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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 10, 2007.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

CHINESE CYBER SPIES—AN EMERGING THREAT

Mr. STEARNS. Madam Speaker, my colleagues, the control of information is critical to national security. This asset was compromised as reported in the London Times AP story in the Washington Post recently, last week. It was compromised from a cyber attack against the Department of Defense's unclassified e-mail system, which included the e-mail accounts of Defense Secretary Robert Gates. While the Pentagon does not have sufficient proof to formally make an accusation, China is the prime suspect. The responsibility is unclear, because China is home to many insecure computers and networks that hackers in other computers could use to simply disguise their locations and launch these attacks, making proper attribution difficult.

The Chinese Government replied, ''It has always opposed any Internet wrecking crime, including hacking, and crack down on it according to their law.'' This is not true. Last June was not the first cyber attack that points back towards China. In 2005, a group with ties to China compromised secure networks from the Redstone Arsenal Military Base, to NASA, to the World Bank. In one case, the hackers stole flight planning software from the Army. The files they have obtained are not classified, but many are strategically important enough to require U.S. Government licenses for foreign use.

Experts note China's military has openly discussed using cyber attacks as a means of defeating a more powerful conventional military such as ours. In fact, other governments have also been the targets of these vicious cyber attacks. Unidentified officials in Germany and Britain reported to the media that government and military networks had been broken into by hackers backed by the Chinese Army. The Guardian reported that Chinese attackers launched online assaults on the network in Britain's Parliament, the Foreign Office, and Defense Ministry. My colleagues, last month the German weekly Der Spiegel also reported that computers at the chancellery and three ministries had been infected with so-called Trojan horse programs, which allowed an attacker to spy on information in those computers. The report, which appears on the eve of German Chancellor Merkel's visit to Beijing, said Germany's domestic intelligence agency believed hackers associated with the Chinese Army might have been behind the attacks. Motives for such hacking may range from the stealing of secrets or confidential technology to probing for system weaknesses and placing hidden viruses that could be activated in case of a conflict.

The reported Pentagon attack was the most flagrant and brazen to date, said Alex Neill, an expert on the Chinese military at London's Royal United Services Institute. Quoted by the British newspaper, The Guardian, Neill said such attacks begin at least 4 years ago, and are increasing at an alarming rate.

Now, this is a substantial threat to the security of the United States and its allies. In January 2005, Japanese officials had reported that Chinese hackers were routinely attacking web sites and Internet services. According to the Korean Information Security Agency, a total of 10,628 cases of hacking were reported in the first half of the year 2004, 30 times higher than for the same period in 2003. In 2005, Chinese hackers assaulted South Korean government computers, gaining access to information concerning the country's National Assembly, Atomic Energy Research Institute, Democratic Progressive Party, and even the itinerary of the South Korean president himself.

Whether or not cyber attacks are government sponsored, China has become a growing focus of global antihacking efforts. In a report earlier this year, security software maker Symantec Corporation listed China as having the world's second largest amount of computer activity. Experts say the attacks originating in China often employ standard weaponry such as Trojan horses and worms, and many other sophisticated techniques. In some cases, hackers slip in after launching viruses to distract monitors, or coordinate multiple attacks for

maximum effects. China denies backing such attacks, and foreign governments have declined to openly accuse Beijing. Yet, after the threatening test of the Chinese anti-satellite weapon, the reports are further illustrations of China's pursuit of new methods of unconventional strategy. Chinese military thinkers frequently debate these strategies, including the use of attacks on satellites, financial system and computer networks. ''In the information age, the influence exerted by a nuclear bomb is perhaps less than the influence exerted by a hacker,'' a pair of Chinese colonels wrote in a key 1999 work on asymmetrical strategies titled Unlimited Warfare.

We must ensure the legal authority is clear for our government agencies in tracking and responding to cyber attacks. It is vital that we swiftly detect attacks, accurately identify the source and intent, and respond forcefully against all malicious intrusions.

My colleagues, our enemy needs to know attacking our cyber space is the same as attacking our homeland, and we will respond accordingly.

THE IRAQ WAR

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

Ms. SCHAKOWSKY. Madam Speaker, today is an important day in that we are going to hear the anticipated progress report, so-called, by General Petraeus, who will be testifying in a short while before the Armed Services and Foreign Affairs Committee of the House of Representatives, and the case that is going to be made is that there has been just enough progress to warrant staying the course in Iraq.

On August 6, I was in Iraq. What I learned from that visit that day was that in fact that the President's surge has failed and that there is no end in sight for the war in Iraq. I learned that first by talking with the Deputy Prime Minister of Iraq that day who said that the night before that former Prime Minister Ayad Allawi had pulled his people out of the Parliament, and the week before the Sunnis had left, and then what was remaining of the Parliament was on vacation. And he said that there wasn't going to be any political settlement by this September, nor would there be by next September, and he didn't say which September.

The point of that is the reason for the surge was promoted by the President and by General Petraeus as creating the space for political settlements in Iraq, which have not only not happened but we have even seen steps backwards. But what is really important today is that people examine the so-called evidence that progress has been made, and that is why I brought a few charts here.

The first one says, is there really less violence in Iraq? Let's look at what is counted, but, even more importantly, what isn't counted.

In the evidence that progress has been made, not counted includes Shiite on Shiite violence which is happening in the south in the Basra area, Sunni on Sunni violence. Car bombings aren't counted. And get this one, this isn't a joke. People shot in the front of the head are not counted; people shot in the back of the head are counted. I thought at first that was just an exaggerated joke. It is true. And, finally, the large-scale bombing like the one that killed 500 ethnic Yazidies in August is not counted. So clearly these numbers are very clearly cherry picked.

Then, if you look at a fact that is important to many Americans, every month in 2007, including the months, of the surge has seen more U.S. military casualties than the same month in 2006. In other words, more and more of our young men are dying. And while the Parliament was on vacation as some commentators said because, after all, it is so hot, about 120 degrees, our young men and women were fighting and dying in their body armor and helmets and heavy packs and weapons out in that 120 degree heat, dying at numbers greater than ever.

And, of course, not included in those numbers has been not only the the number of U.S. troops that have died, but the dollars that have been spent. These are the dollars that we know about right now. Per year, not overall in the war, but per year $120 million; per month $10 million. Actually, I have heard $12 million is the new number. Per week, over $2 million. Per day, $329,000. Per hour, we are doing this for 1 hour right now, almost $14 million an hour. And over $228,000, almost $229,000 a minute is being spent in Iraq. And yet, the political reconciliation which was the goal of expanding the numbers of troops that we have in Iraq has not achieved that; that it has actually gone backwards. And so right now I think what we are seeing is a dog and pony show.

The good news is that a lot of people, unlike the lead-up to the war in the first place, aren't buying it. The front page of U.S.A. Today records 60 percent of Americans seek a date for a pullout: Public wary of report on Iraq, polls show. And there have been many other reports. The Jones report that says it is not working.

Check the information and be skeptical about the progress. Let's get out of Iraq.

THE IRAQ WAR

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

Mr. DOGGETT. Madam Speaker, the troop surge in Iraq has clearly failed. It has failed to achieve its purpose. The troop surge has failed not because of our troops, but because of the failures of politicians here in Washington and in Iraq. This President's surge has been as successful as the President's boast to catch Osama bin Laden ''dead or alive.''

We now have three reports from entities at least somewhat independent from the Bush propaganda machine that confirm the obvious. The National Intelligence Estimate providing the thinking of the intelligence community that, instead of getting better, the situation in Iraq will get worse: ''The Iraqi government will become more precarious over the next 6 to 12 months.'' The Independent Commission on Security Forces concluded that the Iraqi Interior Ministry is ''dysfunctional.'' It is so bad that it cannot be fixed; they recommend that it be disbanded. The Government Accountability Office evaluated the surge, and it judged President Bush's policy using his own criteria with a clear ''F,'' a clear failure, a fiasco, a fatal flop, with only 3 of 18 benchmarks having been met.

Today, General Petraeus can cite whatever selective statistics that his political bosses may permit him to disclose, but the facts are that each and every month this year has involved more deaths of American troops than each month, including August last year. And despite the ethnic cleansing that has already displaced 3.5 million Iraqis, the increasing violence continues to inflict an increasingly deadly toll on Iraqi families.

What is life like for those Iraqis who survive? Almost half earn less than $1 a day; 70 percent lack access to adequate water; and 1/3 remain in dire need of emergency food aid.

When the surge was announced, the White House said ''wait until the summer.'' And as summer approached, the White House said ''wait until September.'' Well, now that this much overrated September is here, they cry ''wait until next year.''

The only real mystery about President Bush's September decision has been what new excuse he would offer to justify staying the same old deadly course. And as the American people have seen through the duplicity of each and every other excuse, the President has returned to his original ploy: 9/11, coincidentally, just as we receive this report on the anniversary of 9/11. He claims that ''the same folks that are bombing . . . in Iraq are the ones who attacked us in America on September 11.'' That is false and he knows it is false. But fear with deception is all he has left to rationalize the pain of the many, the sacrifice of the brave, and the loss of $3 billion every single week.

As usual, this President is dead certain and dead wrong. What he seeks is war without limits, war without end. Under his direction, General Petraeus and Ambassador Crocker propose a war that continues for probably another decade, the ''George Bush Trillion dollar, 15-Year War.''

Now Congress must respond to the President's propaganda surge with a truth surge, with a memory surge, reminding America of the repeated false cries of ''progress'' and phony excuses that have only brought our families more insecurity. Congress must learn from the courage continually displayed by our troops. Appeasement will not stop these wrong-headed Administration policies. More blank checks will only drain our national treasury while fueling more death and destruction that only endangers American families.

And so today we note the surge has failed, but we respectfully and sincerely thank General Petraeus and all of our troops who serve America and are doing their jobs. But we know we must do our job. It is long past time for Congress to act. Our best hope remains a safe and orderly, fully-funded, phased redeployment that begins immediately.

RECESS

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

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Lord our God, human history has witnessed down through the ages the battle of those who have nothing and those who have too much. It is the violent collision of opulence and poverty which makes the Earth tremble beneath our feet.

Lord, in our day, throw Your light of truth upon Your people; that seeing one another as brother and sister, they will not be blinded by prejudice or indifference. Rather, may all reach out with a compassion that will heal and establish mutual trust that will inspire hope in the disillusioned and even the hopeless.

May this Congress be an instrument in Your hands to mold a just and peacefully secure society, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE led the Pledge of Allegiance as follows:

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

CURRENT PATH IN IRAQ FAILING

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to express my disappointment over the continued lack of progress in Iraq. The sobering content in both the GAO report and the Jones report should finally be a wake-up call that some Members in this House need in order to act to bring our troops home.

The findings should make it clear to this tone-deaf Administration that our current path in Iraq is failing. The problem of sectarian violence in Iraq will not be solved by sacrificing more blood of young Americans.

After losing more than 3,500 of our brave men and women and spending close to half a trillion dollars, it is time to bring our troops home. To continue to ask our service men and women to make the ultimate sacrifice for a misguided policy is simply immoral.

GRATITUDE AND RESOLVE

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

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to thank the brave men and women of our Armed Forces, our local first responders, and our intelligence community for the incredible work they do to protect our Nation and stop the enemy overseas so we will not face them again here at home.

On the upcoming anniversary of September 11th, we must take this moment to reflect on the terrible tragedy that occurred 6 years ago, causing our response to this global war on terrorism. We must maintain our resolve against bin Laden who has declared this struggle the ''third world war'' with Iraq and Afghanistan as the central front.

Independent Senator JOE LIEBERMAN wrote in today's Wall Street Journal: ''In Iraq we are fighting and defeating the same terrorist network that attacked us on 9/11.''

We will succeed by remaining dedicated to promoting the safety of American families by denying extremists safe havens. And we are grateful to our servicemembers, professionally led by David Petraeus, who works day and night to defend our freedom.

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

TARGET: U.S. AIR BASE

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

Mr. POE. Mr. Speaker, apparently the U.S. air base at Ramstein, Germany, and the Frankfurt airport were targets last week of a foiled terrorist attack.

German authorities arrested three outlaws as they were mixing chemicals to make explosives. And guess what, all three individuals were Islamic radicals belonging to a fringe group called Islamic Jihad Union linked to al Qaeda—yet another example of criminals who kill in the name of religion and hate.

These Islamic radicals don't believe in building a better world, but believe in blowing it up. The war on terror is a global war whether we like it or not, and a fight between civilization and the uncivilized. It is a fight over life versus death. It is a fight over peace versus anarchy. It is a fight over the right to be left alone versus chaos. The international terrorists who wish to kill Americans must be tracked down wherever they are and dealt with as law and justice demands.

Those Americans who fail to acknowledge who these criminals are and have us retreat from this world conflict know little about the way the world is and seemingly live blissfully ignorant in the world of never, never land.

And that's just the way it is.

CREATE LEGACY OF PEACE

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

Mr. DAVIS of Illinois. Mr. Speaker, as we approach September 11, all of us have memories of that fateful day. All of us recognize that in order for our Nation to be strong and to feel secure, that not only must we be in a position to protect ourselves, but we also must cultivate friendships and relationships throughout the world.

And so I would hope as we memorialize those who gave their lives and lost their lives on September 11, that we will renew our efforts to try and make sure that we can create for ourselves and the rest of the world a more stable, peaceful environment and let that be the legacy of those who gave the last measure of devotion, their lives.

LISTEN TO GENERAL PETRAEUS

(Mrs. BLACKBURN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, this afternoon we will hear from General David Petraeus on the Iraq progress report. He is going to tell us what worked, what hasn't, and what needs to be done. And Congress should listen to the general and to Ambassador Crocker.

My position is that we should have been listening all along to our commanders and leaders on the ground, and the testimony from General Petraeus and Ambassador Crocker should be heard without prejudice. They are men of impeccable credentials, and it is troubling that the antiwar liberals are already moving en masse to discredit and dismiss the testimony without even hearing a single word of what they have had to say.

The debate over the surge should be over. While much remains to be done in Iraq, there is evidence that the surge is working and stabilizing that country and improving the security situation.

Finally, the consequences of failure in Iraq are monumental. A failure in Iraq will embolden al Qaeda. They will use the nation as a launching pad for attacks. Iran will move in and fill that void. It is a monumental day in the war on terror. We should approach it with an open mind.

DISAGREE AGREEABLY

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

Mr. COHEN. Mr. Speaker, we will hear from General Petraeus today and tomorrow. I think we all need to reflect, as we will this evening in a memorial for the victims of 9/11 and a day like December 7 that will live in infamy, that while we may disagree on how we should respond to the terrorist threats that we have in the Middle East, that we should disagree in an agreeable manner because we are all Americans and no matter what position we take, we all want the best for this country. We want peace and prosperity, and we want our soldiers to be safe and to be supported.

There were heroes on the airplane in Pennsylvania who tried and did deter the terrorists from possibly attacking this building or the White House. Their motto was: ''Let's roll.''

As we remember them, I ask Members on both sides of the aisle if they disagree, which we will, to disagree in an agreeable way. Let's roll for the American public.

TIME FOR ORDERLY EXIT FROM IRAQ

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

Mr. INSLEE. Mr. Speaker, since the President's escalation of the war in Iraq began, every month we have had more and more proud, dedicated people from Fort Lewis, Washington, and their families learn they were never coming home. Those men and women have been fed into Iraq by a President whose policies in Iraq were wrong at the beginning, were wrong in the middle, and will be wrong at the end.

