill. We need to reauthorize and strengthen this important and necessary program.

Mrs. MALONEY of New York. Mr. Speaker, I rise today in strong support of H.R. 3162, the Children's Health and Medicare Protection Act (CHAMP Act).

This important legislation will provide health care to 11 million children by reauthorizing and strengthening the Children's Health Insurance Program (CHIP).

Insuring America's children is an affordable goal. It costs less than $3.50 a day—about the cost of a Starbucks Frappuccino—to cover a child through CHIP. Certainly we can all agree that this is an investment worth making.

In addition to providing health coverage to children, this bill strengthens Medicare to ensure beneficiaries have access to their doctors and improves benefits to cover preventative and mental health services.

This bill lays the groundwork for a long-term solution to the physician payment system.

Medicare physician payment rates are set to be cut by 10 percent in 2008 and a 5 percent cut each year thereafter under current law. This bill eliminates pending cuts and enacts a .5 percent increase in both 2008 and 2009.

Congress has a responsibility to protect our children's access to affordable health care and strengthen Medicare for patients and physicians.

This bill accomplishes both these goals.

I urge my colleagues to support this important legislation.

Mr. BISHOP of Georgia. Mr. Speaker, since its inception in 1997, I have been a steadfast proponent of SCHIP. This was perhaps most evident in January of this year when PeachCare, Georgia's SCHIP funded program, faced a $131 million shortfall. I hosted a bipartisan delegation of Georgia lawmakers and public health officials who came to Washington to persuade the House leadership to fix the problem. In May, Congress approved and the President signed into law legislation which eliminated this shortfall faced by Georgia and other states.

While my support of children's health care has never been in question, my vote today in favor of the bill was a difficult choice. I'm very uncomfortable with voting for any excise tax, especially one as regressive as a tobacco tax. The CHAMP Act presents a dilemma: improve access to health insurance for our youngest and most vulnerable citizens, or oppose the legislation to avoid causing harm to the many retailers and employees whose livelihoods depend upon the sale of tobacco, as well as the state and local governments that depend upon revenues generated from tobacco sales.

This is not a perfect bill. But let us not let the "perfect" be the enemy of the "good." This bill will ensure our children grow up healthy and strong, save millions of dollars for the taxpayers who pick up the tab for indigent care in emergency rooms, strengthen access to health care in rural America, and protect our nation's seniors by giving them the healthcare they deserve

Mr. LATHAM. "Mr. Speaker, I rise today in opposition to R.R. 3162. First, I fully support reauthorizing the SCHIP program and preserving this important program intended to provide health insurance to low-income children.

Having said that, I cannot support a bill that robs America's seniors of their Medicare benefits in order to give taxpayer-financed health care to illegal immigrants. The bill before us eliminates requirements that applicants show proof of citizenship, potentially allowing millions of illegal immigrants access to Medicaid and SCHIP.

Furthermore, there is no requirement to ensure that eligible children from low-income families are enrolled before expanding coverage to children from middle-class or wealthier families. No limits on income eligibility are included, allowing a virtually open-ended expansion of the program to children that already have private health insurance. Meanwhile, 70 percent of uninsured children are already eligible for Medicaid or SCHIP and most of these are in the low-income category. The original intent of SCHIP was to cover low-income children, and we need to give these kids priority.

To pay for the expansion of SCHIP, Democrats are cutting over $157 billion from Medicare Advantage, which provides enhanced benefits like prescription drug, vision and dental coverage, as well as lower out-of-pocket costs, for almost 51,000 Iowa seniors. This will result in a reduction of benefits for seniors enrolled in Medicare Advantage, and an increase in their costs. These drastic cuts will even force 3 million current beneficiaries out of the program.

Pitting grandparents against their grandchildren is simply wrong. I urge my colleagues to reject this bill. Let's go back to the drawing board to produce a more responsible bill focused on providing health insurance to children from low-income families."

Mrs. BONO. Mr. Speaker, I would like to express my strong support for the State Children's Health Insurance Program, or SCHIP, and the need for this program to be reauthorized. But, unfortunately, I must also state my opposition to the proposals that we have before us on the floor today.

Since its enactment in 1997, SCHIP has been a tremendous success. SCHIP has been adopted in one form or another in every state across the nation. In my own state of California, we have enacted a combination of the SCHIP and Medicaid program to optimize coverage in the state. This program is better known as Healthy Families and currently provides coverage to more than 800,000 children. I strongly support the coverage that currently exists in California and voice my continued commitment to maintaining that coverage.

I was heartened to see the bipartisan compromise that emerged from the Senate Health, Education, Labor, and Pensions (HELP) Committee earlier this month and that is currently being debated on the Senate floor. This legislation ensures that states will have adequate federal funding to continue their existing programs, while allowing others to expand coverage to more children. The bill also allows states to cover pregnant women and includes provisions to transition childless adults into Medicaid. The Congressional Budget Office (CBO) estimates that this bill will lead to the coverage of three and a half million new children. And all this was done at $15 billion less than the SCHIP portion of the proposal that we have before us today. While I recognize that the Senate proposal is still a work in progress, I am supportive of many of the principles laid forth in this legislation and appreciate the flexibility with which states are allowed to continue operating this program.

This CHAMP Act that is before us includes many provisions that are positive and attempt to address some very real and very serious problems facing the health care community. I know that my own state would benefit greatly from the Adult Day Health Care Services provision within the bill and would allow California and 7 other states to continue operating their long standing and successful programs. There

are provisions that will amend Medicare Part D to aid patients relying on the AIDS Drug Assistance Program or ADAP to pay for their drugs. Perhaps most importantly, this legislation also includes a two year update for payments to physicians under the Medicare fee schedule. If current law is allowed to move forward doctors will be forced to absorb a nearly 10% cut in reimbursements. As the daughter of a doctor, I am sympathetic to this cause and have been supportive of efforts to stave off devastating cuts that have been pending in years past. I strongly believe that the problems we face as a result of the Sustainable Growth Rate (SGR) deserve our full and careful attention. I do not, however, believe that this is the vehicle to do so.

While I support many, if not most of the provisions in this bill, I have a responsibility to vote for programs and policies that are necessary for the public and affordable for the taxpayer. This bill is typical of what we have come to expect from a Congress that refuses to put limits on what they are willing to support and ask the taxpayers to fund.

I joined with several of my colleagues in cosponsoring H.R. 3269, the Children's Health Insurance Program Reauthorization Act of 2007, which was introduced by Representative HEATHER WILSON yesterday afternoon. I am proud to have co-sponsored this legislation that will do what needs to be done in an affordable and responsible manner. It would be a tragedy if this bill, that has bipartisan support in the Senate, were to lose and so many important projects pushed off track because this Congress refuses to deal with everyday realities of taxpayers struggling to make ends meet. I am deeply disappointed in the decision made by my colleagues on the Rules Committee to not only allow rejection of this amendment but every other amendment that may have helped to improve and reign in this irresponsible bill.

To help pay for the obscene $90 billion price tag of this legislation, cuts have been proposed to hospital payments, inpatient rehabilitation services, skilled nursing facilities, and home health care services to name a few. I am very alarmed that a lion's share of these cutbacks will be felt by Medicare Advantage and the 8 million Medicare beneficiaries currently enrolled. In Riverside County alone, nearly 50 percent of Medicare beneficiaries have chosen to participate in a Medicare Advantage plan, more than 100,000 seniors. The bill that we have before us today will put each of us in the position of having to choose between children and seniors.

As I have often stated, SCHIP must be reauthorized; 6.6 million children who are currently enrolled will find their coverage jeopardized if Congress does not act. We have long known that September 30th was looming and instead of acting, the leadership of the various Committee's of jurisdiction have chosen to wait until the 11th hour, and not just act on SCHIP, but to create a veritable Christmas tree of major health care policy reforms with no legislative hearings. We can and should act on behalf of SCHIP. I encourage my colleagues in the House to follow the example of the Senate and consider a bill that is clean and focused and allows members to vote their conscience on coverage for children.

I will not be voting for the CHAMP Act today for these reasons. I hope that my colleagues on both sides of the aisle will come together during Conference, put aside partisanship, put aside a grab bag of legislation and bring back a bill that is truly for our children.

Mr. KIND. Mr. Speaker, I rise today in support of HR 3162, the Children's Health and Medicare Protection Act. The CHAMP Act makes crucial investments in children's health, preventive care, rural providers, and improved services for Medicare beneficiaries. I urge all of my colleagues to support this important legislation.

Over the past several months, this Congress has debated how best to resolve serious problems facing this country's healthcare system: how do we provide responsible, reasonable healthcare coverage to children of working families? How do we modernize the benefits package provided to seniors under Medicare? How do we ensure that physicians and other providers caring for these seniors are paid fairly under Medicare? And finally, how do we accomplish all of these goals while at the same time adhering to the responsible budgeting rules this Congress has adopted for itself through pay-as-you-go budgeting rules?

As a member of the Ways and Means Committee faced with these issues, I can tell you that it has not been easy. I do not believe, however, that our constituents elected us to come to Washington and make the easy decisions. We are here to govern, to balance competing and often equally deserving interests, and to arrive at a solution that we think is best for this country. I believe the CHAMP Act accomplishes all of these goals.

This legislation will expand health care coverage to some 5 million new children across the country, allowing them to receive the vital preventive care that we know is essential for a healthy future. The CHAMP Act pays for this new investment through an increase in the federal tobacco tax, a move that itself will improve the health of our children by making cigarettes more expensive to buy. The forty-five cent tobacco tax increase included in this bill will reduce youth smoking rates by almost seven percent and will result in significant future savings in healthcare costs.

The CHAMP Act also invests in this country's seniors by eliminating cost-sharing for preventive services under Medicare. This move will allow seniors to get essential services—such as check-ups, cancer and diabetes screenings, and flu and pneumonia vaccines—for no out-of-pocket costs.

We know that in order to improve seniors' quality of life and to prevent and detect life-threatening diseases, we must make this investment in prevention and primary care. I am proud of this important advance.

Lastly, this legislation ensures that rural healthcare providers are paid fairly for the services they provide to seniors. The Medicare program provides a vital healthcare safety net for seniors living in rural areas. The CHAMP Act ensures that this level of care can continue by providing fair payments to physicians, ambulance providers, home health agencies, and other practitioners who care for the more than 9 million seniors living in rural areas.

The CHAMP Act is the right choice for Wisconsin and the right choice for this country.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 594, the previous question is ordered on the bill, as amended.

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 MS. GRANGER

Ms. GRANGER. Mr. Speaker, I offer a motion to recommit.

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

Ms. GRANGER. I am, Mr. Speaker, in its present form.

Mr. DINGELL. Mr. Speaker, I reserve a point of order. After the motion is read, I will know whether to insist on the point of order or not.

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

The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Granger moves to recommit the bill, H.R. 3162, to the Committees on Energy and Commerce and Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

Amend title I to read as follows:

**TITLE I—EXTENSION OF STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP)**

**SEC. 101. EXTENSION OF SCHIP.**

Section 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a)) is amended—

(1) by striking ''and'' at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10); and

(3) by adding at the end the following new paragraph:

''(11) for fiscal year 2008, $5,000,000,000.''.

**SEC. 102. ADDITIONAL ALLOTMENTS TO ADDRESS SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2008.**

Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by adding at the end the following new subsection:

''(i) AMOUNTS TO ELIMINATE FISCAL YEAR 2008 FUNDING SHORTFALLS.—

''(1) IN GENERAL.—From the amounts appropriated under paragraph (4), the Secretary shall allot to each shortfall State described in paragraph (2) such amount as the Secretary determines will eliminate the estimated shortfall described in such paragraph for the State for fiscal year 2008.

''(2) SHORTFALL STATE DESCRIBED.—For purposes of paragraph (1), a shortfall State described in this paragraph is a State with a State child health plan approved under this title for which the Secretary estimates, on the basis of the most recent data available to the Secretary as of a date (specified by the Secretary) during fiscal year 2008, that the projected Federal expenditures under such plan for the State for fiscal year 2008 will exceed the sum of—

''(A) the amount of the State's allotments for each of fiscal years 2006 and 2007 that will not be expended by the end of fiscal year 2007;

''(B) the amount of the State's allotment for fiscal year 2008; and

''(C) the amounts, if any, that are to be redistributed to the State during fiscal year 2008 in accordance with subsection (f).

''(3) PRORATION RULE.—If the amount available under paragraph (4) is less than the total amount of the estimated shortfalls determined by the Secretary under paragraph (1), the amount of the estimated shortfall for each shortfall State determined under such paragraph shall be reduced proportionally.

''(4) APPROPRIATION; ALLOTMENT AUTHORITY.—For the purpose of providing additional

allotments to shortfall States under this subsection, there is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary for fiscal year 2008, but not to exceed $1,500,000,000.''.

**SEC. 103. OPTION FOR QUALIFYING STATES TO RECEIVE THE ENHANCED PORTION OF THE CHIP MATCHING RATE FOR MEDICAID COVERAGE OF CERTAIN CHILDREN.**

Section 2105(g) of the Social Security Act (42 U.S.C. 1397ee(g)) is amended—

(1) in paragraph (1)(A), by inserting ''subject to paragraph (4),'' after ''Notwithstanding any other provision of law,''; and

(2) by adding at the end the following new paragraph:

''(4) OPTION FOR ALLOTMENTS FOR FISCAL YEARS 2008 THROUGH 2012.—

''(A) PAYMENT OF ENHANCED PORTION OF MATCHING RATE FOR CERTAIN EXPENDITURES.—In the case of expenditures described in subparagraph (B), a qualifying State (as defined in paragraph (2)) may elect to be paid from the State's allotment made under section 2104 for any of fiscal years 2008 through 2012 (insofar as the allotment is available to the State under subsections (e) and (i) of such section) an amount each quarter equal to the additional amount that would have been paid to the State under title XIX with respect to such expenditures if the enhanced FMAP (as determined under subsection (b)) had been substituted for the Federal medical assistance percentage (as defined in section 1905(b)).

''(B) EXPENDITURES DESCRIBED.—For purposes of subparagraph (A), the expenditures described in this subparagraph are expenditures made after the date of the enactment of this paragraph and during the period in which funds are available to the qualifying State for use under subparagraph (A), for the provision of medical assistance to individuals residing in the State who are eligible for medical assistance under the State plan under title XIX or under a waiver of such plan and who have not attained age 19, and whose family income equals or exceeds 133 percent of the poverty line but does not exceed the Medicaid applicable income level.''.

**SEC. 104. MAINTAINING LIMITATION ON ELIGIBILITY FOR ALIENS.**

Nothing in this Act shall be construed as changing the limitations imposed under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 on eligibility of aliens for medical or child health assistance benefits.

**SEC. 105. MAINTAINING CITIZENSHIP DOCUMENTATION REQUIREMENTS.**

Nothing in this Act shall be construed as changing the citizenship documentation requirements under the Medicaid program under title XIX of the Social Security Act, as originally provided under the amendments made by section 6036 of the Deficit Reduction Act of 2005 and as subsequently amended.

**SEC. 106. BIPARTISAN AND OPEN, TRANSPARENT PROCESS.**

It is the sense of Congress that the State Children's Health Insurance Program (SCHIP) under title XXI of the Social Security Act should be reauthorized and reformed through a bipartisan, open, fiscally responsible process.

In title II, strike all section but sections 201 and 202.

Amend title III to read as follows:

**TITLE III—PHYSICIAN PAYMENT UPDATE**

**SEC. 301. UPDATE FOR PHYSICIANS' SERVICES FOR 2008.**

(a) UPDATE FOR 2006.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w(d)) is amended—

(1) in paragraph (4)(B), in the matter preceding clause (i), by striking ''and (6)'' and inserting '', (6), and (8)''; and

(2) by adding at the end the following new paragraph:

''(8) UPDATE FOR 2008.—The update to the single conversion factor established in paragraph (1)(C) for 2008 is 0 percent.''.

(b) TREATMENT.—The amendments made by subsection (a) shall not be treated as a change in law for purposes of applying section 1848(f)(2)(D) of the Social Security Act (42 U.S.C. 1395w–4(f)(2)(D)) and, for purposes of calculating the per capita rate of growth in expenditures under section 1853 of such Act for 2009 and subsequent years, such rate of growth in expenditures shall be calculated as if such amendments had not been enacted. In carrying out the previous sentence, the Secretary of Health and Human Services shall make such calculation for 2009 in conjunction with the promulgation of the physician fee schedule under section 1848 of such Act for that year and shall use such calculation for subsequent years in computing payment rates under part C of title XVIII of such Act.

**SEC. 302. FIXING PHYSICIAN SGR PROBLEM.**

It is the sense of the House of Representatives that Congress should permanently fix the problem of the physician fee schedule update under section 1848 of the Social Security Act being tied to a sustainable growth rate (SGR).

In title IV, strike all sections but sections 431 and 432.

In title V, strike all section but sections 504, 505, 508, and 509.

In the matter inserted by section 601(a), strike ''2009'' and insert ''2008''.

In subtitle A of title VI, strike all sections but sections 601, 605, and 611.

In subtitle C of title VI, strike sections 635 through 639.

Strike subtitle D of title VI.

In title VII, strike all sections but sections 702, 705, 706, and 707.

Strike title VIII.

Strike title IX.

Strike section 1002.

Ms. GRANGER (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

Mr. STARK. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk continued to read.

Mr. DINGELL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

Mr. STARK. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk continued to read.

Mr. STARK (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Does the gentleman from Michigan wish to maintain his reservation?

Mr. DINGELL. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The point of order is withdrawn.

Pursuant to the rule, the gentlewoman from Texas is recognized for 5 minutes in support of her motion.

Ms. GRANGER. Mr. Speaker, my motion to recommit corrects a Democrat bill that will do great harm to America's seniors and working class. It's also the only chance that the minority's been given in this disappointing process to amend the bill before us today. This is not the House that was promised in November.

My motion to recommit reauthorizes the SCHIP program for 1 year and provides States with the resources they need to be able to continue to provide needed health care coverage for children. The SCHIP program is a good program. It insures mental care is available to children who are needy but who are not poor enough to qualify for Medicaid.

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Currently, approximately 6.7 million children receive health care through the SCHIP program, which is broadly supported.

Let there be no doubt, Republicans support SCHIP, because we were instrumental in its creation 10 years ago. We don't support the reckless underlying bill that raises taxes and cuts Medicare by $200 billion, taking health care away from some of our neediest seniors.

The underlying bill is the first step to government-controlled health care and takes America in the wrong direction. It's the most blatant attempt to expand government-run health care we have seen since HillaryCare. It takes a sensible, bipartisan program aimed at helping low-income children and turns it into a monster that will suck millions of middle-class Americans into government-run health care. The bill would create a massive new entitlement with totally inadequate funding. At a time when we already face a $40 trillion unfunded obligation for Medicare and Social Security over the next 75 years, that's the exact opposite of responsible public policy.

The Democrat bill takes SCHIP far beyond what it was intended to do by reversing the existing status that does not allow adults to be enrolled. The Democrats not only allow States to enroll childless adults but also eliminates a requirement for illegal immigrants to wait 5 years before receiving welfare benefits. The Republican motion to recommit continues current law enforcing the 5-year wait.

The bill in its current form also eliminates verification of citizenship status. This means that persons who come here illegally could be provided SCHIP because we don't want to ask the right questions.

Taking benefits from seniors to expand government-run health care to adults and illegal immigrants is unconscionable. Our motion to recommit keeps the 5-year wait for SCHIP. It also maintains the standards to verify citizenship. This motion requires citizenship documentation verification for

eligibility for SCHIP and welfare benefits.

While taking care of our children, Republicans also value our seniors and have taken care in providing Medicare benefits. Medicare Advantage is a critical source of comprehensive medical coverage for over 8 million individuals. It provides coverage for seniors, and a recent bipartisan poll this year found that 90 percent of enrollees are satisfied with their Medicare plans.

The underlying bill cuts payments to Medicare Advantage plans and cuts Medicare payments to Medicare providers, including hospitals, nursing homes and home health agencies.

The cuts proposed by the Democrats in Medicare will result in nearly 3.2 million seniors losing their Medicare Advantage coverage. We would be providing coverage for children whose parents make $100,000 a year on the backs of seniors and the Medicare coverage they chose. This would be the largest cut of Medicare in history.

In my district, 17,279 Medicare Advantage enrollees will lose their benefits if the Democrat CHAMP Act passes. This motion to recommit protects our seniors by eliminating the Medicare cuts in the bill.

Perhaps most alarming in this bill is the establishment of a new mandatory tax on private health insurance plans. While Republicans have been trying to level the playing field and eliminate the uninsured, this bill places a tax on health care plans, except those provided by the government.

The Democrat bill raises taxes by $54 billion in an attempt to lure middle-class families to opt out of private coverage by establishing a new mandatory tax on private health insurance plans. Our motion to recommit eliminates the Democrats' new tax on America's health insurance plans.

In addition to eliminating the Medicare cuts in the Democrat bill, the motion to recommit maintains Medicare changes that improve services for Medicare beneficiaries.

These changes will ensure improved service in rural areas, an extension of the therapy cap, special needs plans, and demonstration projects on end stage renal disease services.

I urge my colleagues to vote for this motion to recommit that will protect our seniors, prevent massive tax increases, and reauthorize the current SCHIP program.

If the motion to recommit passes, the House will be able to vote on a bill that protects America's seniors and hard working citizens while also providing health care for our neediest children.

If the motion fails, I strongly urge my colleagues to vote against the Democrat CHAMP Act.

Mr. EDWARDS. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. EDWARDS. Mr. Speaker, on behalf of 11 million children in our Nation and their families, I rise in opposition to this ill-advised motion to recommit.

Unbelievably, this motion would only reauthorize the children's health insurance program for only 1 year, only 1 year. So what we have here is the same Members of Congress who fought passionately to guarantee a permanent $220,000 tax break for people making over $1 million a year are saying right now we should only guarantee health care for children from low-income working families for 1 year.

What's fair about that? Think about it. Permanent tax breaks for the wealthiest 1 percent, but only a 1-year extension of health care for children of low-income working families. Is that the new face of passionate conservatism?

If my Republican colleagues actually think for one moment that this proposal to cut millions of children short reflects American family values, it is clear proof just how out of touch they have become with the values and priorities of hard-working American families.

Let me clear up one myth, the myth that this motion is somehow about keeping illegal immigrants from receiving SCHIP insurance. The truth is that under present law and in this reauthorization, illegal immigrants do not qualify for SCHIP benefits, period.

This is nothing more than an overused, worn-out, divisive fear-driven tactic with no basis in fact. It's a transparent fig leaf to hide the real purpose of this motion, which is to take care of the powerful special interests who put their profits above the interest of 11 million American children.

We have a very clear choice before us right now. The motion to recommit continued the sound bite politics of the past, the politics of fear, and the politics of catering to powerful special interests. In contrast, we can vote for a new day, a new politics. We can vote to put the interests of the 11 million children and the families who love them above the special interest of the powerful insurance companies, who sometimes care more about their huge profits at taxpayers' expense and helping so many children.

The choice is clear: Either vote for our children, 11 million of them, or vote to take care of a handful of well-heeled special interests who support this motion to recommit.

This choice is about real people, people such as Jamie Jones. Listen to her words with me spoken 3 years ago after the Texas legislature had cut off CHIP insurance for her child.

''I am Jamie Jones. I am 28 years old.

''I live in Teague, Texas. I have a little girl that's three, Bailey.

''Two years ago in March, my husband was killed in a house fire. She was put on CHIPS, and I knew no matter what happened, she was going to be ok.

''And then about 6 months ago she was denied. I haven't changed, I haven't gotten a raise at work—she was just denied.

''There are so many people out there who work so hard. I do not want Welfare, I just want good insurance for my child.

''And I am working hard. Yeah, I could quit my job tomorrow and she would be set—but I am not going to do that.

''And there are a lot of people out there who are not going to do that. And why that group has to get hurt—I don't know.

''Look at my little girl, look into her eyes and tell her why she is not good enough to be taken care of.''

Tonight we have a chance to do something right and good. We can say to Jamie Jones and her little daughter Bailey that we value them and millions of other working Americans like them.

By opposing this motion to recommit and by voting for this bill, we can turn the politics of the past into the politics of hope, hope for 11 million American children. Let us at long last put the interest of our children above the politics of special interests. It is the right thing to do. The time is now. Our children are waiting.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Ms. GRANGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 202, nays 226, not voting 5, as follows:

[Roll No. 786]

YEAS—202

| | | |
|---|---|---|
| Aderholt | Buyer | English (PA) |
| Akin | Calvert | Everett |
| Alexander | Camp (MI) | Fallin |
| Bachmann | Campbell (CA) | Feeney |
| Bachus | Cannon | Flake |
| Baker | Cantor | Forbes |
| Barrett (SC) | Capito | Fortenberry |
| Barrow | Carney | Fossella |
| Bartlett (MD) | Carter | Foxx |
| Barton (TX) | Castle | Franks (AZ) |
| Biggert | Chabot | Frelinghuysen |
| Bilbray | Coble | Gallegly |
| Bilirakis | Cole (OK) | Garrett (NJ) |
| Bishop (UT) | Conaway | Gerlach |
| Blackburn | Cubin | Gilchrest |
| Blunt | Culberson | Gillmor |
| Boehner | Davis (KY) | Gingrey |
| Bonner | Davis, David | Gohmert |
| Bono | Davis, Tom | Goode |
| Boozman | Deal (GA) | Goodlatte |
| Boustany | Dent | Granger |
| Brady (TX) | Donnelly | Graves |
| Broun (GA) | Doolittle | Hall (TX) |
| Brown (SC) | Drake | Hastert |
| Brown-Waite, Ginny | Dreier | Hastings (WA) |
| Buchanan | Duncan | Hayes |
| Burgess | Ehlers | Heller |
| Burton (IN) | Ellsworth | Hensarling |
| | Emerson | Herger |

Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
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
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
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
Lantos
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
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)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—5

Clarke
Crenshaw
Davis, Jo Ann
Johnson, Sam
Sessions

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1929

Ms. HOOLEY changed her vote from ''yea'' to ''nay.''

Messrs. GOODE, GALLEGLY, FRELINGHUYSEN, JOHNSON of Illinois, and MARSHALL changed their vote from ''nay'' to ''yea.''

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

Mr. McCRERY. 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 225, nays 204, not voting 4, as follows:

[Roll No. 787]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
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
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
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
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)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—204

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Etheridge
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
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
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

| | | |
|---|---|---|
| Ros-Lehtinen | Smith (NE) | Walberg |
| Roskam | Smith (NJ) | Walden (OR) |
| Royce | Smith (TX) | Walsh (NY) |
| Ryan (WI) | Souder | Wamp |
| Sali | Stearns | Weldon (FL) |
| Saxton | Sullivan | Weller |
| Schmidt | Tancredo | Westmoreland |
| Sensenbrenner | Taylor | Whitfield |
| Sessions | Terry | Wicker |
| Shadegg | Thornberry | Wilson (NM) |
| Shimkus | Tiahrt | Wilson (SC) |
| Shuler | Tiberi | Wolf |
| Shuster | Turner | Young (AK) |
| Simpson | Upton | Young (FL) |

NOT VOTING—4

| | |
|---|---|
| Clarke | Davis, Jo Ann |
| Crenshaw | Johnson, Sam |

ANNOUNCEMENT BY THE SPEAKER

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

□ 1937

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## 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.

## BLOCKING PROPERTY OF PERSONS UNDERMINING THE SOVEREIGNTY OF LEBANON OR ITS DEMOCRATIC PROCESSES AND INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–53)

The SPEAKER pro tempore (Mr. ROSS) 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:*

Pursuant to the International Emergency Economic Powers Act, as amended (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat in Lebanon posed by the actions of certain persons to undermine Lebanon's legitimate and democratically elected government or democratic institutions, to contribute to the deliberate breakdown in the rule of law in Lebanon, including through politically motivated violence and intimidation, to reassert Syrian control or contribute to Syrian interference in Lebanon or to infringe upon or undermine Lebanese sovereignty, contributing to political and economic instability in that country and the region. Such actions constitute an unusual and extraordinary threat to the national security and foreign policy of the United States.

This order will block the property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to have taken, or to pose a significant risk of taking, actions, including acts of violence, that have the purpose or effect of undermining Lebanon's democratic processes or institutions or contributing to the breakdown of the rule of law in Lebanon, supporting the reassertion of Syrian control or contributing to Syrian interference in Lebanon, or infringing upon or undermining Lebanese sovereignty. The order further authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block the property and interests in property of those persons determined to have materially assisted, sponsored, or provided financing, material, logistical, or technical support for, or goods or services in support of, such actions or any person whose property and interests in property are blocked pursuant to the order; to be a spouse or dependent child of any person whose property and interests in property are blocked pursuant to the order; or to be owned or controlled by, or to act or purport to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of my order.

I am enclosing a copy of the Executive Order I have issued.

GEORGE W. BUSH.

THE WHITE HOUSE, *August 1, 2007.*

□ 1945

## PROVIDING FOR CONSIDERATION OF H.R. 1495, WATER RESOURCES DEVELOPMENT ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 597 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 597

*Resolved,* That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the 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.

GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, 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 gentlewoman from California?

There was no objection.

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

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, House Resolution 597 provides for consideration of the conference report to accompany H.R. 1495, the Water Resources Development Act of 2007. The rule waives all points of order against the conference report and its consideration and considers the conference report as read.

Mr. Speaker, it has been well-documented that our country has not had a WRDA bill in over 7 years. Seven years is perilously close to an entire generation passing without a national water resources policy being signed into law by the President. We are taking a big step in that direction today.

WRDA authorizes upwards of $20 billion for the construction of water resource development projects and studies by the Army Corps of Engineers for flood control, navigation, and environmental restoration. Additionally, H.R. 1495 authorizes hurricane recovery activities along the gulf coast that would cost an estimated $2 billion. Furthermore, the bill requires an external peer review for studies and projects that would cost more than $45 million. The bill also coordinates environmental analyses and other permit processes among Federal and State agencies and authorizes environmental quality initiatives.

In my district in Sacramento, California, this WRDA bill is one of the most important pieces of legislation that will pass Congress this year. We have been waiting a long time for this bill. Sacramento is the most at-risk river city for catastrophic flooding. Located at the confluence of the Sacramento and American Rivers, the Sacramento floodplain contains: 165,000 homes; over 488,000 residents; 1,300 government facilities, including the State capitol; and businesses providing 200,000 jobs. It is a hub of a six-county regional economy that provides 800,000 jobs for 1.5 million people.

A major flood along the American River or the Sacramento River would have catastrophic ripple effects regionally and nationally; cost upwards of $35 billion in direct property damages; and likely would result in significant loss of life to our families, friends, and neighbors. In my district we understand the need and urgency for an overarching water resources policy to protect our homes, businesses, and families. Sacramento needs this bill, but so

do countless other communities across the Nation.

This bill, the projects and policy it contains, goes a long way in addressing our country's flood vulnerabilities. Nationally, regions across the country are starving for a Federal partner in water resources policy. Our country is confronted with population growth, climate change, and growing demands on our water infrastructure. Our districts across the country need this bill, and the Members in this Chamber have repeatedly supported WRDA bills.

In the 108th Congress, WRDA passed the House by a vote of 412–8. In the 109th Congress, WRDA passed the House 406–14. In the 110th Congress, WRDA passed the House 394–25.

There is a strong history of support and bipartisanship for WRDA bills. It is my hope that this support continues and that we move forward on this very important work.

I also want to congratulate and thank Water Resources Environment Subcommittee Chairwoman EDDIE BERNICE JOHNSON and full committee Chairman JIM OBERSTAR for their commitment to make this bill a priority in the 110th Congress.

Finally, I want to make a point that WRDA bills are traditionally intended to be 2-year authorization bills. It is important that we get our water policy back on track and address these ongoing challenges on a regular basis. It is my belief that the best protection that we can provide our communities is to be prepared. I look forward to passing this WRDA conference report and moving on to the next WRDA bill.

I strongly urge my colleagues to support this rule and final passage of the conference report to accompany H.R. 1495, the Water Resources Development Act of 2007.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentlewoman from California (Ms. MATSUI) for yielding me the customary 30 minutes, and 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, this rule will allow the House to consider a conference report that provides for the conservation and development of water and related resources and authorizes the construction of various projects in order to improve rivers and harbors in the United States.

Our Nation's water resource infrastructure is critical to our economy, transportation system, power generation, flood control, and environmental protection and restoration. This is especially true in the Pacific Northwest. Our region's river system is a great resource, one that must be well managed and protected.

Hydroelectric dams provide clean, low-cost, renewable power. These facilities also provide a system of locks that allow for the efficient transport of tons of agricultural products to coastal ports, which reduces congestion on our highways and our rail systems.

The coastal ports that receive the river-barged goods and products are the gateways to overseas markets and also need very careful attention. The success of farmers and manufacturers throughout the Northwest depend upon these ports being navigable and appropriately maintained.

Mr. Speaker, there are several provisions of this conference report that are important to the communities and individuals that I represent in central Washington that I would like to highlight. Like the WRDA bill that passed the House in the last Congress and the one that passed in April of this year, I am particularly pleased that the conference report includes a provision to permit the Corps of Engineers employees working at the dams in the Pacific Northwest to participate in wage surveys that are conducted to determine their rate of pay. This important provision will allow these employees the same participation allowed to similar employees at dams in the region operated by the Bonneville Power Administration and the Bureau of Reclamation.

This conference report also includes language that will allow the Corps to specifically give credit to the Port of Sunnyside in my district for funding it has invested to maintain progress on its wetland restoration and wastewater treatment project. This project is a creative initiative by the Port of Sunnyside to improve the river habitat and provide for greater economic growth in the local community. This provision ensures that the Port of Sunnyside gets proper credit for the funds it invests as it works with the Corps to make this project a reality.

Finally, this legislation lifts Corps restrictions on the development of several Port of Pasco properties. I am very hopeful that the elimination of these flowage easements will allow beneficial uses of this prime riverfront property to move forward for the betterment of the city of Pasco and the Tri-Cities.

But, Mr. Speaker, I am troubled by a change in a law inserted into this final bill that expressly authorizes the Secretary of the Army to approve removal of small dams under the Corps of Engineers Section 206 program.

The House is expected to consider a Democrat energy bill at some point this week, and I believe it doesn't bode well that we start off with making the removal of dams easier in this country. Dams provide power, drinking water, irrigation, transportation, and flood control. We need to value these benefits and recognize that hydropower dams are a clean and renewable energy resource.

Mr. Speaker, this conference report provides regular review and updating of congressional direction to the Corps of Engineers and ensures that existing projects are maintained and that new needs are met.

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

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas, who is our subcommittee Chair of the Water Resources and Environment Subcommittee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the Rules Committee leader, Congresswoman MATSUI, for yielding.

I am pleased to support the rule for the conference report for H.R. 1495, the Water Resources Development Act of 2007.

The bill authorizes water resources projects and U.S. Army Corps of Engineers policy and programmatic changes that our Congress has failed to consider for far too long. Water resources legislation is most effective when it is considered every 2 years. I support this 2-year cycle as it provides stability to the program and assurance to the non-Federal sponsors who support Corps projects.

□ 2000

Unfortunately, no Water Resources bill has been enacted since year 2000, the entire term of the current administration.

The authorizations in the language are time sensitive, and there should be no surprise that this bill contains a substantial number of provisions. Many of these authorizations have been waiting for action more than 6 years.

I urge my colleagues to vote ''yes'' on the rule, as well as the underlying conference report, so that we may, once and for all, advance this vitally important legislation for the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from South Carolina, a member of the Transportation and Infrastructure Committee, Mr. BROWN.

Mr. BROWN of South Carolina. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this rule and this critical legislation. While today is, unfortunately, a day several years overdue, it should not diminish the importance of this legislation.

When I came to Congress in 2001, I was excited to be a part of the Water Resources Subcommittee as we began to work on the next Water Resources Development Act. Water is critical to my district, not just because of the projects it authorizes but also because of the important guidance it gives the Army Corps of Engineers. The reforms contained in this bill, which are the results of that process started in 2001, represents meaningful change that will ensure that our limited dollars are spent wisely.

Improving infrastructure is not a partisan issue. It is a commitment we as a Nation must ensure is met. If we do not, then we as a Nation will be facing significantly greater environmental and economic challenges than we do currently.

I cannot think of a group of individuals more committed to improving our Nation's infrastructure than my colleagues on the Transportation Committee. Chairman OBERSTAR and Ranking Member MICA have shown true leadership in guiding this legislation forward, especially as we worked to merge our bill with the one passed by the Senate.

Chairwoman JOHNSON and Ranking Member BAKER have stepped up to their new positions this year with true energy and passion about the issue before our subcommittee. And a special word of thanks must go to my friends, DON YOUNG, JERRY COSTELLO and JIMMY DUNCAN, who led the fight for this bill the past few Congresses. So much of this bill is because of their work and leadership.

Mr. Speaker, I want to close by urging all of my colleagues to support this rule and this critical legislation so we can get the Corps to work. To those who complain about the cost of this legislature, let me remind you that this one bill is doing the work of three WRDA bills.

If you missed a payment on your house, would the bank allow you to pay only the next month's payment, forgetting the payment you missed? Would the bank allow you to do the same thing if you missed two monthly payments? Of course not. You would have to make your catch-up payment, plus make the payments for the current month. That is what this legislation represents, a catch-up of two bills that went uncompleted, while also addressing our current needs.

For the good of our Nation's economy and environment, I urge my colleagues to support this overdue catch-up and pass this rule and the WRDA Conference report.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on this measure, because I strongly support the rule and look forward to the enactment of the Conference Committee Report. It represents hard work and has been acknowledged by my former colleagues on the Transportation and Infrastructure Committee, whom I miss a great deal.

Like many Members, I have some projects in here that I, too, am pleased to see move forward, particularly some environmental restoration in the State of Oregon that is going to smooth fish passages.

I must say that, in terms of the thing that excites me most about the bill, though, is the movement towards the reform of our Water Resources policies. I have long talked about this on the floor. I have attempted, as a member of the committee, to support them and continue to move this work forward.

As I look at the bill in its totality, there were some good things from the Senate, and some good things in the House version. I think the conferees worked to enhance the overall reform aspects of this legislation.