The fact is very clear from all of the reports that we have been reading in the last week: whether we stay 6 days or 6 weeks or 6 months or 60 years, the destiny of Iraq will be determined by the Iraqi people.

And what we have learned in this escalation is that it failed; it has failed to accomplish its design of political reconciliation in Iraq. And until the Sunnis and Shiites reconcile their interests, all of the king's horses and all the king's men are not going to put Iraq together again. It is time for an orderly exit from Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

FRANK J. GUARINI POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2467) to designate the facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, as the ''Frank J. Guarini Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2467

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

SECTION 1. FRANK J. GUARINI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, shall be known and designated as the ''Frank J. Guarini Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Frank J. Guarini Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the author of this legislation, the former speaker of the house assembly in New Jersey and a distinguished Member of this body, Representative ALBIO SIRES.

Mr. SIRES. Mr. Speaker, I rise in support of H.R. 2467, which will designate the U.S. Postal Service building at 69 Montgomery Street in Jersey City, New Jersey, as the ''Frank J. Guarini Post Office Building.''

Frank Guarini was born in Jersey City, New Jersey, and has served his State and country in a variety of positions. Early in his career, he was commissioned as a Naval officer at Columbia University and went on to serve in the United States Navy aboard the USS *Mount McKinley*, receiving the Naval Commendation Medal and three battle stars during World War II.

In 1965, he was elected to the New Jersey State Senate where he served for the next 7 years. On January 3, 1979, he was elected to represent New Jersey's 14th Congressional District in the United States House of Representatives, completing seven terms before retiring in 1993.

As a member of the House Committee on Ways and Means, Frank Guarini was a true champion for education, serving as the chief sponsor of legislation that encouraged employers to provide educational assistance to its employees tax free.

Even after his retirement, Frank Guarini's commitment to education and public service has not wavered. In 1994, he established the Guarini Center for Government Affairs at St. Peter's College in Jersey City, New Jersey, which strives to provide a forum for nonpartisan discussion of public policy issues and encourages today's students to take up careers in public service.

A central part of the Guarini Center's mission is to promote critical thinking and debate among the next generation of leaders at its Annual High School Oratorical Contest. The event is open to all high school students in New Jersey and throughout the tri-State area and attracts more than 100 students from 75 schools to compete each year.

I have known Frank Guarini for many years, and I can personally attest to the commitment and passion that he has for the State of New Jersey and this country.

□ 1215

I can think of no better way to honor the public service of this former New Jersey Congressman than to designate a U.S. postal office in his name.

I urge all my colleagues to support this legislation.

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

H.R. 2467 honors the life of Frank J. Guarini in naming a post office for him in his hometown of Jersey City, New Jersey. Frank J. Guarini, a former Congressman and prominent public figure, has dedicated his life to serving his country and community.

He was born in 1924 in Jersey City, New Jersey. His sense of civic duty and honor began at an early age, and as a young man, he was commissioned as a Navy officer at Columbia University. From there, he went on to serve in the U.S. Navy aboard the USS *Mount McKinley*.

After his military career ended, he was elected to the New Jersey State Senate where he served for the following seven years. In 1979, he won election to serve in the House of Representatives, where he completed seven terms before retiring in 1993.

On his return to private life, he has been active in his community and supports the library of New Jersey City University, which has been named in his honor. He is the chairman of the National Italian American Foundation, and through it, he created the Frank J. Guarini public policy forums. The forums feature local and national government leaders discussing issues such as public policy, international economy, trade and foreign affairs.

I support H.R. 2467 in the naming of the post office in Jersey City, New Jersey, for Frank J. Guarini.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleagues in the consideration of H.R. 2467, which names a postal facility in Jersey City, New Jersey, after Frank Guarini.

H.R. 2467, which was introduced by Representative ALBIO SIRES on May 23, 2007, was reported from the Oversight Committee on July 19, 2007, by voice vote. This measure has the support of the entire New Jersey congressional delegation.

Mr. Frank Guarini was born on August 20, 1924, in Jersey City, New Jersey. Former Congressman Guarini served his State and country in a variety of positions. Early in his career, he was commissioned as a naval officer at Columbia University and went on to serve in the United States Navy aboard the USS *Mount McKinley*.

In 1965, he was elected to the New Jersey State Senate where he served for the next 7 years. On January 3, 1979, he was elected to represent New Jersey's 14th Congressional District in the United States House of Representatives, completing seven terms before retiring in 1993.

Mr. Speaker, I commend my colleague, Representative ALBIO SIRES, for introducing this legislation and urge swift passage.

Mr. PASCRELL. Mr. Speaker, I rise today in support of H.R. 2467, which would designate the Post Office facility located at 69 Montgomery Street in Jersey City, NJ, as the "Frank J. Guarini Post Office Building."

Former Congressman Frank J. Guarini represented the 14th Congressional District of New Jersey for 14 years, from 1979 to 1993. He did so in an exemplary fashion, serving his constituents, and all Americans, in a way in which we should strive to attain.

Because of his intellect and work ethic he became a rising star early in his career. He was the first Representative to be appointed to the Ways and Means Committee during his first term in Congress in over 200 years.

While on this vital committee, Mr. Guarini worked to modernize our trade and tariff laws with heads of state to assure that other countries open their markets to the United States.

In recognition of this work, he received the award "for outstanding contributions to the administration of justice in International Trade Law" from the U.S. Court of International Trade.

He also served with Chairman CHARLES RANGEL and Ben Gilman on the Select Committee on Narcotic Abuse, developing expertise on drug issues and bringing about vital legislation and strategies to fight the war against drugs both here and abroad.

In addition, Mr. Guarini was a senior member of the Budget Committee, where he chaired the Task Force on Urgent Fiscal Issues. Throughout his distinguished career, Mr. Guarini was an outspoken advocate for fiscal responsibility and fought to provide education and job opportunities for our Nation's young while also reducing wasteful government spending.

Since his retirement from Government service, Congressman Guarini has proudly served as the National Italian-American Foundation's chairman emeritus.

As co-chair of the Italian-American Congressional Delegation, Frank and I often work together to promote Italian-American culture and traditions in the United States Congress. Just like his congressional career, he does an extraordinary job on this front.

I am proud to be the first New Jersey Member of Congress to serve on the Ways and Means Committee since Mr. Guarini's retirement in 1993.

Mr. Guarini was a great Member of this body and I am honored to call him my friend.

I would like to thank my New Jersey colleague ALBIO SIRES for introducing this resolution and honoring Mr. Guarini, and I urge my colleagues to vote in favor of this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, I don't have any additional speakers, but I am going to reserve for the gentleman from Idaho, and then I will close.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2467.

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

A motion to reconsider was laid on the table.

KENNETH T. WHALUM, SR. POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2587) to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the "Kenneth T. Whalum, Sr. Post Office," as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2587

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

SECTION 1. KENNETH T. WHALUM, SR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, shall be known and designated as the "Kenneth T. Whalum, Sr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Kenneth T. Whalum, Sr. Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the sponsor of this resolution, the Representative from the State of Tennessee, the City of Memphis and surrounding areas (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise in strong support of H.R. 2587, which would designate the postal facility at 555 South 3rd Street Lobby in Memphis, Tennessee, as the Kenneth T. Whalum, Sr. Post Office building. For a man who gave so many years to this facility and to the postal service, I cannot imagine a more fitting tribute.

I'm not sure if post offices in this country have been named in honor of people who worked in those facilities. If so, there have been very few. Most are named for political figures, war heroes. Kenneth Whalum was a political figure, a clergyman of great renown, but also a man who spent a career in the postal service and was respected by the rank-and-file and rose to prominence in the postal service.

For those reasons particularly, I think it's most fitting that this building be named for this gentleman as an

inspiration to the other employees at the postal service and to the postal service nationally.

Kenneth Twigg Whalum, Sr., was born to H.D. Whalum, Sr., and Thelma Twigg Whalum March 23, 1934. His lifelong dedication and service to the people of Memphis is matched by few others. He served in the United States Navy from 1950–1954 and was a Reservist until 1959. He worked for the United States Postal Service in various human resources capacities, eventually becoming the director of personnel for the main Memphis post office and director of employee relations for the southern region. He also served in Michigan, I believe, in Representative CONYERS' district in the postal service as well. He served as a Memphis city councilman from 1988–1996.

And not only did he serve on the Memphis City Council, he was special. He's been special in everything he's ever done. He was first elected as a district councilman of the City of Memphis from the Orange Mound community, but dissatisfied with the representation of one of the at-large members, a Caucasian. Kenneth Whalum, an African American, ran for an at-large position, and he, like Myron Lowery, also African American, became the first two African Americans elected at-large to the Memphis City Council with a majority vote of the people, at a time when the City of Memphis was not majority African American.

His victory is a testament to his fortitude to give up a safe district seat to win an at-large seat, knowing that it meant more representation for issues of which he championed, and the fact that he risked his safe seat to make progress on progressive issues and put a progressive in that at-large position.

Rev. Whalum is well-respected as a man of faith in his community as well. He played a key role in convincing an alliance of local ministers to bring Dr. Martin Luther King, Jr., to Memphis, the city, my hometown, in which we all know he would give one of his most famous, yet ultimately final speeches. In 1969, Olivet Baptist Church called upon Kenneth Whalum to serve the people as senior pastor, a position he held until 1999. During his tenure, the church thrived and grew to a membership of thousands.

I personally was in his church on many occasions. I most remember being there when J.O. Patterson, Jr., was running for mayor of the City of Memphis, a position he held temporarily in an interim appointment, and when President Bill Clinton came there and we shared the podium. President Clinton gave one of his great speeches there.

Like Dr. King, Rev. Whalum was a strong proponent of diversity in the workplace. His advocacy led to the promotion of many qualified African Americans and women to supervisory and managerial positions in the Memphis post office.

After retirement, Rev. Whalum began to experience transient ischemic attacks, TIAs or ministrokes, the most recent of these occurring just a few months ago. Unfortunately, at this time, he's in a nursing facility, but he's improving. We hope he will regain all of his faculties. He's a strong man. One year he experienced 28 such TIAs, causing his family to reach out to the Stroke of Hope Foundation, which his son knew of through their work with the late Luther Vandross. Most recently, Rev. Whalum has been featured in Stroke of Hope's Survivor of the Month Spring 2007 column.

Rev. Whalum has received various honors and awards throughout his career. In the past, he has served on the board of directors of the Memphis branch of the NAACP, the Morehouse School of Religion of the Interdenominational Theological Center in Atlanta, the LeMoyne-Owen College Board and was a founding board member of the National Civil Rights Museum in Memphis, Tennessee. He has garnered certificates from the University of Texas at Austin Graduate School of Business, United States Postal Service Advanced Management Program, as well as the University of Michigan Graduate School of Business's Executive Development Program.

I'm honored that my eight cocolleagues from the State of Tennessee's congressional delegation could lend their full support through cosponsoring this measure. Kenneth Whalum was a dedicated public servant in the best sense of the phrase, and the rest of us can learn a great deal from the example he set.

Rev. Whalum has a wonderful, loyal wife in Dr. Rosie Richmond Whalum, as well as three remarkable sons. Memphis has many great families, some of whom have served in this body, but no family in Memphis, Tennessee, has given the city more pride and more service than the Whalum family. All three of his sons, as he said, grew up right behind him. They enjoyed the church, and as he said, they didn't have any choice. They enjoyed the church.

Of his three sons, Dr. Kenneth Whalum, Jr., the oldest, has followed in his father's footsteps in becoming a pastor and a dedicated public servant. He's taken over the church where Dr. Whalum was the pastor, and he's a member of the Memphis City School Board. He was elected in December 2006.

His son Kirk Whalum is one of the great saxophone players in the United States of America. He's had many top hits. He played this Friday at an event which I attended for the National Academy of the Recording Arts and Sciences in Memphis in a tribute to Booker T. and the MGs who were being honored with other musicians. Kirk Whalum made that saxophone sing, as he always does. I know Steve Cropper and ''Duck'' Dunn were in awe of the talent exhibited there. And what was even nicer, besides the fact that Kirk Whalum played such a great saxophone, as he always does, was that his son, another generation of Whalums, played the base, and they played it on ''Hip Hugger'' and ''Green Onions,'' two great Booker T. songs. Kirk Whalum has played backup on saxophone for such renowned artists as Whitney Houston and others. He's come back to Memphis to serve as an artist-in-residence at the Stax Soul Academy of Music in Memphis, Tennessee.

Kevin Whalum, another son, is a talented musical artist and poet, having signed a recording contract with Rendezvous Entertainment this past February.

Like his father, Kenneth, Jr., has three sons: Kenneth, III; Kortland; and Kameron. Kevin has twin daughters: Kellen and Kaylah. And Kirk has five children: Courtney, Kori, Kyle, Kobe and Evan.

For the Whalum family and the great many people of Memphis who have benefited from his decade of public service, I urge my colleagues to support this legislation. This is a family of renown and a man who has had a great impact on the City of Memphis and the postal department, and it's justifiably fitting that this building be named for him.

I would like to add that Kirk Whalum's 1996 album, "Joined at the Hip," earned him his first Grammy nomination. His 1998 release, For You, spent nearly two years at the top of the Billboard Contemporary Jazz Chart and yielded four Top Ten NAC hits. He earned a second Grammy nomination and critical acclaim with his self-produced album, Hymns in the Garden in 2000.

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

It's appropriate that we honor Kenneth T. Whalum, Sr., in the naming of a post office in his hometown of Memphis, Tennessee. He spent many years working for the United States Postal Service in various human resources capacities and eventually became the director of personnel for the main Memphis post office. He later became the director of employee relations for the southern region.

Kenneth Whalum is also an influential member of his community. He's long believed in serving the people of Memphis and did so as both a preacher and a school board commissioner.

Born and raised in Memphis, he attended Morehouse College and earned his law degree from Temple University. His strong faith and belief in public service led him to roles as a Baptist minister and school board member.

He served as a city council member from 1988 to 1996 and was elected to the school board in 1996. While on that school board, it was his goal to work toward higher standards, more opportunities and brighter futures for the students of Memphis City.

□ 1230

Upon retirement from public office, Kenneth T. Whalum plays an active role with the Stroke of Hope Foundation, which educates and supports fundraising for people suffering from

strokes and transient ischemic attacks.

It is fitting to honor Kenneth T. Whalum with the naming of this post office. I urge all of my colleagues to support H.R. 2587.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H.R. 2587, which names a postal facility in Memphis, Tennessee, after Kenneth T. Whalum, Sr.

H.R. 2587, which was introduced by Representative STEVE COHEN on June 6, 2007, was reported from the oversight committee on July 19, 2007, by a voice vote. This measure has the support of the entire Tennessee congressional delegation.

Reverend Kenneth Whalum, Sr.'s dedication and service to the people of Memphis go back many years. He was a district manager of the Michigan Postal Service before returning to Memphis as director of personnel for the Memphis Post Office. He served as a Memphis city councilman from 1988 to 1996.

Reverend Whalum is a well-respected man of faith in his community. In 1969, he became the senior pastor of Olivet Baptist Church and served until 1999.

I commend my colleague, Representative STEVE COHEN, for introducing this legislation and urge its swift passage.

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

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time and urge passage of this resolution honoring this very distinguished Memphian.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2587, as amended.

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

The title was amended so as to read: ''A Bill to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the 'Kenneth T. Whalum, Sr. Post Office Building'.''.

A motion to reconsider was laid on the table.

ELEANOR McGOVERN POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2654) to designate the facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, as the ''Eleanor McGovern Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2654

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

SECTION 1. ELEANOR MCGOVERN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, shall be known and designated as the ''Eleanor McGovern Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Eleanor McGovern Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is now my pleasure to yield such time as she might consume to the sponsor of this resolution, the gentlewoman from South Dakota, Representative HERSETH SANDLIN.

Ms. HERSETH SANDLIN. Mr. Speaker, it is my privilege to rise today in support of H.R. 2654, legislation honoring the life and legacy of Eleanor McGovern, by officially designating the post office in her hometown of Woonsocket, South Dakota, as the ''Eleanor McGovern Post Office Building.''

In making this essential recognition, I would also like to thank the gentleman from Massachusetts, Congressman JIM MCGOVERN, and the gentlelady from California, Congresswoman LYNN WOOLSEY, for their support of this bill.

Mr. Speaker, Eleanor Stegeberg was born 1921 and raised on a farm near Woonsocket, South Dakota, during the Dust Bowl years of the 1930s. As with many families of that era, times were tough; but Eleanor cherished her upbringing in the small prairie town of Woonsocket, which is known for a sweet melon crop in the summer and ample pheasant hunting in the fall, as well as scenic Lake Prior, which gave the community its nickname, ''the town with the beautiful lake.''

Eleanor and her twin sister, Ila, were varsity debaters at Woonsocket High School. Eleanor no doubt caught the eye of her future husband George McGovern, a student at a nearby high school, by besting him in a regional debate tournament. In fact, Senator McGovern always acknowledges as much.

Eleanor graduated as salutatorian and next enrolled at Dakota Wesleyan University in Mitchell, South Dakota, where she and George were fellow students and where they fell in love. The couple married on October 31, 1943, when, like so many of that generation, George was preparing to ship out for service as a B–24 bomber pilot in World War II. Eleanor gave birth to their first of five children while George was overseas.

George McGovern would go on to serve the State of South Dakota and the country in many roles: Senator, ambassador, airman, statesman, and the 1972 Democratic nominee for President. All the while, Eleanor was his strong and equal partner.

During that Presidential campaign, Eleanor blazed a trail and made headlines of her own while campaigning solo across the country for George.

Like none before her, she engaged crowds on the campaign trail with her eloquence and intelligence and was a fierce and effective advocate on a range of policy issues. Eleanor's high profile helped transform and heighten public perception of the role and value of women in politics.

Aside from politics, Eleanor worked as a tireless advocate for children and families throughout her life. She served on the boards of directors for Dakota Wesleyan University, the Psychiatric Institute Foundation, the Child Study Association, the Erickson Institute of Chicago, and Odyssey House of New York. She founded the Martha Movement and was a development officer for the Child Development Associates Consortium.

Following the tragic death of the McGoverns' daughter, Terry, in 1994, Eleanor was a passionate speaker on alcoholism, and with her family, established the McGovern Family Foundation in Washington D.C. to raise funds for alcoholism research. Eleanor and George also led a worldwide effort to combat hunger, working towards a goal of eradicating hunger by 2030.

In 2006, Dakota Wesleyan University, Eleanor and George's alma mater, launched the George and Eleanor McGovern Center for Leadership and Public Service, which offers a range of public service and leadership-centered programs for students, faculty, staff, and the national and global community.

Through this program and its annual McGovern Center Conference, the issues that George and Eleanor McGovern have championed continue to receive the attention and focus they deserve. Eleanor McGovern passed away on January 25, 2007, at the McGoverns' home in Mitchell, South Dakota. She was 85.

Throughout her life, Eleanor and George formed a true partnership of shared trust and responsibilities. George commonly refers to Eleanor as his most helpful critic and most trusted adviser.

Eleanor herself wrote in her 1973 memoir, titled ''Uphill: A Personal

Story'' ''I was determined to help with George's career, not only by taking responsibility for the family, but by contributing ideas. In fact, I never considered it 'George's' career, it was ours.''

I urge all Members to support the passage of this legislation that honors the life, works and service of an extraordinary woman and an extraordinary American, Eleanor McGovern.

Mr. SALI. Mr. Speaker, I yield myself as much time as I may consume.

This measure proposes honoring the life of Eleanor McGovern by naming the post office in Woonsocket, South Dakota, in her honor. A tireless advocate for children and families, she set a new precedent for women on the campaign trail and left a lasting mark as a passionate and eloquent speaker.

Born on November 25, 1921, in Woonsocket, South Dakota, Eleanor Stegeberg began her life-long devotion to caring for others at the tender age of 12, when she, along with her twin sister, Ila, assumed many household duties following the death of their mother. Even with all of her responsibilities at home, Mrs. McGovern was successful at school, becoming a renowned debater and a cheerleader before attending Dakota Wesleyan University.

It was in high school that she met a young George McGovern, whom she impressed by leading one of the few debate teams that was able to defeat him. Three years later, in 1943, just before he was shipped off to war, they were married.

Upon returning from service, Mr. McGovern began his 24-year career in Congress by winning a seat to represent South Dakota in the House of Representatives. However, he fell ill during his 1962 senatorial campaign, an opportunity that thrust Mrs. McGovern into the spotlight. She campaigned statewide for him, helping to secure his victory, and from then on she became a tremendous asset on the campaign circuit, either with Mr. McGovern or on her own.

Mrs. McGovern was a trailblazer in this role, opening doors for women and spouses in the election process, never more visibly than during Mr. McGovern's unsuccessful 1972 bid for the Presidency.

Mrs. McGovern was an advocate for children, family and women's issues during and following her husband's political career. After the tragic death of her daughter, Theresa, she became a public face of the campaign against alcoholism.

Mrs. McGovern's service endeavors included work for the Child Development Center and the Women's Democratic Club, as well as serving on the boards of the Psychiatric Institute Foundation and Dakota Wesleyan.

In recognition of this outstanding record of accomplishment and service, let us pay tribute to Eleanor McGovern by naming her hometown post office in her honor.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H.R. 2654, which names a postal facility in Woonsocket, South Dakota, after Eleanor McGovern.

H.R. 2654, which was introduced by Representative STEPHANIE HERSETH SANDLIN on June 11, 2007, was reported from the oversight committee on July 19, 2007, by a voice vote. This measure has the support of the entire South Dakota congressional delegation.

Mrs. Eleanor McGovern was the wife of former Senator George McGovern of South Dakota. She was born on November 25, 1921, in Woonsocket, South Dakota. She was the first spouse to campaign for her husband, alone, to be President of the United States beginning in 1971.

People had such confidence in her ability to articulate various issues facing the country during the early 1970s. Mrs. McGovern made a solo appearance on NBC TV's program ''Meet the Press,'' answering policy questions without hesitation and in precise detail. Also she was the first, by a candidate's wife, to appear on this show in its 25-year history.

Crowds were often moved by her speeches and drew comparisons to the former First Lady, Eleanor Roosevelt. Some questioned whether she might do her husband more harm than good.

When asked if her campaigning was worth the risk to her husband's Presidential bid, she replied: ''I would be campaigning as strongly for him if he were not my husband. Maybe there is a risk involved, but since I have the freedom to speak, and my husband doesn't know what I'm saying when I go around the country, he does not tell me what to say. He takes that risk.''

Mrs. Eleanor McGovern wrote a memorial about her personal life entitled ''Uphill: A Personal Story.'' She wrote: ''I still carry a trace of bitterness about poverty. It was not ennobling for my father and grandfather to scratch out a living on land rendered barren. The poor have few choices in life.'' Throughout her life, she learned to preserve and overcome life's challenges.

Mrs. McGovern died on January 25, 2007, at the age of 85.

Mr. Speaker, I commend my colleague, Representative STEPHANIE HERSETH SANDLIN, for introducing this legislation and urge swift passage.

Mr. MCGOVERN. Mr. Speaker, during the 1972 presidential campaign, Eleanor McGovern inspired the slogan, ''Put another Eleanor in the White House.''

The comparison to Eleanor Roosevelt is an appropriate one because Eleanor McGovern was a trailblazer and a truly great woman. She was an unapologetic liberal Democrat who cared deeply about people and about this planet.

She was outspoken in her support for our nation's children—demanding more attention and resources for early childhood development programs and better schools. She understood the importance of focusing on the needs of children beginning at birth. Had she become First Lady, this country's education system would be much improved and our children would be much better served.

She believed we should be better stewards of our precious environment long before ''mainstream America'' began to worry about global warming as an issue. Having just returned from a visit to the beautiful and breathtaking Black Hills of South Dakota, I can better understand Eleanor's love for open space and nature.

And like her husband George, Eleanor McGovern was a tireless advocate for peace. She campaigned every bit as hard as George to end the tragic war in Vietnam. She felt equally strong that the current war in Iraq was a mistake.

As one who got to know Eleanor pretty well over the years, I always enjoyed our talks and valued her insights. She loved to read and knew the issues better than most members of Congress. In fact she would have made an excellent congresswoman, U.S. Senator or even President.

Wherever Eleanor was, there were always plenty of books, magazines and newspapers. She underlined passages that held special meaning and she carefully collected magazine articles that she thought would be of use to George.

She also loved her gardens. When they lived in Washington, D.C., Eleanor treasured her small garden. She loved not only the flowers, but also the wildlife they attracted. She regularly fed the birds, raccoons and whatever else inhabited their neighborhood.

She was a loving mother who raised five incredible children. Sadly, her daughter Terry died after years of struggling with alcoholism. That terrible tragedy was heartbreaking for all of us who knew Terry, but it took a heavy toll on both Eleanor and George.

Eleanor loved George and George loved her. There is no way he would have become a U.S. Congressman or Senator or Presidential nominee without Eleanor. Her intellect, her love for this country and her respect for George were essential throughout her career.

Millions of Americans got to know and admire Eleanor in 1972. She campaigned with great enthusiasm for the McGovern-Shriver ticket—often on her own. She was not content to merely pose for pictures with her husband—instead, she gave speeches, attended rallies, appeared on political talk shows and contributed to policy discussions.

I will always believe that our country missed out by not electing George McGovern as president in 1972. It's not just because George would have made a superb president, but also because Eleanor would have been an incredible first lady. She would have been an ambassador for all that is good and decent about our country.

I am deeply grateful to my colleague from South Dakota, STEPHANIE HERSETH SANDLIN, for her leadership in naming Postal Service facility at 202 South Dumont Avenue in Woonsocket, South Dakota as the ''Eleanor McGovern Post Office Building'' and for her recognition of Eleanor's many contributions. I urge my colleagues to support H.R. 2654.

In closing, let me say very simply—what this world needs is more Eleanor McGoverns.

I reserve the balance of my time.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time and urge passage of this legislation and again commend the gentlewoman from South Dakota for its introduction.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2654.

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

A motion to reconsider was laid on the table.

□ 1245

ROBERT MERRILL POSTAL STATION

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2778) to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the ''Robert Merrill Postal Station''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2778

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

SECTION 1. ROBERT MERRILL POSTAL STATION.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, shall be known and designated as the ''Robert Merrill Postal Station''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Robert Merrill Postal Station''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as she might consume to the distinguished gentlelady from New York, who is the author of this legislation, Representative NITA LOWEY.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of this legislation, which would rename the Wykagyl Post Office in New Rochelle, New York after Robert Merrill.

I want to thank Chairman WAXMAN for his support of this bill and for placing it on the suspension calendar today.

Born on June 4, 1919, Robert Merrill spent his life performing from the grand stages of the world's opera houses to Broadway and music and television. He set the standard for theatrical and musical excellence.

Robert Merrill was a favorite of U.S. Presidents, performing at the invitation of Franklin Delano Roosevelt, Harry Truman and Ronald Reagan. He was the only singer to perform before Congress, the Cabinet and the Supreme Court, and Mrs. Roosevelt at the Franklin Delano Roosevelt memorial service held in the U.S. Capitol.

In 1968, President Johnson appointed him to the National Council on the Arts, and President Clinton awarded him the National Medal of Arts in 1993.

Throughout his career, Merrill performed as a soloist with every major orchestra in the United States and many of the world's great conductors, including Arturo Toscanini, Leonard Bernstein and Herbert von Karajan. His annual coast-to-coast recitals included performances at such venues as Wolf Trap, the Hollywood Bowl, Philadelphia's Mann Music Center.

Often referred to as ''America's Star Spangled Baritone,'' he was well known for singing the ''Star Spangled Banner'' at Yankee Stadium. In 1969, Merrill began singing the national anthem on opening day for the New York Yankees, a tradition that continued for over 25 years.

In addition to his dedicated singing career, Robert Merrill also lent his talent and presence to community and local charities, including volunteer work at the New Rochelle Hospital and New Rochelle Public Library.

For over 50 years, Robert and his wife, Marion, made New Rochelle, New York their home and were active supporters of West Chester Community College, the West Chester Arts Council and the New Rochelle Arts Council.

Mr. Speaker, Robert Merrill spread his talents and love for the arts all over the country, enriching all who experienced his performances. I urge my colleagues to join me in honoring this great American by passing this legislation.

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

We do rise today to honor a truly great artist in the field of opera. Robert Merrill, the highly acclaimed baritone singer was well known for his remarkable career with the Metropolitan Opera.

He was born and raised in Brooklyn, New York, son of Polish immigrants, and he was first inspired to perform as a singer after watching a performance of Il Trovatore as a teenager. His mother guided him through his early musical training, which he paid for by working as a semiprofessional baseball pitcher.

An avid baseball fan, he became widely known for his annual singing of the national anthem at Yankee Stadium on opening day and for special events, a tradition he carried on for over 30 years.

His legendary performances at the Metropolitan Opera brought him national fame and recognition in the arts and the opportunity to perform with other notable singers and entertainers.

He performed for numerous presidents, including Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower and John F. Kennedy. Throughout his career, he performed as a soloist with some of the world's greatest conductors, made numerous recordings, and appeared at several worldwide music festivals. Outside of the stage performances, he also ventured into radio and television.

Robert Merrill enjoyed a successful career in performing music for over 30 years. His velvety smooth voice was said to have improved with every performance. He retired from the opera in 1976, and made one final performance in 1983 for its centennial.

In 1968, he was appointed to the National Council on the Arts by President Johnson and was awarded the National Medal of the Arts in 1993.

He died at the age of 85 while watching his favorite pastime, baseball, at his home in New Rochelle, New York. It is appropriate that we honor him with the naming of a post office in his beloved hometown.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague in the consideration of H.R. 2778, which names the postal facility in New Rochelle, New York after Robert Merrill.

H.R. 2778, which was introduced by Representative NITA LOWEY on June 19, 2007, was reported from the Oversight Committee on August 1, 2007, by voice vote. This measure has the support of the entire New York congressional delegation.

Mr. Speaker, Mr. Robert Merrill was born on June 14, 1917, in the New York City borough of Brooklyn. As a teenager, he dreamed of either playing professional baseball or becoming one of America's top singers. In 1944, he made his professional debut singing Amonasro in ''Aida'' on a Trenton, New Jersey stage. A year later, he signed with the Metropolitan Opera, where he would sing more than 500 performances over the course of 3 decades.

Throughout Mr. Merrill's career, he sang with popular stars ranging from Frank Sinatra to Louis Armstrong and appeared worldwide at music festivals. He performed as a soloist with many of the world's great conductors, including Leonard Bernstein.

Mr. Merrill performed for several presidents, including President Franklin D. Roosevelt, President Harry S. Truman, President Dwight D. Eisenhower and President John F. Kennedy.