I am particularly pleased that we've been able to retain the update of the principles and guidelines which have not been changed since 1983. I think this is absolutely essential and look forward to the progress that the Corps can make in this area.

I appreciate the fact that the conferees worked to strengthen and refine language on independence review for large projects. Much of the time, at least some of the controversy that we have faced in the political arena would have been avoided if we would have had this independent review mechanism in place. But I think there is a lesson that we all must pay attention to, that once we have the independent review, it's very important that we listen to what the independent review concludes.

One project that I'm less than totally enthusiastic about, the Upper Mississippi Lock and Dam Project, had independent reviews from the GAO, from the National Academy of Sciences, from the Army's Inspector General that all were negative but somehow the project continues to move forward.

It is important that we are sensitive to this. I take modest exception to my good friend from Washington being concerned about the language here to make it easier for dam removal. We have 60,000 dams that relate to the Depression era, for instance. We found last year that there are a number of dams in the Northeast; we don't know who is responsible for their maintenance. It is important in many cases to be able to sensitively, environmentally decommission dams in order to protect the public safety.

As it relates to the Everglades, bear in mind we are spending billions of dollars undoing an earlier Corps of Engineers project. As it relates to the areas around New Orleans in Louisiana, there was a three-quarters of a billion dollar navigation project in an area where river traffic was static or declining at the very point of the levee failure. That money could have been better spent protecting New Orleans. In fact, the LSU Hurricane Research Center thinks that that navigation project actually may have amplified the surge and put more people at risk. At a time when we are dealing with global warming and climate change, the stakes are higher than ever.

This bill represents an important step forward. I hope that we're able to work with the committee in its implementation and its oversight so we can build on this foundation and be better off as we move forward.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. BLUMENAUER. I would be happy to yield.

Mr. HASTINGS of Washington. As the gentleman knows, because we're both from the Northwest, we have large dams that I alluded to in my remarks that provide hydroelectric power for all of the Northwest. And I know the provision in this bill does not apply to those dams. But, nevertheless, I think we in the Northwest need to be cognizant of the fact that, once you start these things, sometime in the future it may go up.

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

Mr. Speaker, I yield the gentleman 1½ additional minutes.

Will the gentleman continue to yield?

Mr. BLUMENAUER. I will continue to yield. I would like 20 seconds at the end though, Doc.

Mr. HASTINGS of Washington. A point that I am simply making is that that is a major part, those dams on the Snake River and the Columbia River are major power sources for all of our electrical power and, therefore, for our economy. And I am just simply concerned because sometimes we don't look longer term enough. But if we look longer term enough and we start putting provisions in where it is a regular thing of takeout dams, then perhaps in the future, I hope not, I will do everything I can, but perhaps in the future that all of a sudden somebody will take a shot at those larger dams. I think that would be detrimental to our economy in the Northwest.

I yield back to my friend.

Mr. BLUMENAUER. Thank you. I appreciate the gentleman from Washington's clarification.

My point was that this is important because there comes a time when many dams outlive their usefulness. They either have to be restored or removed. They can actually pose a danger to the public. I don't want us to be frozen in place, unable to respond in the best way.

There may come a time when people want to reassess big dams, small dams. What is in this committee report, however, is something I think is long overdue, to give the Corps flexibility in areas where there is little or no controversy; and I think it's important, that we need to be focusing more attention.

I will continue to work with the gentleman to make sure that we do the right thing in the Northwest and make sure that we don't have any unintended consequences, and I will work with him to make sure that this is not an unintended consequence.

Mr. HASTINGS of Washington. I yield myself 30 seconds.

I appreciate the gentleman's remarks, and I appreciate the gentleman simply saying that this is intended to go after dams that probably need to be looked at for a variety of reasons. And, in that sense, I obviously don't have a problem. My problem is long term, as I suggested, but I appreciate the gentleman working with me.

And with that, Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from Tennessee, a member of the T&I Committee, Mr. DUNCAN.

Mr. DUNCAN. Mr. Speaker, I rise in strong support of the Water Resources Development Act, one of the most important bills we will take up in this Congress and I think certainly one of the most important environmental bills; and I thank my good friend, the gentleman from Washington (Mr. HASTINGS) for yielding me this time.

This bill contains flood control projects, environmental restoration projects, wastewater system improvements, water projects all over the country in rural areas, small towns, medium-size cities and large cities. And in many of these areas, our water systems are 50 or 75 or even 100 years old and are in desperate need for work and improvement and, many times, new construction.

I had the privilege, as my friend from South Carolina (Mr. BROWN) mentioned, of serving as chairman of the Water Resources and Environment Subcommittee for 6 years; and during that time, as the gentlelady from California (Ms. MATSUI) mentioned, we passed the WRDA bill twice, once with only 8 votes against it, once with only 14 votes against it. Unfortunately, the bill did not pass in the Senate.

In this Congress, under the leadership of my good friend, Chairwoman EDDIE BERNICE JOHNSON, and my friend, the gentleman from Louisiana (Mr. BAKER), and certainly under the leadership of our full committee chairman, our outstanding chairman, Mr. OBERSTAR, the gentleman from Minnesota, and the Ranking Member MICA from Florida, this bill passed not only the House, but it passed the Senate by a vote of 91–4. So there is tremendous support, bipartisan support, for this legislation from people all over the country.

You know, if an automobile needs an oil change and you don't get it, a very low-cost matter, an engine can later explode and cost thousands of dollars; and that's sort of the situation we're in with many of our water systems from around the country. As several people have noted, this is a 7-year bill, and it deals with these water needs that have built up over all of that time.

I think it's a very fiscally conservative bill. As expensive as it is in one way, it's only a little over a month and a half of what we're spending in Iraq. And comparing these 7 years of built-up needs to what we're doing in the little over 1½ and a half months in Iraq, I think makes this a very conservative bill.

I had the privilege of chairing the Aviation Subcommittee for 6 years before I chaired the Water Resources and Environment Subcommittee for 6 years, and in both of those areas I saw that there were very strong, competing interests in those areas. But, in this bill, we brought all these competing interests together. There was a great deal of compromise that went on and a great deal of work was put into this legislation.

I'm very proud to support this bill. I think it's good for this Nation. I know it's good for my home area of east Tennessee, where we have so many water needs.

Mr. Speaker, I just want to commend everybody who has worked so hard on this legislation. It's very important for this country. There is nothing that the people in this country take for granted like we do our clean water and wastewater systems, and we desperately need this work to be done.

I think this is a bipartisan legislation that all of our colleagues can and should support.

Ms. MATSUI. 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 Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding, and I'm very pleased to speak on this bill.

Actually, this is a happy day for this Chamber that we are discussing this bill after 7 years of work, very hard work.

In the midst of all of the difficulties we've had in the past few days, the arguments, the debates, the disagreements, to take a brief pause and pass a bill or a conference report that we almost all will agree on is a good piece of work for our Nation. It's a good piece of work for the people of this Nation. It will help in innumerable areas.

□ 2015

I am especially pleased that we have addressed some of the problems in the Great Lakes which have been too neglected in the past. We have taken good care of the Everglades, the Chesapeake and Louisiana areas, lots of other water-filled areas, but not the Great Lakes, where 40 million people depend on the lakes for their drinking water, for their industry and so forth.

Mr. Speaker, I also want to commend Mr. OBERSTAR, who grabbed hold of this as soon as he became chairman of the Transportation and Infrastructure Committee and made a total and complete commitment to getting this bill out. He deserves credit for having done so.

I want to publicly express my appreciation to him and, of course, to Mr. MICA, who is the ranking member on the committee and worked equally hard on this. RICHARD BAKER of our committee also put in many, many hours putting this bill together. So thank you to one and all.

Mr. Speaker, the Nation will be the better for it. The Nation will be grateful for it.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to our distinguished chairman, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, in light of the discussion, the exchange that took place between the gentleman from Washington and the gentleman from Oregon, I just want to observe that the committee will hold hearings on the issue of dams. Tomorrow, in full committee, we will take up a bill to give the Corps new authorities and direction to conduct inspections of dam safety. But on the broader issue of dams that has been in our work portfolio for quite some time, we will have hearings and explore the broad issue in terms of what the gentleman raised and in terms of what the gentleman from Oregon raised.

Mr. Speaker, this is not something that will be taken lightly or swept under the rug in any way or forgotten when this bill was passed.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I appreciate that. Again, I am particularly sensitive, because of the nature of the dams that we are talking about on the Snake River and on the Columbia River in my State. But there's also larger dams throughout the Pacific Northwest. My understanding of this legislation, it was talking about dams, as the gentleman from Oregon described. I understand that. So I appreciate the chairman's consideration.

Mr. OBERSTAR. Mr. Speaker, the Corps has long had authority to terminate dams, but it has been reluctant to use it. In the conference report, we make that authority explicit with the intention that the Corps will be invigorated to evaluate dams in a broader context.

But I think it is important for us to hold hearings so that the issues are aired fairly, equitably, scientifically, and engineeringwise, so rather than just have these things go on and conducted by bloggers and in some other unscientific way, let's put the issues on the record, and we will consult with the gentleman and the gentleman from Oregon on appropriate subjects and witnesses as we go through and proceed toward these hearings.

Mr. HASTINGS of Washington. Mr. Speaker, if the gentleman will yield further, I appreciate that. I think it is something we need to look at. We have oversight nevertheless, anyway.

If the gentlewoman is prepared to close, I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as was said, this bill is long overdue. Our country needs a comprehensive water resources policy, and WRDA is the framework that can meet this need.

We have 7 years of backlogged water projects that must be addressed. There is a growing demand on our already overburdened water infrastructure. The sooner we move forward on this conference report, the sooner our communities across the country will be healthier and safer. This conference report has bipartisan support. In fact, every member of the conference signed off on it.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later today.

## SAFETEA–LU TECHNICAL CORRECTIONS ACT OF 2007

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3248) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3248

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''SAFETEA–LU Technical Corrections Act of 2007''.

**TITLE I—HIGHWAY PROVISIONS**

**SEC. 101. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.**

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking ''paragraph (1)'' each place it appears and inserting ''paragraph (2)''.

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking ''among the States''.

(c) CORRECTION OF FEDERAL LANDS HIGHWAYS.—Section 1119 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1190) is amended by striking subsection (m) and inserting the following:

''(m) FOREST HIGHWAYS.—Of the amounts made available for public lands highways under section 1101—

''(1) not more than $20,000,000 for each fiscal year may be used for the maintenance of forest highways;

''(2) not more than $1,000,000 for each fiscal year may be used for signage identifying public hunting and fishing access; and

''(3) not more than $10,000,000 for each fiscal year shall be used by the Secretary of Agriculture to pay the costs of facilitating the passage of aquatic species beneath forest roads (as defined in section 101(a) of title 23, United States Code), including the costs of constructing, maintaining, replacing, and removing culverts and bridges, as appropriate.''.

(d) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in the State column by inserting ''LA,'' after ''TX,''.

(e) CORRECTION OF INTERSTATE ROUTE 376 HIGH PRIORITY DESIGNATION.—

(1) IN GENERAL.—Section 1105(c)(79) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1213) is amended by striking ''and on United States Route 422''.

(2) CONFORMING AMENDMENT.—Section 1105(e)(5)(B)(i)(I) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) is amended by striking ''and United States Route 422''.

(f) CORRECTION OF INFRASTRUCTURE FINANCE SECTION.—Section 1602(d)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1247) is amended by striking ''through 189 as sections 601 through 609, respectively'' and inserting ''through 190 as sections 601 through 610, respectively''.

(g) CORRECTION OF PROJECT FEDERAL SHARE.—Section 1964(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1519) is amended—

(1) by striking ''only for the States of Alaska, Montana, Nevada, North Dakota, Oregon, and South Dakota,''; and

(2) by striking ''section 120(b)'' and inserting ''section 120''.

(h) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS DEFINED.—Section 101(a) of title 23, United States Code, is amended by adding at the end the following:

''(39) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

''(A) IN GENERAL.—The term 'transportation systems management and operations' means an integrated program to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

''(B) INCLUSIONS.—The term 'transportation systems management and operations' includes—

''(i) regional operations collaboration and coordination activities between transportation and public safety agencies; and

''(ii) improvements to the transportation system, such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.''.

(i) CORRECTION OF REFERENCE IN APPORTIONMENT OF HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS.—Effective October 1, 2006, section 104(b)(5)(A)(iii) of title 23, United States Code, is amended by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways''.

(j) CORRECTION OF AMENDMENT TO ADVANCE CONSTRUCTION.—Section 115 of title 23, United States Code, is amended by redesignating subsection (d) as subsection (c).

(k) CORRECTION OF HIGH PRIORITY PROJECTS.—Section 117 of title 23, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(2) by redesignating the second subsection (c) (relating to Federal share) as subsection (d);

(3) in subsection (a)(2)(A) by inserting ''(112 Stat. 257)'' after ''21st Century''; and

(4) in subsection (a)(2)(B)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by striking ''SAFETEA–LU'' and inserting ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256)''.

(l) CORRECTION OF TRANSFER OF UNUSED PROTECTIVE-DEVICE FUNDS TO OTHER HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS.—Section 130(e)(2) of title 23, United States Code, is amended by striking ''purposes under this subsection'' and inserting ''highway safety improvement program purposes''.

(m) CORRECTION OF HIGHWAY BRIDGE PROGRAM.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(A) in the section heading by striking ''**replacement and rehabilitation**'';

(B) in subsections (b), (c)(1), and (e) by striking ''Federal-aid system'' each place it appears and inserting ''Federal-aid highway'';

(C) in subsections (c)(2) and (o) by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways'';

(D) in the heading to paragraph (4) of subsection (d) by inserting ''SYSTEMATIC'' before ''PREVENTIVE'';

(E) in subsection (e) by striking ''off-system bridges'' each place it appears and inserting ''bridges not on Federal-aid highways'';

(F) by striking subsection (f);

(G) by redesignating subsections (g) through (s) as subsections (f) through (r), respectively;

(H) in paragraph (1)(A)(vi) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by inserting '', except that any unobligated funds remaining upon completion of the project under this clause shall be transferred to and used to carry out the project described in clause (vii)'' after ''Vermont'';

(I) in paragraph (2) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by striking the paragraph heading and inserting ''BRIDGES NOT ON FEDERAL-AID HIGHWAYS'';

(J) in subsection (m) (as redesignated by subparagraph (G) of this paragraph) by striking the subsection heading and inserting ''PROGRAM FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS''; and

(K) in subsection (n)(4)(B) (as redesignated by subparagraph (G) of this paragraph) by striking ''State highway agency'' and inserting ''State transportation department''.

(2) CONFORMING AMENDMENTS.—

(A) METROPOLITAN PLANNING.—Section 104(f)(1) of such title is amended by striking ''replacement and rehabilitation''.

(B) EQUITY BONUS PROGRAM.—Subsections (a)(2)(C) and (b)(2)(C) of section 105 of such title are amended by striking ''replacement and rehabilitation'' each place it appears.

(C) ANALYSIS.—The analysis for chapter 1 of such title is amended in the item relating to section 144 by striking ''replacement and rehabilitation''.

(n) METROPOLITAN TRANSPORTATION PLANNING.—Section 134 of title 23, United States Code, is amended—

(1) in subsection (f)(3)(C)(ii) by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to

other funds made available to the metropolitan planning organization for the Lake Tahoe region under this title and chapter 53 of title 49, prior to any allocation under section 202 of this title and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.'';

(2) in subsection (j)(3)(D) by inserting ''or the identified phase'' after ''the project'' each place it appears; and

(3) in subsection (k)(2) by striking ''a metropolitan planning area serving''.

(o) CORRECTION OF NATIONAL SCENIC BYWAYS PROGRAM COVERAGE.—Section 162 of title 23, United States Code, is amended—

(1) in subsection (a)(3)(B) by striking ''a National Scenic Byway under subparagraph (A)'' and inserting ''a National Scenic Byway, an All-American Road, or one of America's Byways under paragraph (1)''; and

(2) in subsection (c)(3) by striking ''or All-American Road'' each place it appears and inserting ''All-American Road, or one of America's Byways''.

(p) CORRECTION OF REFERENCE IN TOLL PROVISION.—Section 166(b)(5)(C) of title 23, United States Code, is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

(q) CORRECTION OF RECREATIONAL TRAILS PROGRAM APPORTIONMENT EXCEPTIONS.—Section 206(d)(3)(A) of title 23, United States Code, is amended by striking ''(B), (C), and (D)'' and inserting ''(B) and (C)''.

(r) CORRECTION OF INFRASTRUCTURE FINANCE.—Section 601(a)(3) of title 23, United States Code, is amended by inserting ''bbb minus, BBB (low),'' after ''Baa3,''.

(s) CORRECTION OF MISCELLANEOUS TYPOGRAPHICAL ERRORS.—

(1) Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1226) is amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) Section 1404(e) of such Act (119 Stat. 1229) is amended by inserting ''tribal,'' after ''local,''.

(3) Section 10211(b)(2) of such Act (119 Stat. 1937) is amended by striking ''plan administer'' and inserting ''plan and administer''.

(4) Section 10212(a) of such Act (119 Stat. 1937) is amended—

(A) by inserting ''equity bonus,'' after ''minimum guarantee,'';

(B) by striking ''freight intermodal connectors'' and inserting ''railway-highway crossings'';

(C) by striking ''high risk rural road,''; and

(D) by inserting after ''highway safety improvement programs'' the following: ''(and separately the set aside for the high risk rural road program)''.

**SEC. 102. MAGLEV.**

(a) FUNDING.—Section 1101(a)(18) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1155) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) $20,000,000 for fiscal year 2007; and

''(B) $35,000,000 for each of fiscal years 2008 and 2009.''.

(b) CONTRACT AUTHORITY.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by adding at the end the following:

''(e) CONTRACT AUTHORITY.—Funds authorized under section 1101(a)(18) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project to be carried out with such funds shall be 80 percent.''.

(c) ALLOCATION.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by striking subsection (d) and inserting the following:

''(d) ALLOCATION.—Of the amounts made available to carry out this section for a fiscal year, the Secretary shall allocate—

''(1) 50 percent to the Nevada department of transportation who shall cooperate with the California-Nevada Super Speed Train Commission for the MAGLEV project between Las Vegas and Primm, Nevada, as a segment of the high-speed MAGLEV system between Las Vegas, Nevada, and Anaheim, California; and

''(2) 50 percent for existing MAGLEV projects located east of the Mississippi River using such criteria as the Secretary deems appropriate.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2006.

**SEC. 103. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECTS.**

(a) PROJECT OF NATIONAL AND REGIONAL SIGNIFICANCE.—The table contained in section 1301(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1203) is amended—

(1) in item number 4 by striking the project description and inserting ''$7,400,000 for planning, design, and construction of a new American border plaza at the Blue Water Bridge in or near Port Huron; $12,600,000 for integrated highway realignment and grade separations at Port Huron to eliminate road blockages from NAFTA rail traffic'';

(2) in item number 19 by striking the project description and inserting ''For purposes of construction and other related transportation improvements associated with the rail yard relocation in the vicinity of Santa Teresa''; and

(3) in item number 22 by striking the project description and inserting ''Redesign and reconstruction of interchanges 298 and 299 of I–80 and accompanying improvements to any other public roads in the vicinity, Monroe County''.

(b) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—The table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in item number 23 by striking the project description and inserting ''Improvements to State Road 312, Hammond''.

**SEC. 104. IDLING REDUCTION FACILITIES.**

Section 111(d) of title 23, United States Code, is repealed.

**SEC. 105. PROJECT AUTHORIZATIONS.**

(a) PROJECT MODIFICATIONS.—The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 34 by striking the project description and inserting ''Removal and Reconfiguration of Interstate ramps, I–40, Memphis'';

(2) by striking item number 61;

(3) in item number 87 by striking the project description and inserting ''M–291 highway outer road improvement project'';

(4) in item number 128 by striking ''$2,400,000'' and inserting ''$4,800,000'';

(5) in item number 154 by striking ''Virginia'' and inserting ''Eveleth'';

(6) in item number 193 by striking the project description and inserting ''Improvements to or access to Route 108 to enhance access to the business park near Rumford'';

(7) in item number 240 by striking ''$800,000'' and inserting ''$2,400,000'';

(8) by striking item number 248;

(9) in item number 274 by striking the project description and inserting ''Intersection improvements at Belleville and Ecorse Roads and approach roadways, and widen Belleville Road from Ecorse to Tyler, Van Buren Township, Michigan'';

(10) in item number 277 by striking the project description and inserting ''Construct connector road from Rushing Drive North to Grand Ave., Williamson County'';

(11) in item number 395 by striking the project description and inserting ''Plan and construct interchange at I–65, from existing SR–109 to I–65'';

(12) in item number 463 by striking ''Cookeville'' and inserting ''Putnam County'';

(13) in item number 576 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Nebraska Highway 35 between Norfolk and South Sioux City, including an interchange at Milepost 1 on I–129'';

(14) in item number 595 by striking ''Street Closure at'' and inserting ''Transportation improvement project near'';

(15) in item number 649 by striking the project description and inserting ''Construction and enhancement of the Fillmore Avenue Corridor, Buffalo'';

(16) in item number 655 by inserting '', safety improvement construction,'' after ''Environmental studies'';

(17) in item number 676 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(18) in item number 770 by striking the project description and inserting ''Improve existing Horns Hill Road in North Newark, Ohio, from Waterworks Road to Licking Springs Road'';

(19) in item number 777 by striking the project description and inserting ''Akutan Airport access'';

(20) in item number 829 by striking the project description and inserting ''$400,000 to conduct New Bedford/Fairhaven Bridge modernization study; $1,000,000 to design and build New Bedford Business Park access road'';

(21) in item number 881 by striking the project description and inserting ''Pedestrian safety improvements near North Atlantic Boulevard, Monterey Park'';

(22) in item number 923 by striking the project description and inserting ''Improve safety of a horizontal curve on Clarksville St. 0.25 miles north of 275th Rd. in Grandview Township, Edgar County'';

(23) in item number 947 by striking the project description and inserting ''Third East/West River Crossing, St. Lucie River'';

(24) in item numbers 959 and 3327 by striking ''Northern Section,'' each place it appears;

(25) in item number 963 by striking the project description and inserting ''For engineering, right-of-way acquisition, and reconstruction of 2 existing lanes on Manhattan Road from Baseline Road to Route 53'';

(26) in item number 983 by striking the project description and inserting ''Land acquisition for highway mitigation in Cecil, Kent, Queen Annes, and Worcester Counties'';

(27) in item number 1039 by striking the project description and inserting ''Widen State Route 98, including storm drain developments, from D. Navarro Avenue to State Route 111'';

(28) in item number 1047 by striking the project description and inserting ''Bridge and road work at Little Susitna River Access road in Matanuska-Susitna Borough'';

(29) in item number 1124 by striking ''bridge over Stillwater River, Orono'' and inserting ''routes'';

(30) in item number 1206 by striking ''Pleasantville'' and inserting ''Briarcliff Manor'';

(31) in item number 1281 by striking the project description and inserting ''Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 2, and Ethel, Attala County'';

(32) in item number 1487 by striking ''$800,000'' and inserting ''$1,600,000'';

(33) in item number 1575 by striking the project description and inserting ''Highway and road signage, and traffic signal synchronization and upgrades, in Shippensburg Boro, Shippensburg Township, and surrounding municipalities'';

(34) in item number 1661 by striking the project description and inserting ''Sheldon West Extension in Matanuska-Susitna Borough'';

(35) in item number 1810 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(36) in item number 1852 by striking ''Milepost 9.3'' and inserting ''Milepost 24.3'';

(37) in item numbers 1926 and 2893 by striking the project descriptions and inserting ''Grading, paving roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, Ohio'';

(38) in item number 1933 by striking the project description and inserting ''Enhance Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles, by improving streetscapes, including expanding concrete and paving'';

(39) in item number 1975 by striking the project description and inserting ''Point MacKenzie Access Road improvements in Matanuska-Susitna Borough'';

(40) in item number 2015 by striking the project description and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'';

(41) in item number 2087 by striking the project description and inserting ''Railroad crossing improvement on Illinois Route 82 in Geneseo'';

(42) in item number 2211 by striking the project description and inserting ''Construct road projects and transportation enhancements as part of or connected to RiverScape Phase III, Montgomery County, Ohio'';

(43) in item number 2234 by striking the project description and amount and inserting ''North Atherton Signal Coordination Project in Centre County'' and ''$400,000'', respectively;

(44) in item number 2316 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(45) in item number 2420 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(46) in item number 2482 by striking ''Country'' and inserting ''County'';

(47) in item number 2663 by striking the project description and inserting ''Rosemead Boulevard safety enhancement and beautification, Temple City'';

(48) in item number 2671 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(49) in item number 2743 by striking the project description and inserting ''Improve safety of culvert replacement on 250th Rd. between 460th St. and Cty Hwy 20 in Grandview Township, Edgar County'';

(50) by striking item number 2800;

(51) in item number 2826 by striking ''State Street and Cajon Boulevard'' and inserting ''Palm Avenue'';

(52) in item number 2931 by striking ''Frazho Road'' and inserting ''Martin Road'';

(53) in item number 3047 by inserting ''and roadway improvements'' after ''safety project'' ;

(54) in item number 3078 by striking the project description and inserting ''U.S. 2/Sultan Basin Road improvements in Sultan'';

(55) in item number 3174 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(56) in item number 3219 by striking ''Forest'' and inserting ''Warren'';

(57) in item number 3254 by striking the project description and inserting ''Reconstruct PA Route 274/34 Corridor, Perry County'';

(58) in item number 3260 by striking ''Lake Shore Drive'' and inserting ''Lakeshore Drive and parking facility/entrance improvements serving the Museum of Science and Industry'';

(59) in item number 3368 by striking the project description and inserting ''Plan, design, and engineering, Ludlam Trail, Miami'';

(60) in item number 3410 by striking the project description and inserting ''Design, purchase land, and construct sound walls along the west side of I–65 from approximately 950 feet south of the Harding Place interchange south to Hogan Road'';

(61) in item number 3537 by inserting ''and the study of alternatives along the North South Corridor,'' after ''Valley'';

(62) in item number 3582 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(63) in item number 3604 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(64) in item number 3632 by striking the State, project description, and amount and inserting ''FL'', ''Pine Island Road pedestrian overpass, city of Tamarac'', and ''$610,000'', respectively;

(65) in item number 3634 by striking the matters in the State, project description, and amount columns and inserting ''FL'', ''West Avenue Bridge, city of Miami Beach'', and ''$620,000'', respectively;

(66) in item number 3673 by striking the project description and inserting ''Improve marine dry-dock and facilities in Ketchikan'';

(67) in item number 2942 by striking the project description and inserting ''Redesigning the intersection of Business U.S. 322/High Street and Rosedale Avenue and constructing a new East Campus Drive between High Street (U.S. 322) and Matlock Street at West Chester University, West Chester, Pennsylvania'';

(68) in item number 2781 by striking the project description and inserting ''Highway and road signage, road construction, and other transportation improvement and enhancement projects on or near Highway 26, in Riverton and surrounding areas'';

(69) in item number 2430 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(70) by striking item number 20;

(71) in item number 424 by striking ''$264,000'' and inserting ''$644,000'';

(72) in item number 1210 by striking the project description and inserting ''Town of New Windsor—Riley Road, Shore Drive, and area road improvements'';

(73) by striking item numbers 68, 905, and 1742;

(74) in item number 1059 by striking ''$240,000'' and inserting ''$420,000'';

(75) in item number 2974 by striking ''$120,000'' and inserting ''$220,000'';

(76) by striking item numbers 841, 960, and 2030;

(77) in item number 1278 by striking ''$740,000'' and inserting ''$989,600'';

(78) in item number 207 by striking ''$13,600,000'' and inserting ''$13,200,000'';

(79) in item number 2656 by striking ''$12,228,000'' and inserting ''$8,970,000'';

(80) in item number 1983 by striking ''$1,600,000'' and inserting ''$1,000,000'';

(81) in item number 753 by striking ''$2,700,000'' and inserting ''$3,200,000'';

(82) in item number 64 by striking ''$6,560,000'' and inserting ''$8,480,000'';

(83) in item number 2338 by striking ''$1,600,000'' and inserting ''$1,800,000'';

(84) in item number 1533 by striking ''$392,000'' and inserting ''$490,000'';

(85) in item number 1354 by striking ''$40,000'' and inserting ''$50,000'';

(86) in item number 3106 by striking ''$400,000'' and inserting ''$500,000'';

(87) in item number 799 by striking ''$1,600,000'' and inserting ''$2,000,000'';

(88) in item number 159—

(A) by striking ''Construct interchange for 146th St. and I–69'' and inserting ''Upgrade 146th St. to I–69 Access''; and

(B) by striking ''$2,400,000'' and inserting ''$3,200,000'';

(89) by striking item number 2936;

(90) in item number 3138 by striking the project description and inserting ''Elimination of highway-railway crossing along the KO railroad from Salina to Osborne to increase safety and reduce congestion'';

(91) in item number 2274 by striking ''between Farmington and Merriman'' and inserting ''between Hines Drive and Inkster, Flamingo Street between Ann Arbor Trail and Joy Road, and the intersection of Warren Road and Newburgh Road'';

(92) in item number 52 by striking the project description and inserting ''Pontiac Trail between E. Liberty and McHattie Street'';

(93) in item number 1544 by striking ''connector'';

(94) in item number 2573 by striking the project description and inserting ''Rehabilitation of Sugar Hill Road in North Salem, NY'';

(95) in item number 1450 by striking ''III–VI'' and inserting ''III–VII'';

(96) in item number 2637 by striking the project description and inserting ''Construction, road and safety improvements in Geauga County, OH'';

(97) in item number 2342 by striking the project description and inserting ''Streetscaping, bicycle trails, and related improvements to the I-90/SR-615 interchange and adjacent area and Heisley Road in Mentor, including acquisition of necessary right-of-way within the Newell Creek development to build future bicycle trails and bicycle staging areas that will connect into the existing bicycle trail system at I-90/SR-615, widening the Garfield Road Bridge over I-90 to provide connectivity to the existing bicycle trail system between the I-90/SR-615 interchange and Lakeland Community College, and acquisition of additional land needed for the preservation of the Lake Metroparks Greenspace Corridor with the Newell Creek development adjacent to the I-90/SR-615 interchange'';

(98) in item number 161 by striking the project description and inserting ''Construct False Pass causeway and road to the terminus of the south arm breakwater project'';

(99) in item number 2002 by striking the project description and inserting ''Dowling Road extension/reconstruction west from Minnesota Drive to Old Seward Highway, Anchorage'';

(100) in item number 2023 by striking the project description and inserting ''Biking and pedestrian trail construction, Kentland'';

(101) in item number 2035 by striking ''Replace'' and inserting ''Repair'';

(102) in item number 2511 by striking ''Replace'' and inserting ''Rehabilitate'';

(103) in item number 2981 by striking the project description and inserting ''Roadway improvements on Highway 262 on the Navajo Nation in Aneth'';

(104) in item number 2068 by inserting ''and approaches'' after ''capacity'';

(105) in item number 98 by striking the project description and inserting ''Right-of-way acquisition and construction for the 77th Street reconstruction project, including the Lyndale Avenue Bridge over I–494, Richfield'';

(106) in item number 1783 by striking the project description and inserting ''Clark Road access improvements, Jacksonville'';

(107) in item number 2711 by striking the project description and inserting ''Main Street Road Improvements through Springfield, Jacksonville'';

(108) in item number 3485 by striking the project description and inserting ''Improve SR 105 (Hecksher Drive) from Drummond Point to August Road, including bridges across the Broward River and Dunns Creek, Jacksonville'';

(109) in item number 3486 by striking the project description and inserting ''Construct improvements to NE 19th Street/NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue, Gainesville'';

(110) in item number 3487 by striking the project description and inserting ''Construct improvements to NE 25th Street from SR 26 (University Blvd.) to NE 8th Avenue, Gainesville'';

(111) in item number 803 by striking ''St. Clair County'' and inserting ''city of Madison'';

(112) in item number 615 by striking the project description and inserting ''Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue'';

(113) in item number 889 by striking the project description and inserting ''U.S. 160, State Highway 3 to east of the Florida River'';

(114) in item number 324 by striking the project description and inserting ''Paving a portion of H–58 from Buck Hill to 4,000 feet east of Hurricane River'';

(115) in item number 301 by striking the project description and inserting ''Improvements for St. Georges Avenue between East Baltimore Avenue on the southwest and Chandler Avenue on the northeast'';

(116) in item number 1519 by inserting ''at the intersection of Quincy/West Drinker/Electric Streets near the Dunmore School complex'' after ''roadway redesign'';

(117) in item number 2604 by inserting ''on Coolidge, Bridge (from Main to Monroe), Skytop (from Gedding to Skytop), Atwell (from Bear Creek Rd. to Pittston Township), Wood (to Bear Creek Rd.), Pine, Oak (from Penn Avenue to Lackawanna Avenue), McLean, Second, and Lolli Lane'' after ''roadway redesign'';

(118) in item number 1157 by inserting ''on Mill Street from Prince Street to Roberts Street, John Street from Roberts Street to end, Thomas Street from Roberts Street to end, Williams Street from Roberts Street to end, Charles Street from Roberts Street to end, Fair Street from Roberts Street to end, Newport Avenue from East Kirmar Avenue to end'' after ''roadway redesign'';

(119) in item number 805 by inserting ''on Oak Street from Stark Street to the township line at Mayock Street and on East Mountain Boulevard'' after ''roadway redesign'';

(120) in item number 2704 by inserting ''on West Cemetery Street and Frederick Courts'' after ''roadway redesign'';

(121) in item number 3136 by inserting ''on Walden Drive and Greenwood Hills Drive'' after ''roadway redesign'';

(122) in item number 1363 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, handicap access ramps, parking, and roadway redesign on Bilbow Street from Church Street to Pugh Street, on Pugh Street from Swallow Street to Main Street, Jones Lane from Main Street to Hoblak Street, Cherry Street from Green Street to Church Street, Main Street from Jackson Street to end, Short Street from Cherry Street to Main Street, and Hillside Avenue in Edwardsville Borough, Luzerne County'';

(123) in item number 883 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, parking, roadway redesign, and safety improvements (including curbing, stop signs, crosswalks, and pedestrian sidewalks) at and around the 3-way intersection involving Susquehanna Avenue, Erie Street, and Second Street in West Pittston, Luzerne County'';

(124) in item number 625 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Sampson Street, Dunn Avenue, Powell Street, Josephine Street, Pittston Avenue, Railroad Street, McClure Avenue, and Baker Street in Old Forge Borough, Lackawanna County'';

(125) in item number 372 by inserting '', replacement of the Nesbitt Street Bridge, and placement of a guard rail adjacent to St. Vladimir's Cemetery on Mountain Road (S.R. 1007)'' after ''roadway redesign'';

(126) in item number 2308 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign, including a project to establish emergency access to Catherino Drive from South Valley Avenue in Throop Borough, Lackawanna County'';

(127) in item number 967 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and catch basin restoration and replacement on Cherry Street, Willow Street, Eno Street, Flat Road, Krispin Street, Parrish Street, Carver Street, Church Street, Franklin Street, Carolina Street, East Main Street, and Rear Shawnee Avenue in Plymouth Borough, Luzerne County'';

(128) in item number 989 by inserting ''on Old Ashley Road, Ashley Street, Phillips Street, First Street, Ferry Road, and Division Street'' after ''roadway redesign'';

(129) in item number 342 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and cross pipe and catch basin restoration and replacement on Northgate, Mandy Court, Vine Street, and 36th Street in Milnesville West, and on Hillside Drive (including the widening of the bridge on Hillside Drive), Club 40 Road, Sunburst and Venisa Drives, and Stockton #7 Road in Hazle Township, Luzerne County'';

(130) in item number 2332 by striking ''Monroe County'' and inserting ''Carbon, Monroe, Pike, and Wayne Counties'';

(131) in item number 2436 by striking the project description and amount and inserting ''For Wilkes-Barre to design, acquire land, and construct a parking garage or parkade, streetscaping enhancements, paving, lighting, safety improvements, and roadway redesign at and around the Sterling Hotel in Wilkes-Barre, including on River Street, Market Street, or Franklin Street (or any combination thereof) to the vicinity of the Irem Temple'' and ''$3,000,000'', respectively;

(132) in item number 2723 by striking ''$4,000,000'' and inserting ''$3,150,000'';

(133) in item number 61 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Wiregrass Central RR at Boll Weevil Bypass in Enterprise, AL'', and ''$250,000'', respectively;

(134) in item number 314 by striking the project description and amount and inserting ''Streetscape enhancements to the transit and pedestrian corridor, Fort Lauderdale, Downtown Development Authority'' and ''$610,000'', respectively;

(135) in item number 1639 by striking the project description and inserting ''Operational and highway safety improvements on Hwy 94 between the 20 mile marker post in Jamul and Hwy 188 in Tecate'';

(136) in item number 2860 by striking the project description and inserting ''Roadway improvements from Halchita to Mexican Hat on the Navajo Nation'';

(137) in item number 2549 by striking ''on Navy Pier'';

(138) in item number 2804 by striking ''on Navy Pier'';

(139) in item number 1328 by striking the project description and inserting ''Construct public access roadways and pedestrian safety improvements in and around Montclair State University in Clifton'';

(140) in item number 2559 by striking the project description and inserting ''Construct sound walls on Route 164 at and near the Maersk interchange'';

(141) in item number 1849 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(142) in item number 697 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(143) in item number 3597 by striking the project description and inserting ''Road Alignment from IL Route 159 to Sullivan Drive, Swansea'';

(144) in item number 2352 by striking the project description and inserting ''Streetscaping and transportation enhancements on 7th Street in Calexico, traffic signalization on Highway 78, construction of the Renewable Energy and Transportation Learning Center, improve and enlarge parking lot, and create bus stop, Brawley'';

(145) in item number 3482 by striking the project description and inserting ''Conduct a study to examine multi-modal improvements to the I–5 corridor between the Main Street Interchange and State Route 54'';

(146) in item number 1275 by striking the project description and inserting ''Scoping, permitting, engineering, construction management, and construction of Riverbank Park Bike Trail, Kearny'';

(147) in item number 726 by striking the project description and inserting ''Grade Separation at Vanowen and Clybourn, Burbank'';

(148) in item number 1579 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(149) in item number 2690 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(150) in item number 2811 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(151) in item number 259 by striking the project description and inserting ''Design and construction of the Clair Nelson Intermodal Center in Finland, Lake County'';

(152) in item number 3456 by striking the project description and inserting ''Completion of Phase II/Part I of a project on Elizabeth Avenue in Coleraine to west of Itasca County State Aid Highway 15 in Itasca County'';

(153) in item number 2429 by striking the project description and inserting ''Upgrade streets, undertake streetscaping, and implement traffic and pedestrian safety signalization improvements and highway-rail crossing safety improvements, Oak Lawn'';

(154) in item number 766 by striking the project description and inserting ''Design and construction of the walking path at Ellis Pond, Norwood'';

(155) in item number 3474 by striking the project description and inserting ''Yellow River Trail, Newton County'';

(156) in item number 3291 by striking the amount and inserting ''$200,000'';

(157) in item number 3635 by striking the matters in the State, project description, and amount columns and inserting ''GA'', ''Access Road in Montezuma'', and ''$200,000'', respectively;

(158) in item number 716 by striking the project description and inserting ''Conduct a project study report for new Highway 99 Interchange between SR 165 and Bradbury Road, and safety improvements/realignment of SR 165, serving Turlock/Hilmar region'';

(159) in item number 1386 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities, and street lighting in Haddon Heights'' and ''$300,000'', respectively;

(160) in item number 2720 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities and street lighting in Barrington and streetscape improvements to Clements Bridge Road from the circle at the White Horse Pike to NJ Turnpike overpass in Barrington'' and ''$700,000'', respectively;

(161) in item number 2523 by striking the project description and inserting ''Penobscot Riverfront Development for bicycle trails, amenities, traffic circulation improvements, and waterfront access or stabilization, Bangor and Brewer'';

(162) in item number 545 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewistown and Auburn downtowns'';

(163) in item number 2168 by striking the project description and amount and inserting ''Study and design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, along the Rt. 315 corridor from Dupont to Wilkes Barre'' and ''$1,000,000'', respectively;

(164) in item number 170 by striking the project description and amount and inserting ''Study of a Maglev train route from Northeast Pennsylvania through New Jersey and New York'' and ''$1,600,000'', respectively;

(165) in item number 2366 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and paving of the parking lot at the Casey Plaza in Wilkes-Barre Township'';

(166) in item number 826 by striking ''and Interstate 81'' and inserting ''and exit 168 on Interstate 81 or the intersection of the connector road with Northampton St.'';

(167) in item number 2144 by striking the project description and inserting ''Design, engineering, right-of-way acquisition and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Third Street from Pittston Avenue to Packer Street; Swift Street from Packer Street to Railroad Street; Clark Street from Main Street to South Street; School Street from Main Street to South Street; Plane Street from Grove Street to William Street; John Street from 4 John Street to William Street; Grove Street from Plane Street to Duryea Borough line; Wood Street from Cherry Street to Hawthorne Street in Avoca Borough, Luzerne County'';

(168) in item number 1765 by striking the project description and amount and inserting ''Design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign in Pittston, including right-of-way acquisition, structure demolition, and intersection safety improvements in the vicinity and including the intersection of Main and William Streets in Pittston'' and ''$1,600,000'', respectively;

(169) in item number 2957 by striking the project description and amount and inserting ''Design, engineering, land acquisition, right-of-way acquisition, and construction of a parking garage, streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign in the city of Wilkes-Barre'' and ''$2,800,000'', respectively;

(170) in item number 3283 by striking the project description and amount and inserting ''Pedestrian access improvements, including installation of infrastructure and equipment for security and surveillance purposes at subway stations in Astoria, New York'' and ''$1,300,000'', respectively;

(171) in item number 3556 by striking the project description and amount and inserting ''Design and rehabilitate staircases used as streets due to the steep grade of terrain in Bronx County'' and ''$1,100,000'', respectively;

(172) by striking item number 203;

(173) by striking item number 552;

(174) by striking item number 590;

(175) by striking item number 759;

(176) by striking item number 879;

(177) by striking item number 1071;

(178) by striking item number 1382;

(179) by striking item number 1897;

(180) by striking item number 2553;

(181) in item number 3014 by striking the project description and amount and inserting ''Design and Construct school safety projects in New York City'' and ''$2,500,000'', respectively;

(182) in item number 2375 by striking the project description and amount and inserting ''Subsurface environmental study to measure presence of methane and benzene gasses in vicinity of Greenpoint, Brooklyn, and the Kosciusko Bridge, resulting from the Newtown Creek oil spill'' and ''$100,000'';

(183) in item number 221 by striking the project description and inserting ''Study and Implement transportation improvements on Flatbush Ave. between Avenue U and the Marine Park Bridge in front of Gateway National Park in Kings County, New York'';

(184) in item number 2732 striking the project description and inserting ''Pedestrian safety improvements in the vicinity of LIRR stations'';

(185) by striking item number 99;

(186) in item number 398 by striking the project description and inserting ''Construct a new 2-lane road extending north from University Park Drive and improvements to University Park Drive'';

(187) in item number 446 by striking the project description and inserting ''Transportation improvements for development of the Williamsport-Pile Bay Road corridor'';

(188) in item number 671 by striking ''and Pedestrian Trail Expansion'' and inserting '', including parking facilities and Pedestrian Trail Expansion'';

(189) in item number 674 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Conecuh Valley RR at Henderson Highway (CR–21) in Troy, AL'', and ''$300,000'', respectively;

(190) in item number 739 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Luxapalila Valley RR in Lamar and Fayette Counties, AL (Crossings at CR–6, CR–20, SH–7, James Street, and College Drive)'', and ''$300,000'', respectively;

(191) in item number 746 by striking ''Planning and construction of a bicycle trail adjacent to the I–90 and SR 615 Interchange in'' and inserting ''Planning, construction, and extension of bicycle trails adjacent to the I–90 and SR 615 Interchange, along the Greenway Corridor and throughout'';

(192) in item number 749 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''UPMC Heliport in Bedford'', and ''$750,000'', respectively;

(193) in item number 813 by striking the project description and inserting ''Preliminary design and study of long-term roadway approach alternatives to TH 36/SH 64 St. Croix River Crossing Project'';

(194) in item number 816 by striking ''$800,000'' and inserting ''$880,000'';

(195) in item number 852 by striking ''Acquire Right-of-Way for Ludlam Trail, Miami, Florida'' and inserting ''Planning, design, and engineering, Ludlam Trail, Miami'';

(196) in item number 994 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construct 2 flyover ramps and S. Linden Street exit for access to industrial sites in the cities of McKeesport and Duquesne'', and ''$500,000'', respectively;

(197) in item number 1015 by striking the project description and inserting ''Mississippi River Crossing connecting I–94 and US 10 between US 160 and TH 101, MN'';

(198) in item number 1101 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(199) in item number 1211 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Road improvements and upgrades related to the Pennsylvania State Baseball Stadium'', and ''$500,000'', respectively;

(200) in item number 1345 by striking ''to Stony Creek Park, 25 Mile Road in Shelby Township'' and inserting ''south to the city of Utica'';

(201) in item number 1501 by striking the project description and inserting ''Construction and right-of-way acquisition of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(202) in item number 1525 by striking ''north of CSX RR Bridge'' and inserting ''US Highway 90'';

(203) in item number 1847 by striking the project description and inserting ''Improve roads, sidewalks, and road drainage, City of Seward'';

(204) in item number 2031 by striking the project description and inserting ''Construct and improve Westside Parkway in Fulton County'';

(205) in item number 2103 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(206) in item number 2219 by striking ''SR 91 in City of Twinsburg, OH'' and inserting ''Center Valley Parkway in Twinsburg, OH'';

(207) in item number 2302 by inserting ''and other road improvements to Safford Street'' after ''crossings'';

(208) in item number 2560 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(209) in item number 2563 by striking the project description and amount and inserting ''Construct hike and bike path as part of Bridgeview Bridge replacement in Macomb County'' and ''$486,400'', respectively;

(210) in item number 2698 by striking the project description and inserting ''Interchanges at I–95/Ellis Road and between Grant Road and Micco Road, Brevard County'';

(211) in item number 3141 by striking ''$2,800,000'' and inserting ''$1,800,000'';

(212) by striking item number 3160;

(213) in item number 3353 by inserting ''and construction'' after ''mitigation'';

(214) in item number 996 by striking ''$2,000,000'' and inserting ''$687,000'';

(215) in item number 2166 by striking the project description and inserting ''Design, right-of-way acquisition, and construction for I–35 and CSAH2 interchange and CSAH2 corridor to TH61 in Forest Lake'';

(216) in item number 3251 by striking the project description and inserting ''I–94 and Radio Drive Interchange and frontage road project, design, right-of-way acquisition, and construction, Woodbury'';

(217) in item number 1488 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(218) in item number 3240 by striking the project description and inserting ''Railroad-highway crossings in Pierre'';

(219) in item number 1738 by striking ''Paving'' and inserting ''Planning, design, and construction'';

(220) in item number 3672 by striking the project description and inserting ''Pave remaining stretch of BIA Route 4 from the junction of the BIA Route 4 and N8031 in Pinon, AZ, to the Navajo and Hopi border'';

(221) in item number 2424 by striking ''Construction'' and inserting ''preconstruction (including survey and archeological clearances) and construction'';

(222) in item number 1216 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''For roadway construction improvements to Route 222 relocation, Lehigh County'', and ''$1,313,000'', respectively;

(223) in item number 2956 by striking ''$1,360,000'' and inserting ''$2,080,000'';

(224) in item number 1256 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construction of a bridge over Brandywine Creek as part of the Boot Road extension project, Downingtown Borough'', and ''$700,000'', respectively;

(225) in item number 1291 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Enhance parking facilities in Chester Springs, Historic Yellow Springs'', and ''$20,000'', respectively;

(226) in item number 1304 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 4003 (Kernsville Road), Lehigh County'', and ''$250,000'', respectively;

(227) in item number 1357 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Intersection signalization at SR 3020 (Newburg Road)/Country Club Road, Northampton County'', and ''$250,000'', respectively;

(228) in item number 1395 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 29, Lehigh County'', and ''$220,000'', respectively;

(229) in item number 80 by striking ''$4,544,000'' and inserting ''$4,731,200'';

(230) in item number 2096 by striking ''$4,800,000'' and inserting ''$5,217,600'';

(231) in item number 1496 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Study future needs of East-West road infrastructure in Adams County'', and ''$115,200'', respectively;

(232) in item number 2193 by striking the project description and inserting ''710 Freeway Study to comprehensively evaluate the technical feasibility of a tunnel alternative to close the 710 Freeway gap, considering all practicable routes, in addition to any potential route previously considered, and with no funds to be used for preliminary engineering or environmental review except to the extent necessary to determine feasibility'';

(233) in item number 2445 by striking the project description and inserting ''$600,000 for road and pedestrian safety improvements on Main Street in the Village of Patchogue; $900,000 for road and pedestrian safety improvements on Montauk Highway, between NYS Route 112 and Suffolk County Road 101 in Suffolk County'';

(234) in item number 346 by striking the project description and inserting ''Hansen Dam Recreation Area access improvements, including hillside stabilization and parking lot rehabilitation along Osborne Street between Glenoaks Boulevard and Dronfield Avenue'';

(235) in item number 449 by striking the project description and inserting ''Route 30 and Mount Pleasant Road Interchange Safety Improvements, Westmoreland County, install light installations at intersection and consolidate entrances and exits to Route 30'';

(236) in item number 3688 by striking ''road'' and inserting ''trail'';

(237) in item number 3695 by striking ''in Soldotna'' and inserting ''in the Kenai River corridor'';

(238) in item number 3699 by striking ''to improve fish habitat'';

(239) in item number 3700 by inserting ''and ferry facilities'' after ''a ferry'';

(240) in item number 3703 by inserting ''or other roads'' after ''Cape Blossom Road'';

(241) in item number 3704 by striking ''Fairbanks'' and inserting ''Alaska Highway'';

(242) in item number 3705 by striking ''in Cook Inlet for the Westside development/Williamsport-Pile Bay Road'' and inserting ''for development of the Williamsport-Pile Bay Road corridor'';

(243) in item number 3828 by striking ''$2,000,000'' and inserting ''$11,000,000'';

(244) by striking item number 3829;

(245) by striking item number 3832;

(246) in item number 3861 by striking the project description and inserting ''Creation of a greenway path along the Naugatuck River in Waterbury'';

(247) in item number 3883 by striking the project description and inserting ''Wilmington Riverfront Access and Street Grid Redesign'';

(248) in item number 3892 by striking ''$5,000,000'' and inserting ''$8,800,000'';

(249) in item number 3894 by striking ''$5,000,000'' and inserting ''$1,200,000'';

(250) in item number 3909 by striking the project description and inserting ''S.R. 281, the Avalon Boulevard Expansion Project from Interstate 10 to U.S. Highway 91'';

(251) in item number 3911 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(252) in item number 3916 by striking the project description and inserting ''City of Hollywood for U.S. 1/Federal Highway, north of Young Circle'';

(253) in item number 3937 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(254) in item number 3945 by striking ''CR 293 to CS 5231'' and inserting ''SR 371 to SR 400'';

(255) in item number 3965 by striking ''transportation projects'' and inserting ''and air quality projects'';

(256) in item number 3986 by striking the project description and inserting ''Extension of Sugarloaf Parkway, Gwinnett County'';

(257) in item number 3999 by striking ''Bridges'' and inserting ''Bridge and Corridor'';

(258) in item number 4003 by striking the project description and inserting ''City of Council Bluffs and Pottawattamie County East Beltway Roadway and Connectors Project'';

(259) in item number 4043 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(260) in item number 4050 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(261) in item number 4058 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(262) in each of item numbers 4062 and 4084 by striking the project description and inserting ''Preconstruction, construction, and related research and studies of I–290 Cap the Ike project in the village of Oak Park'';

(263) in item number 4089 by inserting ''and parking facility/entrance improvements serving the Museum of Science and Industry'' after ''Lakeshore Drive'';

(264) in item number 4103 by inserting ''and adjacent to the'' before ''Shawnee'';

(265) in item number 4110 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(266) in item number 4120 by striking the matters in the project description and amount columns and inserting ''Upgrade 146th Street to Improve I–69 Access'' and ''$800,000'', respectively;

(267) in item number 4125 by striking ''$250,000'' and inserting ''$1,650,000'';

(268) by striking item number 4170;

(269) by striking item number 4179;

(270) in item number 4185 by striking the project description and inserting ''Replace the Clinton Street Bridge spanning St. Mary's River in downtown Fort Wayne'';

(271) in item number 4299 by striking the project description and inserting ''Improve U.S. 40, MD 715 interchange and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(272) in item number 4313 by striking ''Maryland Avenue'' and all that follows through ''Rd. corridor'' and inserting ''intermodal access, streetscape, and pedestrian safety improvements'';

(273) in item number 4315 by striking ''stormwater mitigation project'' and inserting ''environmental preservation project'';

(274) in item number 4318 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewiston and Auburn downtowns'';

(275) in item number 4323 by striking the project description and inserting ''MaineDOT Acadia intermodal passenger and maintenance facility'';

(276) in item number 4338 by striking the project description and inserting ''Construct 1 or more grade-separated crossings of I–75, and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(277) in item number 4355 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(278) in item number 4357 by striking the project description and inserting ''Design, construct, ROW, and expand TH 241 and CSAH 35 and associated streets in the city of St. Michael'';

(279) in item number 4360 by striking the project description and inserting ''Planning, design, and construction for Twin Cities Bioscience Corridor in St. Paul'';

(280) in item number 4362 by striking the project description and inserting ''I–494/U.S. 169 interchange reconstruction including U.S. 169/Valley View Road interchange, Twin Cities Metropolitan Area'';

(281) in item number 4365 by striking the project description and inserting ''34th Street realignment and 34th Street and I–94 interchange, including retention and reconstruction of the SE Main Avenue/CSAH 52 interchange ramps at I–94, and other transportation improvements for the city of Moorhead, including the SE Main Avenue GSI and Moorhead Comprehensive Rail Safety Program'';

(282) in item number 4369 by striking the project description and inserting ''Construction of 8th Street North, Stearns C.R. 120 to TH 15 in St. Cloud'';

(283) in item number 4371 by striking the project description and inserting ''Construction and ROW of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(284) in item number 4411 by striking ''Southaven'' and inserting ''DeSoto County'';

(285) in item number 4424 by striking the project description and inserting ''U.S. 93 Evaro to Polson transportation improvement projects'';

(286) in item number 4428 by striking the project description and inserting ''US 76 improvements'';

(287) in item number 4457 by striking the project description and inserting ''Construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County'';

(288) in item number 4461 by striking the project description and inserting ''Transportation and related improvements at Queens University of Charlotte, including the Queens Science Center and the Marion Diehl Center, Charlotte'';

(289) in item number 4507 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Highway 35 between Norfolk and South Sioux City, including an interchange at milepost 1 on U.S. I–129'';

(290) in item number 4555 by inserting ''Canal Street and'' after ''Reconstruction of'';

(291) in item number 4565 by striking the project description and inserting ''Railroad Construction and Acquisition, Ely and White Pine County'';

(292) in item number 4588 by inserting ''Private Parking and'' before ''Transportation'';

(293) in item number 4596 by striking the project description and inserting ''Centerway Bridge and Bike Trail Project, Corning'';

(294) in item number 4610 by striking the project description and inserting ''Preparation, demolition, disposal, and site restoration of Alert Facility on Access Road to Plattsburgh International Airport'';

(295) in item number 4649 by striking the project description and inserting ''Fairfield County, OH U.S. 33 and old U.S. 33 safety improvements and related construction, city of Lancaster and surrounding areas'';

(296) in item number 4651 by striking ''for the transfer of rail to truck for the intermodal'' and inserting '', and construction of an intermodal freight'';

(297) in item number 4691 by striking the project description and inserting ''Transportation improvements to Idabel Industrial Park Rail Spur, Idabel'';

(298) in item number 4722 by striking the project description and inserting ''Highway, traffic, pedestrian, and riverfront improvements, Pittsburgh'';

(299) in item number 4749 by striking ''study'' and inserting ''improvements'';

(300) in item number 4821 by striking ''highway grade crossing project, Clearfield and Clinton Counties'' and inserting ''Project for highway grade crossings and other purposes relating to the Project in Cambria, Centre, Clearfield, Clinton, Indiana, and Jefferson Counties'';

(301) in item number 4838 by striking ''study'' and inserting ''improvements'';

(302) in item number 4839 by striking ''fuel-celled'' and inserting ''fueled'';

(303) in item number 4866 by striking ''$11,000,000'' and inserting ''$9,400,000'';

(304) by inserting after item number 4866 the following:

| | | | |
|---|---|---|---|
| ''4866A | RI | Repair and restore railroad bridge in Westerly | $1,600,000''; |

(305) in item number 4892 by striking the project description and inserting ''Construct a 4-lane highway between maverick Junction and the Nebraska border'';

(306) in item number 4915 by striking the project description and inserting ''For projects of highest priority, as determined by the South Dakota DOT'';

(307) in item number 4916 by striking ''$1,000,000'' and inserting ''$328,000'';

(308) in item number 4924 by striking ''$3,450,000'' and inserting ''$4,122,000'';

(309) in item number 4927 by striking the project description and inserting ''Construction and Improvements to the College Street Corridor, Great Smoky Mountain Heritage Highway Cultural and Visitors Center in Maryville'';

(310) in item number 4960 by inserting ''of which $50,000 shall be used for a street paving project, Calhoun'' after ''County'';

(311) in item number 4974 by striking '', Sevier County'';

(312) in item number 5008 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(313) in each of item numbers 5011 and 5033 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(314) in item number 5021 by striking ''Pine View Dam,'';

(315) in item number 5026 by striking the project description and inserting ''Roadway improvements on Washington Fields Road/300 East, Washington'';

(316) in item number 5027 by inserting ''and roadway improvements'' after ''safety project'';

(317) in item number 5028 by inserting ''and roadway improvements'' after ''lighting'';

(318) in item number 5029 by inserting ''and roadway improvements'' after ''lights'';

(319) in number 5032 by striking the project description and inserting ''Expand Redhills Parkway, St. George'';

(320) in item number 5132 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(321) in item number 5161 by striking the project description and inserting ''Raleigh Street Extension Project in Martinsburg'';

(322) in item number 1824 by striking the project description and inserting ''U.S. Route 10 expansion in Wadena and Ottertail Counties'';

(323) in item number 1194 by striking the project description and inserting ''Roadway and pedestrian design and improvements for Pennsylvania Avenue, Brooklyn'';

(324) in item number 2286 by striking the project description and inserting ''Road improvements for Church Street between NY State Route 25A and Hilden Street in Kings Park'';

(325) in item number 1724 by striking the project description and amount and inserting ''For road resurfacing and upgrades to Old Nichols Road and road repairs in the Nissequogue River watershed in Smithtown'' and ''$1,500,000'', respectively;

(326) in item number 3636 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Road repair and maintenance in the Town of Southampton'', and ''$500,000'', respectively;

(327) in item number 3638 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Improve NY State Route 112 from Old Town Road to NY State Route 347'', and ''$6,000,000'', respectively;

(328) in item number 3479 by striking the project description and inserting ''Road improvements and utility relocations within the city of Jackson'';

(329) in item number 141 by striking ''construction of pedestrian and bicycle improvements'' and inserting ''transportation enhancement activities'';

(330) in item number 1204 by striking ''at SR 283'';

(331) in item number 2896 by striking the project description and inserting ''Improve

streetscape and signage and pave roads in McMinn County, including $50,000 that may be used for paving local roads in the city of Calhoun'';

(332) in item number 3017 by striking '', Pine View Dam'';

(333) in item number 3188 insert after ''Reconstruction'' the following: ''including U.S. 169/Valley View Road Interchange,'';

(334) in item number 1772 by striking the project description and inserting ''Reconstruction of Historic Eastern Parkway'';

(335) in item number 2610 by striking the project description and inserting ''Reconstruction of Times and Duffy Squares in New York City'';

(336) in item number 2462—

(A) by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike''; and

(B) by striking ''$1,200,000'' and inserting ''$450,000'';

(337) in item number 2871 by striking the amount and inserting ''$2,430,000'';

(338) in item number 3381 by striking the project description and inserting ''Determine scope, design, engineering, and construction of Western Boulevard Extension from Northern Boulevard to Route 9 in Ocean County, New Jersey'';

(339) in item number 2703 by striking the project description and inserting ''Upgrading existing railroad crossings with installation of active signals and gates and to study the feasibility and necessity of rail grade separation'';

(340) in item number 1004 by inserting ''SR 71 near'' after ''turn lane on'';

(341) in item number 2824 by striking the project description and inserting the following: ''Sevier County, TN, SR 35 near SR 449 intersection'';

(342) in item number 373 by striking the project description and inserting ''Widening existing Highway 226, including a bypass of Cash and a new connection to Highway 49'';

(343) in item number 1486, by striking the project description and inserting ''Bridge reconstruction and road widening on Route 252 and Route 30 in Tredyffrin Township, PA, in conjunction with the Paoli Transportation Center Project'';

(344) in item number 4541 by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike'';

(345) in item number 4006 by striking the project description and inserting ''Improvement to Alice's Road/105th Street Corridor including bridge, interchange, roadway, right-of-way, and enhancements''; and

(346) in item number 2901 by striking the project description and inserting ''Purchase of land and conservation easements within U.S. 24 study area in Lucas, Henry, and Fulton Counties, Ohio''.

(b) UNUSED OBLIGATION AUTHORITY.—Notwithstanding any other provision of law, unused obligation authority made available for an item in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) that is repealed, or authorized funding for such an item that is reduced, by this section shall be made available—

(1) for an item in section 1702 of that Act that is added or increased by this section and that is in the same State as the item for which obligation authority or funding is repealed or reduced;

(2) in an amount proportional to the amount of obligation authority or funding that is so repealed or reduced; and

(3) individually for projects numbered 1 through 3676 pursuant to section 1102(c)(4)(A) of that Act (119 Stat. 1158).

(c) TRANSFER OF PROJECT FUNDS.—The Secretary of Transportation shall transfer to the Commandant of the Coast Guard amounts made available to carry out the project described in item number 4985 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1447) to carry out that project, in accordance with the Act of June 21, 1940, commonly known as the ''Truman-Hobbs Act'', (33 U.S.C. 511 et seq.).

(d) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Of the funds apportioned to each State under section 104(b)(3) of title 23, United States Code, a State may expend for each of fiscal years 2007 through 2009 not more than $1,000,000 for the following activities:

(1) Participation in the Joint Operation Center for Fuel Compliance established under section 143(b)(4)(H) of title 23, United States Code, within the Department of the Treasury, including the funding of additional positions for motor fuel tax enforcement officers and other staff dedicated on a full-time basis to participation in the activities of the Center.

(2) Development, operation, and maintenance of electronic filing systems to coordinate data exchange with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(3) Development, operation, and maintenance of electronic single point of filing in conjunction with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(4) Development, operation, and maintenance of a certification system by a State of any fuel sold to a State or local government (as defined in section 4221(d)(4) of the Internal Revenue Code of 1986) for the exclusive use of the State or local government or sold to a qualified volunteer fire department (as defined in section 150(e)(2) of such Code) for its exclusive use.

(5) Development, operation, and maintenance of a certification system by a State of any fuel sold to a nonprofit educational organization (as defined in section 4221(d)(5) of such Code) that includes verification of the good standing of the organization in the State in which the organization is providing educational services.

(e) PROJECT FEDERAL SHARE.—Section 1964 of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1519) is amended by adding at the end the following:

''(c) SPECIAL RULE.—Notwithstanding any other provision of law, the Federal share of the cost of the projects described in item numbers 1284 and 3093 in the table contained in section 1702 of this Act shall be 100 percent.''.

**SEC. 106. NONMOTORIZED TRANSPORTATION PILOT PROGRAM.**

Section 1807(a)(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1460) is amended by striking ''Minneapolis-St. Paul, Minnesota'' and inserting ''Minneapolis, Minnesota''.

**SEC. 107. CORRECTION OF INTERSTATE AND NATIONAL HIGHWAY SYSTEM DESIGNATIONS.**

(a) TREATMENT.—Section 1908(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1469) is amended by striking paragraph (3).

(b) NATIONAL HIGHWAY SYSTEM.—Section 1908(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1470) is amended by striking ''from the Arkansas State line'' and inserting ''from Interstate Route 540''.

**SEC. 108. FUTURE OF SURFACE TRANSPORTATION SYSTEM.**

Section 1909(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1471) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (9) by striking ''July 1, 2007'' and inserting ''December 31, 2007'';

(2) in paragraph (11)(C) by striking ''the Administrator of the Federal Highway Administration'' and inserting ''the Secretary'';

(3) in paragraph (11)(D)(i) by striking '', on a reimbursable basis,'';

(4) in paragraph (15) by striking ''$1,400,000 for each of fiscal years 2006 and 2007'' and inserting ''$1,400,000 for fiscal year 2006 and $3,400,000 for fiscal year 2007'';

(5) by redesignating paragraphs (14), (15), (16), and (17) as paragraphs (15), (16), (17), and (18), respectively; and

(6) by inserting after paragraph (13) the following:

''(14) LIMITATIONS.—Funds made available to carry out this section may be expended only to support the activities of the Commission. No data, analyses, reports, or any other documents prepared for the Commission to fulfill its duties may be provided to or shared with other commissions or task forces until such data, analyses, reports, or documents have been made available to the public.''.

**SEC. 109. BUDGET JUSTIFICATION; BUY AMERICA.**

(a) BUDGET JUSTIFICATION.—Section 1926 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1483) is amended by striking ''The Department'' and inserting ''Notwithstanding any other provision of law, the Department''.

(b) BUY AMERICA.—Section 1928 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1484) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the current application by the Federal Highway Administration of the Buy America test, that is only applied to components or parts of a bridge project and not the entire bridge project, is inconsistent with this sense of Congress;''.

**SEC. 110. TRANSPORTATION IMPROVEMENTS.**

The table contained in section 1934(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1486) is amended—

(1) in item number 436 by inserting '', Saole,'' after ''Sua'';

(2) in item number 448 by inserting ''by removing asphalt and concrete and reinstalling blue cobblestones'' after ''streets'';

(3) by striking item number 451;

(4) in item number 452 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(5) in item number 12 by striking ''Yukon River'' and inserting ''Kuskokwim River'';

(6) in item number 18 by striking ''Engineering and Construction in Merced County'' and inserting ''and safety improvements/realignment of SR 165 project study report and environmental studies in Merced and Stanislaus Counties'';

(7) in item number 38 by striking the project description and inserting ''Relocation of the Newark Train Station'';

(8) in item number 57 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(9) in item number 114 by striking ''IA-32'' and inserting ''SW'' after ''Construct'';

(10) in item number 122 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of the SW Arterial and connections to U.S. 20, Dubuque County'';

(11) in item number 130 by striking the project description and inserting ''Improvements and rehabilitation to rail and bridges on the Appanoose County Community Railroad'';

(12) in item number 133 by striking ''IA-32'';

(13) in item number 138 by striking the project description and inserting ''West Spencer Beltway Project'';

(14) in item number 142 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(15) in item number 161 by striking ''Bridge replacement on Johnson Drive and Nall Ave.'' and inserting ''Construction improvements'';

(16) in item number 182 by striking the project description and inserting ''Improve U.S. 40, M.D. 715 interchange, and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(17) in item number 198 by striking the project description and inserting ''Construct 1 or more grade separated crossings of I–75 and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(18) in item number 201 by striking the project description and inserting ''Alger County, paving a portion of H–58 from Buck Hill to a point located 4,000 feet east of the Hurricane River'';

(19) in item number 238 by striking the project description and inserting ''Develop and construct the St. Mary water project road and bridge infrastructure, including a new bridge and approaches across St. Mary River, stabilization and improvements to United States Route 89, and road/canal from Siphon Bridge to Spider Lake, on the condition that $2,500,000 of the amount made available to carry out this item may be made available to the Bureau of Reclamation for use for the Swift Current Creek and Boulder Creek bank and bed stabilization project in the Lower St. Mary Lake drainage'';

(20) in item number 329 by inserting '', Tulsa'' after ''technology'';

(21) in item number 358 by striking ''fuel-celled'' and inserting ''fueled'';

(22) in item number 374 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border''; and

(23) in item number 402 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George''.

**SEC. 111. I–95/CONTEE ROAD INTERCHANGE DESIGN.**

Section 1961 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1518) is amended—

(1) in the section heading by striking ''**STUDY**'' and inserting ''**DESIGN**'';

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DESIGN.—The Secretary shall make available the funds authorized to be appropriated by this section for the design of the I–95/Contee Road interchange in Prince George's County, Maryland.'';

(3) by redesignating subsection (d) as subsection (b); and

(4) in subsection (b)(1) (as so redesignated) by striking ''2006'' and inserting ''2007''.

**SEC. 112. HIGHWAY RESEARCH FUNDING.**

(a) F–SHRP FUNDING.—Notwithstanding any other provision of law, for each of fiscal years 2007 through 2009, at any time at which an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, or the highway safety improvement program, the Secretary of Transportation shall—

(1) deduct from each apportionment an amount not to exceed 0.205 percent of the apportionment; and

(2) transfer or otherwise make that amount available to carry out section 510 of title 23, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) FUNDING.—Section 5101 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779) is amended—

(A) in subsection (a)(1) by striking ''509, and 510'' and inserting ''and 509'';

(B) in subsection (a)(4) by striking ''$69,700,000'' and all that follows through ''2009'' and inserting ''$40,400,000 for fiscal year 2005, $69,700,000 for fiscal year 2006, $76,400,000 for each of fiscal years 2007 and 2008, and $78,900,000 for fiscal year 2009''; and

(C) in subsection (b) by inserting after ''50 percent'' the following ''or, in the case of funds appropriated by subsection (a) to carry out section 5201, 5202, or 5203 of this Act, 80 percent''.

(2) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 5210 of such Act (119 Stat. 1804) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CONTRACT AUTHORITY.—Funds made available under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share shall be determined under section 510(f) of that title.

(d) APPLICABILITY OF OBLIGATION LIMITATION.—Funds made available under this section shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs under section 1102 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 104 note; 119 Stat. 1157) or any other Act.

(e) EQUITY BONUS FORMULA.—Notwithstanding any other provision of law, in allocating funds for the equity bonus program under section 105 of title 23, United States Code, for each of fiscal years 2007 through 2009, the Secretary of Transportation shall make the required calculations under that section as if this section had not been enacted.

(f) FUNDING FOR RESEARCH ACTIVITIES.—Of the amount made available by section 5101(a)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779)—

(1) at least $1,000,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(h) of title 23, United States Code; and

(2) at least $4,900,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(i) of that title.

(g) TECHNICAL AMENDMENTS.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 502 of title 23, United States Code, is amended by striking the first subsection (h), relating to infrastructure investment needs reports beginning with the report for January 31, 1999.

(2) ADVANCED TRAVEL FORECASTING PROCEDURES PROGRAM.—Section 5512(a)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1829) is amended by striking ''PROGRAM APPRECIATION.—'' and inserting ''PROGRAM APPLICATION.—''.

(3) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506 of title 49, United States Code, is amended—

(A) in subsection (c)(2)(B) by striking ''tier'' and inserting ''Tier'';

(B) in subsection (i)—

(i) by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(ii) by adding at the end the following:

''(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.''; and

(C) in subsection (k)(3) by striking ''The Secretary'' and all that follows through ''to carry out this section'' and inserting ''For each of fiscal years 2007 through 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section''.

**SEC. 113. RESCISSION.**

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (as amended by section 1302 of the Pension Protection Act of 2006 (Public Law 109–280)) (119 Stat. 1937; 120 Stat. 780) is amended by striking ''$8,593,000,000'' each place it appears and inserting ''$8,710,000,000''.

**SEC. 114. TEA–21 TECHNICAL CORRECTIONS.**

(a) SURFACE TRANSPORTATION PROGRAM.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by striking ''2003'' and inserting ''2009''.

(b) PROJECT AUTHORIZATIONS.—The table contained in section 1602 of such Act (112 Stat. 257) is amended—

(1) in item number 1096 (as amended by section 1703(a)(11) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1454)) by inserting '', and planning and construction to Heisley Road,'' before ''in Mentor, Ohio'';

(2) in item number 1646 by striking ''and construction'' and inserting ''construction, reconstruction, resurfacing, restoration, rehabilitation, and repaving''; and

(3) in item number 614 by inserting ''and for NJ Carteret, NJ Ferry Service Terminal'' after ''east''.

**SEC. 115. HIGH PRIORITY CORRIDOR AND INNOVATIVE PROJECT TECHNICAL CORRECTIONS.**

(a) HIGH PRIORITY CORRIDORS.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1212) is amended—

(1) in paragraph (63) by striking ''and United States Routes 1, 3, 9, 17, and 46,'' and inserting ''United States Routes 1, 9, and 46, and State Routes 3 and 17,''; and

(2) in paragraph (64)—

(A) by striking ''United States Route 42'' and inserting ''State Route 42''; and

(B) by striking ''Interstate Route 676'' and inserting ''Interstate Routes 76 and 676''.

(b) INNOVATIVE PROJECTS.—Item number 89 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2052) is amended in the matter under the column with the heading ''INNOVATIVE PROJECTS'' by inserting ''and contiguous counties'' after ''Michigan''.

**SEC. 116. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.**

Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) receive—

''(i) a driver's license suspension for not less than 1 year; or

''(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;

''(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated, or both, by the individual;''.

**SEC. 117. RESEARCH TECHNICAL CORRECTION.**

Section 5506(e)(5)(C) of title 49, United States Code, is amended by striking ''$2,225,000''and inserting ''$2,250,000''.

**SEC. 118. BUY AMERICA WAIVER NOTIFICATION AND ANNUAL REPORTS.**

(a) WAIVER NOTIFICATION.—

(1) IN GENERAL.—If the Secretary of Transportation makes a finding under section 313(b) of title 23, United States Code, with respect to a project, the Secretary shall—

(A) publish in the Federal Register, before the date on which such finding takes effect, a detailed written justification as to the reasons that such finding is needed; and

(B) provide notice of such finding and an opportunity for public comment on such finding for a period of not to exceed 60 days.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require the effective date of a finding referred to in paragraph (1) to be delayed until after the close of the public comment period referred to in paragraph (1)(B).

(b) ANNUAL REPORTS.—Not later than February 1 of each year beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the projects for which the Secretary made findings under section 313(b) of title 23, United States Code, during the preceding calendar year and the justifications for such findings.

**SEC. 119. EFFICIENT USE OF EXISTING HIGHWAY CAPACITY.**

(a) STUDY.—The Secretary of Transportation shall conduct a study on the impacts of converting left and right highway safety shoulders to travel lanes.

(b) CONTENTS.—In conducting the study, the Secretary shall—

(1) analyze instances in which safety shoulders are used for general purpose vehicle traffic, high occupancy vehicles, and public transportation vehicles;

(2) analyze instances in which safety shoulders are not part of the roadway design;

(3) evaluate whether or not conversion of safety shoulders or the lack of a safety shoulder in the original roadway design has a significant impact on the number of accidents or has any other impact on highway safety; and

(4) compile relevant statistics.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

**SEC. 120. FUTURE INTERSTATE DESIGNATION.**

(a) IN GENERAL.—Subject to subsection (b), the Secretary of Transportation shall designate, as a future Interstate Route 69 Spur, the Audubon Parkway and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky. Any segment of such routes shall become part of the Interstate System (as defined in section 101 of title 23, United States Code) at such time as the Secretary determines that the segment—

(1) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

(2) connects to an existing Interstate System segment.

(b) SIGNS.—Section 103(c)(4)(B)(iv) of title 23, United States Code, shall apply to the designations under subsection (a); except that a State may install signs on the 2 parkways that are to be designated under subsection (a) indicating the approximate location of each of the future Interstate System highways.