He died on October 23, 2004, at the age of 85.

Mr. Speaker, I commend my colleague, Representative NITA LOWEY, for introducing this legislation that highlights the career of one of America's most talented artists. I commend her for this introduction and urge its passage.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2778.

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

A motion to reconsider was laid on the table.

OWEN LOVEJOY PRINCETON POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2825) to designate the facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, as the ''Owen Lovejoy Princeton Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2825

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

SECTION 1. OWEN LOVEJOY PRINCETON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, shall be known and designated as the ''Owen Lovejoy Princeton Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Owen Lovejoy Princeton Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself as much time as I might consume.

As a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague in the consideration of H.R. 2825, which names the postal facility in Princeton, Illinois after Owen Lovejoy.

H.R. 2825, which was introduced by Representative JERRY WELLER on June 21, 2007, was reported from the Oversight Committee on July 19, 2007, by a voice vote. This measure has the support of the entire Illinois congressional delegation.

Mr. Owen Lovejoy, the son of a Congregational minister, was born on January 16, 1811, in Albion, Maine. He graduated from Bowdoin College, Brunswick, in 1832 and studied law.

In 1836, Mr. Lovejoy was ordained as the pastor of the Congregational Church in Princeton, Illinois, a position which he held for 17 years. He was a strong opponent of slavery, and he used the pulpit to attack slavery and helped slaves gain their freedom from bondage.

In 1856, Mr. Lovejoy was elected to Congress with the help of fellow Illinoisan, Abraham Lincoln. He served four terms in the United States House of Representatives and continued his work as an abolitionist.

Mr. Lovejoy worked with Members of Congress in both Chambers to weaken slavery and attempted to achieve a measure of equality for all people regardless of race. When critics within his own Republican Party expressed fears that the former slaves were not going to live in the North if they gained their freedom, Mr. Lovejoy replied, and I quote, ''Let them stay where they are and work under the stimulus of cash instead of the lash.''

Mr. Lovejoy died on March 25, 1864, just 2 weeks before the introduction of the 13th amendment to the Constitution.

Mr. Speaker, I commend my colleague, Representative JERRY WELLER, for introducing this legislation, and urge swift passage.

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

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

Mr. Speaker, today we celebrate Mr. Owen Lovejoy, who was an accomplished lawyer, Congregational Minister, abolitionist and Republican Congressman.

Mr. Lovejoy was born on January 6, 1811, in Maine, where he taught school in order to support himself while in college and law school after his father's death.

After becoming a convert to abolitionism in 1836, he studied for the ministry under his brother, Elijah Lovejoy, a well known antislavery, Presbyterian minister. Tragically, 1 year later, Elijah was murdered while trying to prevent the destruction of the printing press of an Illinois antislavery society from an angry, drunken anti-abolition mob. After his brother's murder, Mr. Lovejoy is reported to have vowed to devote himself to, quote, ''the cause that has been sprinkled with my brother's blood.''

After becoming a Congregational church minister, Lovejoy used the pulpit to attack slavery.

He was elected to Congress in 1856, with the support of Abraham Lincoln, and served four terms. Although he died before seeing the enactment of the 13th amendment to the Constitution, Congressman Lovejoy's legacy lives as a lifelong champion of equality.

Because of his courageous support of equality for all, regardless of race, it is fitting that we name the Princeton, Illinois Post Office in his honor.

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

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve. I have no further speakers, so I will wait for my colleague to yield back, and then I will.

Mr. SALI. Mr. Speaker, I yield back.

Mr. DAVIS of Illinois. Mr. Speaker, as I indicated, I have no further speakers, but I, again, want to commend my colleague from Illinois, Representative JERRY WELLER, for introducing this legislation.

Owen Lovejoy, in actuality, is one of the great abolitionists of his day, an individual that many people don't know nearly enough about. And so I commend Representative WELLER for making sure that he will be etched in the hearts and minds of the people in that town and in that community. I urge its passage.

Mr. WELLER of Illinois. Mr. Speaker, I rise today to urge my colleagues to support H.R. 2825, a bill I introduced that would name the post office in Princeton, Illinois after Owen Lovejoy. Owen Lovejoy is perhaps best known for his role in advocating for the abolition of slavery and his work with the Underground Railroad.

Owen Lovejoy was born in Albion, Maine in 1811 to Daniel, a Presbyterian minister, and Elizabeth Lovejoy. While growing up, young Owen came to admire his older brother Elijah, who taught him Latin classics when Elijah came home from college. Owen grew up to follow in his brother's footsteps by attending Bowdoin College. Unfortunately, his father died while Owen was in school, forcing him to leave Bowdoin College after 3 years.

After the death of his father, Owen moved to Illinois to live with his brother Elijah, who was the editor of an anti-slavery newspaper. During this time, Owen became a convert to abolitionism. His dedication to abolitionism grew on November 7, 1937 when an anti-abolition mob attempted to destroy Elijah's printing press. In the ensuing struggle, Elijah Lovejoy was killed by the mob. For Owen, abolitionism became ''the cause that has been sprinkled with my brother's blood.''

After his brother's death, Owen Lovejoy moved to Princeton, a village with a population of 200. Rev. Edward Beecher recommended him to Hampshire Colony Congregational Church, the church from which he spoke out against slavery for the next 17 years.

Owen used the pulpit to attack slavery. He also operated the ''Lovejoy Line'' of the Underground Railroad. His farmhouse, surrounded by 1300 acres of farmland, was one of the busiest for slaves trying to gain their freedom.

In 1854, Owen Lovejoy was elected to the Illinois legislature. Two years later, he was elected to Congress with the help of a fellow Illinoisan, Abraham Lincoln. He served four terms as the Representative to Illinois' Third

Congressional District. As a Congressman, Owen continued to work towards the abolition of slavery. Owen worked with members in both chambers in creating legislation to weaken slavery and achieve equality for all people, regardless of race.

In 1863, Owen introduced the legislative version of the Emancipation Proclamation. Sadly, he did not get the chance to see his legislation become law. On March 25, 1864, Owen Lovejoy died of Bright's disease, 2 weeks before the introduction of the Thirteenth Amendment to the Constitution. When President Lincoln heard of Lovejoy's death, he wrote,

It can be truly said of him that while he was personally ambitious he bravely endured the obscurity which the unpopularity of his principles imposed . . . To the day of his death, it would scarcely wrong any other to say, he was my most generous friend.

I urge my colleagues to join me in honoring Owen Lovejoy for his work and determination towards abolishing slavery in America by supporting H.R. 2825.

Mr. DAVIS of Illinois. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 2825.

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

A motion to reconsider was laid on the table.

□ 1300

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 257) supporting the goals and ideals of Pancreatic Cancer Awareness Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 257

Whereas over 37,170 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas pancreatic cancer is the fourth most common cause of cancer death in the United States;

Whereas 75 percent of pancreatic cancer patients die within the first year of their diagnosis, and only 5 percent survive more than 5 years, making pancreatic cancer the deadliest of any cancer;

Whereas there has been no significant improvement in survival rates in the last 25 years, and pancreatic cancer research is still in the earliest scientific stages;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastatic disease is only 3 to 6 months;

Whereas the incidence rate of pancreatic cancer is 40 to 50 percent higher in African Americans than in other ethnic groups;

Whereas the Pancreatic Cancer Action Network (PanCAN) is a national patient advocacy organization that serves the pancreatic cancer community by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

Whereas the Pancreatic Cancer Action Network has requested that the Congress designate November as Pancreatic Cancer Awareness Month in order to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Pancreatic Cancer Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H. Res. 257, a resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month.

H. Res. 257, which has 77 cosponsors, was introduced by Representative TODD PLATTS on March 20, 2007. H. Res. 257 was reported from the Oversight Committee on June 12, 2007, by voice vote.

Mr. Speaker, pancreatic cancer is the fourth most common cause of cancer death in the United States. It develops when cancerous cells form in the tissues of one's pancreas.

Pancreatic cancer spreads rapidly and is seldom detected in its early stages, which is a major reason why it is one of the leading causes of cancer death. The American Cancer Society estimated that 37,000 people will be diagnosed this year with pancreatic cancer in the United States, and about 33,000 of them will die.

I support the goals and ideals of Pancreatic Cancer Awareness Month in order to educate people about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and preventative programs.

So, Mr. Speaker, I commend my colleague, Representative PLATTS, for introducing this legislation and urge its swift passage.

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

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

Pancreatic cancer, the fourth most common cause of cancer death in the United States, is a devastating disease caused by excessive cellular growth in the pancreatic gland. Approximately 37,200 people will be diagnosed with pancreatic cancer this year alone. Sadly, the average life expectancy for those diagnosed is only 3 to 6 months.

Despite the lethal nature of pancreatic cancer, research remains in the earliest scientific stages, and there are currently no identifiable early warning signs. By the time the symptoms become evident, it is almost always too late for successful treatment. While research and scientific developments have led to lower mortality rates for other types of cancer, such as cancer of the breasts, lung, prostate, and colon, the mortality rate for pancreatic cancer continues unabated.

The Pancreatic Cancer Action Network, PanCAN, is the only national patient advocacy organization that serves the pancreatic cancer community. It focuses its efforts on public policy, research funding, patient services, public awareness, and education related to the development of an effective treatment and ultimately a cure.

PanCAN will once again be promoting pancreatic awareness during the month of November to educate citizens about pancreatic cancer, the need for funding, early detection methods, effective treatment, and prevention programs.

In honor of the many victims of this horrific disease and the efforts of the Pancreatic Cancer Action Network, I ask that the Members of Congress join me in declaring support for the goals of Pancreatic Cancer Awareness Month.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the distinguished gentleman from the State of Maryland, the Honorable ELIJAH CUMMINGS.

Mr. CUMMINGS. Mr. Speaker, today I rise in support of H. Res. 257, a resolution that recognizes the goals and ideals of the National Pancreatic Awareness Month, which is in November.

Today's consideration of this legislation comes on the heels of a recent tragedy that shook the Nation and the world. Last week, Italian operatic icon Luciano Pavarotti died in his home in Modena, Italy, from pancreatic cancer. He was 71 years old.

Pavarotti's flawless, rich sound left audiences awe-struck, earning him the nickname of the ''King of the High Cs.'' I count myself among the millions of fans who were moved by his powerful voice.

Like Enrico Caruso and Jenny Lind before him, Pavarotti's talent was recognized beyond the standard opera audience. He became a household name in the 1990s with his popular ''Pavarotti and Friends'' charity concerts, performing with rock stars like Elton John, Sting, and Bono.

The maestro's moving music and charismatic demeanor will be remembered for generations to come. As we celebrate the life and legacy of one of the greatest tenors the world has ever known, we must also reflect on the need to improve the diagnosis and treatment of the disease that tragically took his life, pancreatic cancer.

That is why I am a lead sponsor of H. Res. 257, which highlights the need for improved investment in pancreatic cancer research. Pavarotti might still be alive today if we had made a greater commitment to fighting this very tragic disease.

Pavarotti's story is like so many other individuals who suffer from pancreatic cancer. He was diagnosed in 2006 and underwent surgery in July of that year. Treatment failed, however, and he eventually succumbed to the disease.

Far too many Americans and people around the world find that a diagnosis of pancreatic cancer is a death sentence. Seventy-five percent of all patients with pancreatic cancer die within 12 months of diagnosis. Only 5 percent of pancreatic cancer patients survive more than 5 years, making it the deadliest of any cancer. Of the 37,170 Americans who are expected to be diagnosed in 2007, an estimated 33,000 will die this year.

Pancreatic cancer is the fourth leading cause of cancer death in the United States and the third leading cause of cancer death among 40- to 59-year-old men. It is a disease that disproportionately affects minorities. The incidence rate of pancreatic cancer is 40 to 50 percent higher in the African American community than in any other ethnic group.

Unfortunately, our financial commitment to the disease has not matched its impact. Only 1½ percent of the National Cancer Institute's $4.747 billion cancer research budget for 2006 went to pancreatic cancer. No significant improvement in survival rates has been made in the last 25 years, and pancreatic cancer research is still in the earliest scientific stages.

There are no early detection methods and minimal treatment options for pancreatic cancer. Sadly, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis; and the average survival rate of those diagnosed with metastasis disease is only 3 to 6 months.

This is simply unacceptable. We can do better, and we owe it to our citizens and to the legacy of the great Pavarotti to do better.

For this reason, I have joined my colleague, Congressman TODD RUSSELL PLATTS of Pennsylvania, in introducing H. Res. 257. We are also joined by 83 of our colleagues who are cosponsors of the bill. I want to thank Congressman PLATTS for his leadership on this issue, subcommittee Chairman DANNY DAVIS, and full committee Chairman HENRY WAXMAN for bringing this legislation to the floor, and our friends on the other side.

I urge all of my colleagues to vote in favor of this resolution and to join efforts to increase Federal support for pancreatic cancer research.

Mr. DAVIS of Illinois. I want to thank the gentleman from Maryland (Mr. CUMMINGS) for his remarks.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today in support of House Resolution 257, supporting the goals and ideals of Pancreatic Cancer Awareness Month.

By increasing awareness, we look to shine a spotlight on a disease that has historically received little attention from the Federal government: pancreatic cancer. It is the fourth most deadly cancer for both men and women, but research on pancreatic cancer is decades behind other cancers.

I was fortunate to have a group of my constituents from the 8th District of Pennsylvania teach me more about this devastating illness. They work with the Pancreatic Cancer Action Network and are fighting hard to raise awareness and improve patient services to beat this disease.

They told me that this year more than 37,000 Americans will be diagnosed and almost as many will die from the disease. It is difficult to recognize and with no early screening test, symptoms are often mistaken for other ailments. Because of this lack of early detection, 75 percent of those diagnosed don't survive longer than a year and only 5 percent survive more than 5 years. Pancreatic cancer shows no signs of slowing—with diagnoses and deaths increasing every year. Men and African-Americans are particularly at risk, but with no significant improvement in survival rates in the last 25 years, every American needs to be aware.

A number of treatments are in development. Patients can undergo chemotherapy, radiation, surgery, or experimental treatments such as chemotherapy drugs or vaccines. While doctors and scientists are working hard to find a cure, they need our help to fund their important research and assist in educating the public.

Mr. Speaker, with so many Americans diagnosed each year, we must act with urgency. We must increase awareness in our communities and across our country in order to intensify our focus to find a cure. Through educating the public about this quiet killer, we can increase early diagnosis and improve the prognoses and treatment of the disease. Mr. Speaker, it is time to face this disease head-on and fight back.

Mr. PLATTS. Mr. Speaker, I rise to strongly support House Resolution 257. This resolution will to help increase awareness for pancreatic cancer, the deadliest of all cancers.

Mr. Speaker, few Americans may understand that pancreatic cancer is a horrific killer. This year alone, over 37,000 people will be diagnosed with this disease. Sadly, 99% of those diagnosed will lose their lives due to a lack of early detection tools.

Many Americans are not aware that pancreatic cancer has the highest mortality rate of all cancers; only 4 percent of patients will survive beyond 5 years after diagnosis. This is why it is a moral imperative for Congress to work to increase awareness of this deadly cancer.

I became aware of the Pancreatic Cancer Action Network (known as "Pan CAN") through a constituent of mine, Bob Hammen, who lost his wife to this terrible disease. Pan CAN is the only national advocacy organization which provides support for pancreatic cancer patients and their families.