(c) REMOVAL OF DESIGNATION.—The Secretary shall remove designation of a highway referred to in subsection (a) as a future Interstate System route if the Secretary, as of the last day of the 25-year period beginning on the date of enactment of this Act, has not made the determinations under paragraphs (1) and (2) of subsection (a) with respect to such highway.

**SEC. 121. EMERGENCY RELIEF.**

Section 1112 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1171) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''There''; and

(2) by adding at the end the following:

''(b) CALIFORNIA.—Notwithstanding any provision of chapter 1 of title 23, United States Code, the Secretary may use funds authorized to carry out the emergency relief program under section 125 of such title to reimburse the California State department of transportation for actual and necessary costs of maintenance and operation, less the amount of fares earned, for additional public transportation services and traveler information services which were provided by such department of transportation as a temporary substitute for highway traffic service following the freeway collapse at the interchange connecting Interstate Routes 80, 580, and 880 near the San Francisco-Oakland Bay Bridge, on April 29, 2007, until the reopening of that facility on June 29, 2007. The Federal share of the cost of activities reimbursed under this subsection shall be 100 percent.''.

**SEC. 122. PROJECT FLEXIBILITY.**

Section 1935(b)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1510) is amended by inserting ''project numbered 1322 and the'' after ''the''.

**SEC. 123. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTION.—

(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 101(g), 103, 105, 110, and 201(o)) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall—

(A) take effect as of the date of enactment of that Act; and

(B) be treated as being included in that Act as of that date.

(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act) that is amended by this Act (other than sections 101(g), 103, 105, 110, and 201(o)) shall be treated as not being enacted.

**TITLE II—TRANSIT PROVISIONS**

**SEC. 201. TRANSIT TECHNICAL CORRECTIONS.**

(a) SECTION 5302.—Section 5302(a)(10) of title 49, United States Code, is amended by striking ''charter,'' and inserting ''charter, sightseeing,''.

(b) SECTION 5303.—

(1) Section 5303(f)(3)(C)(ii) of such title is amended by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this chapter and title 23, prior to any allocation under section 202 of this title and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.''.

(2) Section 5303(j)(3)(D) of such title is amended—

(A) by inserting ''or the identified phase'' before ''within the time''; and

(B) by inserting ''or the identified phase'' before the period at the end.

(3) Section 5303(k)(2) of such title is amended by striking ''a metropolitan planning area serving''.

(c) SECTION 5307.—Section 5307(b) of such title is amended—

(1) in the heading for paragraph (2) by striking ''2007'' and inserting ''2009'';

(2) in paragraph (2)(A)—

(A) by striking ''2007'' and inserting ''2009''; and

(B) by striking ''mass'' and inserting ''public'';

(3) by adding at the end of paragraph (2) the following:

''(E) MAXIMUM AMOUNTS IN FISCAL YEARS 2008 AND 2009.—In fiscal years 2008 and 2009—

''(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than 50 percent of the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

''(ii) amounts made available to any urbanized area under subparagraph (A)(iii) shall be not more than 50 percent of the amount apportioned to the urbanized area under this section for fiscal year 2003; and

''(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to receive funds under subparagraph (A)(iv), shall receive an amount of funds to carry out this section that is not less than 50 percent of the amount the portion of the area received under section 5311 in fiscal year 2002.''; and

(4) in paragraph (3) by striking ''section 5305(a)'' and inserting ''section 5303(k)''.

(d) SECTION 5309.—Section 5309 of such title is amended—

(1) in subsection (d)(5)(B) by striking ''regulation.'' and inserting ''this subsection and shall give comparable, but not necessarily equal, numerical weight to each project justification criteria in calculating the overall project rating.'';

(2) in subsection (e)(6)(B) by striking ''subsection.'' and inserting ''subsection and shall give comparable, but not necessarily equal,

numerical weight to each project justification criteria in calculating the overall project rating.'';

(3) in the heading for paragraph (2)(A) of subsection (m) by striking ''MAJOR CAPITAL'' and inserting ''CAPITAL''; and

(4) in subsection (m)(7)(B) by striking ''section 3039'' and inserting ''section 3045''.

(e) SECTION 5311.—Section 5311 of such title is amended—

(1) in subsection (g)(1)(A) by striking ''for any purpose other than operating assistance'' and inserting ''for a capital project or project administrative expenses'';

(2) in subsections (g)(1)(A) and (g)(1)(B) by striking ''capital'' after ''net''; and

(3) in subsection (i)(1) by striking ''Sections 5323(a)(1)(D) and 5333(b) of this title apply'' and inserting ''Section 5333(b) applies''.

(f) SECTION 5312.—The heading for section 5312(c) of such title is amended by striking ''MASS TRANSPORTATION'' and inserting ''PUBLIC TRANSPORTATION''.

(g) SECTION 5314.—Section 5314(a)(3) is amended by striking ''section 5323(a)(1)(D)'' and inserting ''section 5333(b)''.

(h) SECTION 5319.—Section 5319 of such title is amended by striking ''section 5307(k)'' and inserting ''section 5307(d)(1)(K)''.

(i) SECTION 5320.—Section 5320 of such title is amended—

(1) in subsection (a)(1)(A) by striking ''intra—agency'' and inserting ''intraagency'';

(2) in subsection (b)(5)(A) by striking ''5302(a)(1)(A)'' and inserting ''5302(a)(1)'';

(3) in subsection (d)(1) by inserting ''to administer this section and'' after ''5338(b)(2)(J)'';

(4) by adding at the end of subsection (d) the following:

''(4) TRANSFERS TO LAND MANAGEMENT AGENCIES.—The Secretary may transfer amounts available under paragraph (1) to the appropriate Federal land management agency to pay necessary costs of the agency for such activities described in paragraph (1) in connection with activities being carried out under this section.'';

(5) in subsection (k)(3) by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)'';

(6) by redesignating subsections (a) through (m) as subsections (b) through (n), respectively; and

(7) by inserting before subsection (b) (as so redesignated) the following:

''(a) PROGRAM NAME.—The program authorized by this section shall be known as the Paul S. Sarbanes Transit in Parks Program.''.

(j) SECTION 5323.—Section 5323(n) of such title is amended by striking ''section 5336(e)(2)'' and inserting ''section 5336(d)(2)''.

(k) SECTION 5325.—Section 5325(b) of such title is amended—

(1) in paragraph (1) by inserting before the period at the end ''adopted before August 10, 2005'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(l) SECTION 5336.—

(1) APPORTIONMENTS OF FORMULA GRANTS.—Section 5336 of such title is amended—

(A) in subsection (a) by striking ''Of the amount'' and all that follows before paragraph (1) and inserting ''Of the amount apportioned under subsection (i)(2) to carry out section 5307—'';

(B) in subsection (d)(1) by striking ''subsections (a) and (h)(2) of section 5338'' and inserting ''subsections (a)(1)(C)(vi) and (b)(2)(B) of section 5338''; and

(C) by redesignating subsection (c), as added by section 3034(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1628), as subsection (k).

(2) TECHNICAL AMENDMENTS.—Section 3034(d)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1629), is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(2)''.

(m) SECTION 5337.—Section 5337(a) of title 49, United States Code, is amended by striking ''for each of fiscal years 1998 through 2003'' and inserting ''for each of fiscal years 2005 through 2009''.

(n) SECTION 5338.—Section 5338(d)(1)(B) of such title is amended by striking ''section 5315(a)(16)'' and inserting ''section 5315(b)(2)(P)''.

(o) SAFETEA–LU.—

(1) SECTION 3011.—Section 3011(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1589) is amended by adding to the end the following:

''(5) Central Florida Commuter Rail Transit Project.''.

(2) SECTION 3037.—Section 3037(c) of such Act (119 Stat. 1636) is amended—

(A) in paragraph (3) by striking ''Phase II''; and

(B) by striking paragraph (10).

(3) SECTION 3040.—Section 3040(4) of such Act (119 Stat. 1639) is amended by striking ''$7,871,895,000'' and inserting ''$7,872,893,000''.

(4) SECTION 3043.—

(A) PORTLAND, OREGON.—Section 3043(b)(27) of such Act (119 Stat. 1642) is amended by inserting ''/Milwaukie'' after ''Mall''.

(B) LOS ANGELES.—

(i) PHASE 1.—Section 3043(b)(13) of such Act (119 Stat. 1642) is amended to read as follows:

''(13) Los Angeles—Exposition LRT (Phase 1).''.

(ii) PHASE 2.—Section 3043(c) of such Act (119 Stat. 1645) is amended by inserting after paragraph (104) the following:

''(104A) Los Angeles—Exposition LRT (Phase 2).''.

(C) SAN DIEGO.—Section 3043(c)(105) of such Act (119 Stat. 1645) is amended by striking ''LOSSAN Del Mar-San Diego—Rail Corridor Improvements'' and inserting ''LOSSAN Rail Corridor Improvements'' .

(D) SAN DIEGO.—Section 3043(c)(217) of such Act (119 Stat. 1648) is amended by striking ''San Diego'' and inserting ''San Diego Transit''.

(E) SACRAMENTO.—Section 3043(c)(204) of such Act (119 Stat. 647) is amended by striking ''Downtown''.

(F) BOSTON.—Section 3043(d)(6) of such Act (119 Stat. 1649) is amended to read as follows:

''(6) Boston-Silver Line Phase III, $20,000,000.''.

(G) PROJECT CONSTRUCTION GRANTS.—Section 3043(e) of such Act (119 Stat. 1651) is amended by adding at the end the following:

''(4) PROJECT CONSTRUCTION GRANTS.—Projects recommended by the Secretary for a project construction grant agreement under section 5309(e) of title 49, United States Code, or for funding under section 5309(m)(2)(A)(i) of such title during fiscal year 2008 and fiscal year 2009 are authorized for preliminary engineering, final design, and construction for fiscal years 2007 through 2009 upon the completion of the notification process for each such project under section 5309(g)(5).''.

(H) LOS ANGELES AND SAN GABRIEL VALLEY.—Section 3043 of such Act (119 Stat. 1640) is amended by adding at the end the following:

''(k) LOS ANGELES EXTENSION.—In evaluating the local share of the project authorized by subsection (c)(104A) in the new starts rating process, the Secretary shall give consideration to project elements of the project authorized by subsection (b)(13) advanced with 100 percent non-Federal funds.

''(l) SAN GABRIEL VALLEY—GOLD LINE FOOTHILL EXTENSION PHASE II.—In evaluating the local share of the San Gabriel Valley—Gold Line Foothill Extension Phase II project authorized by subsection (b)(33) in the new starts rating process, the Secretary shall give consideration to project elements of the San Gabriel Valley—Gold Line Foothill Extension Phase I project advanced with 100 percent non-Federal funds.''.

(5) SECTION 3044.—

(A) PROJECTS.—The table contained in section 3044(a) of such Act (119 Stat. 1652) is amended—

(i) in item 25—

(I) by striking ''$217,360'' and inserting ''$167,360''; and

(II) by striking ''$225,720'' and inserting ''$175,720'';

(ii) in item number 36 by striking the project description and inserting ''Los Angeles County Metropolitan Transportation Authority (LACMTA) for bus and bus-related facilities in the LACMTA's service area'';

(iii) in item number 71 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(iv) in item number 84 by striking the project description and inserting ''Improvements to the existing Sacramento Intermodal Facility (Sacramento Valley Station)'';

(v) in item number 94 by striking the project description and inserting ''Pacific Transit, WA Vehicle Replacement'';

(vi) in item number 120 by striking ''Dayton Airport Intermodal Rail Feasibility Study'' and inserting ''Greater Dayton Regional Transit Authority buses and bus facilities'';

(vii) in item number 152 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(viii) in item number 416 by striking ''Improve marine intermodal'' and inserting ''Improve marine dry-dock and'';

(ix) by adding at the end—

(I) in the project description column ''666. New York City, NY, rehabilitation of subway stations to include passenger access improvements including escalators or installation of infrastructure for security and surveillance purposes''; and

(II) in the FY08 column and the FY09 column by inserting ''$50,000'';

(x) in item number 457—

(I) by striking ''$65,000'' and inserting ''$0''; and

(II) by striking ''$67,500'' and inserting ''$0''; and

(xi) in item number 458—

(I) by striking ''$65,000'' and inserting ''$130,000'';

(II) by striking ''$67,500'' and inserting ''$135,000''; and

(xii) in item number 57 by striking the project description and inserting ''Wilmington, NC, maintenance, operations and administration, transfer facilities'';

(xiii) in item number 460 by striking the matters in the project description, FY08 column, and FY09 column and inserting ''460. Mid-Region Council of Governments, New Mexico, public transportation buses, bus-related equipment and facilities, and intermodal terminals in Albuquerque and Santa Fe'', ''$500,000'', and ''$500,000'', respectively.

(xiv) in item number 138 strike ''Design'' and insert ''Determine scope, engineering, design,'';

(xv) in item number 23 by striking ''Construct'' and inserting ''Design, engineering, right-of-way acquisition, and construction'';

(xvi) in item number 439 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xvii) in item number 453 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xviii) in item number 371 by striking the project description and inserting ''Regional Transportation Commission of Southern Nevada, Sunset Bus Maintenance Facility'';

(xix) in item number 487 by striking ''Central Arkansas Transit Authority Facility Upgrades'' and inserting ''Central Arkansas Transit Authority Bus Acquisition'';

(xx) in item number 491 by striking the project description and inserting ''Pace, IL, Cermak Road, Bus Rapid Transit, and related bus projects, and alternatives analysis'';

(xxi) in item number 512 by striking ''Corning, NY, Phase II Corning Preserve Transportation Enhancement Project'' and inserting ''Transportation Center Enhancements, Corning, NY'';

(xxii) in item number 534 by striking ''Community Buses'' and inserting ''Bus and Bus Facilities''; and

(xxiii) in item number 570 by striking ''Maine Department of Transportation-Acadia Intermodal Facility'' and inserting ''MaineDOT Acadia Intermodal Passenger and Maintenance Facility''.

(B) SPECIAL RULE.—Section 3044(c) of such Act (119 Stat. 1705) is amended—

(i) by inserting '', or other entity,'' after ''State or local governmental authority''; and

(ii) by striking ''projects numbered 258 and 347'' and inserting ''projects numbered 258, 347, and 411''; and

(iii) by striking the period at the end and inserting: '', and funds made available for fiscal year 2006 for the bus and bus-related facilities projects numbered 176 and 652 under subsection (a) shall remain available until September 30, 2009.''.

(6) SECTION 3046.—Section 3046(a)(7) of such Act (119 Stat. 1708) is amended—

(A) by striking ''hydrogen fuel cell vehicles'' and inserting ''hydrogen fueled vehicles'';

(B) by striking ''hydrogen fuel cell employee shuttle vans'' and inserting ''hydrogen fueled employee shuttle vans''; and

(C) by striking ''in Allentown, Pennsylvania'' and inserting ''to the DaVinci Center in Allentown, Pennsylvania''.

(7) SECTION 3050.—Section 3050(b) of such Act (119 Stat. 1713) is amended by inserting ''by negotiating the extension of the existing agreement between mile post 191.13 and mile post 185.1 to mile post 165.9 in Rhode Island'' before the period at the end.

(p) TRANSIT TUNNELS.—In carrying out section 5309(d)(3)(D) of title 49, United States Code, the Secretary of Transportation shall specifically analyze, evaluate, and consider—

(1) the congestion relief, improved mobility, and other benefits of transit tunnels in those projects which include a transit tunnel, and

(2) the associated ancillary and mitigation costs necessary to relieve congestion, improve mobility, and decrease air and noise pollution in those projects which do not include a transit tunnel, but where a transit tunnel was one of the alternatives analyzed.

(q) REPEAL OF PROHIBITION.—The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

(r) KNOXVILLE, TENNESSEE, PROPERTY ACQUISITION.—The acquisition of property for the city of Knoxville, Tennessee, for the Knoxville, Tennessee, Central Station project shall be deemed to qualify as an acquisition of land for protective purposes pursuant to section 622.101 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act. The Secretary of Transportation may allow the costs of such acquisition to be credited toward the non-Federal share for the project.

## TITLE III—OTHER SURFACE TRANSPORTATION PROVISIONS

### SEC. 301. TECHNICAL AMENDMENTS RELATING TO MOTOR CARRIER SAFETY.

(a) CONFORMING AMENDMENT RELATING TO HIGH-PRIORITY ACTIVITIES.—Section 31104(f) of title 49, United States Code, is amended by striking the designation and heading for paragraph (1) and by striking paragraph (2).

(b) NEW ENTRANT AUDITS.—

(1) CORRECTIONS OF REFERENCES.—Section 4107(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1720) is amended—

(A) by striking ''Section 31104'' and inserting ''Section 31144''; and

(B) in paragraph (1) by inserting ''(c)'' after ''the second subsection''.

(2) CONFORMING AMENDMENT.—Section 7112 of such Act (119 Stat. 1899) is amended by striking subsection (c).

(c) PROHIBITED TRANSPORTATION.—Section 4114(c)(1) of the such Act (119 Stat. 1726) is amended by striking ''the second subsection (c)'' and inserting ''(f)''.

(d) EFFECTIVE DATE RELATING TO MEDICAL EXAMINERS.—Section 4116(f) of such Act (119 Stat. 1728) is amended by striking ''amendment made by subsection (a)'' and inserting ''amendments made by subsections (a) and (b)''.

(e) ROADABILITY TECHNICAL CORRECTION.—Section 31151(a)(3)(E)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''section''.

(f) CORRECTION OF SUBSECTION REFERENCE.—Section 4121 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1734) is amended by striking ''31139(f)(5)'' and inserting ''31139(g)(5)''.

(g) CDL LEARNER'S PERMIT PROGRAM TECHNICAL CORRECTION.—Section 4122(2)(A) of such Act (119 Stat. 1734) is amended by striking ''license'' and inserting ''licenses''.

(h) CDL INFORMATION SYSTEM FUNDING REFERENCE.—Section 31309(f) of title 49, United States Code, is amended by striking ''31318'' and inserting ''31313''.

(i) CLARIFICATION OF REFERENCE.—Section 229(a)(1) of the Federal Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note; 119 Stat. 1743) is amended by inserting ''of title 49, United States Code,'' after ''31502''.

(j) REGISTRATION OF BROKERS.—Section 4142(c)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1747) is amended by inserting ''each place it appears'' before the semicolon.

(k) REDESIGNATION OF SECTION.—The second section 39 of chapter 2 of title 18, United States Code, relating to commercial motor vehicles required to stop for inspections, and the item relating to such section in the analysis for such chapter, are redesignated as section 40.

(l) OFFICE OF INTERMODALISM.—Section 5503 of title 49, United States Code, is amended—

(1) in subsection (f)(2) by striking ''Surface Transportation Safety Improvement Act of 2005'', and inserting ''Motor Carrier Safety Reauthorization Act of 2005''; and

(2) by redesignating the first subsection (h), relating to authorization of appropriations, as subsection (i) and moving it after the second subsection (h).

(m) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Section 13908 of title 49, United States Code, is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

''(e) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Fees collected under this section may be credited to the Department of Transportation appropriations account for purposes for which such fees are collected and shall be available for expenditure for such purposes until expended.''.

(n) COMMERCIAL MOTOR VEHICLE DEFINITION.—Section 14504a(a)(1)(B) of title 49, United States Code, is amended by striking ''a motor carrier required to make any filing or pay any fee to a State with respect to the motor carrier's authority or insurance related to operation within such State, the motor carrier'' and inserting ''determining the size of a motor carrier or motor private carrier's fleet in calculating the fee to be paid by a motor carrier or motor private carrier pursuant to subsection (f)(1), the motor carrier or motor private carrier''.

(o) CLARIFICATION OF UNREASONABLE BURDEN.—Section 14504a(c)(2) of title 49, United States Code, is amended by striking ''interstate'' the last place it appears and inserting ''intrastate''.

(p) CONTENTS OF AGREEMENT TYPO.—Section 14504a(f)(1)(A)(ii) of title 49, United States Code, is amended by striking ''or'' the last place it appears.

(q) OTHER UNIFIED CARRIER REGISTRATION SYSTEM TECHNICAL CORRECTIONS.—Section 14504a of title 49, United States Code, is amended—

(1) in subsection (c)(1)(B) by striking ''the a'' and inserting ''a'';

(2) in subsection (f)(1)(A)(i) by striking ''in connection with the filing of proof of financial responsibility''; and

(3) in subsection (f)(1)(A)(ii) by striking ''in connection with such a filing'' and inserting ''under the UCR agreement''.

(r) IDENTIFICATION OF VEHICLES.—Section 14506(b)(2) of title 49, United States Code, is amended by inserting before the semicolon at the end the following: ''or under an applicable State law if, on October 1, 2006, the State has a form of highway use taxation not subject to collection through the International Fuel Tax Agreement''.

(s) DRIVEAWAY SADDLEMOUNT VEHICLE.—

(1) DEFINITION.—Section 31111(a)(4) of title 49, United States Code, is amended—

(A) in the paragraph heading by striking ''DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT'' and inserting ''DRIVEAWAY SADDLEMOUNT'';

(B) by striking ''drive-away saddlemount with fullmount'' and inserting ''driveaway saddlemount''; and

(C) by inserting ''Such combination may include one fullmount.'' after the period at the end.

(2) IN GENERAL.—Section 31111(b)(1)(D) of such title is amended by striking ''a driveaway saddlemount with fullmount'' and inserting ''all driveaway saddlemount''.

### SEC. 302. TECHNICAL AMENDMENTS RELATING TO HAZARDOUS MATERIALS TRANSPORTATION.

(a) DEFINITION OF HAZMAT EMPLOYEES.—Section 7102(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1892) is amended—

(1) by striking ''(3)(A)'' and inserting ''(3)'';

(2) in subparagraph (A) by striking ''clause (i)'' and inserting ''clause (i) of subparagraph (A)''; and

(3) in subparagraph (B) by striking ''clause (ii)'' and inserting ''subparagraph (A)(ii)''.

(b) TECHNICAL CORRECTION.—Section 5103a(g)(1)(B)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''subsection''.

(c) PREEMPTION CORRECTION.—Section 5125 of title 49, United States Code, is amended—

(1) in subsection (d)(1) by striking ''5119(e)'' and inserting ''5119(f)'';

(2) in each of subsections (e) and (g) by striking ''5119(b)'' and inserting ''5119(f)''; and

(3) in subsection (g) by striking ''(b), (c)(1), or (d)'' and inserting ''(a), (b)(1), or (c)''.

(d) RELATIONSHIP TO OTHER LAWS.—Section 7124(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1908) is amended by inserting ''the first place it appears'' before ''and inserting''.

(e) REPORT.—Section 5121(h) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''exemptions'' and inserting ''special permits''; and

(2) in paragraph (3) by striking ''exemption'' and inserting ''special permit''.

(f) SECTION HEADING.—Section 5128 of title 49, United States Code, is amended by striking the section designation and heading and inserting the following:

**''§ 5128. Authorization of appropriations''.**

(g) CHAPTER ANALYSIS.—The analysis for chapter 57 of title 49, United States Code, is amended in the item relating to section 5701 by striking ''Transportation'' and inserting ''transportation''.

(h) NORMAN Y. MINETA RESEARCH AND SPECIAL PROGRAMS IMPROVEMENT ACT.—Section 5(b) of the Norman Y. Mineta Research and Special Programs Improvement Act (49 U.S.C. 108 note; 118 Stat. 2427) is amended by inserting ''(including delegations by the Secretary of Transportation)'' after ''All orders''.

(i) SHIPPING PAPERS.—Section 5110(d)(1) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''SHIPPERS'' and inserting ''OFFERORS''; and

(2) by striking ''shipper's'' and inserting ''offeror's''.

(j) NTSB RECOMMENDATIONS.—Section 19(1) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (49 U.S.C. 60102 note; 120 Stat. 3498) is amended by striking ''165'' and inserting ''1165''.

**SEC. 303. HIGHWAY SAFETY.**

(a) STATE MINIMUM APPORTIONMENTS FOR HIGHWAY SAFETY PROGRAMS.—Effective October 1, 2007, section 402(c) of the title 23, United States Code, is amended by striking ''The annual apportionment to each State shall not be less than one-half of 1 per centum'' and inserting ''The annual apportionment to each State shall not be less than three-quarters of 1 percent''.

(b) CONSOLIDATION OF GRANT APPLICATIONS.—Section 402(m) of title 23, United States Code, is amended in the first sentence—

(1) by striking ''through'' and inserting ''for which''; and

(2) by inserting ''is appropriate'' before the period at the end.

(c) TECHNICAL CORRECTIONS.—

(1) Section 2002(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1521) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as (2) and (3), respectively.

(2) Section 2007(b)(1) of such Act (119 Stat. 1529) is amended—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A);

(B) by striking ''and'' at the end of subparagraph (B); and

(C) by striking subparagraph (C).

(3) Effective August 10, 2005, section 410(c)(7)(B) of title 23, United States Code, is amended by striking ''clause (i)'' and inserting ''clauses (i) and (ii)''.

(4) Section 411 of title 23, United States Code, is amended by redesignating the second subsection (c), relating to administration expenses, and subsection (d) as subsections (d) and (e), respectively.

**TITLE IV—MISCELLANEOUS PROVISIONS**

**SEC. 401. INSTALLATION OF PHOTOVOLTAIC SYSTEM AT DEPARTMENT OF ENERGY HEADQUARTERS BUILDING.**

(a) IN GENERAL.—The Administrator of General Services shall install a photovoltaic system, as set forth in the Sun Wall Design Project, for the headquarters building of the Department of Energy located at 1000 Independence Avenue, Southwest, Washington, D.C., commonly known as the Forrestal Building.

(b) FUNDING.—There shall be available from the Federal Buildings Fund established by section 592 of title 40, United States Code, $30,000,000 to carry out this section. Such sums shall be derived from the unobligated balance of amounts made available from the Fund for fiscal year 2007, and prior fiscal years, for repairs and alterations and other activities (excluding amounts made available for the energy program). Such sums shall remain available until expended.

(c) OBLIGATION OF FUNDS.—None of the funds made available pursuant to subsection (b) may be obligated prior to September 30, 2007.

**SEC. 402. CONVEYANCE OF GSA FLEET MANAGEMENT CENTER TO ALASKA RAILROAD CORPORATION.**

(a) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services shall convey, not later than 2 years after the date of enactment of this Act, by quitclaim deed, to the Alaska Railroad Corporation, an entity of the State of Alaska (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to the parcel of real property described in subsection (b), known as the GSA Fleet Management Center.

(b) GSA FLEET MANAGEMENT CENTER.—The parcel to be conveyed under subsection (a) is the parcel located at the intersection of 2nd Avenue and Christensen Avenue in Anchorage, Alaska, consisting of approximately 78,000 square feet of land and the improvements thereon.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the parcel to be conveyed under subsection (a), the Administrator shall require the Corporation to—

(A) convey replacement property in accordance with paragraph (2); or

(B) pay the purchase price for the parcel in accordance with paragraph (3).

(2) REPLACEMENT PROPERTY.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(A), the Corporation shall—

(A) convey, and pay the cost of conveying, to the United States, acting by and through the Administrator, fee simple title to real property, including a building, that the Administrator determines to be suitable as a replacement facility for the parcel to be conveyed under subsection (a); and

(B) provide such other consideration as the Administrator and the Corporation may agree, including payment of the costs of relocating the occupants vacating the parcel to be conveyed under subsection (a).

(3) PURCHASE PRICE.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(B), the Corporation shall pay to the Administrator the fair market value of the parcel to be conveyed under subsection (a) based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Corporation.

(d) APPRAISAL.—In the case of an appraisal under subsection (c)(3)—

(1) the appraisal shall be performed by an appraiser mutually acceptable to the Administrator and the Corporation; and

(2) the assumptions, scope of work, and other terms and conditions related to the appraisal assignment shall be mutually acceptable to the Administrator and the Corporation.

(e) PROCEEDS.—

(1) DEPOSIT.—Any proceeds received under subsection (c) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) EXPENDITURE.—Funds paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator; except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions to the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

(g) DESCRIPTION OF PROPERTY AND SURVEY.—The exact acreage and legal description of the parcels to be conveyed under subsections (a) and (c)(2) shall be determined by surveys satisfactory to the Administrator and the Corporation.

**SEC. 403. CONVEYANCE OF RETAINED INTEREST IN ST. JOSEPH MEMORIAL HALL.**

(a) IN GENERAL.—Subject to the terms and conditions of subsection (c), the Administrator of General Services shall convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

(b) ST. JOSEPH MEMORIAL HALL DEFINED.—In this section, the term ''St. Joseph Memorial Hall'' means the property subject to a conveyance from the Secretary of Commerce to the city of St. Joseph, Michigan, by quitclaim deed dated May 9, 1936, recorded in Liber 310, at page 404, in the Register of Deeds for Berrien County, Michigan.

(c) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be subject to the following terms and conditions:

(1) CONSIDERATION.—As consideration for the conveyance under subsection (a), the city of St. Joseph, Michigan, shall pay $10,000 to the United States.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions for the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

**TITLE V—OTHER PROVISIONS**

**SEC. 501. DE SOTO COUNTY, MISSISSIPPI.**

Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 114 Stat. 2763A–220; 119 Stat. 282; 119 Stat. 2257) is amended by striking ''$55,000,000'' and inserting ''$75,000,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and to include extraneous and tabular material.

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

There was no objection.

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

Mr. Speaker, this bill is one that has not only bipartisan but bicameral agreement among all the committees of jurisdiction over the Nation's highways, highway safety and public transportation programs. Our Committee on Transportation and Infrastructure, the Senate Committees on Environment and Public Works, Banking and Housing and Urban Affairs and Commerce, Science and Transportation, all of us met, discussed, agreed on these technical corrections.

In fact, in the last Congress, we were so much in agreement that we passed this bill five times in the House. They passed it a couple of times in the other body. But somehow it just never got to the point of being sent to the President.

We took it up again this year. We were going to include it in the Water Resources Development Act, but at the last moment, technical glitches arose in the other body.

So we are taking it up separately in this body in order to pass it and send it over to the other body. Hopefully, they will be able to act on it before the end of the week and send it to the President for the President's signature.

There are over 400 technical corrections, really, truly technical in nature, waiting for 2 years to be adjusted and to be enacted. Tonight we can do that.

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

Mr. MICA. Mr. Speaker, first of all, I would like to thank Chairman OBERSTAR, Ranking Member DUNCAN, Mr. DEFAZIO, who is the chairman of the Highways and Transit Subcommittee, everyone, including staff, for their work on this important technical corrections bill.

I am pleased to rise tonight and voice my support for H.R. 3248 and encourage my colleagues to do the same. This, in fact, is the fourth time we have brought this bill to the floor in the past 18 months. It is imperative that we pass this measure and for the Senate to follow our lead and pass it as well. I think we have a pretty good agreement with the Senate to do just that.

Once the President signs this legislation, SAFETEA-LU, which is the major transportation and highway transit funding bill that we passed less than 2 years ago, all the provisions of that will finally be able to accomplish what Congress set out to do. There are many minor errors, and that was a pretty massive bill, and there are some minor changes in policy, tweaks in policy and in Member projects in the SAFETEA-LU bill that we passed that need this technical correction.

We have heard from the Department of Transportation and also several State DOTs regarding fixes to different programs and also high-priority projects. I believe this bill tonight addresses most of the issues that have been brought to the attention of our committee.

This bill also makes critical corrections to the Federal Highway Research Program to ensure that the department can continue essential research programs, including the Future Strategic Highway Research Program and the University Transportation Center Research Program.

The bill also extends the deadline for the National Surface Transportation and Policy and Review Study Commission and corrects several drafting errors regarding the Magnetic Levitation Transportation Deployment Program. Extending the deadline on the National Transportation Surface Policy and Review Study Commission is very important, particularly as we take on in 2009 the important responsibility of putting in place another bill that will replace SAFETEA-LU to set our policy and projects and transportation priorities for the future.

So, it is important to note that this bill does not make any substantial policy changes to the SAFETEA-LU bill, but, again, it deals with technical corrections. Again, this bill corrects provisions that were not workable by the States or by the Department of Transportation. They have relayed their concerns and we have addressed them in this bill.

It also is important to note that the Congressional Budget Office has scored this bill and estimates that, over the 2007–2012 period, this bill will reduce contract authority by $1 million and will increase receipts by less than $500,000.

There is one purely technical correction that is not included in this package. SAFETEA-LU inadvertently changes certain regulations for trucks with a gross vehicle weight of less than 10,000 pounds. When Congress passed SAFETEA-LU, this change was not a policy change that Congress knew about or intended to make. If Congress wanted to make this change, we would have debated and discussed it. Rather, this was something we were not aware of, and this change has had, in effect, very serious unintended consequences, especially for our small businesses.

I had hoped to fix this problem with a technical fix. However, some groups who have benefited from this error have, unfortunately, prevented us from doing so tonight and in this legislation. It is unfortunate a policy change that no Member anticipated and voted on will not be corrected in this legislation tonight.

Despite this particular shortcoming and oversight, again, I am pleased to have worked with Chairman OBERSTAR, Ranking Member DUNCAN in revitalizing this very necessary technical corrections bill, and I hope my colleagues will join me in supporting the bill tonight.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 1 minute to observe a very tragic occurrence that happened just 2 hours ago in Minneapolis.

The bridge on Interstate 35 over the Mississippi River near the University of Minnesota collapsed just 2 hours ago, dropping at least eight cars and a truck in the water. A school bus that had just barely missed crashing into the water was damaged, and students on board were bloodied and injured.

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The crumbled wreckage of the bridge is on the east bank and in the water. The concrete roadway is in the river gorge. It is a 40-year-old bridge, and it is a tragic occurrence, and I make that observation during the midst of technical corrections as an indication of how vitally important it is for us to continue our vigilance on the integrity and condition of the Nation's roadways.

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

Mr. MICA. Mr. Speaker, at this time, I am very pleased to yield 3 minutes to one of the most distinguished Members of the House, a former Speaker of the House of Representatives, the gentleman from Illinois (Mr. HASTERT).

Mr. HASTERT. Mr. Speaker, I thank the ranking member, and I would like to ask the chairman of the Committee on Transportation and Infrastructure if he would enter into a colloquy with me.

Mr. OBERSTAR. Of course.

Mr. HASTERT. Mr. Chairman, I have been informed by the Illinois Department of Transportation that there may be some confusion regarding the intent of one of the Illinois projects included in SAFETEA–LU. Funding provided for project number 12 in section 1302(e) of SAFETEA–LU was intended to be for the construction of Route 34 in Illinois, including interchanges and other improvements.

The Federal Highway Administration has told the Illinois Department of Transportation that the language currently in SAFETEA–LU may restrict the scope of the project to only funding interchange improvements, when the intent of the language was also to fund other improvements along the Route 34 corridor.

As a result, I would like to clarify the intent of the language and work with the chairman and the ranking member to make sure that the language interpreted by the FHWA is done correctly in this manner.

Mr. OBERSTAR. Mr. Speaker, if the gentleman would yield.

Mr. HASTERT. I would be happy to yield.

Mr. OBERSTAR. Mr. Speaker, I recall very well when crafting SAFETEA–LU, the project that the gentleman has raised, it was never the

intention of the committee nor the intention of the language to restrict the scope of the project only to the interchange when it is clear from the thrust of the project that it was intended to cover other improvements along the Route 34 corridor.

Along with Mr. MICA, I will work with the Speaker to make adjustments. It is a little late for us to get it into this bill. If we had known about it sufficiently in advance, we certainly could have made an adjustment. But there will be other vehicles where we will be able to accomplish that, and we will work with the gentleman.

Mr. HASTERT. Once again, I thank you and look forward to working with you and Mr. MICA on this matter.

Mr. MICA. Mr. Speaker, I yield myself 30 seconds.

I want to reiterate for the RECORD that the issue that former Speaker HASTERT has brought before the floor, it is my understanding that we did not intend to restrict the scope of the project to only funding for interchange improvements, and the intent of the language was to also fund the other improvements on Route 34, and we will work with the gentleman from Illinois to make certain that point is clarified.

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

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), the chairman of the Surface Transportation Subcommittee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding.

It was just about 2 years ago this month that we were struggling with the final details of the SAFETEA–LU legislation, in my opinion the signature legislation of the last Congress, bipartisan legislation, to improve the transportation efficiency of the United States of America, investing nearly $300 billion.

But, as good as the bill was, there were technical problems, and we are correcting those here; and, as good as that bill was, we must do better in the future.

As chairman of the subcommittee, I have already begun hearings looking toward the reauthorization which we would hope to have accomplished by the expiration of this legislation, October 1, 2009. We hope not to go through multiple continuations and extensions as we did in the last Congress.

We also need to find new resources to better address the infrastructure needs of our country. The Bush administration's own Department of Transportation estimated before the consideration of the last bill that we needed $375 billion, not $283 billion, just to keep up with the deterioration and the growth needs of the country, as pointed out by the gentleman from Minnesota.

We need to deal with congestion to improve American's lives, to become more fuel efficient, and to deal with just-in-time delivery for our businesses, to become a better competitor in the international community. Other nations are investing much more. We must do better. This is an interim step as we correct the bill from the last Congress, and I look forward to working with both sides of the aisle as we develop the next bill for 2009.

Mr. MICA. Mr. Speaker, I am delighted to yield at this time to the gentleman from Tennessee (Mr. DUNCAN). And, actually, he is our ranking member of the Highway Subcommittee and has done an incredible job on this and also leading the Highway Subcommittee and former chairman of Water Resources and former chairman of Aviation, and he should have handled this bill, but I am delighted to yield 3 minutes to Mr. DUNCAN.

Mr. DUNCAN. Mr. Speaker, I thank my good friend from Florida, the ranking member, for yielding me this time; and I thank him for giving me the privilege of serving as the ranking member of the Highway and Transit Subcommittee. It is a pleasure to work with him and Chairman OBERSTAR and with my good friend, Chairman PETER DEFAZIO, on the Highway and Transit Subcommittee.

Mr. Speaker, H.R. 3248 make technical corrections to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, or what we typically call SAFETEA–LU.

This is the fourth time we have worked to finalize these technical corrections to SAFETEA–LU. During the 109th Congress, the House passed H.R. 5689, a bill to make technical corrections to SAFETEA–LU in June, 2006. During the summer and fall of 2006, we worked with the Senate to create the bipartisan H.R. 6233, which was a very similar product to the bill that we passed at the beginning of this Congress. Now we are trying again; and hopefully this bill, H.R. 3248, will go to the President for his signature of this very necessary bill.

As my colleagues have said, this bill makes numerous technical corrections to the Federal Surface Transportation Programs authorized by SAFETEA–LU. The technical corrections included in this bill have been identified by the Department of Transportation and State DOTs and are mostly of a conforming nature or to correct drafting errors.

The most important correction we are making is to strengthen the Federal Highway Research Program by ensuring the continuation of the legacy research programs carried out by the Department of Transportation. This research hopefully will lead to not only safer highways but also less congestion, which is very, very important to this Nation, that we work on that.

The largest section of this bill is section 105, which makes changes to almost 350 of the high-priority projects in section 1702 of SAFETEA–LU. These changes address ''broken'' surface transportation projects, clarifying recipients and increasing certain project funding levels and decreasing others to achieve budget neutrality.

I especially appreciate the fact that Chairman OBERSTAR and Ranking Member MICA have allowed me to put in language that will allow the city of Knoxville to go forward with a very important transit center project; and, also, I am very pleased that we are rearranging some funding so that the very small town of Calhoun, Tennessee, in my district, can pave some roads. This is very, very important to them. So often we leave out the small towns in rural areas or they don't get nearly as much attention and funding as the big cities do.

This is a very good bill, and I urge the support of all of my colleagues. I think it is one that will pass with total bipartisan support.

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

Mr. MICA. Mr. Speaker, I do have one additional speaker, Mr. MCHENRY, from Spruce Pine and Hickory and other wonderful locations in the great State of North Carolina; and I yield him 3 minutes.

Mr. MCHENRY. Mr. Speaker, I thank the ranking member for yielding me this time.

The trial lawyers have an uncanny way of making their living. Although the title of this legislation is a technical corrections bill, one glaring technical correction that needs to be made is left out.

As the ranking member said earlier tonight, the original SAFETEA–LU bill amended the definition of a commercial motor vehicle to exclude vehicles 10,000 pounds and less. The Department of Transportation had never issued regulations of this type of vehicle, which is essentially a small van or something smaller. It seemed to clear up the books and just make sense when it was done at the time. All too often what seems to be a simple idea ends up having much more significant consequences.

What was considered a cleaning up of the books turned out to be a dramatic shift in labor law. The Fair Labor Standards Act exempts drivers of vehicles that can be regulated by the Secretary of Transportation. The definitional change of a commercial vehicle unwittingly brought a whole new class of employee under that act.

In writing the provision, neither Congress nor the administration intended to fundamentally alter our national labor policies, but that is exactly what happened.

What are the consequences? As I said, the trial lawyers have an uncanny ability to find sources to make money off of. Companies across the country that believed that their business model was and is perfectly legal because it had been may get a knock on the door from their friendly neighborhood trial lawyer informing them that they are now liable for overtime wages dating back to August 15, 2005, when SAFETEA–LU was signed into law.

Congress didn't know what they had done. The administration didn't know

they had done this. How can we expect a small delivery service or some satellite dish installer or plumber to know that their business model is no longer viable?

No one will argue that people aren't entitled to a fair and equitable, appropriate wage, but if we are going to significantly alter national labor law, we should have a full and open debate and we should do it intentionally, not by accident and not by trial lawyers. I think that is the one glaring omission from this act. If we would fix that, we would have a number of employers from around this country who would be safe from more trial lawyer, frivolous lawsuits.

Shouldn't we ensure that companies are held liable? Sure, but we should do it as a Congress in a knowing way, a way that is befitting of this body, not by accident. We should not make them pay for our Congress' mistakes.

Mr. MICA. Mr. Speaker, I have no further speakers. I was hoping the gentleman from Arkansas (Mr. BOOZMAN) would make it to the floor. We took this bill out of the order we anticipated it coming up in, and the gentleman from Arkansas would have been recognized.

Again, I thank Mr. OBERSTAR working with our side of the aisle; Mr. DUNCAN, my ranking member; the lead Republican on the Highway Subcommittee, Mr. DEFAZIO; and all of the staff on both sides. They worked real hard on this and over some weekends.

We had originally planned to tack this onto the WRDA bill, but that was not meant to be. Actually, that might work out quite well because this might become law before WRDA, given the comments I have gotten from the White House on the WRDA legislation.

But I thank all those involved in making certain that the laws that we pass have the intent and the content and the necessary corrections.

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

Mr. OBERSTAR. Mr. Speaker, I listened thoughtfully to the comments of the gentleman from North Carolina. Those are issues that can be addressed in another time and another venue. We will most certainly address those matters in good order.

□ 2045

As I said at the outset, this is the seventh time the House has passed this technical corrections bill. We've been waiting patiently for the other body to join us in meaningful action on the bill, and so I know there's going to be a recorded vote. That's going to be reaffirmation of the strong stand the House has taken on these, and they truly are technical matters. We ought to just get them passed so that we can get over, so the States and the Federal Government agencies can get on with the work they need to undertake and that these adjustments to Members' projects can be made and be carried forward.

That's really what this is all about, and other matters that go beyond the scope of this current technical correction we will address in future legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I rise to clarify an ambiguity in a provision in the SAFETEA–LU Technical Corrections Act of 2007. Specifically, section 105(a)(99) of the bill refers to a project known as "Dowling Road Extension/Reconstruction West," which goes in a west-east direction from Minnesota Drive to Old Seward Highway in Anchorage, AK. Unfortunately, the provision could be read to mean that the project goes in a westerly direction from Minnesota Drive to Old Seward Highway, which would create a result that would be completely incompatible with the project since it would put the road in the middle of a lake and a bog. The word "west" as used in section 105(a)(99) is part of the name of the project, and is not intended to indicate the direction in which the project should be built.

Mr. OBERSTAR. Mr. Speaker, I yield back the balance of my time and ask for an "aye" vote on the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3248.

The question was taken.

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

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

The yeas and nays were ordered.

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

## CONFERENCE REPORT ON H.R. 1495, WATER RESOURCES DEVELOPMENT ACT OF 2007

Mr. OBERSTAR. Mr. Speaker, pursuant to the rule, I call up the conference report on the bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 597, the conference report is considered read.

(For conference report and statement, see proceedings of the House of July 31, 2007, at page H9058.)

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the conference report on H.R. 1495.

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

There was no objection.

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

At the very outset, I want to, on this historic day and historic occasion, express my great appreciation to the gentleman from Florida, the ranking member of the full committee, Mr. MICA, for the time that he has devoted and the close cooperation that we've enjoyed in crafting this legislation.

We reached an agreement at the very outset of this session that we would take up the work of the last 6, really 7 years on three previous Congresses on the Water Resources Development Act and limit action in this Congress to only those measures that were in the previous three Congresses and not take up new measures, not take up new initiatives by Members, not even adjusting the cost of previously approved projects on which cost escalation may have occurred, and limit the scope of the legislation to the work of three previous Congresses, and also to comply with the rules of the House in getting sign-offs from Members on both sides as the ethics rules require.

We crafted our sign-off sheet in advance of that done by any other committee in the House, got it approved by the Ethics Committee and by the Parliamentarian. We went through all these sign-off sheets, did everything according to the book, and in roughly 6 weeks from the beginning of the session, we were ready to go to the floor in March with the House version of the Water Resources Development Act.

Regrettably, it took quite some time thereafter for the other body, because of the difference in procedures and rules in their body from those in ours, for them to get to this point, but they eventually moved through committee and through the other body their version of WRDA.

We've concluded a conference, and I have to say, in 6 years, this is a very extraordinary, historic accomplishment, and I'm very grateful for the cooperation we've had and the participation every step of the way on the Republican side on this committee in the historic tradition of our committee, a very bipartisan approach.

I express great appreciation to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), Chair of the Subcommittee on Water Resources. She devoted an enormous amount of her time in working through all of the 900-plus projects that come to the floor in this conference report, the 600-plus projects that were in the original House bill; and to the gentleman from Louisiana (Mr. BAKER), who equally devoted an enormous amount of his time to the subject matter before us.

It's that kind of time and effort and consideration that brought us to the point where we have a bill that I expect will pass with an overwhelming vote.

I will make a further observation, and that is, for me, as I said at the

opening meeting of our committee on January 17, a very historic and nostalgic moment. I started in this body 44 years ago as clerk of the Subcommittee on Rivers and Harbors, and now I'm chairman of the full committee. That's not happened before in the House nor the other body, and I feel very privileged, very honored, very deeply moved to be here at this moment to see passage of this impressive legislation that will make significant changes in Corps policy and programs, review of Corps projects that will deal with the restoration of the wetlands in the gulf from Texas through Louisiana and Mississippi; restoration of the Everglades, one of the Nation's greatest water resource treasures; will deal with locks and dams on the Mississippi River to expedite passage of our agricultural commodities and international trade in which grain moves on as little as an eighth of a cent a bushel.

It now takes 820 hours round trip for a barge tow to move from Clinton, Iowa, to New Orleans, the world's most important grain export facility. We can take 60-plus hours of time off that transit and make our agriculture commodities more competitive in the international marketplace.

We can restore the efficiency of commerce on the Great Lakes by accelerating the dredging of the Great Lakes during this period of drought where we have harbor depths that are down 58 inches in Cleveland, 18 inches in St. Mary's Canal, 54 inches in Ashtebula Harbor, preventing the movement of iron ore to the steel mills, coal to the power plants at competitive prices. We're having to make two, three, four more voyages per vessel in the Great Lakes because the Corps has not been doing the dredging it needs to do. It will do that under the provisions of this legislation.

We address the issues of invasive species in the Great Lakes, and the east and the west coast and the gulf coast parts are now being invaded by species brought in from waters foreign to our lands. Mr. EHLERS, for whom I have a great admiration and respect, has been such a strong advocate.

There's much, much more in this legislation. We need not be exhaustive in discussing it. I just say I'm very grateful to all our colleagues on the committee for this very special moment, and especially to the committee staff on both sides who have worked so diligently. And in particular, I want to express my great admiration for Ryan Seiger, for he has steered the ship of state for us on this matter; John Anderson on the minority side who was has been diligent and forthright and helpful with his years of experience.

GREAT LAKES NAVIGATION

The conference report includes language to address the backlog of maintenance dredging needs in the Great Lakes and connecting channels, and ensure the long-term viability of the lakes for the movement of goods and services.

The Great Lakes region is home to 25 of the Nation's top 100 ports, when measured on the basis of tons of cargo, as well as many smaller and rural ports. Unfortunately, over the past few years, declining water levels in the lakes and a lack of adequate maintenance dredging has hindered the overall efficiency of the Great Lakes system, and has made the movement of goods through the Great Lakes more difficult, with ports throughout the lakes being between 18 and 84 inches below their authorized depths.

These shallow depths have caused three out of every four vessels loaded in the Great Lakes over the last 5 years to have been forced to ''light load'' to safely travel through the reduced depths of the Great Lakes and navigation channels. ''Light loading'' forces shippers to take on less cargo, and reduces the overall efficiencies and cost-savings related to the movement of goods by ship—increasing the overall cost of goods.

Section 5014(a) provides authority for the Corps of Engineers, ''Corps'', using available appropriations, to address these emergency dredging needs. The Corps should immediately begin work on addressing this dredging backlog, and restore the authorized depths for the Great Lakes and connecting channels to sustain commercial navigation throughout the lakes.

SECOND LOCK AT SAULT STE. MARIE, MI

The conference report also ensures that the Corps will finally build the second lock at Sault Ste. Marie, MI. The Soo locks are situated on the St. Marys River at Sault Ste. Marie, MI. The St. Marys River, a water bridge connecting Lake Superior with Lake Huron, is a critical link in the Great Lakes/St. Lawrence Seaway system.

Over 80 million tons of commercial commodities pass through the Soo lock annually. The primary commodity group is iron ore and taconite, comprising more than 50 percent of the total annual tonnage. The Corps estimates that the water route provided by the Soo locks reduces transportation costs by an average of more than $4.90 per ton based on fourth quarter 1998 cost levels. Based on 1998 tonnage, this represents an annual transportation cost savings to the Nation of approximately $420 million. Of the four U.S. locks, only the Poe lock is capable of handling vessels with beams in excess of 76 feet. Any disruption of service at the Poe lock would result in delays to the system's largest vessels and could cause serious disruption to the industries and companies that rely on the Poe-restricted vessels for shipment of raw materials, especially iron ore and coal.

In 1985, the Corps studied the construction of a replacement lock at the sites of the Davis and Sabin locks, and recommended a replacement lock at 1,200 feet by 110 feet. The project was authorized in the Water Resources Development Act of 1986, and reauthorized in the Water Resources Development Act of 1990.

The Water Resources Development Act of 2007 authorizes the construction of the second lock funded at Federal expense. The revised cost of the project, in accordance with the limited reevaluation report dated February 2004, is $341,714,000. Section 3091 provides the Corps sufficient authority to carry out this project at the authorized dimensions. The Corps should budget for this project in the administration's fiscal year 2009 budget request, and immediately proceed to construction of this project, without regard to administrative policy.

ST. LAWRENCE SEAWAY

Currently, two independent studies are close to completion on the infrastructure needs of the Great Lakes/St. Lawrence Seaway system, specifically the engineering, economic, and environmental implications of those needs as they pertain to the marine transportation infrastructure on which commercial navigation depends. Both of these studies have identified huge capital needs for restoration, operation, and maintenance of the seaway. According to the seaway, approximately $135 million in unmet operations, maintenance, repair, and rehabilitation of the existing Eisenhower and Snell lock related facilities and related navigational infrastructure is necessary to ensure the continued, long-term viability of the system. Over the past 50 years, since completion of the seaway, there is about $83 million in deferred maintenance costs that have left large portions of the infrastructure in poor condition and in immediate need of repair, replacement, or upgrading.

The conference report authorizes the Corps to assist the Saint Lawrence Seaway Development Corporation by carrying out projects to address the capital infrastructure and dredging maintenance needs of the seaway, either through appropriations of the Seaway Development Corporation or through the Harbor Maintenance Trust Fund. Funding for projects under this section should not come from the budget of the Corps.

PROGRAMMATIC CHANGES

The conference agreement includes important programmatic changes that address concerns with the existing Corps' study, design, review, and mitigation processes.

*Independent peer review*

The Independent Peer Review requirements provide that project studies shall be subject to peer review by an independent panel of experts. The conference agreement is a combination of independent peer review proposals passed by the United States Senate and the House of Representatives. The conference agreement improves upon both the House and Senate proposals to create a strong, workable, and independent process for review of project studies carried out by the Corps. For example, the conference agreement authorizes the independent peer review to run concurrent with the project study period, and requires that the peer review panel remain beyond the release of the independent peer review report to allow the expertise gained during the review period to be utilized by the Corps up to the release of the draft report of the Chief of Engineers, ''Chief.''

There are two categories for independent peer review—project studies for which independent peer review is mandatory, and project studies for which such review is discretionary. The criteria for mandatory review of project studies includes an estimated total project cost of more than $45 million, project studies for which the Governor of an affected State requests an independent peer review, and project studies that the Chief determines are controversial.

The conference report also provides for discretionary independent peer review of project studies for which the head of a Federal or State agency charged with reviewing the project study determines that the proposed project is likely to have a significant adverse impact on environmental, cultural, or other natural resources under the jurisdiction of the

agency after implementation of the proposed mitigation plans.

The conference agreement also includes a. narrow provision for the Chief to exclude a very limited number of project studies from independent peer review. The expectation is that project studies that could be excluded from independent peer review are so limited in scope or impact, that they would not significantly benefit from an independent peer review. Project studies subject to independent peer review based on the request of the Governor of an affected State may not be excluded from review under any condition.

The conference agreement directs the Chief to contract with an external entity, such as the National Academy of Sciences or a similar independent scientific and technical advisory organization to establish the panel of independent experts. The bill ensures that independent experts with potential conflicts of interest in a project are excluded from serving on the peer review panel.

The conference report requires independent peer review to occur during the period beginning on the date of the signing of the feasibility cost-sharing agreement, and will be conducted concurrent with the development of the project study. Having the independent peer review carried out concurrently with the development of the project study will allow the independent peer review panel to receive relevant information from the Corps, on a timely basis, and allow the independent peer review panel to provide ongoing input into the development of the project study. The conference expects that this process will provide the independent peer review panel with sufficient information to conduct its review, as well as allow the peer review panel to recommend mid-course corrections to the ongoing project study, and avoid the potential for significant issues or delay to arise at the end of the project study period. As noted in the statement of managers, the managers recognize that the recommendations of the independent peer review panel are advisory; however, the managers expect the Corps to give full consideration to the findings of the independent peer review panel.

The independent peer review panel should conclude its peer review, and submit a report to the Chief, not more than 60 days after the close of the public comment period for the draft project study. The Chief may extend the period for the peer review panel to conclude its peer review if the Chief determines that additional time is necessary. The conference has included language to terminate the peer review panel on the date of the initiation of the State and agency review, which is conterminous with the release of the draft Report of the Chief of Engineers for the project, and which is after the issuance of the peer review report. Recognizing that the Corps intends to allow a member or members of the peer review panel to participate on the Civil Works Review Board, which requires District Commanders to present their final reports and recommendations for review, the bill requires the independent peer review to remain impaneled beyond the issuance of the peer review report and allows a member of the panel to participate on the Civil Works Review Board, and to be available as experts, if needed, for additional consultation on the project study.

The conference agreement applies the review process to project studies initiated in the two years prior to enactment and for any study initiated in the seven years following enactment. The two-year look back applies to projects where the array of alternatives has not been identified. In including this language, it was our intent that ''array of alternatives'' be interpreted as when the alternatives are identified for public comment in a draft feasibility report. This should be quite late in the study process, resulting in the maximum number of ongoing studies being subject to the independent review process.

In the prospective application of the independent review process, all established independent review panels will not end after seven years. If a project study is initiated any time during the next seven years, the entire study process is subject to independent review, no matter how long it takes to complete the study.

*Mitigation for fish and wildlife and wetlands losses*

Typically, Corps' projects impact more wetlands than any other agency or entity in the country. Various organizations, including the U.S. Government Accountability Office, have raised concerns with the mitigation conducted by the Corps related to their projects. This legislation ensures that potential impacts from Corps' projects are provided timely and adequate mitigation. In addition to mitigating the impacts to fish and wildlife habitat, the conference agreement amendment to section 906( d) of the Water Resources Development Act of 1986 intends for the Corps to mitigate for any potential loss of flood damage reduction capabilities for activities impacted waters, including wetlands.

The conference agreement specifically amends section 906(d) of the Water Resources Development Act of 1986 to specify the elements that must be identified in a mitigation plan required under that section. Mitigation requirements now require mitigating losses to fish and wildlife, and mitigation must now include losses to flood damage reduction capabilities of the project area. The specific mitigation plan must provide a description of the physical action to be undertaken. The plan also must include a description of the lands or interests in lands to be acquired for mitigation, and the basis for a determination that such lands are available. The conference agreement requires the mitigation plan to identify the quantity and type of lands needed, and include a determination that lands of such quantity and type are available for acquisition. The plan also must include the type, amount, and characteristics of the habitat to be restored. The plan must include success criteria based on replacement of lost functions and values of the habitat, including hydrologic and vegetative characteristics. Finally, if monitoring is necessary to determine success of the mitigation, the plan must include a monitoring plan and to the extent practicable, identification of the entities responsible for monitoring. As monitoring is part of operation and maintenance of a project, in most cases the entity responsible for any monitoring will be the non-Federal sponsor. Such person must be identified no later than entering into partnership agreement entered into with the non-Federal interest.

The conference agreement supports more specificity in Corps reporting documents concerning expected mitigation efforts. This section also directs the Secretary to submit to Congress a report on the status of mitigation concurrent with the submission of reports on the status of project construction, as part of the President's budget submission.

The conference agreement also directs the Secretary, when carrying out water resources projects, to first consider the use of a mitigation bank if the bank has sufficient and appropriate (including ecologically appropriate) credit to offset the impact, and the mitigation bank meets certain criteria. To the maximum extent practicable, the service area of the mitigation bank shall be in the same watershed as the project activity for which mitigation is required. The intent term ''watershed'' is to be the immediate, localized watershed in which the impact occurs and not the much larger watershed or watersheds that might be included in the service area of a mitigation bank. This is especially critical to address potential impacts in higher order streams, including headwater streams, where the mitigation activities should be proximate to the impacted areas.

*Principles and guidelines*

The conference agreement also directs the Secretary of the Army to undertake a review and revise the principles and guidelines used by the Corps for formulation, evaluation, and implementation of water resources projects.

The current principles and guidelines focuses predominantly on the national economic development (''NED'') benefits of Corps projects, requiring a project to achieve a positive economic benefit cost ratio before projects are recommended. In many cases, however, the Corps has struggled with utilizing a traditional NED analysis in the evaluation of projects within environmental restoration mission of the Corps. The NED analysis works well on traditional Corps projects such as navigation and flood damage reduction, but is not always appropriate in the development of benefit cost analyses for environmental restoration products. The Corps demonstrated its awareness of this issue through the issuance of regulatory guidance materials that encourage, to the maximum extent practicable, the inclusion of the national ecosystem restoration (''NER'') benefits for ecosystem restoration projects.

The conference agreement directs the Corps to revise its existing principles and guidelines to incorporate the unique needs for evaluating environmental restoration projects into its current master planning guidance. This is intended to enable the Corps to build better projects. As is evident in this legislation, many of the recent Reports of the Chief of Engineers recommend multipurpose projects that appropriately address multiple concerns in a single project. A revised principles and guidelines should enable the Corps to better weigh the values of the different components of a multipurpose project.

EARMARK DISCLOSURE

In the preparation of the table of Congressional earmarks that accompanies the Statement of Managers for the conference report, a limited number of earmark disclosures were inadvertently deleted from the table. The following Members of Congress have provided the Committee with earmark disclosure forms for the following projects:

Representative STEPHANIE HERSETH SANDLIN (SD) for section 5158(253) Cheyenne River Sioux Reservation (Dewey and Zeibach Counties) and Perkins and Meade Counties, South Dakota.

Representative PATRICK MURPHY (PA–08) for section 5003(a)(12) Ingham Spring Dam, Solebury Township, Pennsylvania.

Representative SOLOMON ORTIZ (TX–27) for section 3150 Lower Rio Grande Basin, Texas.

Representative CHARLES W. DENT (PA–15) for section 5003(a)(14) Stillwater Dam, Monroe County, Pennsylvania.

Representative BARBARA LEE (CA–09) for section 3182(b) Oakland Inner Harbor Tidal Canal, California.

Representative FRANK PALLONE, Jr. (NJ–06) for section 1001(34) South River, Raritan River Basin, New Jersey.

Representative RUSH D. HOLT (NJ–12) for section 1001(34) South River, Raritan River Basin, New Jersey.

The following Member of Congress was inadvertently listed in the earmark disclosure report for the Statement on Managers for the conference report:

Representative ROBERT ANDREWS (NJ–01) for section 1001(34) South River, Raritan River Basin, New Jersey.

Mr. Speaker, I reserve the balance my time.

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

Well, first of all, I can't begin this debate on this water resources legislation without congratulating Mr. OBERSTAR. As you heard Mr. OBERSTAR say that some 44 years ago he was a staffer for Chairman Blatnik, I think his name was, at that time and tonight he chairs the Transportation and Infrastructure Committee, and I'm pleased to be the Republican ranking member to have worked with him to bring forth a bill that is very important, not only to Mr. OBERSTAR, and his efforts and others in trying to bring a bill forward.

You know, we have not passed a water resources infrastructure bill since the year 2000. Normally, we pass it every 2 years in a cycle legislation that sets forth the projects and the policy and the priorities for building the Nation's infrastructure, and we haven't done that.

Now, one of the problems that we've had is that we've had a bad name given to earmarks, and this bill contains some 950 projects, almost all of them earmarks. There are a very significant number of earmarks in this bill.

From the time I assumed responsibility for the T&I Committee on the Republican side and in my discussions with Mr. OBERSTAR, I said we've got to make certain this process is open, this process is transparent and that we restore faith in this process. The choice is that we could pass a bill tonight for $20 billion and authorizing projects and not name those projects but let some bureaucrats down the street that are unelected make the decisions, but that's not way this process works.

The people sent us here, they send us here to renew the contract every 2 years to decide what the priorities are for our districts, and that's what this legislation is about.

There are 950 projects in this legislation, again a very high number, and the bill is a very high number, probably $20 billion when you total up all those projects in authorization. Now, all of them won't get funded, but we have a responsibility to set the priorities, and the people are setting the priorities through their elected representative, not some appointed bureaucrat.

I tried to make this a transparent process from the beginning. These are all of the Republican Water Resource Development Act of 2007 requests. These have been on file. These have been open to the public. The press has been in. They have been carefully vetted. Mr. OBERSTAR and I attempted to vet every single project on the House side, and the staff and others have been working to make certain that we vetted the Senate and all the projects in this bill. And I think we've done about as good a job and opened the process up to sunshine, to again a fair and open honest process and hopefully restored some of the faith in this process.

Now, I did receive today a communication notifying me that the White House will probably veto this legislation. That's unfortunate, and I've talked to the White House. We've tried to keep the dollars number down, but I tell the White House and anyone else, and I will support Mr. OBERSTAR and others if we have to override that veto. We need to do that. Our job is to make certain that we build the infrastructure of this country and we do it in a responsible manner.

We haven't had a bill since 2000. All you have to do is do the math. The math is simple. The bills in the past have been about $6 billion, 6X3 is 18, and you add a few billion dollars more for inflation, and this is the number we're at and the number of projects we're at. I've told this to the President's advisers, and I regret that we're in this situation, but we'll have to do what we have to do. The President's going to have to do what he has to do.

But let me tell you now, and Katrina should be a lesson to us all, you either pay now or you will pay later.

□ 2100

These are projects that will determine whether dams break, whether levees are secure, whether water resources for this Nation are available, whether we do important environmental restoration that's been left behind.

Again, I repeat that this is authorization, not funding. But we have a responsibility to pick and set those priorities as the people's elected representatives.

Let me tell you also again critical needs in this bill. I have had Members literally come to me with tears in their eyes and say that, in fact, a project is so important that people's homes, lives and properties may be destroyed if we don't move forward with authorizing their projects.

In my own State of Florida, I am pleased tonight, and there are ironies tonight, I remember working with Senator DOLE when we tried to do the Everglades restoration. That was talked about for years, even when I was in the legislature back in Florida in the 1970s.

Tonight, in this bill is the authorization for the first construction money to restore Florida's Everglades, a national environmental treasure that, unfortunately, man and sometimes the Corps of Engineers in some unwise policies have nearly ruined. But we have a chance now to restore that through this legislation.

In 2000, we authorized study money. This is the actual work money, the first work money for that. In my own community, and I close on this, I have A1A, scenic and national highway designation A1A, through Flagler County, which is literally falling into the ocean. The beach has eroded. We have no more beach there. We need to restore that. Those are the kinds of projects that are in this bill, even for me as a ranking member.

I strongly support this measure. I think it's responsible. I don't want to get into a contest with the White House, but, again, I thank the staff; Mr. BAKER, I will yield to in a few minutes; Ms. JOHNSON; Mr. DUNCAN, the former chairman of the water resources; and all others who have worked on this.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 1 minute to express my appreciation to the gentleman from Florida for his splendid cooperation, his heartfelt earnestness on getting this legislation through and understanding the great significance it represents for all of us.

I want to emphasize once again, we exercise great discipline in this body in shaping the legislation, keeping the costs within containment, within the previous 6, almost 7 years of projects that had already been vetted through the House, passed by this body and yet, unfortunately, didn't make it through the Senate.

I read with heavy heart the administration statement of veto. I think that it's a misunderstanding on their part. We will do our part, we will do our role, and the other body will do its part. Then we will see whether, in fact, a veto comes forward. If it does, we will deal with it just straightforwardly, without rancor, without discussion. These are the right investments for America.

Mr. Speaker, I yield 7 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the distinguished Chair of the Subcommittee on Water Resources and Environment and thank her once again for the splendid work.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of the conference report for H.R. 1495, the Water Resources Development Act of 2007.

I congratulate Chairman OBERSTAR, Ranking Member MICA and the ranking member of the Subcommittee on Water Resources and Environment, Mr. BAKER, for your work on reaching this agreement in the vital infrastructure investment bill for the Nation's water resources needs.

I especially express my appreciation to the staff, to Congressman YOUNG,

Congressman DUNCAN, and Congressman COSTELLO and other distinguished members of this committee, because we have all worked together in a bipartisan manner.

All of us assembled here this evening understand the magnitude of this moment. The clock is working against the infrastructure of our country. The 7 years we have waited to enact a water resources development bill have led to significant increases in cost to adequately address the Nation's deteriorating water resources and flood control infrastructure.

As such, I am delighted that we as conferees have come to an agreement on the issues independent of review, environmental issues, environmental infrastructure and individual projects that have, up until now, prevented us from crafting a final conference report.

We do right and good by this country when we invest in its infrastructure. I agree with the chairman that enactment of a water resources bill this year is critical to economic prosperity, job creation, protection of the environment and public safety.

Since Congress last passed a Water Resources Development Act, we have seen Hurricane Katrina and Hurricane Rita devastate the gulf coast and my home State of Texas, flooding cities, damaging economies and businesses and threatening public health.

No water resources bill has been enacted since the year 2000, the entire term of this current administration. While I am fully aware of the veto threat that this administration has issued on the conference report, I want to remind my colleagues that since the start of the Iraq conflict in 2003, nearly $42 billion has been appropriated at the request of the administration for Iraqi reconstruction, one-third of which, or $14 billion, is going towards Iraqi economic infrastructure.

I would daresay that if this level of attention is adequate for Iraqi water and road infrastructure, my State, as well as my constituents, who are constantly beleaguered by outdated flood protection, are as equally deserving of the attention afforded by H.R. 1495. I deeply regret that the administration has decided to turn its back on a bill that would put Americans to work with good-paying jobs, protect lives and property and bolster our Nation's infrastructure.

A recent report by the Texas Section of Civil Engineers assessed my State's infrastructure and rendered a dismal cumulative grade of below average. The assessment of the State's flood control fared even worse, with the State receiving a failing grade of D minus.

Over the past decade, Texas has experienced 15 federally declared disasters, most involving flooding. Moreover, Texas leads the Nation in terms of dollars paid for flood claims, second only to the State of Louisiana.

The population of Texas is expected to double in the next 30 to 40 years. Development in and near flood plains can be expected to increase, as developers continue to build near the State's rivers, lakes and coastlines.

In my district, the Dallas Floodway accepts 1,600 square miles of Trinity River watershed runoff and safely moves the floodwaters through the City of Dallas by virtue of levees that form both sides of the 2,000-foot-wide Floodway. The Floodway levees protect the downtown vicinity from a potential flood damage loss to properties and infrastructure at a price of $8 billion or more. This is a major economic area.

The 23 miles of levees for the Dallas Floodway were originally constructed by local interests in 1932 and reconstructed by the Corps in 1960. But, since 1960, the upstream watershed has experienced exploding population growth, and that was not expected, which has significantly increased runoff, overwhelmed our antiquated drainage pumps, and greatly reduced the flood protection afforded by the Dallas Floodway levees.

My district's flood control needs are great; and, like the other communities across this Nation, they are anxiously anticipating the resumption of a predictable, consistent, and 2-year water plan.

I am glad our work here today brings us one step closer to this reality. The product before us authorizes a number of studies and projects, particularly for the restoration of coastal Louisiana, the restoration of Florida Everglades and the restoration of the upper Mississippi River and the Illinois Waterway System.

Again, we do right by this country when we invest in its infrastructure. Communities across the country have been waiting 7 long years to begin their noteworthy flood control and water infrastructure projects. I am pleased that we have been able to put our heads together and once and for all advance this vitally important and long-overdue legislation for the American people.

I want to extend my thanks again to the bipartisan committee leadership of both Chambers and, most especially, the efforts of our dedicated staff persons who have spent countless hours in crafting the conference report.

I strongly urge my colleagues to vote ''yes'' on this conference report to H.R. 1495. The time to act is now.

Mr. MICA. Mr. Speaker, I yield myself 30 seconds to introduce the gentleman from Louisiana.

Sometimes in this business you have the opportunity to decide who is going to work with you on different projects. I had that opportunity in January, and I chose RICHARD BAKER.

If you don't know RICHARD BAKER, let me tell you, the good Lord sent RICHARD BAKER to us at the right time, because there is probably nobody in the Congress that could have been a better steward or done a better job in handling the Water Resources Committee responsibilities.

Mr. Speaker, I yield 3½ minutes to the gentleman from Louisiana (Mr. BAKER), just an absolutely outstanding representative, who has done a good job on this great bill that is so important to Louisiana.

Mr. BAKER. Mr. Ranking Member, I am humbled by your comments. I thank you for that courtesy, and I am deeply appreciative.

I have enjoyed very much the opportunity not only to work with you in this capacity but to work with our chairman, who has deep roots and ties to New Orleans, and the gracious gentlelady from Texas, the chairman of our subcommittee.

Mr. Speaker, it has been a terrific team from which there has been a terrific product developed that all Members who have spoken this evening have made clear as to the scope of the projects, the need for the projects, the clarity of the process, which our ranking member insisted on and opening up to public scrutiny the projects which ultimately are contained in this report.

I wish to make just one observation as a representative of Louisiana and make clear that the Governor, the congressional delegation and, most importantly, the people of Louisiana recognize what this legislation means to us tonight. It is not merely the elimination of an inconvenience or the restoration of some public service that we would like to have. This bill goes to the point of restoring our culture and our ability to live as people along the coast of the great State of Louisiana. For that, all of us are deeply grateful to the Members who have made this possible and to this Congress.

There is one notable development I would like to memorialize in the discussion of the conference report tonight, and that is a problem which had been long-standing for many years with the representatives of the great State of Mississippi, particularly that of Senator LOTT, to whom I would like to express deep appreciation.

The gentleman has had for many years concerns about the salinity levels of the water off the gulf coast affecting the productivity of his own fisheries. Likewise, we in Louisiana had concerns about some of the proposed remedies which, in our view, would have had an adverse water quality effect on our own fisheries.

In the course of the debate with the conferees, I was assigned the duty to work with the Senator and come to some resolution thereon, which will enable both States to seek the benefit they are entitled to.

I am pleased that with the coastal area impact program, we have identified a source of funding, we have agreed to the terms of construction for the Violet Canal project, and I tonight want to say tonight, on behalf of the congressional delegation and for those who follow us here, that it is our intent to honor and abide by the terms and

agreement that Senator LOTT negotiated with us and in good faith ultimately seek closure of this most difficult project, which I understand has led to difficulty and the consideration of prior WRDA legislative efforts. It is important, I believe, for us to recognize the contributions made by that delegation and their willingness to assist us in Louisiana in coming to final agreement.

With that, I am just pleased to be a small part this process and to have enabled the ability to participate in a small way getting a vital piece of legislation virtually for every congressional district in this country.

□ 2115

Mr. OBERSTAR. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished Chair of the Railroad Subcommittee, Ms. BROWN from Florida.

Ms. CORRINE BROWN of Florida. I want to thank Chairman OBERSTAR and Chairwoman JOHNSON as well as Mr. MICA and Mr. BAKER for their hard work in completing this long-awaited bill. With the new leadership in the House and on the committee, this legislation will soon be on the way to the President's desk for his signature.

These water projects and these projects are extremely important to my home State of Florida and for the Nation as a whole and have been held hostage for far too long. Like all transportation projects, these included in this bill will put people back to work, improve our communities, and create economic activity. This legislation also ensures that workers are paid a fair rate for their hard work. It is these workers' taxes that pay for these projects, and they deserve fair wages that allow them to adequately provide for their families.

By delaying the passage of this much-needed legislation any further, we are doing a disservice to the people we represent. I encourage my colleagues to support this conference report so we can move forward with these critical projects this bill contains and so that we can begin to work on the next WRDA reauthorization so we don't have to wait another 6 years to fund these critical water infrastructure projects.

Again, I want to thank Chairman OBERSTAR, especially Chairwoman JOHNSON for making this conference a reality. I want to thank Mr. MICA and Mr. BAKER again. And I am just very excited that after 6 years we are going to have a bill. And, as Mr. OBERSTAR always says, that our committee, Transportation is the committee that actually put America to work. And so not only do we put them to work, but we are protecting the infrastructure.

Mr. MICA. Mr. Speaker, I am pleased to yield 4 minutes to one of the very distinguished members of the Missouri delegation, Mr. HULSHOF.

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

Mr. HULSHOF. I thank the gentleman for yielding. To the chairman of the full committee, I would say as difficult and partisan as this day has begun, I think we are going to end on a very bipartisan high note, and certainly thank the gentleman, the gentlelady from Texas, certainly Mr. MICA and the gentleman from Louisiana who just spoke. Congratulations to all in finally passing this WRDA bill.

I would like to spend just a moment to talk about the legislation, the modernization of the five locks on the Mississippi River and the two on the Illinois River; the gentleman from Minnesota mentioned that earlier as far as the modernization of locks and dams. And I want to do this in a little different way.

Last week, we considered and passed the farm bill. Perhaps I took a little bit of heat for actually supporting that bill. In part, I supported it because it provides an important safety net for our farmers. And, interestingly, the bill we are considering tonight will go a long way to ensuring that farmers don't need to rely upon subsidies to survive.

How is that, you ask? Well, the ability to transport crops to export markets via the Mississippi River provides our Midwestern farmers a better price for crops than if that river was not available. Witness Hurricane Katrina as an unfortunate real world example of that specific example. A recent study conducted on behalf of a river stakeholder calculated that, if we fail to increase the size of our locks and if we were to allow river congestion to increase, farmers would lose $562 million a year. That income would need to be replaced by subsidy payments on the farms or the farms would fail. As such, the $1 billion in taxpayer dollars that this bill includes to modernize our locks is a hedge against the multiple billions of dollars of future farm subsidies and allows our farmers to continue to farm for the markets and not for a government check.