In their efforts to raise awareness for pancreatic cancer, Pan CAN regards each November as Pancreatic Cancer Awareness Month. H. Res. 257 supports Pan CAN's efforts to raise the awareness which is desperately needed to improve early detection methods and treatment for this disease.

Mr. Speaker, because all of our fellow citizens have family, friends, and neighbors who are regrettably vulnerable to this dreaded disease, I urge support from my distinguished colleagues for this resolution here today.

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Resolution 257, supporting the goals and ideals of Pancreatic Cancer Awareness Month. Pancreatic Cancer Awareness Month aims to help educate communities across our country about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs. These are important goals and ones that I support fully.

It is appalling that only 5 percent of persons diagnosed with pancreatic cancer this year will reach the five year survival mark. The Pancreatic Cancer Action Network (PanCAN), founded in 1999, is dedicated to improving survival rates. The Network's sponsors innovative and highly acclaimed programs intended to meet the informational needs of the panereatic cancer community. The PanCAN founders, directors, staff, donors, affiliated health care professionals, partners and volunteers are to be commended for their work and the successes they have achieved.

The instances of panceatic cancer in Americans—indeed instances of all cancers in Americans—must be reduced and survivability rates increased. I am committed to helping achieving those goals. But achieving them is not an easy task.

For instance, as the Chair of the Congressional Asian Pacific American Caucus' Health Task Force, I am acutely aware of the high rates of cancer infections present in the Asian and Pacific Islander American communities. I am also all too aware of the disparities that exist for and the challenges that must be overcome by individuals—especially women—from minority communities in order for them to gain access to screening and diagnostic services for all types of cancer. Moreover, I remain very concerned about the scarcity of oncology services in rural or isolated areas in the United States, such as Guam.

I am encouraged by the focus the Pancreatic Cancer Awareness Month brings on the need to and importance of educating communities across our country about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs. I urge the leaders of the Pancreatic Cancer Awareness Month and PanCAN to work to ensure that minority communities and individuals who reside in rural and insular areas across our country benefit from these outreach efforts.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 257, as amended.

The question was taken.

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

Mr. DAVIS of Illinois. 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.

RECESS

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

Accordingly (at 1 o'clock and 11 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1725

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARDOZA) at 5 o'clock and 25 minutes p.m.

RECOGNIZING SEPTEMBER 11 AS A DAY OF REMEMBRANCE

Mr. HOYER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 643) recognizing September 11 as a day of remembrance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our Nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 643

Whereas on the morning of September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City and a third into the Pentagon outside Washington, D.C.;

Whereas the heroic actions of the passengers and crew aboard United Flight 93, which ultimately led to the aircraft crashing into a rural field in Shanksville, Pennsylvania, prevented the plane from being used as a weapon against America;

Whereas nearly 3,000 innocent men, women, and children were murdered in these attacks;

Whereas their tragic loss will never be forgotten by the people of the United States of America;

Whereas by targeting symbols of American strength and prosperity, the attacks were intended to assail the principles, values, and freedoms of the American people, to intimidate the Nation and its allies, and to weaken the national resolve;

Whereas the United States remains steadfast in its determination to defeat, disrupt, and dismantle terrorist organizations and seeks to harness all elements of national power, including its military, economic, and diplomatic might, to do so;

Whereas Congress passed, and the President signed, numerous laws to assist victims, combat terrorism, protect the Homeland, and support the members of the Armed Forces who defend American interests at home and abroad;

Whereas terrorist attacks that have occurred since September 11, 2001, in Egypt, India, Indonesia, Jordan, Spain, Turkey, the United Kingdom, and elsewhere, remind all people of the brutal intentions of the terrorists and the ever-present threat they pose to the principles of freedom, justice, and the rule of law;

Whereas the United States has worked cooperatively with the nations of the free world to confront, disrupt, and punish terrorists at home and abroad, and remains committed to building strong and effective counterterrorism alliances;

Whereas immediately following September 11, the United States Armed Forces moved swiftly against al-Qaeda and the Taliban regime, which the President and Congress had identified as enemies of America;

Whereas in doing so, brave servicemen and women left family and friends in order to defend the Nation; and

Whereas six years later, many servicemen and women remain abroad, defending the Nation from further terrorist attacks; Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes September 11 as both a day to remember those taken from their families, loved ones, and fellow citizens and a day for Americans to recommit to the Nation and to each other;

(2) extends its deepest sympathies to the countless innocent victims of the September 11, 2001, terrorist attacks, their families, friends, and loved ones;

(3) honors the heroic service, actions and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and others who aided the innocent victims and, in so doing, bravely risked their own lives and health;

(4) expresses thanks and gratitude to the foreign leaders and citizens of all nations who have assisted and continue to stand in solidarity with the United States against terrorism in the aftermath of the September 11, 2001, terrorist attacks;

(5) rejects, in the strongest possible terms, any effort to confuse the war on terrorism with a war on any people or any faith;

(6) honors the heroic service, actions and the sacrifices of United States personnel, including members of the United States Armed Forces, United States intelligence agencies, and the United States diplomatic service, and their families who have sacrificed much, including their lives and health, in defense of their country against terrorists and their supporters;

(7) remains resolved in its commitment to defeating terrorists and their supporters who threaten the United States and to providing the United States Armed Forces, United States intelligence agencies, and the United States diplomatic service with the resources and support to do so effectively and safely; and

(8) reaffirms that House of Representatives honors the memory of those who lost their lives as a result of the September 11, 2001, terrorist attacks and reaffirms its commitment to defend the people of the United States in the face of any and all future challenges.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. HOYER) and the gentleman from Virginia (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and include extraneous material on House Resolution 643.

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

There was no objection.

Mr. HOYER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the Members who rise tonight to speak on this important legislation do so not as Democrats or as Republicans, but as one, as Americans united in the defense of the great Nation and the ideals for which it stands: Freedom, democracy, equality and the rule of law.

Six years ago, as all of us know, on September 11, 2001, it is a day, Mr. Speaker, that none of us will ever forget as long as we live. September 11 is seared into the American consciousness, much like December 7, 1941, and November 22, 1963, as a day of infamy, a day of unspeakable horror, a day of unmitigated evil, and yes, a day of incredible heroism.

On this eve of the sixth anniversary of September 11, this resolution, jointly introduced by myself as the majority leader and by Mr. BOEHNER as the Republican leader, recognizes this as a day of remembrance and resolve.

We remember the nearly 3,000 innocent men, women and children who lost their lives on September 11. And we extend, once again, our sympathies to their families, friends, and loved ones.

We honor the courage and heroic actions, service and sacrifice of our first responders; firemen, policemen, medical personnel, as well as our valiant servicemen and women who now are in harm's way thousands of miles from this Chamber.

Mr. Speaker, you will recall with me that 343 members of the New York Fire Department lost their lives on that day, in addition to the thousands of people who lost their lives in the two towers. Twenty-three New York policemen lost their lives, and 37 officers of the Port Authority of New York lost their lives on that day.

We must remember, however, that what they did, along with their colleagues in the fire department, the police department and the Port Authority Police, was saved tens of thousands of people who got out of the buildings before they collapsed. We lost people, of course, in the Pentagon as well, people from my district and districts throughout this country.

Today, we reaffirm our commitment to defending the American people against any and all future challenges. I mentioned the Pentagon. I mentioned

the World Trade Center. But a plane that perhaps, Mr. Speaker, was flying towards this Capitol, or perhaps the White House, was taken down by some brave Americans who learned what was happening that day through their cell phones. And they resolved, on that day, to give the last measure of devotion to their country by giving their lives that that plane might not reach its target but crash in the fields of Pennsylvania.

□ 1730

As this resolution states, Mr. Speaker, we remain steadfast in our determination to disrupt, dismantle and defeat terrorist organizations, and we will harness all elements of our national power: military, economic, diplomatic, and, yes, moral, to effect that defeat.

In the aftermath of September 11, Americans, awakened to the threat of international terrorism, collectively declared, Never again. And, over the last 6 years, thousands of Americans have worked tirelessly to improve our Nation's security and to protect our people.

Have we done enough? No. Do we need to do more? Yes. However, this Congress has passed, and the President has signed, numerous laws to assist victims, combat terrorism, protect our homeland and to support the members of our Armed Forces who defend our interests at home and abroad.

Perhaps none of these measures has been more important than the passage this year of H.R. 1, legislation implementing the recommendations of the bipartisan 9/11 Commission. Among other things, this legislation requires 100 percent screening of cargo on passenger aircraft and 100 percent screening of seaborne cargo before it gets to U.S. ports. It ensures that first responders can communicate with each other, improves rail and mass transit security, and seeks to prevent terrorists from acquiring weapons of mass destruction.

Without question, Mr. Speaker, H.R. 1 will help us harden our defenses and combat terrorism. However, no one should be mistaken: legislation alone cannot immunize our Nation from attack.

In fact, as the Chairs of the 9/11 Commission wrote just yesterday in The Washington Post: ''Six years later, we are safer in a narrow sense: we have not been attacked, and our defenses are better.'' But, as they point out, Mr. Speaker: ''We still have a long way to go.''

It is therefore appropriate that we pass this resolution of remembrance. But it also must be a resolution of resolve that we will not allow the situation that existed on 9/11 to be maintained and, in fact, we have not. We are stronger; but as Mr. Hamilton and Mr. Kean pointed out, not yet strong enough.

Tonight, Mr. Speaker, let us recognize September 11 as a solemn reminder of our vulnerability. Let us also be reminded that we are part of something much larger than ourselves. We are the land of the free and the home of the brave, and the terrorists who sought to break our spirit only clarified our purpose and steeled our resolve. Mr. Speaker, may God continue to bless our great country.

I have talked to a reporter just a few minutes ago. That reporter, Max Cacas, was listening to Leader Gephardt and Speaker HASTERT on that September 11, 2001, on the Capitol steps, state our resolve. Then, Mr. Speaker, you may recall, the Members spontaneously sang ''God Bless America.'' It was a prayer and it was a resolve.

Mr. Speaker, I urge all of my colleagues to support this very important resolution.

I ask unanimous consent that the distinguished chairman of the Foreign Affairs Committee might manage the balance of our time.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to yield 1 minute to the gentleman from Ohio, the distinguished minority leader (Mr. BOEHNER).

Mr. BOEHNER. I want to thank my colleague from Virginia for yielding.

Mr. Speaker, this resolution recognizes tomorrow, September 11, as a day of remembrance. We extend the profound sympathies of this body to those who lost their loved ones in New York, at the Pentagon, and in the fields of Pennsylvania. This resolution also honors the firefighters and first responders who willingly risked or gave up their lives to save others on that fateful day. We also honor the sacrifice and heroism of our Armed Forces: the Army, the Navy, the Air Force, the Coast Guard, and the Marine Corps. Those men and women stand on the wall of freedom, and they are bravely fighting a determined enemy in the war on terror. They deserve our respect and our backing.

I can still remember how blue and peaceful that east coast sky was the morning of September 11, 2001, and how that peace was shattered by the attacks on our country. They say every generation of Americans has its challenge. The challenge of this generation became clear to all of us on that day. It was a day that forever changed us and the way we look at the world.

America was brutally attacked without mercy and without warning. We will never, ever forget those that we lost on that day. Republicans and Democrats must work together to ensure that our children and their children never have to live through another day like September 11, 2001.

Mr. LANTOS. Mr. Speaker, I am honored to yield 1 minute to the distinguished Speaker of the House of Representatives, Ms. NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I thank him for bringing this resolution to the floor, and I thank Mr. HOYER and Mr. BOEHNER for cosponsoring this very important resolution to remember what happened on 9/11 6 years ago.

On that terrible day, our country received an assault that was personal, and it was vicious. Our country responded with unity and with clarity about our resolve to fight terrorism. On a personal basis, for the families who were affected, I want to thank them, the families of 9/11, for turning their grief and their sorrow into action. They inspired our country to form a 9/11 Commission, to have the 9/11 Commission recommendations passed into law and signed by President Bush this summer. For that, all of us who care about the security of our country and the safety of our people owe those families a deep debt of gratitude. We also owe them the sympathy that their lost ones, their loved ones, will always be in our hearts.

Earlier today, Mr. Speaker, I went to Ground Zero. I saw the rebuilding that is going on at that site. It is not without great sadness that one visits that hallowed ground. It is not without remembering when some of us visited the first time 6 years ago following the tragedy. At that time, it was total silence, no speaking, no photographs, just a somber evaluation of the destruction that had been wrought and about the lives that had been lost. Today, Ground Zero is rebuilding. It is rebuilding to remember, with a memorial to remember; and it is rebuilding to say to the terrorists that they have not won.

The main goal of terrorists is to terrorize, to instill fear. They don't care about lives. They don't care about buildings. They just want to make people afraid. They want to change the way we run our country, do our business, live our lives and honor our freedoms. But if that was their goal, they certainly have failed. Whether it is at the Pentagon, where a wreath will be laid tomorrow, or it is in Pennsylvania, where we will mourn that loss forever, or whether it is in New York City at Ground Zero, the American spirit is alive and well. Again, they have lost this fight because we will not change who we are. That is what they resent. That is what we will not relent on.

So to those families, thank you. We will always, again, carry your loved ones in our hearts; but thank you for turning grief into power, into law, into a safer America. To those courageous people who rushed in, whether it was the emergency services, the police and fire, whether it was just volunteers, people off the street going in trying to help, whether it was construction companies going in trying to clear the area, to them we also say thank you for their courage at Ground Zero.

But we owe them more, as well. So I hope that in our resolve to remember and to rebuild, to honor our freedoms and to honor our people, we will understand that we must honor a responsibility we have to those who tried to

save lives at Ground Zero, who may have lost their health because of it. So in my trip to New York at Ground Zero and at City Hall, I talked to the mayor and the Governor about how we can work together in a bipartisan way to see what is fair and what can be done now so that fairness will prevail for these people, but that the message will be clear. God forbid if we are ever faced with another situation that we have a compact with our people that if we stand together, we will not stand alone if we are affected by another tragedy. It is very sad.

I thank Mr. HOYER and Mr. BOEHNER for putting together this very excellent resolution. Following the vote later this evening, we will leave the Chamber and go down the steps of the Capitol to have a vigil on the eve of 9/11. As the distinguished majority leader, Mr. HOYER, mentioned, 6 years ago, spontaneously, Members, Democrats and Republicans alike, came together and at his suggestion we sang ''God Bless America.'' He is too modest. We will do that again tonight. We will sing that song with all the sincerity in the world. Moved by its beauty, but also committed to its words, we know that God has truly blessed America with our men and women in uniform who are fighting terrorism, with our first responders who are our first line of defense in our community in ensuring homeland security and with all Americans joined together to never forget what happened on 9/11 and never forget that we are committed to our freedoms.

So don't forget, my colleagues, following the vote on this resolution, in about another hour, let's all join together. It will be one of the first memorials to 9/11 this year, once again, on the steps of the Capitol. With that, I commend Mr. BOEHNER and Mr. HOYER.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

This resolution appropriately summons us to reaffirm the sense of urgency forged in the crumbling inferno of the Twin Towers, the Pentagon and that field in Pennsylvania. Today we fulfill our duty to remember, to honor the memory of the 2,996 martyrs who gave their lives in the earliest day of protracted struggle against godless extremism.