This bill, as has been noticed, is long overdue. The modernization of our outdated locks is also long overdue. These locks are standing out of habit. They were built in the 1930s to accommodate steamboats. Since 1975, the Corps has spent $900 million under fix-it-as-it-fails scenarios, hoping to push major problems a little way down the river. But despite the Corps' best efforts, and I would have to say an amazing job of maintenance on a shoestring budget, the River continues to lose about 10 percent of its capacity every year due to unplanned maintenance closures.

Now, as a last point, a gentle point, I would say to my friend from Oregon, who spoke earlier on the rule, he and I have discussed on several occasions the modernization of locks and dams on the Upper Mississippi, and I want to be kind to him as I say he is not as ardent of a supporter of those modernization efforts as I, and he spoke of the independent review process. I concur with him, but I would remind the gentleman that the independent review that examined the locks and dams modernization woefully underestimated the demand variable for corn and ethanol.

This year alone in my district, tens of millions of additional bushels of corn will be harvested this fall and will need a viable navigable waterway. The study by the National Academy of Sciences did not adequately anticipate this increased demand. So while independent review, I agree, is important, it is not infallible. But I thank the diligent work of the committee to include this modernization. I urge every Member to support the conference report.

Mr. OBERSTAR. Mr. Speaker, I yield the gentleman 2 additional minutes, and ask if the gentleman would yield?

Mr. HULSHOF. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I compliment the gentleman on his statement and his recognition of underscoring the importance of the Mississippi River-Illinois-Ohio River system as the water highway for our midcontinent grain producers.

If you look at a map of the north and south hemisphere, the furthest point of Brazil sticks out of the South Atlantic Ocean, and that is Recife. From that port are exported soybeans. That is 2,500 miles further out in the Atlantic than New Orleans. They market to the same destinations that we do for soybeans, we in the great Midwest, to east and west Africa, and to the Pacific rim. They have a 5-day or 6-day sail advantage.

If we don't do the modernization on the locks, we continue to lose market share in the world marketplace. As I said earlier, grain moves on as little as an eighth of a cent a bushel.

So we have to do this, and it is going to be done. It has waited far too long.

Mr. HULSHOF. I appreciate my friend from Minnesota.

I would tell the gentleman that I grew up in the shadows of the levees of the Mississippi River, and I am the son of a Missouri farm family. We are about 8 miles from the Mississippi River as the crow flies, and the ability to have that navigable waterway means the difference between being in the black or being in the red for our family farm. So that lesson has imprinted itself upon me. And I am pleased to support the gentleman in this conference report, and I thank the gentleman for the additional courtesies.

Mr. MICA. Mr. Speaker, I am pleased to yield to an outstanding member of the T&I Committee on the Republican side of the aisle, the gentleman from Beaumont, Texas (Mr. POE) for 3½ minutes.

Mr. POE. I thank the gentleman for yielding. I want to congratulate the chairman, Mr. OBERSTAR, and Ranking Member MICA for their work on getting this long-delayed bill to the House floor, and I certainly support it. Both

the ranking member and the chairman have said, as long as I have been on this committee, that this is the most cooperative committee even though it is the largest committee in Congress. And it is true. It is a bipartisan committee that gets things done. We disagree, but we do it in a civil manner.

I am also impressed with Mr. OBERSTAR's knowledge of transportation history. He knows more about transportation that has occurred in the United States probably than all of us put together.

I do want to thank the committee for including in this WRDA bill the expedited completion of the study for the Sabine-Neches Waterway Project. I have been frustrated for the lack of progress by the Army Corps of Engineers to finalize this completion study.

The study report was started by the Corps in the year 2000, with a completion date of 2004. It was supposed to cost $6 million. And now it is 2007, and this project study is still not completed, and estimates on final cost of the project have now risen to $13 million. I appreciate the chairman's support for this study to be completed as soon as possible.

The Sabine-Neches Waterway is the riverway that separates Texas from Louisiana and flows into the Gulf of Mexico. Sabine-Neches is vital to not only southeast Texas, but it is essential for the national security needs of our Nation. It is the home of America's largest commercial military port and the Port of Beaumont, and it is second largest in the world. It is crucial for shipping military cargo to our troops in Iraq and Afghanistan and is America's largest importer of crude oil by tonnage. Approximately 20 to 30 percent of the Nation's jet fuel is produced by refineries on this waterway, including 80 percent of the jet fuel used by our military. This riverway supplies petrochemical and energy needs for southeast Texas and the rest of the Nation.

Section 508 requires the Army Corps of Engineers to expedite completion of this study whether or not to expand, widen, and deepen the riverway for the Sabine-Neches Waterway, and the joint statement further directs that this would be done as soon as possible. I hope this study is finished this year so that it will be included in next year's full WRDA bill and we can start moving dirt to widen, deepen, and make this riverway important not only for southeast Texas but for national security reasons as well. It is important for our economy, it is important for our recovering economy after Rita in southeast Texas, and I look forward to working on the next WRDA bill after this one is passed to have it completed.

Once again, I want to thank the ranking member and the chairman for their full support.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. MAHONEY). And I thank the gentleman from Texas for his kind remarks.

Mr. MAHONEY of Florida. Mr. Speaker, I rise today in support of the Water Resources Development Act of 2007.

I want to begin by thanking Chairman OBERSTAR, Congresswoman JOHNSON, and my colleague, Ranking Member MICA and their staffs on behalf of Palm Beach, Martin, and St. Lucie County for all the efforts that they have done to ensure that one of our Nation's greatest treasures is preserved for future generations, the Everglades.

Seven years ago, Congress authorized the largest environmental restoration plan in the Nation's history, the Comprehensive Everglades Restoration Plan. Despite its broad bipartisan support for the plan in 2000, Congress has not honored its commitment to the Everglades. As a result, this plan once envisioned as an equal partnership between State and Federal Government has become the sole responsibility of Florida, whose citizens have invested over $2 billion. Today, Congress has an historic opportunity to renew its promise to be an equal partner in Everglades restoration by passing the WRDA conference report for the first time in 7 years.

The conference report would authorize funding for numerous projects that are a part of the Comprehensive Everglades Restoration Plan, most notably the Indian River Lagoon and Picayune Strand. The Indian River Lagoon project located in my district is not only critical to the success of the Everglades, but it is critical to the economic well-being to the Treasure Coast of Florida.

Mr. Speaker, I urge Congress to pass this long overdue legislation and renew Congress' commitment to restoring one of our Nation's greatest treasures, the Everglades. And, once passed, I urge my colleagues to join me in telling the President, after 7 years of neglect, it is time to do the people's business and sign this bill into law.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. ELLISON), whose district I mentioned earlier on the transportation bill had a terrible tragedy this afternoon.

Mr. ELLISON. Mr. Speaker, of course I rise in very strong support of the bill tonight, and it is a very tragic irony that it is over a body of water that a tragedy occurred in Minneapolis today.

I rise tonight with every Member of that Minneapolis delegation. We stand united in our heartfelt concerns over the news of the collapse of the 35W Bridge spanning the Mississippi River in my hometown of Minneapolis, which occurred early this evening. I spoke with Mayor Rybak regarding this tragic situation, and I pledge to work with him in every possible way to recover from this disaster.

As of now, we simply do not know the magnitude of the tragedy. Early reports are that eight cars and one truck are in the river. About 50 school children very narrowly avoided falling into the river. I do not know the depth of the injured. As of now, we know there are three confirmed dead. We pray for the deceased, for those still in peril, and for the families who have not yet heard the news from their loved ones.

□ 2130

Our delegation stands united in marshaling the resources for our Minneapolis emergency forces in need of search and rescue efforts.

I want to express my profound thanks for the dedicated work of the responders who are on the scene risking their own lives to save others.

We are grateful for those who we know have survived this tragedy, including, miraculously, the school bus containing perhaps as many as 50 youngsters.

Again, I am very saddened by the depth of this tragedy, stand together with all eight members of the Minnesota delegation, and I intend to return home tomorrow morning to Minneapolis on the earliest possible flight to do everything I can to help the citizens of my city recover from this horrible tragedy.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Speaker, I thank the chairman for yielding, the dean of our delegation, Mr. OBERSTAR; and I strongly support this Water Resources Development Act and thank, again, Chairman OBERSTAR for yielding.

I rise with tremendous sadness and grief about an awful tragedy that took place this evening in Minnesota. Full details on the tragedy are still sketchy, but we know that, as of 6:10 p.m. Minnesota time, during the midst of evening rush hour, a bridge on Interstate Highway 35W in downtown Minneapolis, very close to the Metrodome, collapsed, causing at least 40 cars to fall into the Mississippi River.

As my colleague, KEITH ELLISON, mentioned, at least three people are confirmed dead. A number of others have been hospitalized at the nearby Hennepin County Medical Center, and now we get word at five other hospitals as well. Rescue operations are still under way at this late hour, as fires continue to burn and people remain unaccounted for.

The Minnesota Congressional Delegation, thanks to our dean, Mr. OBERSTAR, has already met and pledged our total support to obtain whatever Federal assistance is needed.

In addition, on behalf of Governor Pawlenty, with whom I've been in constant contact, I want to offer the gratitude of all Minnesotans to Speaker PELOSI, who has already pledged her full support for any Federal assistance our State needs to address this bridge disaster.

I also want to pay special thanks to the first responders who are on the scene at the moment and rescue operations and other services. Every single Fire Department in the seven county

metro area is there on the scene, as well as all the Police Departments, emergency medical personnel. And, again, we all thank those brave first responders.

Our thoughts and prayers, Mr. Speaker, finally, are with the families of all those affected by this horrible disaster. We will continue to monitor the situation very closely, of course; and we ask all Americans to pray for the victims, the survivors and their families.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. The words of my colleagues from Minnesota reflect how we all feel at this time; and those of you in the Chamber, I know, are sharing our grief on this very, very sad day.

We need to stand united to make sure that infrastructure all around this country is properly maintained and cared for. We don't know the cause of the accident as of yet, but I know that we will do a thorough investigation and do whatever we can to prevent tragedies like this from happening in the future.

And to my congressional colleague from the other twin city, Minneapolis, please know that the City of St. Paul stands in solidarity. This is a time for grief for both cities, and we'll do whatever we can to be supportive.

Mr. OBERSTAR. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I want to acknowledge the tragedy that occurred today in Minnesota and assure our colleagues from Minnesota and the families of Minnesota victims that we stand in solidarity with them.

Thank you, Chairman OBERSTAR and Ranking Member MICA for all your hard work to finalize what would be the first WRDA bill to become law since the year 2000. I would also like to thank the staff for their diligence in finalizing the details of this important legislation.

Simply put, enactment of this bill is long overdue, not just because we have billions of dollars of water infrastructure projects that desperately need to be completed but because this bill means more jobs throughout the country and each project we undertake provides a net benefit to the economy in terms of improved commerce, new jobs and a cleaner environment.

In particular, this bill is vitally important to my State, and the chairman and members of the California delegation know all too well that much of Northern California that I represent is held together by a fragile web of 100-year-old levees with varying degrees of stability. As a source of drinking water for 25 million Californians, the mix of natural and manmade channels in the San Joaquin Delta need constant oversight and perpetual maintenance to remain functional.

Of particular importance is a flood protection project near the city of Morgan Hill in my district that improves the Llagas Creek, a waterway that runs several miles through Morgan Hill south to Gilroy. I'm very pleased that we are correcting a jurisdictional issue in this legislation that stopped the Corps from completing work on Llagas Creek for years. Specifically, we are now directing the Corps to complete the Llagas Creek.

Mr. Speaker, as a conference member on this legislation, I want the RECORD to indicate that the Llagas Creek project is meant to be completed under the national directive language we included in the bill and under the cost-sharing ratio we have explicitly included in H.R. 1495.

I'm hopeful the Corps will expeditiously complete the project so the residents of Morgan Hill can rest easy in the knowledge that we're protecting them from periodic flood damage.

Again, I want to compliment the chairman for his hard work.

Mr. MICA. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Florida has 12 minutes remaining; the gentleman from Minnesota, 2.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time; and I'll be pleased, if the gentleman from Minnesota (Mr. OBERSTAR) needs additional time, to yield to him in light of the tragedy that has struck his State.

Mr. Speaker, again, my heartfelt sympathies are expressed to any of the Members from Minnesota as they deal with this very difficult tragedy and also to the families who've lost loved ones in the collapse of the span of Interstate 35 West, which I understand connects Minneapolis and St. Paul.

The information I have is that some of the sections were under construction, and the span was closed last night for construction and reopened this morning and scheduled to be closed again tonight. But, unfortunately, we have seen from news accounts a very significant disaster and loss of life in the failure of that infrastructure.

I, too, would pledge my support in working with Chairman OBERSTAR, with the Minnesota delegation and working with this administration and the Congress to bring whatever resources to reopen that span and try to repair that infrastructure.

While we can replace the infrastructure, we can't replace the lives; and, again, our sympathy goes to those who mourn their loved ones tonight.

As we conclude debate on this water resources infrastructure bill, once again we're reminded of the importance of infrastructure, whether it's bridges, dams, the highways that are along our beaches, the natural reserves we have in this country that depend on Congress to protect them and protect that water resource infrastructure.

I yielded earlier to our ranking member and thank him again, Mr. BAKER; and I said the Good Lord sent us Mr. BAKER to lead the Republican side of the Water Resources Committee. And again, we have the example of the failure of water resource infrastructure, the levees and some of the infrastructure in New Orleans and Louisiana. No one is more knowledgeable, has a better firsthand experience than Mr. BAKER. And this bill also contains a considerable amount of authorization for projects in Louisiana and New Orleans.

Finally, I want to thank, again, Ms. JOHNSON. Next week, I'll get to travel to her district. Under her leadership they bring together all the transportation leaders in the State of Texas for probably one of the country's largest, it's grown to the country's largest infrastructure conferences, and they've asked me to come down and speak and be with them as they plan Texas' policy and transportation projects for the future. I look forward to that opportunity of being with her, and I thank her again for her distinguished leadership and working in a bipartisan fashion to craft this long-overdue legislation.

So again, I thank all of those. I have John Anderson, Mr. Speaker, with me, who represents all of the staff on the Republican side; and I thank the staff on the majority side for their hard work in trying to make this bill a reality.

And, again, I thought of one of the most important projects, as the gentleman from Florida, other gentleman from Florida pointed out tonight, that restoration, the first work on the Everglades being in this bill, important not only to Florida and our districts in Florida but also to the Nation because of the environmental treasure that we're trying to preserve. We do make positive steps towards its restoration and preservation for future generations.

So it's a good bill. I know the President's probably going to veto it. It'll be back here. We're going to, unfortunately, have to override that veto to make this a reality.

But, as I said earlier, the President has to do what he has to do, Congress has to do what the Congress has to do, and we will work together again to make certain that the infrastructure of this country and water resources are preserved for the future.

For the first time since 2000, the Congress is on the verge of passing a major bill authorizing projects, studies, policies, and programs related to the Army Corps of Engineers.

There has been a WRDA introduced in every Congress since 2000, however, controversy always seemed to arise that dashed our hopes for a new authorization bill. Over the years we have worked to bridge the gaps created by those controversies and have arrived at the point where we now have a product that the Congress can approve and send to the President.

This bill has been under development for many years. It is the result of much debate and much compromise. This is not the bill that

any of us in the room would have written, if we were writing a bill by ourselves. However, it is a bill that all of us can support because it addresses important needs of our Nation.

This is a good bill that represents investments in America. These investments will improve trade, protect our homes and businesses from flood damages, and enhance our quality of life by restoring aquatic ecosystems. This legislation ensures our ports and waterways remain viable in the international marketplace by authorizing critical navigation deepening projects. Without these projects shippers will go to other foreign ports like those in Canada and Central America.

For some goods, as much as 50% of the ultimate price paid by the consumer is attributable to transportation costs. Keeping these costs low not only benefits consumers here in the United States, it also makes products produced in the United States more competitive on the world market. Congestion at an outdated lock on a waterway can result in increased costs that rob the farmer of his or her profit. Delay and its associated costs also can rob a farmer of his or her market. This is not a speculative concern.

Recently, improved transportation systems in South America have allowed farmers there to keep their costs low enough to underbid United States grain farmers for customers located in the United States! America's farmers, like the rest of the United States economy, depend on modern and efficient waterways as an integral part of the intermodal transportation system.

Trade builds wealth. But to realize the economic benefits of trade, we must have a modern transportation system. To maintain our place in the global economy, the United States must have modern ports and waterways that can bring the world's goods to our door and make America's products competitive on the world market. Our ports and waterways need to be improved to handle the additional traffic and larger class of ships that we know are coming. This Conference Report addresses these needs in several ways including authorizing improvements to waterways in my home State of Florida, as well as in Texas, Louisiana, and Virginia. In addition, it authorizes 7 new locks and other navigation improvements on the upper Mississippi River.

The WRDA Conference Report authorizes critical projects to provide flood protection to millions of Americans. Flood damage reduction projects save Federal dollars by reducing the probability that disaster relief will have to be used in the future. This bill includes a multitude of projects that protect our cities from floods and coastal storms.

As our Nation has become more environmentally conscious, and sought ways to improve aquatic ecosystems, the Corps of Engineers has become a leader in planning and carrying our environmental restoration projects. This Conference Report is by far the "greenest", most environmentally-friendly Water Resources Development Act ever. The most frequent purpose of new Corps of Engineers project authorizations in this bill is environmental restoration.

This Conference Report contains critical provisions to restore the Everglades. Everglades restoration has been talked about for years, but with the projects authorized in this bill, actual work and construction of projects can begin. Not only is the Everglades vital to the economy, environment and people of Florida, it is a national treasure that must be cared for and protected for future generations of Americans.

These projects have been brought forward by the Corps in partnership with the State of Florida. The State of Florida has stepped up with their share of funds for these projects. Now that we have these first authorizations, Congress should be supportive of funding this important effort to save a national treasure. These are just the first of what will be many projects over the next several decades to clean up, store, and redirect water for the Everglades.

This bill does not provide guaranteed funding—money will have to be appropriated to meet these authorization levels, but it represents a critical commitment by the Congress to restore an ecological jewel of the United States. This legislation will help ensure a revitalized Everglades for generations to come.

Also addressed in this bill are policy issues that improve how the Corps of Engineers does projects. We have instituted an Independent Peer Review into the Corps' planning process to enhance the agency's credibility. We are improving project monitoring to determine if the projects are performing as designed.

I know that some are not happy with the size of this bill; however, we must remember that the Conference Report represents the pent-up demand of 3 WRDA bills. This legislation is overdue by 5 years. And if we wait any longer it will just be a bigger bill, because the Nation's needs are not going away by themselves. We must address them like we are doing here today.

I want to thank Don YOUNG, the former chairman of this Committee, who worked for many years to resolve the difficult issues surrounding this bill; and also Jimmy Duncan who chaired our Water Resources and Environment Subcommittee for 6 years and worked closely with the Ranking Members JERRY COSTELLO and PETER DEFAZIO to create many of the compromises that made this Conference Report possible.

I certainly want to thank you, Chairman OBERSTAR, for your leadership over the years both as Ranking Member and now as Chairman of the Full Committee. It has been very rewarding to work with you on this bill and it shows what we can accomplish when we work together in a bipartisan way to address the Nation's needs.

Under the leadership of Senator BOXER and Senator INHOFE, the Senate passed a bill that included many of the same projects addressed in the House bill. I think it is appropriate that the package before us today represents a compromise of the House and Senate bills into a good product that both chambers can proudly support.

Lastly, I want to thank the staff of the Full Committee, Jim Coon, Amy Steinmann, Charlie Ziegler, and Jason Rosa. I also want to thank the staff of the Subcommittee on Water Resources and Environment, John Anderson, Geoff Bowman, and William Collum for their dedication in finishing the Water Resources Development Act of 2007.

And on Mr. OBERSTAR'S staff, I want to thank David Heymsfeld and Ward McCarragher of the Full Committee, and especially the Subcommittee staff of Ryan Seiger, Ted Illston, Beth Goldstein, and Mike Brain.

I urge all Members to support the Conference Report.

With that, Mr. Speaker, I would like to yield the balance of my time to the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman very much for his kind words, for his prayers and his thoughts about our fellow Minnesotans and the tragedy that's occurred this evening; and I join my prayers with his and those of my colleagues who spoke earlier this evening on that bridge collapse. We certainly keep the members, the family members and the victims in our prayers as we go forth this evening.

We reach a milestone this evening with this legislation. I said at the outset and I say it again, this is a historic moment. We have accomplished in 7 months what it has taken 7 years to put together, but it is a good bill, and it is evidence that this body can and does work together constructively for the common good, for the purpose of building a better Nation, for moving people and goods efficiently and effectively in the domestic economy.

Getting us to this point was not easy. The staff had to put in long hours, as the gentleman from Florida already expressed.

□ 2145

I want to specifically mention Ryan Seiger, Beth Goldstein, Ted Illston and Mike Brain on the Democratic side; John Anderson, Geoff Bowman, William Collum and Tracy Mosebey on the Republican side; Rod Hall, Chairwoman JOHNSON's staff member; Stewart Crigler, staffer for Ranking Member BAKER.

From the Office of Legislative Counsel: David Mendelsohn, Curt Haensel, Heather Arpin over in the Senate, and Rosemary Gallagher.

And from the Senate staff: Ken Kopocis, Jeff Rosato, Tyler Rushford, Angie Giancarlo, Jo-Ellen Darcy, Mike Quiello and Let Mon Lee.

All worked very closely together to craft this legislation, spending enormous amounts of time, weekends. While Members were back home in their respective districts, staff were here in this oppressive heat of Washington, although, I think, comforted by air conditioning at least, but putting in extraordinarily long hours to craft this bill, bridge the gaps, reach agreements, report back to Members so that we could be here this evening.

It is a significant moment for America, for this Congress to have this comprehensive water resources bill together. And, again, I express great appreciation to the gentleman from Florida (Mr. MICA) for the time that he has spent and the cooperation that we have had; the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for the time that she has devoted, for her care, concern, and energy; and the gentleman from Louisiana (Mr. BAKER), who put his heart and soul into this legislation.

Mr. Speaker, I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to

submit into the RECORD a letter from E.G. Pittman, Chairman of the Texas Water Development Board, strongly supporting the passage of this conference report.

The State of Texas has recently completed a nationally recognized comprehensive water plan. Provisions in H.R. 1495 would greatly assist the State in addressing changes in the population, water availability and quality, technological improvements, and promotes increased collaboration with the Corps of Engineers.

TEXAS WATER DEVELOPMENT BOARD,
*Austin, TX, August 1, 2007.*

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

Hon. JAMES L. OBERSTAR,
*Chairman, House Committee on Transportation and Infrastructure, Washington, DC.*

Hon. JOHN A. BOEHNER,
*House of Representatives, Washington, DC.*

Hon. JOHN L. MICA,
*Ranking Member, House Committee on Transportation and Infrastructure, Washington, DC.*

DEAR HOUSE LEADERS: The Texas Water Development Board (TWDB) strongly supports the passage of H.R. 1495 by the end of this week. The conference report on the Water Resources Development Act (WRDA) embodies seven years of deliberations on this important and urgent issue. Further delays are incomprehensible after such protracted discussions have finally resulted in a bill that is a crucial step towards addressing the nation's water resources needs, which have accumulated since the last WRDA was enacted.

The Nation can no longer wait for passage of this important piece of legislation. We are faced with numerous water resources challenges that over time have increased and continue to increase in cost and urgency. We cannot afford to neglect this flood of needs because they will only grow and not dissipate.

WRDA's time is now. I appreciate your leadership in acknowledging the importance of H.R. 1495, and I look forward to a successful House vote on the bill this week. If you or your staffs would like to further discuss this issue, please do not hesitate to contact me, or Dave Mitamura of my staff.

Respectfully,

E. G. ROD PITTMAN,
*Chairman.*

Mr. GENE GREEN of Texas. Mr. Speaker, I want to congratulate the Subcommittee on Water Resources and the full Transportation and Infrastructure Committee for reporting out the Water Resources Development Act (WRDA) and getting through conference so we can send a bill to the President.

The previous two Congresses have failed to do so, and because of that, much needed flood control projects in Houston, TX, had been put on hold. I appreciate the inclusion of our language for the Halls Bayou Federal Flood Control Project in Houston, which will allow the Harris County Flood Control District, HCFCD, to start work on this project in the near future.

Historic flooding along Halls Bayou has been severe and frequent in some neighborhoods. During Tropical Storm Allison in June 2001, Halls Bayou was hit very hard, with more than 8,000 homes flooding within the watershed. No project can keep all homes from flooding, but a project can help reduce the risk of flooding for a significant number of families, reducing the need for Federal assistance, property damage, and loss of life.

The purpose of section 5157 of this legislation which pertains to Halls Bayou is to allow the HCFCD to conduct the General Reevaluation Review, GRR, and any subsequent Federal interest project on Halls Bayou. The Corps is limited in its staff, resources, and time with the many projects in the Galveston District and the Southwest Division. Local project sponsors with the necessary expertise, like Harris County, can provide efficiency by becoming more involved.

Halls Bayou, a major tributary of Greens Bayou, was authorized in WRDA 1990 as part of the Buffalo Bayou and Tributaries Project. The original Halls Bayou authorization assumed the Greens Bayou project in place, which is now finishing a GRR. Results indicate that the work on Greens Bayou downstream of Halls Bayou will not have Federal work, although it will have significant local projects. Therefore, a GRR is now needed for Halls Bayou as well.

While conducting the GRR to find a possible Federal interest, Harris County can begin project implementation in order to reduce future flood damage as soon as possible. Adding Halls Bayou to Section 211(f) allows Harris County to be reimbursed if the project is later approved by the Secretary. I thank the Subcommittee, full Committee, and the Conference for their work on this Issue.

I support this bill and the balance that it strikes between the need to improve water resources for human purposes and to preserve our water uses for the environment and future generations. The projects in this bill are much needed, and I'm pleased the conference committee was able to complete its work so we can get a bill to the President.

Mr. BISHOP of New York. Mr. Speaker, I would like to thank Chairman OBERSTAR and Ranking Member MICA, as well as Subcommittee Chairwoman JOHNSON and Ranking Member BAKER and the committee staffs for their hard work and leadership on this important legislation—the first water improvement and conservation package in seven years.

Following several earlier impasses, I want to take this opportunity to commend the spirit of bipartisan and bicameral compromise on this important measure.

This bill benefits all Americans and their families who use and enjoy our Nation's waterways, public beaches—including over 300 miles of coastline along my district—and for U.S. businesses that depend on healthy and viable waterways throughout the country.

My district benefits from the good work that the Army Corps of Engineers does for coastal communities by helping small towns deal with multiple concerns ranging from erosion to longstanding environmental challenges. WRDA will allow the Corps to continue work on several projects on eastern Long Island that will protect the TWA Flight 800 Memorial, restore the quality of the Long Island Sound watershed, protect the famous Montauk Lighthouse, and continue environmental monitoring of the Atlantic coast of Long Island.

In addition, H.R. 1495 will go a long way toward supplying the Corps with all the resources it needs to protect coastal communities and vacationers by modernizing project planning and approval.

Mr. Speaker, I thank the chairman and ranking member again for their hard work on this issue, and I look forward to working with my colleagues to make sure that we get a WRDA bill to the President as soon as we can. We simply cannot afford to let another year go by without passing this legislation.

Mr. COSTELLO. Mr. Speaker, today we are considering the conference report for the Water Resources Development Act of 2007. This has been 7 years in the making to enact a WRDA bill that addresses the critical infrastructure needs of our country.

I would like to thank Chairman OBERSTAR, Chairwoman JOHNSON, Mr. MICA, and Mr. BAKER for a job well done in bringing this conference report to the floor today.

Without their strong leadership, dedication, and persistence we would not have a final conference report on the floor today.

I am pleased that projects for major flood control, navigation, environmental restoration, and other water resource projects, including projects in my congressional district, are being authorized.

I am also pleased we are finally authorizing the Upper Mississippi and Illinois Waterway system project. This project is extremely vital to the State of Illinois and the Nation because we are going to be able to move commerce more efficiently and effectively.

Modernizing that infrastructure is the right thing to do—it is a necessity—and I am glad to see this bill is moving forward on such a significant project to our economy and commerce.

Mr. Speaker, I again salute and thank Chairman OBERSTAR, Chairwoman JOHNSON, Mr. MICA, and Mr. BAKER for their leadership and hard work. I strongly support this conference report and urge my colleagues to do the same.

Mr. BAKER. Mr. Speaker, on behalf of the Port of New Orleans and the economic and business interests throughout the State of Louisiana that rely on the maritime trade and commerce through the Port, I am especially pleased today to commend the conferees on H.R. 1495, the Water Resources Development Act of 2007, WRDA, for their support of the navigation project to improve access to the Port's Napoleon Avenue Container Terminal. Section 1004(a)(7) of the WRDA conference report will allow the Army Corps of Engineers to dredge and maintain a channel leading to the Napoleon Avenue Container Terminal berthing area at a depth not to exceed the authorized channel depth of the Mississippi River Ship Channel. This will ensure that the transportation benefits of the authorized channel depth of the Mississippi River Ship Channel will continue to be realized by the adjacent Port terminal and the larger container and other oceangoing vessels that desire to use that facility. This small navigation enhancement project will create significant economic and business benefits for the Port, and aid in the continuing recovery of the greater New Orleans area. I thank Chairman JIM OBERSTAR and Ranking Member JOHN MICA of the House Transportation and Infrastructure Committee for their support of this initiative in the vital WRDA legislation.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The yeas and nays were ordered.

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

## GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the conference report on H.R. 1495.

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

There was no objection.

## HOUR OF MEETING ON TOMORROW

Mr. OBERSTAR. Mr. Speaker, pursuant to clause 4 of rule XVI, I move that when the House adjourns on this legislative day, it adjourn to meet at 9 a.m. tomorrow.

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

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

Mr. MICA. 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 change the convening time will be followed by 5-minute votes on the motion to suspend the rules and agree to H.R. 3248; and adoption of the conference report on H.R. 1495.

The vote was taken by electronic device, and there were—yeas 403, nays 15, not voting 14, as follows:

[Roll No. 788]

YEAS—403

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
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
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
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)
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
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
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (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)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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)
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—15

Barton (TX)
Bishop (UT)
Davis, Tom
English (PA)
McCaul (TX)
McHenry
Pastor
Pearce
Sali
Souder
Tancredo
Weldon (FL)
Weller
Westmoreland
Wicker

NOT VOTING—14

Abercrombie
Bachmann
Clarke
Crenshaw
Davis, Jo Ann
Grijalva
Hastert
Jefferson
Johnson, Sam
Larson (CT)
Neugebauer
Pryce (OH)
Tanner
Young (AK)

□ 2210

Mr. SMITH of Texas and Mr. LATHAM changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

## SAFETEA-LU TECHNICAL CORRECTIONS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3248, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3248.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 9, as follows:

[Roll No. 789]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
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
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers

Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
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
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
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
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
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
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)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—1

Flake

NOT VOTING—9

Clarke
Crenshaw
Davis, Jo Ann
Hastert
Hastings (WA)
Johnson, Sam
Pryce (OH)
Terry
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker Pro Tempore (during the vote). Members are advised 2 minutes remain on this vote.

□ 2217

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## EXPRESSING SUPPORT OF THE HOUSE FOR THOSE AFFECTED BY THE BRIDGE COLLAPSE IN MINNEAPOLIS, MINNESOTA

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

Mrs. BACHMANN. Mr. Speaker, at 7:10 this evening, 6:10 Central Standard Time, a tragedy occurred with the collapse of one of the most highly traveled bridges in Minneapolis, Minnesota.

While Minnesotans were making their way home from work and on to the Minnesota Twins game, the I–35W bridge suddenly came down. Even now, as we stand here this evening, search and rescue teams are searching the waters of the Mississippi River for survivors.

The Minnesota delegation remains committed to ensuring that Minnesota receives the resources necessary for recovery. I want to thank the House leadership, in particular Speaker PELOSI and Leader BOEHNER, for responding so quickly and agreeing to lend their support.

I would ask that all Americans would join with the Minnesota delegation in praying for those that are impacted by this disaster.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

## CONFERENCE REPORT ON H.R. 1495, WATER RESOURCES DEVELOPMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on H.R. 1495, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 40, not voting 11, as follows:

[Roll No. 790]

YEAS—381

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar

Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
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)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—40

Barrett (SC)
Bartlett (MD)
Blackburn
Blunt
Boehner
Brady (TX)
Broun (GA)
Burton (IN)
Campbell (CA)
Cantor
Chabot
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Gohmert
Goode
Goodlatte
Hensarling
Hobson
Inglis (SC)
Issa
Jordan
Kingston
McHenry
McKeon
Miller (FL)
Myrick
Neugebauer
Pence
Pitts
Putnam
Royce
Sensenbrenner
Shadegg
Stearns
Tancredo
Tiberi
Weller

NOT VOTING—11

Abercrombie
Clarke
Crenshaw
Davis, Jo Ann
Filner
Hastert
Johnson, Sam
Murtha
Paul
Smith (NE)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2225

So the conference report 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. SMITH of Nebraska. Mr. Speaker, on rollcall No. 790. I was detained in a meeting. Had I been present, I would have voted "yes."

## REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3161, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–290) on the resolution (H. Res. 599) providing for further consideration of the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–291) on the resolution (H. Res. 600) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3159, ENSURING MILITARY READINESS THROUGH STABILITY AND PREDICTABILITY DEPLOYMENT POLICY ACT OF 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–292) on the resolution (H. Res. 601) providing for consideration of the bill (H.R. 3159) to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2272, AMERICA COMPETES ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–293) on the resolution (H. Res. 602) providing for consideration of the conference report to accompany the bill (H.R. 2272) to invest in innovation through research and development, and to improve the competitiveness of the United States, which was referred to the House Calendar and ordered to be printed.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HODES). 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.

□ 2230

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

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

## BRING OUR TROOPS HOME

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

Ms. WOOLSEY. Mr. Speaker, the sound of gunshots could be heard throughout Iraq last week. Unlike most days, however, it was not the sound of civil war. Instead, it was the sounds of celebration as Iraq won a pivotal soccer match over their Saudi rivals. The return to violence that is the new Iraqi way of life did not take long, however.

Most Iraqi families are living in unimaginable circumstances. Nearly one-third of the children are malnourished, and some 15 percent of Iraqis regularly cannot afford to eat. That's according to a recent Oxfam report.

The high for Baghdad today was forecast at 121 degrees. Electricity is available for about 2 hours a day. Children are out of school, and regular employment is becoming harder and harder to come by. In these conditions, it is hard to sustain hope. For a country so rich in resources, it is disturbing to hear the stories of families trapped in slums begging for clean drinking water. Mothers scourge to find books and paper for school lessons. It is no wonder. Over 4 million Iraqis have been displaced from their homes and have sought refuge in neighboring provinces or nations.

The United Nations estimates that 50,000 Iraqis leave their homes and become refugees every single month. That is the equivalent of one Biloxi or one Idaho Falls every month. It hits home even more when we think of a population the size of San Rafael or Petaluma, both in my congressional district. This is each month, Mr. Speaker; and the situation isn't getting any better.

We have spent half a trillion dollars on this occupation. Where has it gotten us? If only a fraction of the money we were spending on tanks and bombs was redirected to reconstruction and reconciliation, what a different country Iraq could be.

In my district in Marin and Sonoma counties alone, the taxpayers have shelled out $1.5 billion for this Iraqi occupation. If we really wanted to make America safer, this same amount, just the money from my district alone, could have paid for nearly 29,000 public safety officers or 20,000 port container inspectors. That's the real way to defend our homeland.

We don't need to wait until September to see if the administration's efforts in Iraq are working. They haven't worked from the beginning. We were not met as liberators. We are not making America safer. Our continuing

presence only serves as a recruiting tool for new terrorists. How can anyone think to put our troops in harm's way merely to serve a political legacy?

Both the American and Iraqi people have consistently sent the clear message: Bring the troops home. Not in 2009 or whenever a new President comes along. The time is now, and we must not delay.

This will require bold actions, but our troops deserve nothing less than to be brought safely home to their families.

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.)

## RECLAIMING DR. BERNARD SIEGAN'S REPUTATION

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

Mr. ROHRABACHER. Mr. Speaker, today, I rise to correct the record concerning a great economist and a friend, the late Bernard Siegan, a distinguished professor of law at the University of San Diego. It will be remembered that in 1988 Dr. Siegan was nominated by President Ronald Reagan to the U.S. Court of Appeals. He promptly came under attack, one of the worst from Professor Lawrence Tribe of Harvard University.

Tribe wrote in a public letter on May 28, 1987, to Senator BIDEN attacking the academic views of Dr. Siegan as being outside the mainstream of American jurisprudence.

In a widely quoted section of his letter, Professor Tribe assailed Dr. Siegan's assertion that the Brown v. Board of Education ruling was ''a component of the right to travel, a right long secured by the Federal courts.''

At this time Professor Tribe claimed that this legal view was ''tortured'' and part of ''Mr. Siegan's radical revisionism . . . so bizarre and strained . . . as to bring into question both Mr. Siegan's competence as a constitutional lawyer and his sincerity as a scholar.'' This type of assault was typical of the attacks that preceded the defeat of Dr. Siegan's nomination.

That was 1987, and much has changed since then.

Dr. Bernard Siegan died in March 2006. His many books, speeches and articles made him one of the most prolific and respected legal and constitutional scholars on the political right.

Recently, in sorting through the files of her last husband, Mrs. Shelley Siegan came upon a series of written exchanges between her husband and Professor Lawrence Tribe. Tribe wrote on September 6, 1991, ''I have reconsidered my description of your analysis of Brown v. Board of Education. I agree with your general approach that Brown can be justified by arguing from the 'liberty' component of the 14th amendment.''

Tribe further wrote Dr. Siegan, ''although I do not reach the same conclusions you do, the issues you raise are important enough to be worthy of scholarly discussion.''

Unfortunately for Dr. Siegan's reputation, Professor Tribe's reevaluation was never publicly documented. However, in a letter to Mrs. Siegan on September 21, 2006, he wrote, ''Please permit me to apologize to you here for the unnecessary and ad hominem character of what I wrote to Senator Biden in May 1987.

''I am sorry to have caused him, or you, any distress, and I am grateful for the opportunity your letter affords me to set the letter straight as best I could do at this late date.''

All this tells us much about the ugly period of personal attack this country experienced during the judicial nominations of the 1980s.

I hope this review of the above-cited letters makes it clear that Professor Bernard Siegan was a distinguished and respected scholar, a champion of personal liberty and private property. And contrary to the assertions made during his nomination hearings in 1987, Professor Bernard Siegan would have been made an excellent addition to the 9th District Circuit Court of Appeals.

And now the record is set straight.

## RESPONSIBLE FATHERHOOD AND HEALTHY FAMILIES ACT OF 2007

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

Mr. DAVIS of Illinois. Mr. Speaker, there is broad agreement that fathers matter in the upbringing of children. Studies show that children raised in the absence of a father are more likely to live in poverty. Children whose fathers interact with them on a regular basis on such daily activities as helping with homework, enjoying recreational opportunities and sharing meals have higher self-esteem and are better learners.

Children raised in the absence of a father are more likely to engage in risky behaviors such as early sexual activities, as well as drug and alcohol use. Statistics demonstrate that boys raised in fatherless homes are more likely to become violent.

No one argues that there is any one model of family structure, but the elimination of government barriers to healthy relationships and healthy marriages, the promotion of cooperative parenting skills, and the fostering of economic stability and the provision of incentives to noncustodial parents to fulfill financial and emotional support responsibilities are clearly in the best interest of millions of children.

What we have learned is that even effective fatherhood programs cannot by themselves address the growing crisis arising out of the trend toward a single-parent home. What is required is a national social infrastructure which supports effective fatherhood. Therefore, on Friday of this week, I, with Representative ARTUR DAVIS, JULIA CARSON, BOBBY RUSH and others shall introduce the Responsible Healthy Fatherhood Act.

The Responsible Fatherhood and Healthy Families Act of 2007 restores cuts in Federal child support and requires States to pass through 100 percent of collected child support payments. It prohibits unfair and unequal treatment of two-parent families receiving TANF. It provides grants to help reduce barriers to healthy family relationships and obstacles to sustainable employment.

The Responsible Fatherhood and Healthy Families Act of 2007 ensures equal funding for programs such as mediation and conflict resolution. It provides funding for partnership between domestic violence prevention organizations and fatherhood or marriage programs to train staff in domestic violence and domestic violence prevention.

Mr. Speaker, this legislation is designed to promote healthy family living; and I encourage all of my colleagues to take a hard look at it and support it.

□ 2245

## A LETTER TO CONGRESS FROM JENIFER ALLBAUGH

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

Mr. GOHMERT. Mr. Speaker, I received a letter from a mother of a Marine who was killed on July 5 of this year. She asked that I make this letter known to the Members of the House, and that is what I will do at this time. I will read directly from her letter.

''Let me first tell you about myself. My name is Jenifer Allbaugh, my husband is Jon Allbaugh and we have three children together. My son, 2nd Lt. Army Jason Allbaugh (24), my daughter Alicia Allbaugh, college sophomore (19) and Cpl. Jeremy Allbaugh, USMC (21). Jeremy was killed in Iraq on July 5, 2007 while on a mission in a Humvee that was hit by an IED.

''Jeremy enlisted in the Marine Corps before he graduated from high school in 2004. We were at war but he very much wanted to serve his country. He believed very much in what he was doing and what his country was trying to accomplish in Iraq and Afghanistan.

''While we as a family are struggling greatly with the loss of our hero, I feel a great need to express my concerns in regards to our military.

''I do not understand why our government has to be pushed to equip our

military with the best equipment technology has to offer. We are one of the greatest Nations on this earth, but yet it took parents and other individuals to get our military up-armored Humvees and better body armor. Now we need Mine Resistant Ambush Protected Vehicles and the debate is on again.

''First of all, these vehicles were available for years before this war began, but yet we are just now realizing the need for them. This is shameful, and there is no excuse for it. I would like one person to look me and other mothers in the eye and explain why our sons were not in the these vehicles. According to Secretary of Defense Robert Gates, approximately 700 American heroes would be alive today if they had been in an MRAP, my son included.

''I'm not smartest or most educated woman in the world, but it doesn't take a genius to figure out that there should be no debate over supplying our military with these vehicles.

''IEDs seem to be one of the most effective weapons terrorists have against our troops. Money should not be an issue. This country has been selfish long enough. It shouldn't matter how much it costs. If you are going to ask our military to put their lives on the line for our freedoms, then again, money should not matter. We as a country can go without perfectly paved roads and other such luxuries we seem to think we need for awhile. We gripe about the cost of gas, milk and cup of coffee. If Americans would quit being selfish, maybe funding this war wouldn't be so hard.

''Our Congress and Senate need to stop the finger pointing, back biting, back stabbing and name calling and do their jobs. Work together. As hard as that sounds, the rest of us in the 'real world' have to do it every day.

''It is also time for what I believe is a silent majority to stand up and be heard. Since the death of our son, we have heard from people all over the country who appreciate what he did for his country. They also appreciate what our military is doing in Iraq and Afghanistan. But we as a country only hear from the ones who complain the most. The rich and famous, who don't know what they're talking about, get to tell their opinions, but not those of us who support our sons and daughters who have volunteered to serve this country.

''I had long conversations with my son while he was in Iraq. I was one of the lucky Moms who got to talk to her son quite frequently. He told me of the good things they were doing, for example opening schools, hospitals, clinics and helping recruit men into the Iraqi Army. The vast majority of the Iraqi people in the area Jeremy was in, loved and appreciated the Marines. They understood why we are there. He told me how the locals were voluntarily giving info on the terrorists and their activities and that neighborhood watch programs had been started.

''Do we hear of this? No. Because it isn't sensational enough and it doesn't get votes.

''This war has had a lot of mistakes made, but to me it's neither here or there. We are there and there are good things being done. I want no more excuses and explanations. Write the check with no attachments and give our men what they need. MRAP's should have been there from the beginning and should be there now. Secretary of Defense Robert Gates is asking for more money for MRAP's. This is a no brainer and there should no excuse for thousands to be built. I as a Mother do not care what the obstacles are. We built ships faster than this during World War II. It can be done if we want to. Don't attach pork and other stupid stuff to it either. Just do it. Until we finish our job in Iraq and Afghanistan these vehicles shouldn't be under debate and should be top priority in the manufacturing industry. If you had done this in the first place, my son and many others would be alive today. He was in a Humvee every day he was in Iraq as are thousands of others.

''Jeremy was a bigger man at 21 than any of the men and women that are running this country. He went to war without hesitation or reservation. He did his job well and was sorely overworked and underpaid. I ask that you all start earning your paycheck and do what is right. As my son said, 'We are doing good things here and we need to finish.''

Please honor our military and give them the equipment and time in Iraq and Afghanistan that they need. Please save another Soldier or Marine in a Humvee by putting them in MRAP's.

''The Iraqi people where my son was appreciated him and his fellow Marines. Too bad our own politicians don't. Quit using words of support and do it with deeds.''

I realize my time is expired, and I thank the Speaker.

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

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

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## PASSAGE OF THE DEEPWATER BILL

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

Mr. CUMMINGS. Mr. Speaker, yesterday, the House of Representatives resoundingly supported efforts to strengthen the management of the Coast Guard's $24 billion, 25-year Deepwater procurement effort by passing the Integrated Deepwater Program Reform Act, H.R. 2722, which I authored, and they voted by a sum of 426–0 for that bill.

I want to again thank Congressman JAMES OBERSTAR, the chairman of the Committee on Transportation and Infrastructure, for his leadership on this legislation. I thank the ranking member of the full committee, Congressman MICA, and ranking member of the Subcommittee on Coast Guard and Maritime Transportation, Congressman LATOURETTE, for their work on this bill.

And certainly I thank the chairman of the Homeland Security Committee, BENNIE THOMPSON, for his wise counsel and his efforts to get the bill to the floor.

Mr. Speaker, I'm confident that the enactment of H.R. 2722 will help restore the trust of the American people in the ability of the United States Coast Guard to manage taxpayers' resources and to hold contractors accountable for the quality of the assets that they produce.

I look forward to continuing to work with my colleagues in the House and with my colleagues in the Senate, particularly Senator MARIA CANTWELL, the chair of the Oceans, Atmosphere, Fisheries and Coast Guard Subcommittee, to take the steps necessary to put legislation forward to strengthen the Coast Guard's management of Deepwater on the President's desk.

The Subcommittee on Coast Guard and Maritime Transportation, which it is my honor to chair, continues to work diligently to oversee not only the Deepwater project but, indeed, all of the operations of the United States Coast Guard.

Yesterday, the subcommittee held a hearing to examine the Coast Guard's administrative law system, which weighs allegations of misconduct or negligence to determine whether a mariner's credentials should be suspended or even revoked.

The subcommittee received testimony from two former administrative law judges suggesting that during their tenure they worked in an atmosphere that did not support their exercise of judicial independence in the consideration of their cases.

Additionally, serious allegations were raised that, if true, would imply that improper actions may have been committed to direct an ALJ to decide matters in the Coast Guard's favor.

Such testimony is obviously deeply disturbing, and again, I emphasize, if true, we suggest that the scales of the Coast Guard's justice and administrative law system are not evenly balanced.

While we continue investigating the allegations raised, I do know that any administrative law system must not only ensure that there is no impropriety in the conduct of administrative proceedings but that there is not even the appearance of unfairness in the system.

I now believe that the administrative law system reviewing cases against mariners should be separated from the

Coast Guard, and I look forward to continuing to work with the ranking member of the subcommittee and with all subcommittee members to consider how best to achieve that objective.

Our subcommittee will conduct a second oversight hearing this week. Tomorrow, we will examine the Coast Guard's marine safety program. This hearing will provide a comprehensive examination of whether the Coast Guard personnel have the expertise, the experience and the continuity necessary to effectively inspect vessels, license mariners and develop the regulations that will make vessels safer and protect our natural environment.

The Coast Guard is our thin blue line at sea and a critical part of our Nation's homeland security system. The Deepwater bill passed by the House and the oversight hearings held by the subcommittee this week will help to ensure that this thin blue line is as strong as it possibly can be and that the service is working effectively and efficiently to meet the highest expectations of the American people.

Again, I applaud the passage of the Deepwater bill and express my gratitude for the dedication of the great men and brave women that serve in the Coast Guard.

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

(Ms. FOXX 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 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 Texas (Mr. BRADY) is recognized for 5 minutes.

(Mr. BRADY of Texas 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 New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## SCHIP

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

Mr. SESTAK. Mr. Speaker, I asked to speak this evening on SCHIP, the bill that was passed today. Unfortunately, I was unable to be there during the day here on the House floor during the debate, but I wanted to speak about the importance of it to me personally and why I think it is important to this Nation.

Two years ago this month, or just around this month, having served 31 years in our military, my 4-year-old daughter, my only daughter, was diagnosed with a malignant brain tumor and given 3 to 9 months to live. We began a series of brain operations and then chemotherapy.

Down the street in Children's Hospital, we began that treatment, and about January when we were done and began to think about what to do with the rest of my life, having then retired from the military to live with my daughter on an oncology ward, it became very important to me to remember what I saw when we began that chemotherapy treatment.

We were in a small room like anybody else who has been in a hospital. We had a roommate. It was a young 2½-year-old boy here from Washington, D.C., who had entered the hospital that day because he had been diagnosed with acute leukemia.

And for about 6 hours as my daughter was undergoing her first chemotherapy, vomiting about, as I remember, 19 times that day, we could not help but overhear through this thin curtain that separated the bed from my daughter's social workers who came and went, working with the parents of that young child to see if he might remain there in the hospital to be treated for his cancer. And they had to do that because he was uninsured.

Here I had been in the navy for 31 years, and the one time I had a personal challenge, and I had many professional challenges, this Nation gave my daughter an opportunity.

I took her pathology slides everywhere, Children's, Mass General, John Hopkins, Children's in Philadelphia, and then we sought the best out to give her an opportunity, having been challenged for just 3 to 9 months to live.

I went away to an 11-month war and never worried that my daughter and my wife would be taken care of. I don't understand how that young child, 2½ years old, sitting in that room next to my daughter did not have the same opportunity. Where was the Nation for him?

So, therefore, I just rose to speak today that why I entered the race for Congress after 31 years in the military was not, as many assumed, because of the Iraqi war, that tragic misadventure, but rather, it was to give every child the same opportunity mine had.

Hubert Humphrey said it well: The moral test of a government is how well it takes care of those in the dawn of life, the children; those in the twilight of life, the elderly; and those in the shadows of life, the sick, the disabled, the handicapped.

But for me, it was more personal. This Nation was here for me. I owe it. And I intend to pay it back by continuing to work for programs like SCHIP where that young 2½-year-old boy, uninsured, had to wait for the social workers to convince an administration that he might have the opportunity to live.

That's why SCHIP to me is so important.

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

## REVISIONS TO ALLOCATION FOR HOUSE COMMITTEES

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

Mr. SPRATT. Mr. Speaker, under sections 211, 301(b), 304(a), 305(b), 314(d), 320(a), and 320(c) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal years 2007, 2008, and the period of 2008 through 2012. This revision represents an adjustment to certain House committee budget allocations and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to the bill made in order by the Committee on Rules, H.R. 3162 (Children's Health and Medicare Protection Act of 2007). Corresponding tables are attached.

Under section 211 of S. Con. Res. 21, this adjustment to the budget allocations and aggregates applies while the measure (H.R. 3162) is under consideration. The adjustments will take effect upon enactment of the measure (H.R. 3162). For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 211 of S. Con. Res. 21 is to be considered as an allocation included in the resolution.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

| House committee | 2007 | | 2008 | | 2008–2012 total | |
|---|---|---|---|---|---|---|
| | BA | Outlays | BA | Outlays | BA | Outlays |
| Current allocation: | | | | | | |
| Energy and Commerce | −1 | −1 | 134 | 132 | 89 | 87 |

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES—Continued

[Fiscal years, in millions of dollars]

| House committee | 2007 | | 2008 | | 2008–2012 total | |
|---|---|---|---|---|---|---|
| | BA | Outlays | BA | Outlays | BA | Outlays |
| Ways and Means | 0 | 0 | −38 | −38 | −98 | −98 |
| Change for Children's Health and Medicare Protection Act of 2007 (H.R. 3162): | | | | | | |
| Energy and Commerce | 0 | 0 | 2,872 | 2,872 | 51,798 | 51,798 |
| Ways and Means | 0 | 0 | 2,939 | 2,939 | −26,190 | −26,190 |
| Total | 0 | 0 | 5,811 | 5,811 | 25,608 | 25,608 |
| Revised allocation: | | | | | | |
| Energy and Commerce | −1 | −1 | 3,006 | 3,004 | 51,887 | 51,885 |
| Ways and Means | 0 | 0 | 2,901 | 2,901 | −26,288 | −26,288 |

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

| | Fiscal year 2007 | Fiscal year 2008 [1] | Fiscal years 2008–2012 |
|---|---|---|---|
| Current Aggregates:[2] | | | |
| Budget Authority | 2,255,570 | 2,350,357 | n.a. |
| Outlays | 2,268,649 | 2,353,992 | n.a. |
| Revenues | 1,900,340 | 2,015,841 | 11,137,671 |
| Change for Children's Health and Medicare Protection Act of 2007 (H.R. 3162): | | | |
| Budget Authority | 0 | 5,811 | n.a. |
| Outlays | 0 | 5,811 | n.a. |
| Revenues | 0 | 4,516 | 27,368 |
| Revised Aggregates: | | | |
| Budget Authority | 2,255,570 | 2,356,168 | n.a. |
| Outlays | 2,268,649 | 2,359,803 | n.a. |
| Revenues | 1,900,340 | 2,020,357 | 11,165,039 |

n.a. = Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.

[1] Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the current aggregates.

[2] Excludes emergency amounts exempt from enforcement in the budget resolution.

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

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

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

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

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

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

## ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 32 minutes, which is half the time until midnight, as the designee of the minority leader.

Mr. PETERSON of Pennsylvania. Mr. Speaker, tonight I'd like to share with the House what I think is the most important issue facing this country. Later this week we will have an energy bill, or a so-called energy bill, because the number one issue facing America, in my view, is available, affordable energy.

First, I'd like to look at my chart on my left here, and this is the energy as we utilized it in 2005. It has not changed much in 2006. It changed very little in 2007.

The number one form of energy that we use is oil, 40 percent.

The second item is natural gas, 23 percent. Now, natural gas is used to heat our homes, to heat our businesses. It's used by many people. Many people are not aware that it's used in making many goods. Petrochemicals use it as a fuel and use it as an ingredient. Fertilizer uses it as a fuel and as an ingredient and so does polymers and plastics. In fact, most of the man-made materials today have natural gas in them as an ingredient, and they also use natural gas as a fuel to make the product. Plus, we also now generate more than 20 percent of our electricity with natural gas. So natural gas is the one that's been growing in use but not in production.

Coal is an equal amount which we use a lot to generate electricity mostly, 23 percent, heat a few factories. Nuclear, again to generate electricity. Hydroelectric, again to generate electricity.

Biomass is the one that's been growing. Nobody talks much about it. But it's woody waste, it's used in the pellet industry for pellet stoves to heat our homes. It's one of the new uses of wood waste made out of saw dust. Also, biomass is used in power generation. It is used to top coal loads so that they bring the air standards down because it burns cleaner, and many factories are now using waste pallets and waste wood to heat their factories because it's a cheap fuel.

Geothermal is one that's growing slowly. It's usually with new construction, not old, because of the underground work that's needed to use geothermal to heat your home or business.

Wind and solar are the ones we hear a lot about. Hydrogen is not even on here, but hydrogen vehicles is another one I should mention.

But this shows you, and I guess the part that is worrisome is that all of our energy bill deals with the last four: biomass, geothermal, wind and solar, or hydrogen.

□ 2300

The numbers in them are so small. We are all for them. The energy bill also does some good things. It does deal with conservation, wiser use of all of our forms of energy, better CAFE standards, although I am not sure that's in the bill, although there is talk about that being there, use, getting more fuel efficient cars.

But there's a lot of things in this bill that are very alarming. I believe that our 66 percent dependence on foreign oil will increase under the proposed legislation, because this bill goes in the wrong direction. Today, oil reached $79 a barrel, closed at $78.77, record high. I talked to some energy people this evening at a dinner, and they would be surprised if it doesn't reach $100 this summer or this fall.

Everything is in place. There is a world shortage of oil. We are not producing as much as we should be, and the tremendous consumption by countries like China and India and all the developing nations are now using huge amounts of oil. They are roaming around the world, signing up contracts, while we sort of sit along the sidelines dealing with the lower four.

The Wall Street Journal yesterday reports that the Organization of Petroleum Exporting Countries posted record revenues of 650 billion last year on high crude prices and increased oil production, 650 billion, many of those our dollars.

Another move to use energy as a political weapon, Russia announced today that it's cutting off Belarus off from its natural gas supply. At the same time, Russia is trying to annex the North Pole in a very controversial move, contravention of international law, to feed its energy lust.

Yesterday, it was announced that Venezuela has joined China, Norway, Canada and Spain to produce energy right off the Florida coast.

The Iranians and the Chinese are inking new energy production agreements with Venezuela. Dow Chemical just announced that it's going to build a $22 billion chemical facility in Saudi Arabia because natural gas supplies in this country are too tight, energy prices are too high.

What most people don't realize is that natural gas is not a world price. We had $78 oil today. The whole world does. We have had the highest natural gas prices in America of the whole world for 6 years, and that has endangered the financial stability of chemical companies and fertilizer companies and plastic and polymer companies and steel and aluminum and bricks and glass that use huge amounts of natural gas to make them.

Recently, the Business Roundtable, which represents 160 CEOs of the leading companies in America that use energy, 4.5 trillion in annual revenues, with 10 million employees, wrote in a letter recently, ''None of the House [energy] bills addresses the critical need to increase domestic supplies of petroleum liquids and natural gas. Energy security means having well diversified sources of energy—not putting all of our eggs in one basket. Alternative fuels will not eliminate the need for traditional energy resources and, without additional supply, the tight market conditions that have put pressure on prices are likely to persist. The result may well be greater reliance on imports,'' and there are many who predict that we have been increasing our dependence, 2 percent every year. Some think we will spurt up to 70 real quickly, because of the energy bill.

The result, the unnecessary and counterproductive impediments to oil and gas leasing, on Federal lands, contained in this bill, report by the Natural Resources Committee, will have an immediate negative effect on domestic production and should not be adopted by the House.

It will cut off 9 trillion cubic feet of natural gas from the Colorado Roan. It will cut off 2 trillion barrels of oil shale from oil shale resources. It will cut off 18 percent in Federal on-shore production, because it is removing the redundant NEPAs.

Currently, we have off limits the Outer Continental Shelf, and this little spot in the middle here is the new Colorado Roan Plateau. It's a huge, clean natural gas field in Colorado that was set aside as the Naval Oil Shell Reserves in 1912 because of its rich energy resources. There is more natural gas there than was in the bill that was passed last year in the gulf.

Cutting off the Roan Plateau was not the subject of any hearings, markups, and was done at the 11th hour. It also cuts off 2 trillion barrels of oil shale from oil reserves in some of the similar areas there, 2 trillion barrels. Now, that's the largest oil reserve known left. Like coal oil shale may prove to be our key to hundreds of years of energy security. This bill throws the key away by neutering the current oil shale program. Meanwhile, China is developing its oil shale.

The NEPA program, NEPA studies, redundant NEPA study was legislation that I helped to get in the energy bill which says that redundant NEPAs are not necessary. Historically, groups who are trying to prevent drilling from happening would force producers into multiple NEPA studies, a NEPA study, an environmental impact statement. Many times before they were allowed to drill a well, they would have done three, four or five of them, each taking a year.

I had talked to people who had leased land, and 7 years later had not produced any oil. That will not serve America well. The bill we are going to be considering cuts off 10 billion barrels from the National Petroleum Reserve in Alaska. This is an interesting one, cuts off interagency communication for oil and gas permitting.

Historically, all of the agencies, when they were permitting oil and gas, like Bureau of Land Management, Forest Service, EPA, Fish and Wildlife Service, Army Corps of Engineers, would all work together in their permitting process and would all work together collectively in enforcing them. This legislation says they must all deal with the person separately, which makes it much more difficult to produce energy.

I want to next bring up the next chart here. Total net U.S. petroleum imports. Prior to this energy bill, I believe it was called energy independence. Folks, the legislation we are going to consider this week will increase energy dependence. It will give us no independence.

This shows you the study path of dependence. Many of us predict this bill put another spike here because it locks up good reserves, and it takes away what opportunities we have.

It's vital to America that we produce fossil fuels.

In my view, we ought to be opening up the Outer Continental Shelf, and I will talk about that in a minute, which is, for natural gas, I have a bill to do that, and I will talk about it in a few minutes. But we also ought to have a program promoting coal to liquids, because the Germans fought us in the war when we blockaded them and prevented them from buying energy, any oil. They made their energy out of coal. Their processes are still known.

There are several processes that have been developed, but these processes need to be streamlined. We need to build some pilot plants. We need to make sure that in the future we are not growing our dependence to 70 and 80 percent on foreign countries.

Interestingly enough, the Air Force is doing their own work. They have been experimenting with coal to liquid. They have been experimenting with natural gas to gas liquid, which would make natural gas prices even higher because there is not enough supply, because they don't want to be dependent in the Air Force. They use 2½ billion gallons of jet fuel a year, and they want at least at least 60 percent of that to be from American products. They can't do that today. They are dependent on foreign oil.

The interesting thing we need to know, where does the foreign oil come from? Exxon is the 14th largest oil company in the world. The 13 larger are government-run oil companies. Most of the companies like Iran, Iraq, Russia, Saudi Arabia, the government owns the oil company, owns the oil, opens the refineries, owns the marketing strategy, and even countries like nearby Mexico.

We have all of these countries in the world. Most of the ones that are the big oil producers are not democracies. They are not particularly close friends of ours. There is much concern in the world today that 80 some percent of the known oil and gas reserves are opened by governments that are monopolies that own the whole shebang. They own it in the ground. They own the refineries. They own the marketing systems.

Unfortunately, the fear is that Venezuela is going down the same road that Mexico went. Mexico has huge reserves, but they have always been a government monopoly. They don't put money back into the oil fields, and so today they can't produce enough of their own. We actually export oil and gas both to Mexico when they ought to be exporting to us and to the rest of the world because they have huge reserves.

Because they are government run, they are corrupt. They steal from the oil reserves, money, and use it for other purposes and don't invest back. So their fields are so antiquated that they can't produce. There are many that are afraid today because in the last 3 or 4 years, three or four or five countries have taken over what were partly owned companies from the big oil companies, chased them out, taken over their equipment, taken over their refineries, taken over their operations, taken over their ownership, and they are now government-run monopolies.

That's unfortunate, because they are doing the same thing that Mexico and other countries have done. They are not putting their money back. They have kicked out the smartest people in the country on how to produce oil, how to do refineries, how to produce the energy we need, and so there is great concern around the world that, as they continue to do this, their ability to produce will decrease and decrease, and the oil supply will be shorter and shorter.

We sit here today with $78, $79 oil, $78.87, and we are storming the gulf away from probably $90 oil or any little blip in one of these big producing companies, and $100 oil. In fact, someone

was telling me today of a pipeline he was worried about that produces 2 million barrels a day, and he said that pipeline is too long, in a very dangerous situation in the world. If it was blown up, we would have $100 oil in a couple of days.

Should America be dependent on foreign, unstable countries, not democracies, not our friends, for the lifeblood of our country? I don't think so.

Let's bring the chart back up on energy here. I am for all of these renewables. I want all the wind we can get, all the solar we can get, all the ethanol and biodiesel we can get, geothermal. Why we aren't putting more hydroelectric in because we have dams all over this country that have never had hydroelectric hooked up to them. We should be expanding nuclear.

With the greatest coal reserves in the world, we should be force feeding coal to liquids and coal to gas mass. Now, some of the arguments I have had is, because of carbon sequestration, we can't do coal. Well, folks, we better do coal. We can work on the carbon sequestration as we refine the process of developing liquids and natural gas from coal.

Now, natural gas, I believe, is our road to the future, for the immediate future. We have huge reserves of natural gas, Outer Continental Shelf. Let's bring that world map back up here or the United States map back up here again.

We have huge reserves offshore. We only produce in the gulf, but we have huge reserves up and down the coast line.

Now, I have legislation that will open up the Outer Continental Shelf, and it's vital that we do that. It's vital that we produce, because we, every electric generating plant we have built recently is natural gas. So if we continue to have a hot summer, we will use a tremendous amount of electricity. In hot weather, they turn on the gas plants, peaker plants. Before, 12 years ago, we only used natural gas for peaking plants. That was high use in the morning and high use at night, but where they were not allowed to run during the day, only in emergency.

But then we took that restriction off, so now 98 percent of all the plants built in 12 years have been natural gas plants. They are cheaper, they are easier, but it's the most expensive electricity we are producing today. They are 22 percent of the volume, and they are 55 percent of the cost of electricity, because natural gas is so much higher than it used to be, because we have not produced natural gas in adequate numbers. But if we produced our offshore, if we continued to produce more in the West, we could bring natural gas prices down so we are not the highest in the world.

□ 2315

When Dow Chemical moved its big plant to Saudi Arabia that they are building right now, they didn't want to do that, but their natural gas bill went from $8 billion per year to $22 billion per year and continues to rise; $8 billion to $22 billion. Nobody talks about that.

Clean, green natural gas, it heats 50-some percent of our homes, 60-some percent of our businesses. It is used to make ethanol, it is used to make biodiesel, it is used to make hydrogen, and it could be fueling one-third of our vehicles. And if we did that, because you can burn natural gas in a gasoline engine. You have to use a different fuel system, but it is just a change. We know how to do that. But it has to be affordable, there has to be financial incentives there, and so we need to do that.

But the unfortunate part is America is just kind of going along like we have always had cheap energy. And I sometimes get angry at Congress and I get angry at the administration because energy has not been as high a priority as I think it should have been. But then 6 years ago, we had $2 natural gas and we had $10 oil; the world was awash in it. The only concern people had was we were importing too much of it from foreign countries and we weren't producing our own. But as cheap as it was, it didn't really matter.

But we are a long way from $2 natural gas and $10 oil. The average price of natural gas to the home last year was $12.50 per thousand and the current price of oil is almost $79, and expected to go higher.

So it seems to me that there would be a sense of urgency in this Congress and that legislation that we would be looking at this week would really deal with availability and affordability of energy. But, unfortunately, people keep saying that renewables must take over. Well, I wish they could. I am for them all, clean renewables. But clean, green natural gas can really bridge us until we have renewables playing a more significant role, until we have some new break-throughs.

My legislation to open up the Outer Continental Shelf will allow the first 25 miles to be locked up by law. Today, we are locked up for 200 miles. We are the only country in the world that I know of that has locked up the Outer Continental Shelf, and that is from 3 miles to 200 miles; that is considered our territory to produce. Everybody, Canada, Norway, Sweden, Denmark, these are pretty green countries, New Zealand, Australia. They all produce there.

Everybody talks about Brazil being energy independent. They are, because of ethanol. But it is not just ethanol. Ethanol was just a little piece of it. They also produced energy on their Outer Continental Shelf, and they don't now depend on anybody else for energy.

Unfortunately, we can't ever get there. We will always be dependent on foreign countries for energy. There is no way America can be self-sufficient, but we sure ought to be trying. We sure ought to be moving in the right direction instead of continuing to be more dependent. We are now 17 percent dependent on natural gas. Thank God for friendly Canada to the north. They produce about 15 percent, and we get about 2 percent of LNG. That is liquefied natural gas. That is another whole issue. I am not opposed to it. It is very expensive. You have to build new sending ports, you have to build huge sending ports, you have to build huge receiving ports that nobody wants; and there has been great resistance to that. And you have to build the biggest ships known to man to bring that natural gas here.

But, again, we are buying it from foreign, unstable, nondemocratic countries. Some say, it is okay for emergency, but don't we have enough of that? But clean, green natural gas, if we produced, opened up the Outer Continental Shelf, my bill, 25 miles remains closed; the second 25 miles, States' rights. They can open it if they choose to. The next 50 is open, but the States still have a say. If they don't want it produced, they can pass a law that their Governor signs that keeps them in the moratorium. And then the second 100 miles would be open.

Now, I would like to open it for oil because I think we should, but we haven't been able to pass clean, green natural gas. A natural gas well has never polluted a beach. A natural gas well has never polluted anything. It is a simple six-inch hole drilled in the ground with a steel casing put in behind it and the pipe is rigged up to allow natural gas to flow into a system.

Offshore, if you are past 25 miles, you will never see it. You only can see 11 to 12 miles. It will never be seen. You will never know it is there. And you can check with the people in the gulf, the best fishing in the gulf is where we produce gas and oil. The fish are attracted to the rigs. It helps make new reefs; it helps make barriers to protect them. It does not hurt aquatic life. In fact, it is probably the most environmentally friendly place to produce energy, and we as a country have said we are not going to do that. We are not going to produce energy there. In fact, we are not going to produce energy at all if we can help it.

The bill before us this week will restrict the production of energy in a whole lot of ways. I have already listed them. And that is very unfortunate for America, because there is a lot of incentives for renewables. But if you double wind from one-sixteenth of a percent, you now have one-eighth of a percent for energy. That doesn't change much. That doesn't really change anything.

And solar, we keep hoping for breakthroughs, but it is even a smaller fraction. And geothermal is a big expense, and it is usually done with new construction. But in my country, I find out that when it gets below 10 degrees or 15 degrees into really hard, cold winter weather, it doesn't work well

enough and people start looking for other kinds of heat.

Let's have the chart here on my bill. The NEED Act is the bill we hope we can amend into the energy bill. It would open up the Outer Continental Shelf for gas only. And we do some things here that we think are important. States will get 37.5 percent. That will be up to 150 billion. That is with the known reserves. And we have never done modern seismographic out there, so most people who produce oil figure there is three times as much out there than we think because the old seismographic of 40 years ago wasn't very good and today we have much more sensitive seismic that will tell us exactly what's out there.

We are going to give 100 billion to the government for the Treasury; $32 billion will go into a fund for renewable energy that will help us promote the renewables of the future; $32 billion will go into carbon capture and sequestration research, because there are those who determined that we must capture carbon. I am not sold totally on that; I am still somewhat skeptic, but let's provide the money so we can capture the carbon and we can produce energy without putting carbon in the atmosphere if that is what they believe to be correct.

We put $20 billion to clean up the path of the Chesapeake Bay, the exact amount of money they say they need to clean up the Chesapeake Bay; $20 billion to restore the Great Lakes, exactly what they said they needed to restore the Great Lakes; $12 billion for the Everglade restoration; $12 billion for the Colorado River basin restoration; $12 billion for the San Francisco Bay restoration; and $10 billion for LIHEAP and weatherization, which we have to fund because energy prices today are forcing people out of their homes.

I come from rural America. We have big old farmhouses, and people hate to leave their original farmhouses. Some of them, their parents and their grandparents were raised there. They like it there, they are comfortable there, it is a nice location. But they are hard to heat. They are big old plank houses, they are not built like houses today, and it takes a lot of energy to heat them. And people, with today's oil prices and natural gas prices, are forced out of their homes. That shouldn't be in America.

With the energy prices that are facing us this year, this winter, by the time Americans drive their vehicles with possibly $3.50, $4 gasoline, and very high gas and fuel oil to heat their homes, they will be choosing between being warm, having adequate food, and other staples of life. I know last winter, which was a very mild winter in my area in Pennsylvania, up until January and then it was very, very cold from January 15 on for about 3 months; but overall, it was considered a mild winter because the first half was very mild. I know people that kept their homes at 58 degrees. Seniors in America shouldn't have to live in a 58-degree house. That is not how it ought to be. They ought to be able to afford to heat their homes.

And the tragedy is if we were allowed to produce, if this Congress would stop locking up the Outer Continental Shelf, if they would open up the reserves in the Midwest which some of them are taking off in the energy bill, we could have adequate natural gas in this country; the price could be affordable; Americans could be warm; and, the very best jobs in America like petrochemical and polymers and plastic and fertilizer and glass and steel plants and bricks could be made in America, and middle-class working Americans could continue to have the jobs that have historically allowed them to live a quality of life and raise their families.

Natural gas and energy prices overall are going to change the American economy. We are right on the verge of how much this economy can absorb. I was talking to someone who has worked on this all their life. They said they are astounded that $70 oil has not stalled our economy. They are just holding their breath because they know it can't get much higher without stalling our economy and putting our economy into a recession and possibly a world recession. These kind of energy prices.

America has to get busy. China is building coal plants weekly, nuclear plants monthly, building the largest hydro dams in the world and cutting deals all over the world for gas and oil and coal. They are out there because they know, like so many other countries know, energy is scarce today, it is high priced, and they have to be about securing their future.

This Congress has been negligent year after year in dealing with energy, and here we are now facing an energy bill that is actually going to move us backwards. The Pelosi energy plan has no energy in it. In fact, it takes energy out of the supply stream we have today and will force dependence up on foreign unstable parts of the world, with false hopes that we can conserve.

And I am for conservation. I am for all of the better light bulbs and more efficient appliances and all the things and more efficient cars. All of those things. But they move the pendulum very slowly. New CAFE standards take 10 to 15 years for the new fleet to fully be here. All of these other appliance changes, it is only when a person buys a new appliance does it impact. And I know people who have refrigerators that are 15 and 20 years old, and until they replace that they are using an older, wasteful refrigerator.

Folks, we need to have energy as the number one issue facing this Congress, energy availability and affordability. We became the strongest Nation in the world because we were the first to discover oil, harness oil, and give us an energy source that started the Industrial Revolution. The whole transportation revolution came from this country because we produced energy. We are choosing today to not produce energy, and we will fritter away, we will become a second rate nation in a very few years if we continue the wrong energy policy. And if we pass the energy bill that we are going to be facing on Friday, I believe we will increase dependence quickly, we will actually cause Americans to be forced to move out of their homes in the near future, not be able to live in the homestead because they can't afford to heat it.

We will continue to force millions of jobs overseas as we have in the past. Chemical plants have been built overseas in the last few years; they will continue to be rebuilt overseas. They can't move quickly, or they would have already been gone. It is a $2 billion, $3 billion, and $4 billion investment to build a small chemical plant, and $10 billion and $20 billion to build a large one. Folks, they are in the process of doing that.

We now make 50 percent of our fertilizer offshore. In fact, the ethanol issue is an interesting one, because we are taking food stock, corn. And to grow the corn, we have to have lots of fertilizer. It takes a lot of fertilizer to grow corn. And 50 percent of the fertilizer that we are using to grow corn is coming from foreign imports. Does that make any sense? I don't think so. Because clean green natural gas can solve all those problems.

I look at natural gas as the clean fuel that bridges us to the future. No $NO_X$, no $SO_X$, a third of the $CO_2$ if you are worried about $CO_2$. And why the environmental groups are against clean green natural gas, I will never know, because some of the renewables are not nearly as clean as clean, green natural gas.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HAYES (at the request of Mr. BOEHNER) for July 31 until 1 p.m. on account of illness in the family.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. SUTTON, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. JEFFERSON, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Ms. FOXX, for 5 minutes, today.

Mr. BRADY of Texas, for 5 minutes, today and August 2 and 3.

Mr. MCHENRY, for 5 minutes, today and August 2 and 3.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. PRICE of Georgia, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

## SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 7. Joint resolution providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 8. Joint resolution providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

## ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1. An act to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

## ADJOURNMENT

Mr. PETERSON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, August 2, 2007, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2816. A letter from the Comptroller, Department of Defense, transmitting the Secretary's certification that the current Future Years Defense Program (FYDP) fully funds the support costs associated with the MH-60R helicopter mission avionics multiyear procurement program, pursuant to 10 U.S.C. 2306b(i)(1)(A); to the Committee on Armed Services.

2817. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's certification that the F-22 multiyear procurement meets all requirements of the law, pursuant to 10 U.S.C. 134; to the Committee on Armed Services.