This resolution reminds us that we are at war and no political difference or debate can detract from the heroic work done every day by the men and women of America's military. The 184 people who gave their lives at the Pentagon 5 years ago fought on an unexpected battlefield, but toiled until the end in loyal service to the national ideals of liberty and justice. A vote for this resolution confirms our eternal debt of honor to all those who fight to defend America and advance freedom.

On 9/11, America's first responders got a bitter taste of the unwelcome battle brought to our shores. But their valor and grit carried us all through that day and those that followed. In this resolution, we also honor and support the work of the public safety and public health professionals who work every day to protect us from terrorist attacks. Between 9/11 observances, however, distance from the tragedy of 9/11 seems to have allowed some politics to seep in to what should be wholly nonpartisan discussions of profound national security issues.

□ 1745

With each passing year, what looked hugely urgent after 9/11 tends to get smaller in the viewfinder as more current problems loom larger. While we lose sight of the threat, an enemy who relentlessly worked to transform airplanes into guided missiles is maniacally focused on other ways to harm us. Rather than using the lengthening historical horizon to elevate our perspective, we have also allowed the debate over the next step in Iraq to draw us deep into the political weeds.

As a Nation with global responsibilities, we need to climb out of the domestic political trenches and reclaim the high ground so dearly purchased 6 years ago. We do the victims of 9/11 a great disservice if we do not take bipartisan steps toward regaining a fair, far more strategic perspective.

While Iraq is undeniably an element of our post-9/11 security equation, we cannot let that effort obscure our view of the emerging threats to peace: an emboldened, nuclear Iran, a resurgent Taliban, a divided Palestinian Government, and our continued dependence on foreign oil as our economic lifeblood.

It is more than luck there hasn't been another major attack since 2001. Given the proven strength of our ideals and the moral bankruptcy of these who exalt death over life, defeat in this war can only be self-inflicted. Only if we lose patience, only if we lose faith in the universality of the yearning for freedom, only if we fail to honor the sacrifices of our countrymen, from Bunker Hill to the Twin Towers, can the purveyors of death prevail over the forces of life.

As in the almost 50-year cold war against Soviet Communism, our post-9/11 reality has to be defined by a vigilance and a willingness to use all of the instruments of national power, not just the military, to advance the cause of human freedom. That is one lesson of 9/11. Written in innocent blood, it is a lesson we can never forget.

Mr. Speaker, I urge adoption of the resolution.

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

Mr. LANTOS. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, we have before us today a resolution whose purpose is, ''Recognizing September 11 as a day of remembrance,'' extending sympathy to the families of those who lost their lives on September 11, 2001, ''honoring the heroic actions of our Nation's first responders and Armed Forces, and reaffirming the commitment of defending the people of the United States against any and all future challenges.''

Certainly, Mr. Speaker, I remember. Like millions of others in this country and around the globe, I remember exactly where I was and what I was doing when I first heard the news of this hideous atrocity.

Like millions of others, I was profoundly shocked, sickened, and horrified by the scenes I saw unfolding that day. And in me there grew a cold anger. We will get those who did this, I said to myself back then. No matter how long it takes, we will defeat them. We will do everything in our power to protect the people of the United States.

Recently, Mr. Speaker, we took a major step in that direction by enacting, with bipartisan support, legislation to implement the recommendations of the 9/11 Commission. By so doing, we addressed major security vulnerabilities, improving our homeland security across the board.

But much more needs to be done. Al Qaeda remains a serious threat to the United States. The leadership of that group has been reconstituted and the terrorists have formed many small independent cells. One such cell was broken up just within the last few days in Germany.

In order to triumph in the war of ideas with the extremists, we need to learn how best to use many forms of soft power, economic, financial, diplomatic, and cultural, which are available to us and to our allies.

We in Congress can help by making sure that the foreign operations budget is fully funded, our principle instrument of soft power. We need to stop frittering away our resources, military, diplomatic and economic, on a ceaseless religious war in Iraq.

The administration is making its case before Congress this week to stay the course in the Iraq war, which it continues cynically to conflate with the global balance struggle against fundamentalist extremism, even with the 9/11 attacks themselves. It continues to disturb me to hear the administration linking Iraq with the attacks perpetrated by Osama bin Laden and his thugs, especially when they are still at large.

The bottom line, Mr. Speaker, is that we will not forget what really happened on that dark day 6 years ago. We will not forget the victims of 9/11, or the heroic first responders who sacrificed their lives, or the fighting men and women who carried the battle to the mountains of Afghanistan and rooted out the Taliban.

We recommit ourselves today, as we have each year at this time for the past 6 years, to continue the fight against those who seek to destroy our American way of life, to deny us our constitutional rights and our freedoms.

We will not forget. We will not falter in our resolve to protect our homeland. We shall remember our heroes.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 3 minutes to my friend, the distinguished gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you for yielding, Mr. DAVIS.

Mr. Speaker, I rise in strong support of this resolution in remembrance on the eve of September 11, the sixth anniversary of the attack on the United States. I am pleased that the committee on which I serve, the Government Reform Committee, and leadership of the House is remembering those who were lost as a result of that tragic attack on the United States.

I wanted to come out tonight to also remember those that I knew and remember, just as every American who was alive on September 11, remembers where they were and who they knew and how they were affected.

The morning of September 11 I was invited by Secretary Rumsfeld to have breakfast with him in the Pentagon. The topic of discussion, as you may recall, was a new administration working under an old budget, but we downsized the military, and the Secretary was concerned about the possibility of the United States coming under some other type of threat. How ironic.

That morning we sat and discussed that subject in the Pentagon, the morning of September 11 and what would follow. I learned, just as the Secretary of Defense learned, of the attack just a few minutes, around 9 o'clock in the morning.

The irony of that day is that being in the Pentagon, and I left shortly before the plane hit the Pentagon, that Barbara Olson, who served the Government Reform Committee, was on the plane that hit the Pentagon. I will never forget, and I am not one of these guys that is sort of sentimental, but I remember seeing Barbara at a reception. She had left the committee, but she pecked me on the cheek as she said goodbye. I will never forget that goodbye. That was the last time I saw Barbara. She was on the plane that hit the Pentagon.

In the Pentagon was Terry Lynch. I was chief of staff for then-Senator Hawkins, and he worked with Senator SHELBY from Alabama. I lost a good friend in Terry Lynch.

Seven weeks before September 11, I was invited by a fellow by the name of Neil Levin, who was legislative director for Alfonse D'Amato, to come up. I had been named the chairman of Aviation. Neil Levin had been named director of the New York Port Authority.

I spent time with Neil. We held a hearing with about 13 Members of Congress on Monday morning. We conducted a hearing in the World Trade Center hearing room. Afterwards Neil took me, my wife, and I think two or three other Members and their spouses that accompanied us for that occasion.

In the Windows on the World restaurant, on the side, the New York Port Authority had a little reception in the dining room, and Neil hosted lunch for my wife and myself after that hearing. Neil and just about everyone who helped us with that hearing 7 weeks before happened to be in that same dining room the morning of September 11, and all of them were killed.

I remember tonight Neil Levin, his family, his wife, those he left behind, and everyone who was with us as I left them in that room where they all died. The only one who survived was Bill Dakota, the airport director, who was at a conference in Montreal.

So tonight has a meaning I wanted to leave on the RECORD of the House of Representatives. I remember each and every one of those individuals.

I stood with my wife at Shanksville just a few weeks ago. I had not been there before. We remembered those great heroes.

I might say in closing, those of Flight 93, the first responders, all those who helped in America's darkest hour, we saw our brightest and our shining heroes. With this resolution tonight, we remember all of them.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 2 minutes to my good friend, the gentleman from New York (Mr. CROWLEY), a distinguished member of the Foreign Affairs Committee.

Mr. CROWLEY. I thank my friend from California for yielding me this time.

Mr. Speaker, I was not here in Washington 6 years ago this evening. I was stuck in New York. Because of such bad weather, we couldn't get out of New York. I was forced to be on a plane the next morning. At 9:10 in the morning I was two planes from take-off at La Guardia, speaking about the Port Authority of New York, when we were informed the plane would be turned around and brought back to the terminal because of the attacks of two planes on the World Trade Center in New York.

In many respects my thoughts are, life goes on. We see it all around us. Life does go on, but it doesn't diminish the loss that we all suffered on that fateful day 6 years ago, as a Nation, as to me as a New Yorker, more personally for me, as my first cousin Battalion Chief John Moran who was killed that day.

Though on that day we saw the ugliest side of humankind, we also saw the brilliance of the human spirit, of the American spirit, and, if you allow me to say, the spirit of New York. We more than pulled through since that day 6 years ago. We see it today in the eyes and the faces of our servicemen and women who today around the world defend our freedoms.

But I, for one, am not satisfied that Osama bin Laden is being hunted like a dog and is living in a cave somewhere in Afghanistan or Pakistan. I, for one, believe that 6 years is long enough to have let this animal roam freely in those areas.

We need to bring that man to justice and all those who are responsible for this, that vicious attack on our country that day. We, as Americans, should not lose sight of that or be distracted. We need to find Osama bin Laden and all those responsible for the attack that day and bring them to justice.

□ 1800

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I appreciate my chairman, now ranking member, yielding to me.

Mr. Speaker, 9/11 was a wake-up call from hell. We all know how we reacted to it, but the weeks that followed for those of us in the greater New York area had special meaning. It was a very poignant time.

I think of the family of Joe Coppo whose son, Joseph, said good-bye to him. And he talked about his dad and he said: Dad, you wanted me to become an adult. This is a young man now in college, and he told us of all of the things he said that his dad wanted him to learn. And then he said: Dad I have learned from you, and don't worry, I'll be there to take care of Mom.

Or the next week in the same church, Frank Fechet in talking about his son, Brad, and all of the things that he wanted him to learn and then he said: But, son, I learned far more from you than you ever learned from me.

Or going to a service in Easton, Connecticut, at a small old church. It was built hundreds of years ago. Everybody couldn't fit in. It was a beautiful, sunny day and they were talking about a father, mother, and a precious 3-year-old child. They talked about the father and the mother, and then they had the nursery school where this 3-year-old child went, they had the teachers come and talk about this young child in a very precious way and then had us sing one of her favorite songs. When I left, the parents wanted to see me; and they said this can't be about anger and hate. They were lecturing me about what it couldn't be, and I was thinking I needed to tell them how much we cared for them.

Or a family a week later, Neal and Jean Coleman, saying good-bye to two sons, Scott and Keith. It was a candlelight vigil and they talked about the sons. When it was over, the parents insisted on seeing me. They knew I was there. I tried to kind of just leave and not be too much of a presence. They said to me: this cannot be about anger and hate.

Well, it is not about anger and hate. But it is a wake-up call. There is more than one inconvenient truth that confronts us. There is the one that Al Gore talks about. We could probably think of others. But there is one that the 9/11 Commission talks about. The one that the 9/11 Commission talks about is Islamic terrorists who would do us harm at home and abroad. That's a wake-up call. It is an inconvenient truth.

We are confronting these Islamic terrorists in Iraq and Afghanistan, in Europe, in Asia, in North and South

America. We are going to confront them, but it is a very inconvenient truth.

One thing that the 9/11 families asked us for is please pay attention to this. Detect, prevent, preempt. Don't let them attack us again. Those are things that require us to have powers like the PATRIOT Act, like a FISA law that works and isn't a meaningless law and one that prevents us from getting at these terrorists.

So there are a lot of lessons here that I think we can learn. I just would conclude by saying all of us are united in wanting to confront Islamic terrorists, but that means we need to be united in terms of what we do in Iraq and Afghanistan and around the world about the FISA law. Just as we lecture the Iraqis about how they need to come together, we need to do a better job of coming together.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 1 minute to my good friend from Georgia, the civil rights conscience of the Congress, JOHN LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague, the chairman, Mr. LANTOS, for yielding.

Mr. Speaker, today we remember what happened at the World Trade Center and the Pentagon 6 years ago tomorrow. Just as it was 6 years ago, it is still unreal. It is still shocking. It is still unbelievable, but it did happen.

Today we continue to remember the brave firefighters, the police officers, the doctors, nurses and all of the emergency medical personnel and rescue workers and private citizens who lost their lives that day, and those who gave their lives trying to save others. Together as one Nation we remember again those we have lost.

Today we remember again the families and the loved ones of the victims at the World Trade Center and the Pentagon and the families of those who perished in Pennsylvania who prevented another vicious attack and saved countless lives here in Washington on that day.

Today we pray that the grace of God be with us and all who mourn. We pray that God will continue to give us the strength to carry on and continue to do his work. And we pray today for peace in our world, peace in America and peace in our hearts and souls.

Mr. Speaker, I am pleased to support this resolution today.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of this resolution marking the sixth anniversary of this vicious attack on America.

It was 6 years ago tomorrow when our Nation was irrevocably changed as the tragedy struck in the streets of Lower Manhattan, the fields of Pennsylvania, and at the Pentagon.

Six years later, the pain and anger remain fresh. We still miss those lost on that day, and we are still grateful for the heroes who faced danger on that day.

When the day was over and as we learned of the loss of nearly 3,000 Americans, including 700 New Jerseyans, just about 100 from my district in one small town, 20 or more were killed, 12 from the same church, we knew our Nation had been changed forever.

But amidst the tragedy, we also saw the best of our Nation, neighbors and friends consoling one another, Americans from all walks of life standing united side by side waving the Stars and Stripes and lighting candles to honor those missing or lost.

And while our Nation still faces challenges and still grapples with the aftermath of these attacks, we draw strength from the knowledge that the character and resolve of America is still strong 6 years later.

Today, on the eve of the sixth anniversary of this tragedy as a Nation, we remember all those we lost. We embrace those who remain, the families of those victims, and we honor those who serve on our behalf in places like Afghanistan and Iraq and do it on a hellish environment on our behalf. And we honor our firefighters, our police officers and our emergency personnel. We bless them for their work. We will never forget September 11, 2001.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 1 minute to my dear friend and our distinguished colleague from Rhode Island, Congressman JAMES LANGEVIN.

Mr. LANGEVIN. Mr. Speaker, I rise in somber recognition of the sixth anniversary of the terrorist attacks on September 11, 2001. I join all Americans in mourning those who lost their lives and in remembering their families.

We can best honor their memory by ensuring that they did not die in vain. We took a significant step towards that goal by passing comprehensive legislation to implement the remaining 9/11 Commission recommendations. However, while we are safer, we are not yet safe.

To combat terrorism, we must think comprehensively and coordinate our efforts into a unified approach. That is why I have introduced legislation requiring government agencies to collaborate on national security goals. This Quadrennial National Security Review that I have called for will ensure that we use all assets of national power, military, diplomatic, economic and others, to protect the American people.

I commend Chairman LANTOS and thank him for his comments on this issue and for cosponsoring this legislation. I commend Majority Leader HOYER on this resolution that is before us tonight to honor those that we lost 6 years ago and for his efforts to protect our Nation. I urge all of my colleagues to support it.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield the balance of my time to my distinguished colleague from Florida (Ms. GINNY BROWN-WAITE).

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 1½ minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I am deeply saddened to stand here today on the House floor. No Member envies speaking about the attacks on America that killed 3,000 of our citizens, but I feel it is extremely important that we take time to speak out in remembrance of their lives.

I don't know if you can see this pin, Mr. Speaker, but I have worn this pin since 9/11 on the 11th day of every month. It has firefighters erecting a flag over the World Trade Center. It was given to me by Florida firefighters who joined their colleagues in New York after 9/11.

Every time I put this pin on, I am reminded of the horrors of that September day 6 years ago, as well as the challenges that our Nation faces from terrorist threats around the globe. We all remember the bravery and dedication of so many individuals in the immediate aftermath of the attacks on New York City and on the Pentagon, and the failed attempt where the plane landed in Pennsylvania. Thousands of policemen, firemen, EMTs, doctors, nurses and everyday citizens rushed into harm's way to help their fellow man. Many of these retired police and firemen and doctors have moved down to my area in Florida.

With passage of the resolution before us today, these heroes will be remembered by every Member of Congress and be recognized for their outstanding efforts.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 1 minute to my good friend and distinguished colleague, the gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, I rise today to recognize the victims and the heroes of September 11. To the families, I offer my deepest sympathies for your loss. I would also like to salute the first responders who bravely sacrificed their lives.

The attacks of September 11 were a wake-up call for all of our Nation. Never before had our vulnerability to attack been so apparent.

Today, as we continue to rebuild, we stand united in our resolve to protect this Nation from further threats. This new Democratic majority implemented the recommendations of the 9/11 Commission, a critical step towards ensuring the security and safety of the American people. May all of us pause in our own way to remember the sacrifices of so many of our fellow Americans, and may God always hold each and every one of them in arms of love.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 1 minute to my good friend and distinguished colleague from Tennessee, Mr. STEVE COHEN.

Mr. COHEN. Mr. Speaker, tomorrow will be 6 years. Everybody knows where they were 6 years ago, as everybody of my generation knows where they were

when President Kennedy died and everybody of the previous generation knows where they were on December 7, 1941, a day that will live in infamy.

September 11, 2001, is a day that will live in infamy. We survived that as a country. We are together in fighting terrorism, and we are together in support for this great country and democracy.

We have differences of opinion on how best to go about preserving our great country, our homeland security and defeating the terrorists; but people on both sides of the aisle are Americans. People in this Hall are patriotic. Although we have differences in how we analyze data and information given us by different officials and see events in different ways, we all see them with the same eventual outcome, and that is to hope that we have peace and prosperity here in this country and throughout the world.

In conclusion, I take a moment to honor the people who were so heroic in Pennsylvania and remember their words: Let's roll.

Mr. LANTOS. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from California controls 7 minutes. The time of the gentleman from Virginia has expired.

Mr. LANTOS. Mr. Speaker, I am pleased to yield half of my time to our Republican colleagues if they need it.

Mr. TOM DAVIS of Virginia. I thank the gentleman.

Mr. Speaker, I have no further speakers at this point but am expecting a speaker.

Mr. LANTOS. I am pleased to yield 1 minute to my dear friend and our distinguished colleague from New York (Mrs. LOWEY).

□ 1815

Mrs. LOWEY. I thank the chairman.

Six years after the worst tragedy in our Nation's history, the pain that we all feel is still fresh. We remember the victims of this senseless attack, the parents, the siblings, spouses, children, friends, neighbors and coworkers, who lost their lives on September 11 for no reason other than an ideology of hatred directed at our country, at our values and our way of life.

We hold a special place in our hearts for the men, women and children that died that day. The victims' friends and families are in our thoughts and prayers that they may find comfort by focusing on the blessings of the lives of the victims rather than on the tragedy of their deaths.

In Congress and in the administration, it is our solemn duty to honor those who died on September 11 by implementing the policies, both at home and abroad, that will protect our citizens and our country and help others to avoid the devastation that results from losing a loved one.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia will control 3½ minutes.

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield to my friend, the gentleman from California (Mr. LEWIS) as much time as he may consume.

Mr. LEWIS of California. I appreciate very much my colleague yielding me this time. Very much I appreciate their making this effort to recognize and remember those people who lost their lives on 9/11 6 years ago.

I couldn't help, as I listened to the discussion today, to remember ironically that the Defense Subcommittee of Appropriations was meeting, with full membership from both sides of the aisle, just downstairs from the Chamber.

At the time the plane crashed in Pennsylvania in that open lot, with us was JOHN MURTHA of Pennsylvania. It was in his district where that plane crashed. The irony, as many know but I cannot help to mention it, that JOHN MURTHA is the chairman of the subcommittee at this very moment. At the time, we together recognized that the most important work of the Appropriations Committee perhaps takes place in that committee room, the Defense Subcommittee room.

And in this circumstance, when that plane crashed, which indeed likely was headed for the Capitol, that's the best speculation, if the Pennsylvania crash had hit the Capitol, we might very well have lost that entire committee. There are ironies in all of this.

As we remember those who lost their lives, let us remember the threat of terror to our very way of life is taking place around the world.

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

Mr. LANTOS. Mr. Speaker, we are happy to yield back our time, and we are standing united across the political spectrum in our remembrance and in our determination; remembrance of the heroes and the victims, and determination that we shall defend this Nation against all enemies.

Mr. HINOJOSA. Mr. Speaker, I rise today in support of this resolution that will recognize tomorrow, September 11, 2007 as a national Day of Remembrance. I want to join all of my colleagues in extending our sympathies to the families of those who lost their lives on September 11, 2001.

None of us will forget that horrific day 6 years ago when, in the face of this Nation's worst tragedy, America pulled together to reaffirm our commitment to freedom and democracy.

We will also never forget the heroic actions of our first responders who risked and sacrificed their lives to save their fellow Americans on that day. Yet our first responders were not the only heroes that day.

Office workers, airplane passengers, and ordinary citizens also showed the true spirit of America by assisting their co-workers to evacuate burning buildings and preventing a hijacked plane from being used as a weapon against our country.

Finally, I commend the heroic service provided by our Armed Services in battling the forces of terrorism around the world.

Whether the mission is engaging al Qaeda and the Taliban in the mountains of Afghanistan or transporting food and shelter to victims of the tsunami near Indonesia, our military has proved again and again to be worthy of our praise and admiration. At great risk to their own personal safety, our service members have bravely acted on our behalf to protect our national security and to build goodwill throughout the world.

As Members of Congress, we debate the issues confronting our Nation on a daily basis. By supporting this resolution, however, I hope that all of my colleagues will join me in reaffirming our commitment to defending the people of the United States against any and all future challenges.

Mr. HIGGINS. Mr. Speaker, I regret that I am missing today's vote on the resolution recognizing September 11, 2001 as a day of remembrance as well as the September 11 remembrance ceremony this evening.

I am currently on a Congressional Delegation to the Middle East to observe the tribal areas along the border of Afghanistan and Pakistan, where the 9/11 hijackers were trained, and where key al Qaeda bases and some of al Qaeda's most dangerous leaders are still operating, to learn more about the progress we are making in eradicating terror cells in the region.

Touring this region on the anniversary of this tragic day in our Nation's history is a powerful reminder of the valor and sacrifices of our men and women on the ground in Afghanistan who put themselves in harm's way every day to protect our country and our people.

On this day, Mr. Speaker, as we continue to heal from September 11, 2001, we remember those lost on that day, the heroism of our first responders, and the spirit of unity and patriotism this tragedy ignited in our country. Let us honor those lost by continuing to work together to protect and defend liberty, tolerance, and democracy.

Mr. KUCINICH. Mr. Speaker, I rise today in opposition to H. Res. 643, the September 11 resolution. I honor the memory of those who died on September 11 and extend sympathies to their family members and to those who lost their lives trying to save lives. And I support the troops.

I believe the best way to honor the memory of those who died on September 11 is to tell the truth of what the Administration did in the wake of September 11. The Bush Administration launched a war against Iraq, conflating the true tragedy of September 11 with lies about weapons of mass destruction.

On this, the sixth anniversary of September 11, it is important that Congress wake up to the truth and exercise its obligation under the Constitution to save our nation from being destroyed from the lies that took us into Iraq, the lies that keep us there, the lies that are being used to set the stage for war against Iran and the lies that have undermined our basic civil liberties here at home. The September 11 resolution that Congress considers today should have made reference to those matters. It does not, so I cannot support it.

This Administration long ago politicized the September 11 attacks, distorted it, and dishonored it. If Congress really wanted to honor the memory of those who died on September 11, we would cause the full truth to be told to the American people. If Congress really supported our troops we would bring them home and not provide more funding for the war.

Mr. BACA. Mr. Speaker, on the morning of September 11, 2001, nearly 3,000 innocent men, women, and children were murdered when Islamic terrorists hijacked and crashed four civilian aircraft.

This resolution recognizes September 11 as both a day to remember those taken from their families and loved ones—and a day for Americans to recommit to the nation and to each other.

We pay tribute to the heroic service, actions, and sacrifices of first responders, law enforcement personnel, state and local officials, volunteers, and others who aided the innocent victims and bravely risked their own lives and health.

And we rise to give thanks to the foreign leaders and citizens of all nations who have assisted and continue to stand in solidarity with the United States against terrorism in the aftermath of these terrible attacks.

Mr. Speaker, we will never forget those who lost their lives on September 11, 2001.

The House remains committed to defeating terrorists and their supporters who threaten the United States and to providing our armed forces with the resources and support to do so effectively and safely.

Let us honor the victims of 9/11, and reaffirm our commitment to defending America from those who would do us harm.

Mrs. BOYDA of Kansas. Mr. Speaker, on the sixth anniversary of the September 11, 2001 terrorist attacks, I am honored and humbled to support a resolution to honor the victims of that terrible day. I ask that this House also pause to honor America's troops, who even now risk their lives to prevent the horror of September 11th from ever striking again, and our first responders, who willingly face danger to protect our safety.

On September 11th, our Nation experienced a grief broader than any we'd known before, one that reached beyond individuals and families, beyond even cities and states. For a few weeks in 2001, our country was united in mourning. We grieved for 3,000 souls abruptly taken, for a Nation forever changed, for an innocence forever lost.

Tragedy has a way of bringing people together. It doesn't minimize our differences; it magnifies what we have in common. It reminds us that, above all else, we are all Americans. As the days since September 11th continue to tick by, I hope we remember not only the grief of that day but also that extraordinary sense of community. Even 6 years later, we still grieve together for our fallen. We still pray together for our soldiers. We are—and will remain—one Nation, under God, with liberty and justice for all.

I support the resolution that so eloquently states the House of Representatives gratitude for those that protect us and remind us never to forget that terrible day.

May God continue to bless the United States of America.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to the over 3,000 victims who died in the September 11 attacks on America; and I wish to pay tribute to all the family members of those who perished, as well as to our public officials, businesses, and private citizens who have dedicated themselves to the rebuilding of a stronger Nation.

As we contemplate the effects of September 11th and extend our deepest sympathy to those who lost their loved ones on that fateful day, let us resolve to build not just a more vigilant and stronger homeland defense, but a society that continues to protect our personal freedoms and would enable us to fulfill the American dream of liberty and justice for all.

And in pursuit of this goal, let us, Mr. Speaker, continue to be able to sing: "O beautiful for spacious skies, for amber waves of grain, for purple mountain majesties above the fruited plain. America, America, God shed His grace on thee, and crown thy good with brotherhood from sea to shining sea."

God bless America.

Mr. POE. Mr. Speaker, the tragic events of September 11, 2001 was truly one of America's darkest days. Terrorists using airplanes as weapons brought unimaginable horror to our homeland. Yet in the face of such tragedy, heroes emerged. Police officers, firefighters, emergency personnel and countless other American patriots helped their fellow countrymen survive that day and continue to make sure we never forget those lost that day. These American heroes brought out the best in human nature in response to an attack that brought out the worst in human nature.

Since coming to Congress, I've had the great pleasure to work closely with two of these American heroes. Peter Gadiel and Joan Molinaro, united by the loss of their children who fell victim on that fateful day and the great anger over why this Nation couldn't stop it from happening, joined together and helped create an organization called 9/11 Families for a Secure America to help right the wrong that allowed terrorists to kill over 3,000 Americans 6 years ago.

Peter and Joan carry with them the voice of their children everyday, in everything they do, to ensure another tragedy of this magnitude never happens again to another son, daughter, father, mother, husband, or wife.

It is the purpose of 9/11 Families for a Secure America to inform and educate the American public, elected officials and legislators of the obvious and not so obvious shortcomings in our Nation's security. To focus their attention on the dangers of unsecured borders and lax immigration enforcement. They make sure the public understands that illegal immigration and terrorism are inseparable issues. The ultimate goal of 9/11 Families for a Secure America is to prevent future terrorist attacks and to secure our Nation for generations to come because terrorists cannot plan and carry out attacks in the United States if they are unable to enter the country.

As we recognize and give remembrance to all those that lost their life on September 11, 2001, lets not forget the loved ones of these victims and the pain and sacrifice they've had to endure from their loss. Lets honor heroes like Peter Gadiel and Joan Molinaro who work tirelessly to ensure that another terrorist attack never happens again to another of America's children.

And that's just the way it is.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this resolution to commemorate the sixth anniversary of the terrorist attacks on America.

Though it has been six years since that fateful day, time cannot diminish the memories of those lost. Six years ago tomorrow, America was struck by an unspeakable tragedy that shook the foundations of our society and changed our Nation forever. On September 11, 2001, we saw the very face of evil. And on that day and every day since, we have felt the heartbeat of America.

The people of this country responded as never before, and our government also responded. We have been reminded of the service and sacrifice of Americans who are ordinary and extraordinary at the same time. Americans from all comers of our country and in North Carolina have given of themselves to help the victims' families. Our neighbors and friends have been deployed to Afghanistan and elsewhere to fight for our freedom. Our police officers, firefighters, EMS and other first responders have shown selfless devotion every day on our streets and in our communities.

I applaud all of those who are serving or who have served in defense of America and our interests. They have responded with professionalism, precision and when needed, force, to root out the cowardly perpetrators and protect Americans and our interests both here and abroad. Let us continue to pray for the safe return of those who are still in harm's way and honor and thank those who have given their lives.

We also must honor those thousands of innocent people who lost their lives that day and remember the bravery and sacrifice of the fire fighters, law enforcement officers and rescue worked who worked feverishly to save them, some of whom still suffer ill effects from that effort. Though somewhat eased by the passage of time, the grief of a nation still smolders.

I urge my colleagues to join me in voting for this resolution.

Mr. PASCRELL. Mr. Speaker, tomorrow will mark six years to a day of inconceivable terror and grief brought upon our nation by the very worst acts of humankind. It was also a day where we witnessed the very best of America. We saw first responders entering buildings to save their fellow citizens knowing full well that their lives were in danger, yet doing so without reservation. We saw concerned Americans standing in lines to donate blood for their fallen neighbors. We saw our nation come together with one voice and one spirit, in that day of terror we saw our Nation more united than any point in our history.

Our hearts go out to the families of all the victims of that terrible day. We will forever remain saddened by the tragic loss of human life. What happened to our Nation six years ago was an unspeakable act of war on the very foundation of what makes us American. What happened on that day was an assault on thousands of innocent people who were enjoying the very freedom we hold so dear.

Truly, we mourn the victims of September 11th, but today, six years after those attacks we can also celebrate the lives of those who were lost to us on that fateful day. They were truly representative of the diversity and richness of character in our Nation. The victims of September 11th hailed from almost every state in our union, they came from countries throughout the globe, emblematic of the rich tapestry that is the hallmark of our people. On that day, those victims and indeed all of us, were not divided along racial or religious lines, on that day more than any other, we were Americans united by our common values of life, liberty and justice.