2818. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting a copy of the ''Annual Report on the Department of Defense Mentor-Protege Program'' for FY 2006, pursuant to Public Law 101-510, section 831; to the Committee on Armed Services.

2819. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral David C. Nichols, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

2820. A letter from the Director, Office of Standards and Variances, Department of Labor, transmitting the Department's final rule — Sealing of Abandoned Areas (RIN: 1219-AB52) received July 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

2821. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Implementation of the Office of OMB Guidance on Nonprocurement Debarment and Suspension — received June 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2822. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Correction [EPA-R05-OAR-2006-0046; EPA-R05-OAR-2006-0891; EPA-R05-OAR-2006-0892; FRL-8335-6] received July 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2823. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky: Redesignation of the Kentucky Portion of the Louisville 8-Hour Ozone Nonattainment Area to Attainment for Ozone [EPA-R04-OAR-2006-0584-200723; FRL-8335-4] received July 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2824. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio Rules to Control Emissions from Hospital, Medical, and Infectious Waste Incinerators [EPA-R05-OAR-2006-0560; FRL-8335-5] received July 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2825. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the Hampton Roads Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory; Correction [EPA-R03-OAR-2006-0919; FRL-8335-1] received July 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2826. A letter from the Chair, Acquisition Advisory Panel, transmitting the Panel's Final Report including recommendations regarding small business, the Federal acquisition workforce, and the appropriate role of contractors supporting the federal government, as required by Section 1423 of the Services Acquisition Reform Act of 2003; to the Committee on Oversight and Government Reform.

2827. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's 2006 inventory of activities that are not inherently governmental functions as required by Section 2 of the Federal Activities Inventory Reform (FAIR) Act of 1998, Public Law 105-270; to the Committee on Oversight and Government Reform.

2828. A letter from the General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2829. A letter from the Under Secretary for Management, Department of Homeland Security, transmitting in accordance with the Federal Activities Inventory Reform Act of 1998, the Department's FY 2006 inventory of commercial and inherently governmental activities; to the Committee on Oversight and Government Reform.

2830. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the amount of acquisitions made from entities that manufacture the articles, materials, or supplies outside the United States in Fiscal Years 2005 and 2006; to the Committee on Oversight and Government Reform.

2831. A letter from the Pricipal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the use of the Category Rating System during calendar year 2006, pursuant to 5 U.S.C. 3319(d); to the Committee on Oversight and Government Reform.

2832. A letter from the Procurement Executive, Department of State, transmitting the Department's final rule — Department of State Acquisition Regulation; Technical Amendments (RIN: 1400-AC34) received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2833. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2834. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2835. A letter from the Special Assistant to the Secretary, Department of Veterans Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2836. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2837. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2838. A letter from the Associate Special Counsel for Legal Counsel and Policy, Office of Special Counsel, transmitting the Office's final rule — Revision of Freedom of Information Act regulations of the U.S. Office of Special Council — received July 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2839. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to

the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2840. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2841. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2842. A letter from the Office of the District of Columbia Auditor, transmitting a copy of the report entitled, ''Audit of Advisory Neighborhood Commission 3D for Fiscal Years 2005 through 2007, as of March 31, 2007''; to the Committee on Oversight and Government Reform.

2843. A letter from the Office of the District of Columbia Auditor, transmitting a copy of the report entitled, ''Audit of Advisory Neighborhood Commission 3C for Fiscal Years 2005 through 2007, as of March 31, 2007''; to the Committee on Oversight and Government Reform.

2844. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Certification of the Sufficiency of the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2008''; to the Committee on Oversight and Government Reform.

## 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. GORDON: Committee of Conference. Conference report on H.R. 2272. A bill to invest in innovation through research and development, and to improve the competitiveness of the United States (Rept. 110–289). Order to be printed.

Mr. McGOVERN: Committee on Rules. House Resolution 599. Resolution providing for further consideration of the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–290). Referred to the House Calendar.

Mr. WELCH: Committee on Rules. House Resolution 600. Resolution providing for consideration of motions to suspend the rules (Rept. 110–291). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 601. Resolution providing for consideration of the bill (H.R. 3159) to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom (Rept. 110–292). Referred to the House Calendar.

Ms. SUTTON: Committee on Rules. House Resolution 602. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2272) to invest in innovation through research and development, and to improve the competitiveness of the United States (Rept. 110–293). 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. FILNER:

H.R. 3270. A bill to amend the Immigration and Nationality Act to permit certain Mexican children, and accompanying adults, to obtain a waiver of the documentation requirements otherwise required to enter the United States as a temporary visitor; to the Committee on the Judiciary.

By Ms. SHEA-PORTER:

H.R. 3271. A bill to prohibit the solicitation and display of Social Security account numbers, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. LARSEN of Washington, Mr. ISRAEL, Mrs. DAVIS of California, and Mr. BOUSTANY):

H.R. 3272. A bill to provide for increased funding and support for diplomatic engagement with the People's Republic of China; to the Committee on Foreign Affairs.

By Mr. LARSEN of Washington (for himself, Mr. KIRK, Mrs. DAVIS of California, Mr. ISRAEL, and Mr. BOUSTANY):

H.R. 3273. A bill to authorize assistance to small- and medium-sized businesses to promote exports to the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Small Business, 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. ISRAEL (for himself, Mr. LARSEN of Washington, Mr. KIRK, Mrs. DAVIS of California, and Mr. BOUSTANY):

H.R. 3274. A bill to authorize the Secretary of Energy to make grants to encourage cooperation between the United States and China on joint research, development, or commercialization of carbon capture and sequestration technology, improved energy efficiency, or renewable energy sources; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself, Mr. LARSEN of Washington, Mr. KIRK, Mr. ISRAEL, and Mr. BOUSTANY):

H.R. 3275. A bill to support programs that offer instruction in Chinese language and culture, and for other purposes; to the Committee on Education and Labor.

By Mr. KIRK (for himself, Ms. BEAN, Mr. EMANUEL, Mr. HINCHEY, Mr. GUTIERREZ, Mr. ROSKAM, Mr. PETRI, Mr. LAHOOD, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. HARE, and Mr. CARNEY):

H.R. 3276. A bill to amend the Internal Revenue Code of 1986 to deny refinery expensing to owners of refineries that are permitted to increase the discharge of pollutants into the Great Lakes; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3277. A bill to suspend temporarily the duty on butanedioic acid, dimethylester, polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3278. A bill to suspend temporarily the duty on a mixture of 1,3,5-Triazine-2,4,6-triamine,N,N'''-[1,2-ethane-diyl-bis [ [ [4,6-bis-[butyl (1,2,2,6,6-pentamethyl-4-piperidinyl)amino]-1,3,5-triazine-2 yl] imino]-3,1-propanediyl] ] bis[N',N''- dibutyl-N',N''-bis(1,2,2,6,6-pentamethyl-4-piperidinyl)- and Butanedioic acid, dimethylester polymer with 4-hyroxy-2,2,6,6-tetramethyl-1-piperdine ethanol; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3279. A bill to suspend temporarily the duty on 4-chloro-benzonitrile; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3280. A bill to suspend temporarily the duty on othro nitro aniline; to the Committee on Ways and Means.

By Mr. BOUCHER (for himself and Mr. UPTON):

H.R. 3281. A bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CAMP of Michigan (for himself, Mr. KIND, Mr. BURGESS, Mr. WELLER, Mr. CLAY, Mr. LATHAM, Mr. HINCHEY, Mr. COSTA, and Mr. BARROW):

H.R. 3282. A bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA:

H.R. 3283. A bill to amend part E of title IV of the Social Security Act to require States to provide foster children with court-appointed special advocates who meet national standards, and for other purposes; to the Committee on Ways and Means.

By Mr. CARNEY (for himself, Ms. JACKSON-LEE of Texas, Mr. THOMPSON of Mississippi, Mr. DEFAZIO, Ms. NORTON, Ms. CLARKE, Mr. AL GREEN of Texas, and Mr. PERLMUTTER):

H.R. 3284. A bill to amend title 49, United States Code, by repealing the provision regarding the acquisition management system for the Transportation Security Administration; to the Committee on Homeland Security.

By Mr. COHEN:

H.R. 3285. A bill to amend the Toxic Substances Control Act to reduce the health risks posed by asbestos-containing products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 3286. A bill to amend title 38, United States Code, to reduce the period of time for which a veteran must be totally disabled before the veteran's survivors are eligible for the benefits provided by the Secretary of Veterans Affairs for survivors of certain veterans rated totally disabled at time of death; to the Committee on Veterans' Affairs.

By Mr. GRIJALVA:

H.R. 3287. A bill to expand the Pajarita Wilderness and designate the Tumacacori Highlands Wilderness in Coronado National Forest, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 3288. A bill to authorize appropriations for the U.S. Institute for Environmental Conflict Resolution, and for other

purposes; to the Committee on Education and Labor, 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 Ms. HIRONO (for herself, Mr. GEORGE MILLER of California, Mr. ANDREWS, Mr. TIERNEY, and Mrs. DAVIS of California):

H.R. 3289. A bill to amend the Elementary and Secondary Education Act of 1965 to improve early education; to the Committee on Education and Labor.

By Mr. HOLT:

H.R. 3290. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes; to the Committee on Agriculture.

By Mr. KIRK (for himself, Mr. DAVIS of Kentucky, Mr. CARNEY, Mr. SESSIONS, Mrs. BIGGERT, Mr. TERRY, Mr. ROSKAM, Mr. GINGREY, Mr. REICHERT, Mr. KUHL of New York, Mr. GERLACH, Mr. SHAYS, Mr. SHIMKUS, Mr. BOUSTANY, Mr. TOM DAVIS of Virginia, Mr. FERGUSON, Mr. GILCHREST, Mrs. MILLER of Michigan, Mr. SAXTON, Mr. WAMP, Mr. MCCOTTER, Mr. BRADY of Texas, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ENGLISH of Pennsylvania, Mr. FRELINGHUYSEN, Ms. PRYCE of Ohio, Mr. ROGERS of Michigan, Mr. TIBERI, and Mr. WELLER):

H.R. 3291. A bill to protect students and teachers; to the Committee on Education and Labor.

By Mr. KIRK (for himself and Mr. CARNEY):

H.R. 3292. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify Federal requirements under that Act; to the Committee on Education and Labor.

By Mr. LAMBORN:

H.R. 3293. A bill to direct the Secretary of Homeland Security to establish an Immigration and Customs Enforcement office in El Paso County, Colorado; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and 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 Mrs. LOWEY (for herself, Mr. TOWNS, Ms. ROYBAL-ALLARD, Mr. DAVIS of Illinois, Ms. BORDALLO, and Ms. CARSON):

H.R. 3294. A bill to amend the Rehabilitation Act of 1973 and the Public Health Service Act to set standards for medical diagnostic equipment and to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for individuals with disabilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCRERY (for himself and Mr. MELANCON):

H.R. 3295. A bill to amend the Public Health Service Act to modify the program for the sanctuary system for surplus chimpanzees by terminating the authority for the removal of chimpanzees from the system for research purposes; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut:

H.R. 3296. A bill to amend the Truth in Lending Act to establish transparency and accountability requirements for mortgage brokers, and for other purposes; to the Committee on Financial Services.

By Mr. PATRICK MURPHY of Pennsylvania (for himself, Mr. HOLDEN, Mr. ALTMIRE, Mr. DENT, Mr. MURTHA, Mr. TIM MURPHY of Pennsylvania, Mr. DOYLE, Mr. SESTAK, Mr. PITTS, Mr. PLATTS, Mr. FATTAH, Mr. KANJORSKI, Ms. SCHWARTZ, Mr. GERLACH, Mr. CARNEY, Mr. BRADY of Pennsylvania, Mr. SHUSTER, and Mr. ENGLISH of Pennsylvania):

H.R. 3297. A bill to designate the facility of the United States Postal Service located at 950 West Trenton Avenue in Morrisville, Pennsylvania, as the ''Nate DeTample Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. PATRICK MURPHY of Pennsylvania (for himself and Mr. WALZ of Minnesota):

H.R. 3298. A bill to amend the Servicemembers Civil Relief Act to allow individuals called to military service to terminate or suspend certain service contracts entered into before the individual receives notice of a permanent change of station or deployment orders and to provide penalties for violations of interest rate limitations; to the Committee on Veterans' Affairs.

By Mrs. MUSGRAVE:

H.R. 3299. A bill to provide for a boundary adjustment and land conveyances involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land; to the Committee on Natural Resources.

By Mr. NUNES:

H.R. 3300. A bill to provide for the development of a market for coal-to-liquid fuel; to the Committee on Energy and Commerce.

By Mr. PASTOR (for himself, Mr. FLAKE, Mr. MITCHELL, and Mr. SHADEGG):

H.R. 3301. A bill to authorize and direct the exchange and conveyance of certain National Forest land and other land in southeast Arizona; to the Committee on Natural Resources.

By Mr. PAUL:

H.R. 3302. A bill to amend title 5, United States Code, to prohibit agencies from enforcing rules that result in a specified economic impact until the requirements of those rules are enacted into law by an Act of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 3303. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for police officers and professional firefighters, and to exclude from income certain benefits received by public safety volunteers; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3304. A bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit for law enforcement officers who purchase armor vests, and for other purposes; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3305. A bill to provide for the safety of United States aviation and the suppression of terrorism; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, 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. ROYCE:

H.R. 3306. A bill to amend the Internal Revenue Code of 1986 to allow amounts in a health flexible spending arrangement that are unused during a plan year to be carried over to subsequent plan years or deposited into certain health or retirement plans; to the Committee on Ways and Means.

By Mr. SIRES (for himself, Mr. ANDREWS, Mr. HOLT, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. ROTHMAN, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mr. GARRETT of New Jersey, Mr. LOBIONDO, Mr. SAXTON, and Mr. SMITH of New Jersey):

H.R. 3307. A bill to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the ''Dennis P. Collins Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. SOUDER (for himself, Mr. DONNELLY, Mr. ELLSWORTH, Mr. BURTON of Indiana, Mr. BUYER, Mr. HILL, Mr. PENCE, Mr. VISCLOSKY, and Ms. CARSON):

H.R. 3308. A bill to designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the ''Lance Corporal David K. Fribley Post Office''; to the Committee on Oversight and Government Reform.

By Mr. VAN HOLLEN (for himself, Mr. ALLEN, Mr. STARK, Mr. WELCH of Vermont, and Mr. RAHALL):

H.R. 3309. A bill to amend title XIX of the Social Security Act to require, at the option of a State, drug manufacturers to pay rebates to State prescription drug discount programs as a condition of participation in a rebate agreement for outpatient prescription drugs under the Medicaid Program; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3310. A bill to amend the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people; to the Committee on Financial Services.

By Mr. BRADY of Pennsylvania (for himself, Mr. LANTOS, and Ms. ROS-LEHTINEN):

H. Con. Res. 196. Concurrent resolution authorizing the use of the rotunda and grounds of the Capitol for a ceremony to award the Congressional Gold Medal to Tenzin Gyatso, the Fourteenth Dalai Lama; to the Committee on House Administration, and in addition to the Committee on 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. GRIJALVA:

H. Con. Res. 197. Concurrent resolution commending the Hispanic Heritage Foundation for recognizing the next generation of Latino role models for their academic achievements and community service; to the Committee on Oversight and Government Reform.

By Ms. LEE (for herself, Mr. BACA, Mr. BUTTERFIELD, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, Mr. HARE, Mr. HONDA, Ms. KILPATRICK, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. SOLIS, Ms. WATSON, and Ms. WOOLSEY):

H. Con. Res. 198. Concurrent resolution expressing the sense of Congress that the United States has a moral responsibility to meet the needs of those persons, groups and communities that are impoverished, disadvantaged or otherwise in poverty; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself, Mr. DOOLITTLE, Mrs. MYRICK, Mrs. BLACKBURN, Mr. NEUGEBAUER, Mr. MARCHANT, Mr. LAMBORN, Mr. BURGESS, Mr. SOUDER, Mr. KING of Iowa,

Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. PRICE of Georgia, Mr. BILBRAY, Mr. KINGSTON, Mr. CARTER, Mr. WESTMORELAND, Mr. GARRETT of New Jersey, Mr. JORDAN, Mr. ROSKAM, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. PENCE, Mr. FRANKS of Arizona, and Mr. MILLER of Florida):

H. Res. 598. A resolution supporting the goals of the Ten Commandments Commission and congratulating such Commission and its supporters for their key role in promoting and ensuring recognition of the Ten Commandments as the cornerstone of Western law; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida:

H. Res. 603. A resolution expressing the sense of the House of Representatives on the announcement of the Government of the Russian Federation of its intention to suspend implementation of the Treaty on Conventional Armed Forces in Europe; to the Committee on Foreign Affairs.

By Mr. MCCOTTER:

H. Res. 604. A resolution expressing the nation's sincerest appreciation and thanks for the service of the members of the 303rd Bombardment Group (Heavy) upon the occasion of the final reunion of the 303rd Bomb Group (H) Association; to the Committee on Armed Services.

By Mr. ROSKAM (for himself, Mr. ETHERIDGE, Mr. HASTINGS of Florida, Mr. GINGREY, Mr. KINGSTON, Mr. CARTER, Mr. RAMSTAD, Mr. HOLDEN, and Mr. GOODLATTE):

H. Res. 605. A resolution supporting the goals and ideals of Gold Star Mothers Day; to the Committee on Oversight and Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. DAVIS of Illinois.
H.R. 358: Mr. FRANK of Massachusetts.
H.R. 538: Mr. SALAZAR.
H.R. 583: Mr. MARKEY.
H.R. 601: Mr. FORTENBERRY, Mr. ROSKAM, and Mr. KIRK.
H.R. 748: Mr. KILDEE, Mr. DOGGETT, Mrs. EMERSON, and Mr. DAVID DAVIS of Tennessee.
H.R. 760: Mr. DOYLE.
H.R. 819: Mr. BISHOP of Georgia and Mr. PASCRELL.
H.R. 900: Mrs. LOWEY.
H.R. 946: Ms. HIRONO and Mr. SERRANO.
H.R. 983: Mr. SPACE.
H.R. 989: Mrs. BIGGERT.
H.R. 1000: Mr. WELCH of Vermont, Mr. WYNN, Mr. BRADY of Pennsylvania, Mr. MELANCON, Mr. HINCHEY, and Mr. HONDA.
H.R. 1089: Mr. MCCOTTER.
H.R. 1125: Ms. LINDA T. SÁNCHEZ of California, Mr. WYNN, Mr. JOHNSON of Illinois, Mr. GOHMERT, Ms. MATSUI, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. KINGSTON, Ms. SOLIS, Mr. ROTHMAN, Mr. BOOZMAN, Mr. HASTERT, Mr. REYES, Mr. GARRETT of New Jersey, Mr. MCKEON, Mr. NEAL of Massachusetts, and Mr. DAVID DAVIS of Tennessee.
H.R. 1154: Mr. JEFFERSON, Ms. KILPATRICK, Ms. SOLIS, Ms. NORTON, Mr. HINCHEY, Ms. LINDA T. SÁNCHEZ of California, Mr. ISSA, Mr. ROSS, Mr. GOODE, Mr. CARDOZA, Mr. ELLSWORTH, Mr. LUCAS, Mr. COBLE, Mr. DOOLITTLE, Mr. GERLACH, Mr. TIM MURPHY of Pennsylvania, Mr. LOBIONDO, Mr. FERGUSON, Mr. MCKEON, Mr. TIAHRT, Mr. LEWIS of California, Mr. FRELINGHUYSEN, Mr. SIMPSON, Mr. MORAN of Kansas, Mr. TOM DAVIS of Virginia, Ms. WASSERMAN SCHULTZ, Mr. DANIEL E. LUNGREN of California, Mr. WAXMAN, Mr. SNYDER, Mr. GALLEGLY, Mr. DAVIS of Kentucky, Mr. REGULA, Mr. WOLF, Mr. SHAYS, Mr. MCCOTTER, Mr. WALSH of New York, Mr. MCHUGH, Mr. DAVID DAVIS of Tennessee, Mr. JORDAN, Mr. SMITH of Nebraska, Mr. KNOLLENBERG, Mr. KLINE of Minnesota, Mr. KINGSTON, Ms. ROS-LEHTINEN, Ms. PRYCE of Ohio, Mr. WHITFIELD, and Mr. BROUN of Georgia.
H.R. 1190: Mr. LINCOLN DIAZ-BALART of Florida, Mr. KENNEDY, Mr. COLE of Oklahoma, and Mr. GOHMERT.
H.R. 1216: Mr. KAGEN and Mrs. BOYDA of Kansas.
H.R. 1232: Mr. ALEXANDER, Mr. PERLMUTTER, Mr. BAKER, Mr. RANGEL, and Mr. SALAZAR.
H.R. 1236: Mr. DOYLE, Mr. DOGGETT, Ms. MCCOLLUM of Minnesota, and Mr. HINCHEY.
H.R. 1275: Ms. WASSERMAN SCHULTZ.
H.R. 1304: Mr. BONNER.
H.R. 1342: Mrs. BOYDA of Kansas.
H.R. 1359: Mr. HELLER.
H.R. 1366: Mr. GOODLATTE.
H.R. 1400: Mr. GOODLATTE.
H.R. 1420: Mr. COURTNEY, Mr. BRADY of Pennsylvania, and Mr. HINCHEY.
H.R. 1422: Mr. PLATTS and Mr. PAYNE.
H.R. 1426: Mr. HOEKSTRA.
H.R. 1440: Mr. ISSA, Mr. SNYDER, and Mr. CASTLE.
H.R. 1461: Mr. WATT.
H.R. 1514: Mr. OBERSTAR.
H.R. 1537: Mr. DAVIS of Illinois.
H.R. 1576: Mr. PERLMUTTER and Mrs. LOWEY.
H.R. 1609: Mr. TOM DAVIS of Virginia, Mr. LAMPSON, Mr. KENNEDY, and Ms. NORTON.
H.R. 1665: Mr. SHUSTER and Ms. SCHWARTZ.
H.R. 1687: Mr. MICHAUD.
H.R. 1717: Mr. BROUN of Georgia.
H.R. 1727: Mrs. NAPOLITANO, Mr. ALTMIRE, and Mr. KILDEE.
H.R. 1742: Mr. FERGUSON.
H.R. 1746: Mrs. MYRICK, Mr. ISRAEL, and Mr. ROTHMAN.
H.R. 1748: Mr. PAUL, Mr. WILSON of South Carolina, Mr. MACK, Mr. ENGLISH of Pennsylvania, and Mr. SMITH of New Jersey.
H.R. 1755: Ms. HIRONO.
H.R. 1767: Mr. BACHUS.
H.R. 1809: Mr. MARSHALL and Mr. MCGOVERN.
H.R. 1876: Mr. FILNER and Mr. MCCOTTER.
H.R. 1878: Mrs. WILSON of New Mexico.
H.R. 1881: Mr. SCHIFF, and Mr. PETERSON of Minnesota.
H.R. 1926: Mr. DELAHUNT and Mr. RUPPERSBERGER.
H.R. 1955: Mr. DENT.
H.R. 1959: Ms. BORDALLO.
H.R. 1977: Mr. SAXTON.
H.R. 1983: Mr. RODRIGUEZ and Mr. HARE.
H.R. 2005: Mr. BOUCHER and Mr. PLATTS.
H.R. 2015: Mr. RYAN of Ohio and Mr. HALL of New York.
H.R. 2042: Mr. DEFAZIO.
H.R. 2052: Mr. HALL of New York and Mr. SERRANO.
H.R. 2053: Mr. ELLISON, Ms. GIFFORDS, Mr. DOGGETT, and Mr. LEWIS of Georgia.
H.R. 2061: Mr. FATTAH and Ms. SCHAKOWSKY.
H.R. 2095: Mr. COSTELLO, Ms. SCHAKOWSKY, and Mr. COSTA.
H.R. 2108: Ms. SUTTON.
H.R. 2109: Mr. DAVID DAVIS of Tennessee.
H.R. 2169: Mrs. DAVIS of California and Mr. SCOTT of Virginia.
H.R. 2220: Mr. ALTMIRE.
H.R. 2255: Mr. PERLMUTTER, Mr. LOEBSACK, and Ms. BERKLEY.
H.R. 2327: Ms. SHEA-PORTER.
H.R. 2353: Mr. SNYDER.
H.R. 2380: Mr. BUYER.
H.R. 2443: Ms. SOLIS.
H.R. 2452: Ms. LEE.
H.R. 2495: Mr. COURTNEY.
H.R. 2518: Mr. POE.
H.R. 2550: Mrs. CHRISTENSEN.
H.R. 2566: Mrs. LOWEY.
H.R. 2668: Mr. AL GREEN of Texas.
H.R. 2677: Ms. SHEA-PORTER.
H.R. 2682: Mr. WILSON of Ohio, Mrs. CHRISTENSEN, Mr. TIM MURPHY of Pennsylvania, Mr. GENE GREEN of Texas, Mrs. EMERSON, Mr. GORDON, and Mr. BACHUS.
H.R. 2694: Mr. BERMAN, Mr. WYNN, Mr. HASTINGS of Florida, and Mr. PAYNE.
H.R. 2700: Mr. ALLEN.
H.R. 2702: Ms. BORDALLO.
H.R. 2712: Mr. BONNER, Mr. INGLIS of South Carolina, Mr. CARTER, and Mr. WAMP.
H.R. 2734: Mr. COBLE and Mrs. JO ANN DAVIS of Virginia.
H.R. 2758: Mr. HASTINGS of Florida and Mr. SIRES.
H.R. 2761: Mr. HINOJOSA.
H.R. 2774: Mr. LANTOS.
H.R. 2784: Mr. KING of New York, Mr. WHITFIELD, Mr. PORTER, Mrs. BLACKBURN, Mr. MCCRERY, Mr. GALLEGLY, Mrs. MUSGRAVE, Mrs. MILLER of Michigan, Mr. BOREN, and Mr. HERGER.
H.R. 2790: Ms. CARSON.
H.R. 2802: Mr. MURTHA, Mr. WYNN, Ms. BALDWIN, and Ms. HIRONO.
H.R. 2805: Mr. SOUDER and Mr. MARSHALL.
H.R. 2818: Mr. CUMMINGS, Mr. PASTOR, Mr. UDALL of Colorado, Ms. HIRONO, Ms. BERKLEY, Mr. CLYBURN, Mr. KINGSTON, Mr. MARSHALL, Mr. SPRATT, and Mr. WAMP.
H.R. 2821: Mr. BERRY.
H.R. 2881: Mr. CLEAVER.
H.R. 2899: Mr. BROUN of Georgia, Mr. MARSHALL, and Mr. BARROW.
H.R. 2905: Mr. YARMUTH, Mr. ALEXANDER, Mrs. WILSON of New Mexico, Mr. HAYES, Mr. LOBIONDO, Mr. ROHRABACHER, Mr. SAXTON, Mr. BAKER, Mrs. BIGGERT, Mr. BONNER, Mrs. CAPITO, Mr. CASTLE, Mr. DENT, Mr. GERLACH, Mr. GILLMOR, Mr. KING of New York, Mr. KNOLLENBERG, Mr. LATOURETTE, Mr. MICA, Mr. PORTER, Mr. REICHERT, Mr. SHAYS, Mr. THORNBERRY, Mr. WALSH of New York, Mr. YOUNG of Florida, Mr. LAHOOD, and Mr. JONES of North Carolina.
H.R. 2922: Mr. MARSHALL.
H.R. 2934: Mr. BOREN and Mr. EDWARDS.
H.R. 2942: Mr. DOYLE, Mr. MANZULLO, Mr. MOLLOHAN, Mr. ADERHOLT, and Mr. STUPAK.
H.R. 2943: Ms. DEGETTE, and Mr. EDWARDS.
H.R. 2948: Mr. BURTON of Indiana, Mr. SOUDER, and Mr. PAUL.
H.R. 2954: Mr. BAKER, and Mr. ALEXANDER.
H.R. 3004: Ms. HIRONO, Mr. SMITH of Nebraska, Mrs. EMERSON, Mr. MCHUGH, Mr. NUNES, Mr. PETERSON of Minnesota, Mr. RAHALL, Mr. MR. MURTHA, and Mr. BERRY.
H.R. 3008: Mr. MAHONEY of Florida.
H.R. 3012: Mrs. BIGGERT.
H.R. 3026: Mr. MCGOVERN, Mr. SCOTT of Virginia, Ms. FOXX, Mr. DAVIS of Kentucky, Mrs. MALONEY of New York, Mr. REGULA, Mr. KINGSTON, Mr. CAMPBELL of California, Mr. MCHENRY, Mr. KING of Iowa, Mr. TURNER, Ms. WATERS, Mrs. MYRICK, and Mr. HAYES.
H.R. 3035: Mr. JACKSON of Illinois, Mr. ISSA, Mr. LAHOOD, Mr. YOUNG of Alaska, Ms. GIFFORDS, and Mr. RAMSTAD.
H.R. 3045: Ms. CARSON, Ms. CASTOR, Mr. HARE, Mr. KAGEN, Mr. LOEBSACK, Mr. PERLMUTTER, Mr. TIERNEY, Mr. VAN HOLLEN, Ms. HIRONO, Ms. SCHAKOWSKY, Ms. SUTTON, and Mr. SIRES.
H.R. 3046: Mrs. LOWEY, and Mrs. MCCARTHY of New York.
H.R. 3084: Mr. DAVIS of Illinois.
H.R. 3098: Mr. ROGERS of Alabama, Mr. BONNER, and Mr. BACHUS.
H.R. 3103: Mr. MILLER of Florida.
H.R. 3109: Mr. PORTER.
H.R. 3114: Mr. FRANK of Massachusetts, Mr. BRADY of Pennsylvania, Ms. SOLIS, and Mr. KUHL of New York.

H.R. 3121: Mr. PICKERING.

H.R. 3138: Mr. CAMPBELL of California, Mr. PRICE of Georgia, Mr. KING of New York, Mr. CAMP of Michigan, Mr. BARRETT of South Carolina, Mr. CONAWAY, Mr. CANNON, Mr. MCCAUL of Texas, Mr. ROSKAM, Mr. CARTER, Mr. BURTON of Indiana, Mr. SHUSTER, and Mr. CHABOT.

H.R. 3143: Mr. GERLACH, Mr. BLUNT, and Mr. BURTON of Indiana.

H.R. 3145: Mr. PLATTS, and Mr. MILLER of Florida.

H.R. 3149: Mr. GERLACH.

H.R. 3157: Mrs. EMERSON.

H.R. 3168: Mr. TOWNS.

H.R. 3175: Mr. MCNULTY, Mr. STARK, and Mr. MCGOVERN.

H.R. 3189: Mr. DEFAZIO, Mr. GUTIERREZ, Mr. KENNEDY, and Mr. DAVIS of Illinois.

H.R. 3204: Mr. LEWIS of Georgia.

H.R. 3213: Mr. BONNER, Mr. SIMPSON, Mr. TERRY, and Mr. YOUNG of Alaska.

H.R. 3224: Mr. ARCURI, Mr. HALL of New York, Mr. LOBIONDO, Mr. MOORE of Kansas, Mr. CARNEY, Ms. BERKLEY, Mr. ABERCROMBIE, Mr. COSTA, and Mr. BOUCHER.

H.R. 3245: Mr. CULBERSON.

H.R. 3269: Mr. REICHERT, Mrs. EMERSON, Mr. SHAYS, Mr. WALSH of New York, and Mr. MCHUGH.

H.J. Res. 16: Mr. TANCREDO.

H.J. Res. 40: Mr. WELCH of Vermont.

H.J. Res. 47: Mr. REYES and Mr. BACA.

H. Con. Res. 37: Mr. CAMPBELL of California.

H. Con. Res. 75: Mr. MORAN of Kansas.

H. Con. Res. 134: Mr. BUTTERFIELD, Mr. CLAY, Mr. BISHOP of Georgia, Ms. NORTON, Mr. PAYNE, Mr. MEEK of Florida, Mr. TOWNS, Mr. SCOTT of Virginia, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. JEFFERSON, and Mr. JOHNSON of Georgia.

H. Con. Res. 154: Mr. BURTON of Indiana.

H. Con. Res. 162: Ms. BERKLEY.

H. Con. Res. 181: Mrs. DAVIS of California and Mr. ROGERS of Alabama.

H. Con. Res. 183: Mr. COSTA.

H. Con. Res. 193: Mr. WILSON of Ohio, Mr. ALLEN, Mr. HILL, Mr. KAGEN, Mr. BOREN, Mr. MURTHA, and Mr. MILLER of Florida.

H. Res. 111: Mr. KING of Iowa, Mr. ALEXANDER, Mr. DOYLE, Mr. PAYNE, and Mr. WYNN.

H. Res. 169: Mr. BOSWELL.

H. Res. 333: Ms. BALDWIN and Mr. PAYNE.

H. Res. 356: Mr. ACKERMAN.

H. Res. 389: Mr. MILLER of North Carolina.

H. Res. 405: Ms. LEE.

H. Res. 443: Ms. BORDALLO, Ms. HERSETH SANDLIN, and Mr. GUTIERREZ.

H. Res. 457: Mr. INGLIS of South Carolina.

H. Res. 497: Mr. INGLIS of South Carolina.

H. Res. 508: Mr. HASTERT and Mr. SHERMAN.

H. Res. 548: Ms. Linda T. SÁNCHEZ of California, Mr. FERGUSON, Mr. SCOTT of Georgia, and Mr. GONZALEZ.

H. Res. 555: Mr. HIGGINS, Ms. NORTON, Mr. TOWNS, and Mr. BARROW.

H. Res. 557: Mr. MARSHALL and Mrs. MCMORRIS RODGERS.

H. Res. 563: Mrs. JONES of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Ms. LEE, Mr. PAYNE, Mrs. CHRISTENSEN, Mr. WATT, Mr. SCOTT of Georgia, Mr. THOMPSON of Mississippi, Ms. MOORE of Wisconsin, Mr. CLYBURN, Mr. HASTINGS of Florida, Ms. WATERS, Mr. JEFFERSON, Ms. KILPATRICK, Mr. CUMMINGS, Mr. AL GREEN of Texas, Mr. CLAY, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. DAVIS of Alabama, Mr. OBERSTAR, Mr. ELLISON, Mr. TOWNS, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, and Mr. BUTTERFIELD.

H. Res. 564: Ms. SCHAKOWSKY and Ms. WATSON.

H. Res. 572: Mr. DAVIS of Illinois.

H. Res. 576: Mr. MATHESON.

H. Res. 583: Ms. BORDALLO and Ms. SHEA-PORTER.

H. Res. 589: Mr. GRIJALVA, Mr. FRANK of Massachusetts, Ms. BERKLEY, Ms. BALDWIN, and Mrs. TAUSCHER.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BART GORDON

The Conference Report accompanying H.R. 2272, America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education and Science Act, ''does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.''

OFFERED BY MR. BART GORDON

Among the provisions that warranted a referral to the Committee on Science and Technology, H.R. 3221, the New Direction for Energy Independence, National Security, and Consumer Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. COLLIN C. PETERSON

Among the provisions that warranted a referral to the Committee on Agriculture, H.R. 3221, the New Direction for Energy Independence, National Security, and Consumer Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MS. NYDIA M. VELÁZQUEZ

Among the provisions that warranted a referral to the Committee on Small Business, H.R. 3221, the New Direction for Energy Independence, National Security, and Consumer Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. HENRY A. WAXMAN

Among the provisions that warranted a referral to the Committee on Oversight and Government Reform, H.R. 3221, the New Direction for Energy Independence, National Security, and Consumer Protection Act, 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.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3161

OFFERED BY: MR. BOOZMAN

AMENDMENT NO. 56: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to implement the National Animal Identification System where the participation by livestock owners in such a system is mandatory.

H.R. 3222

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 9: In section 8027, page 61, starting on line 1, strike ''*Provided further*'' and all that follows through the period on line 4.

H.R. 3222

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 10: Strike section 8020.

H.R. 3222

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 11: In title VI, in the item relating to ''Office of the Inspector General'', after the first dollar amount, insert ''(increased by $500,000) (reduced by $500,000)''.

H.R. 3222

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 12: In title II, in the item relating to ''Operation and Maintenance, Defense-Wide'', after the first dollar amount, insert ''(increased by $2,000,000) (reduced by $2,000,000)''.

H.R. 3222

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 13: In title II, in the item relating to ''Operation and Maintenance, Defense-Wide'', after the first dollar amount, insert ''(increased by $2,000,000)''.

In title IV, in the item relating to ''Research, Development, Test and Evaluation, Defense-Wide'', after the dollar amount, insert ''(reduced by $2,000,000)''.

In title IV, in the item relating to ''Research, Development, Test and Evaluation, Defense-Wide'', after the dollar amount, insert ''(reduced by $2,000,000)''.

H.R. 3222

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 14: In title II, in the item relating to ''Operation and Maintenance, Defense-Wide'', after the first dollar amount, insert ''(increased by $2,000,000)''.

In title IV, in the item relating to ''Research, Development, Test and Evaluation, Army'', after the dollar amount, insert ''(reduced by $2,000,000)''.

H.R. 3222

OFFERED BY: MR. CASTLE

AMENDMENT NO. 15: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be obligated or expended by the Department of Defense to award a contract in an amount greater than $5,000,000 to any entity that does not have in place an internal ethics compliance program.

H.R. 3222

OFFERED BY: MR. CASTLE

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. 8110. Funds made available under title II of this Act shall be used to credit each member of the Armed Forces, including each member of a reserve component, with one additional day of leave for every month of the member's most recent previous deployment in a combat zone.

H.R. 3222

OFFERED BY: MR. CAMPBELL OF CALIFORNIA

AMENDMENT NO. 17: AT THE END OF THE BILL (BEFORE THE SHORT TITLE), INSERT THE FOLLOWING:

SEC. ____. None of the funds made available in this Act under the heading ''Research, Development, Test and Evaluation, Navy'' may be used for the Swimmer Detection Sonar Network.

H.R. 3222

OFFERED BY: MR. CAMPBELL OF CALIFORNIA

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act under the heading ''Research, Development, Test and Evaluation, Army'' may be used for the Paint Shield for Protecting People from Microbial Threats.