Six years ago tomorrow our first responders struck the first blow in the War on Terror. By refusing to consider their lives before others,

they drew a stark contrast to the terrorists of September 11th who refused to even value their own lives before taking the lives of so many innocent human beings. Those first responders refused to bow to the fear that the terrorists hoped to instill in our minds on that day. They refused to despair in the face of the greatest attack upon our Nation, instead they charged forward. They not only saved lives on that day, but their selfless acts inspired the psyche of every American, their acts of heroism inspired our nation to action.

Now six years later from September 11th, I fear we have lost much of the unity that came to define that day. Truly the heroism of September 11th continues today, with more than 3,800 Americans who have given their lives fighting the wars in Iraq and Afghanistan. But at home we have allowed politics to come between us, we have allowed ourselves to be divided in the face of a continuing War on Terror. But I remain hopeful that the spirit we saw on September 11th is still present in all of us. We must rekindle the firm resolve we had on that day, it was a resolve not simply founded by the attacks upon our nation by a group of terrorists, but built by our collective belief in the greatness of our nation and its ideals. We must remain a beacon for freedom and integrity throughout the world, but all efforts must start at home. Six years ago we suffered the worst day of our collective lives, but I hope that today we have turned the pain of September 11th into a new calling for our Nation.

Mr. RAHALL. Mr. Speaker, in 1774, Thomas Jefferson wrote: ''The God who gave us life gave us liberty at the same time; the hand of force may destroy, but cannot disjoin them.'' Though our nation had yet to be formed, a sense of unity was already ingrained in the hearts and minds of future Americans. Beginning during our Nation's formative years and continuing today, many have looked to us in awe, inspired by the strength of our sense of patriotism, particularly in the face of adversity and animosity.

Six years ago, the world watched in horror as tragedy struck in New York, Washington, and Pennsylvania. From the moment the first airplane struck the first tower, America was changed. We were awakened to a new sense of vulnerability that continues to shape our nation. But what we have learned from this tragic experience extends beyond those early hours of shock and uncertainty.

September 11th brought momentarily to the forefront those anonymous heroes who stand among us every day. From the firefighters who died in the line of duty, to the airline passengers who fought back, to the bystanders who put aside their own fears and sprang into action, a new generation saw firsthand the incredible power of the American spirit.

Across the country, strangers became neighbors and communities became families. Drawn together in fear and confusion, the American people found solace and comfort in their fellow man. Their selfless acts turned one of our nation's darkest days into one of our Nation's finest hours. And today, we are stronger because of it.

As we pause to remember the lives that were lost on September 11th, we must give thanks to the doctors, nurses, first-responders, National Guardsmen, and American troops who spend each day protecting liberty at home and abroad. These brave men and women put their lives on the line in noble service to our country. Their generosity, compassion, and determination embody the values our Founding Fathers fought to safeguard more than 200 years ago.

On September 11, 2001, our nation was brought to its knees with grief. But on September 12, we rose again, and stood united. In a few tragic hours, America said goodbye to 2,998 friends and family members, but, with a reawakened American spirit, we welcomed 281 million strangers into our homes and our hearts.

I can think of no more fitting tribute to the lives that were lost on that sad September day than to take this time, on this day, to remember the best of America and to renew our commitment to ensuring that no force will ever ''destroy or disjoin'' us.

Mrs. MILLER of Michigan. Mr. Speaker, it has been six years since September 11, 2001 when radical Islamic terrorists attacked and murdered nearly 3,000 of our fellow Americans.

On that horrible day the seriousness of the terrorist's war against us became clear. Because of their hatred of our freedom and liberty—these deranged individuals would murder innocent men, women and children to make their point.

On that day our hearts were broken—and for many who lost friends and loved ones on that fateful day their hearts will never be mended.

In the days immediately following 9/11 our nation was unified.

Unified in the resolve to strike back against those who murdered our fellow Americans.

Unified to do what was necessary to defend our citizens from future attacks.

Unified to defend our freedom and to stamp out those who would seek to take it from us.

Unfortunately, since that time our unity has faded, but the danger has not.

The terrorist's war against us is not about a single American President or ideology. The focus of the terrorist's hatred is every American.

On this sixth anniversary of that horrific day every American should reflect upon that day and its place in our nation's history.

One thing is certain—freedom is not free. And free people face a constant challenge to preserve that freedom.

The terrorist's war against us is a profound test of our ability to preserve the liberty we hold so dear. Our commitment to meet that challenge must rise above petty politics. We must return to the unity of the days following 9/11 because this war is long from over and the danger is real.

I have no doubts about the capabilities of our great nation.

We threw off tyranny to proclaim our independence behind the idea that all men are created equal.

We made that idea a reality by fighting a civil war to bring freedom to every American.

We sustained our freedom through two world wars and a cold war.

Through it all America has stood tall.

America has stood for freedom.

And just as we stood together on 9/11 we must stand together today to ensure that the horrors of that day become even more distant memories and the future is a place where every American can enjoy the benefits of our hard won and tenaciously defended freedom.

Ms. BORDALLO. Mr. Speaker, I rise today on the eve of the 6th anniversary of the terrorist attacks against the United States of America that occurred on September 11, 2001, in support of House Resolution 643, and to join my colleagues in mourning the victims of those attacks and to commend all of those who displayed courage and heroism in the face of such a catastrophe that day and in the days that followed.

Residents of New York City, Arlington, Virginia, and Shanksville, Pennsylvania, awoke six years ago to a day marked by cloudless, blue skies and fair, late-summer weather. Within hours, Americans—joined by citizens of virtually all of the world's countries—witnessed the senseless killing of over 3,000 innocent victims in the most horrific terrorist attack in modern history.

Today, we remember those who perished on September 11, 2001. In doing so, we offer our continued support and heartfelt prayers to their families and loved ones. We also offer our deepest compassion and understanding to those individuals who bear the physical, mental, and emotional scars of having survived the attacks. We remember the victims, the survivors, the first responders, and the families touched by these tragedies. We remember, and we resolve to always carry the lessons of 9/11 as we work to prevent another attack and to bring justice to all who are responsible for perpetrating this act of terrorism.

The people of Guam join our fellow citizens across the country in recognizing tomorrow as a Day of Remembrance.

God Bless the United States. God Bless Guam.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 643. I support this resolution because although six years have passed since that fateful, horrific day, the pain and agony and sense of loss still endures in the hearts and minds of the American people. More than 3,000 of our countrymen had the fullness of their lives snatched away from their families, their friends, and the communities they loved and that loved them. We can never forget what happened that day to the victims. Or to those who sacrificed their lives to save them. Or to our country, which suffered a wound to the body politic unlike any in previous history. And in remembering what happened to us six years ago, we are reminded what we must do now and in the future to redeem all of the lives lost that fateful day.

Mr. Speaker, on September 11, 2001, the Nation watched in horror as the World Trade Center was transformed into a human inferno that claimed thousands of innocent lives. 9/11 was a despicable act of faceless cowards who have no respect for human life. Across the United States and around the world, people of all ages and walks of life collectively united during a time of tremendous sorrow and despair. It was an unforgettable day that transformed the lives of many and united Americans in a way this Nation had not seen since World War II.

Mr. Speaker, during this commemoration Americans turn toward each other. We seek to embrace, we seek to love, we still mourn the nearly 3,000 Americans whose lives were viciously taken on September 11, 2001. I stand before this House today simply to offer my deepest sympathy and that of my constituents of the 18th Congressional District of the State of Texas.

Six years ago, in the immediate aftermath of the attacks on our country, many brave people

heroically, tirelessly, and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in many cases voluntarily putting their own well-being at risk. Others jeopardized their lives to bring the terrorist to justice or to bring justice to the terrorized.

The war in Afghanistan, Operation Enduring Freedom was a just war. An attack on one, was an attack on all. It was an attack on our way of life. It was an attack on our deepest and most cherished beliefs. It was an attack on the freedom and liberty embedded in the foundation of this Nation. Since that memorable day our war efforts have been deferred from its original purpose and many lives lost have yet to receive justice. Six years later and Osama bin Laden still roams free. American blood and treasure are being depleted for a country unyielding to change.

As Operation Enduring Freedom showed, a united America can never be defeated. The indomitable Armed Forces of the United States swiftly toppled the Taliban and liberated Afghanistan and was hard on the heels of Osama bin Laden, who was trapped in Tora Bora. But before they could bring this mass murderer to justice, they were inexplicably diverted to Iraq, where the President had launched a new war against an enemy that posed no immediate threat to the security of America and had no involvement in the attack of September 11. In dividing our armed forces between Afghanistan and Iraq, this Administration divided the American people and alienated friendly nations who were helping us to win the Global War on Terror.

Mr. Speaker, we will do everything in our power to prevent a tragedy like 9/11 from ever occurring again. Americans will not live in fear of a terrorist like Osama bin Laden. First responders should and will be equipped with all the tools necessary to meet the needs of the American people. Thus, today we celebrate the unsung heroes, and the families who survived them, and rededicate ourselves to protecting and securing the lives of the American people from any future threats.

So horrific and traumatic were the events of September 11 that is engraved in our minds as well as our hearts. A day when time literally stood still and people from all walks of life came together. A day where many of us can vividly recall exactly where we were and what we were doing. September 11 was a day that shook the whole world witnessed.

Mr. Speaker, throughout the history of the United States there have been few events that have had transformative impact on the people of the country. For my parents' generation the death of President Franklin Roosevelt was such an occasion. For my generation, the assassination of President Kennedy in 1963 is a moment that lives with us forever. The explosion of the Shuttle Challenger in 1986 left a traumatic and indelible impression on my children's generation. The morning of September 11, 2001 is a day all living Americans will remember forever.

Today, six years later, my heart still grieves for those who perished on flights United Airlines 93, American Airlines 77, American Airlines 11, and United Airlines 175. When the sun rose on the morning of September 11, we were all oblivious to the devastation that would later plague the nation. None of us knew that it would end in an inferno in the magnificent World Trade Center Towers in New York City and the Pentagon and in the grassy fields of Shanksville, Pennsylvania. How I wish we could have hugged and kissed and held each of the victims one last time.

I stand here remembering those who still suffer, whose hearts still ache over the loss of so many innocent and interrupted lives. My prayer is that those who lost a father, a mother, a husband, a wife, a child, or a friend will in the days and years ahead take comfort in the certain knowledge that they have gone on to claim the greatest prize, a place in the Lord's loving arms. And down here on the ground, their memory will never be forgotten.

We will always remember September 11 as the day that brought the whole world together. Many people lost their loved ones. Mr. Speaker, as hard as it is to believe, out of a tragedy so overwhelming and horrific, something good and great emerged. In the midst of September 11, there were no Republicans or Democrats. There were no Northerners or Southerners or West or East Coasters. We were not Red State or Blue State. We were all simply Americans. On that day, we were united in our shock and anger and sadness. More importantly, we were united in our resolve to defend our country and protect the freedoms that have made America the greatest country in the history of the world.

As we continue to pray for the families of the victims and reflect upon that defining moment in our history, we are inspired by the fact that we are a people determined to defend our way of life. But for the better part of six years, we had allowed ourselves to be held hostage by the fear and anger that overwhelmed us on September 11. Over time hearts have healed and a new sense of hope and security has developed amongst the people of this nation. Since that horrific day many lives have continued to be sacrificed and it is time to bring our troops home and unite once more as a nation that serves as the home of the brave and the free.

As we move forward we hold true to the fact that 9/11 is a day that we will never forget. September 11 will never and should never be just another day in the hearts and minds of all people of the United States; but rather a day to reflect on the lives lost and the undying hope that prevails within the hearts and minds of the American people. Although the future is uncertain we can hold true to the strong will and compassion that united our nation during a day meant to divide and destroy us. We, the 110th Congress have an obligation to protect the American people from harm and ensure that a tragedy such as 9/11 never happens again.

Mr. Speaker, I believe all Americans want their country to remain safe, free, and invulnerable to another cowardly attack like the one we experienced six years ago. We owe that much to the Americans who lost and gave their lives. We owe it to them to ensure that their children and loved ones will never again experience such pain, suffering, and loss. We can do this. We must do this. But to bring this new future into being, we need a new direction from the present course.

I urge all members to join me in supporting H. Res. 643.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in remembrance of the tragic events that took place on September 11, 2001. On that crisp fall morning, we lost nearly 3,000 American lives in an event that shook this nation to its core, violently searing the depths of our consciousness.

Six years removed from that infamous day, we continue to mourn the victims, praise the first responders' heroics and seek out our enemies who committed such heinous, inhuman acts. It is still hard to comprehend what could drive someone to take their own life in order to kill others.

What we do know is that the forces propelling the destruction and devastation of 9/11 were hatred, intolerance and fanaticism. Understanding what triggers this fervor of hate and how to mitigate its ascension is the key to ensuring our nation's long term security.

As we continue to move forward from 9/11, the importance of well equipped, highly trained first responders and a robust but constitutionally balanced intelligence gathering apparatus remains paramount to our homeland security.

The immediate and heroic emergency response to the attacks on the Pentagon from Arlington County's fire and police departments remind us that localities—not just the Federal Government—will play the integral role in any and all homeland security efforts. Further, sound intelligence and the regularity today with which law enforcement and agencies share intelligence across jurisdictional boundaries, which has proven difficult in the past, will lower the possibility of future attacks. Complacency is not an option, but the progress we've made in these areas has put us on the right track.

Mr. Speaker, coming to terms with the realities of a post-9/11 world has been difficult for our nation. But to honor the lives of those lost and protect our current and future generations it is our responsibility to continue doing everything within our power—in line with our values as Americans—to ensure that a tragedy of this magnitude never occurs again.

Mr. DINGELL. Mr. Speaker, six years ago, America awoke on a sunny Tuesday morning to learn we were under attack. Today, we once again pause to reflect upon those who lost their lives that day, and those they left behind. We remember the bravery of the firefighters, policemen, emergency responders, and volunteers who charged up the stairs of the twin towers or into the inferno of the Pentagon. We remember the passengers on Flight 93, whose sacrifice in the fields of Pennsylvania saved countless lives elsewhere. We remember the ordinary Americans who gave something of themselves that day or in the weeks that followed, by volunteering at ground zero, by giving blood, or donating money.

As we think about that day, and the way it changed us all, we must also ask ourselves whether we have done enough to honor the memories of the many victims of the attacks. I am pleased that on this September 11, Congress can finally say that it passed legislation to implement the recommendations of the independent bipartisan 9/11 Commission. However, we cannot be complacent, and must continue to improve the security of our ports, borders, and other critical infrastructure. Finally, as Osama Bin Laden's latest video reminds us, those who perpetrated the September 11th attacks are still at large. We must ensure that our military has the resources it needs to track down those responsible for the attacks.

As Americans gather to remember September 11, 2001, let us reflect upon the fact

that on a day that will be remembered as one of the worst for America, Americans were at their best. Maintaining the spirit of unity that brought us together in the aftermath of those attacks is perhaps the way that we can best honor the memories of those who died.

Mr. ENGEL. Mr. Speaker, six years have passed since America lost our innocence and terrorism struck at the root of our Nation's soil. I rise today in strong support of H. Res. 643, which recognizes September 11 as a day of remembrance.

Mr. Speaker, I am a New Yorker, born and bred. I love our city. I was in New York when this tragedy occurred. I would often say to my children when we were in New York, look at the skyline, look at the World Trade Center. It was so invigorating. It makes me feel so wonderful just to be in this city, the city I love, the city in which I was born.

We New Yorkers are a tough breed; but I have to tell my colleagues, six years ago when I drove over the George Washington Bridge to return to Washington and I took a look at the Manhattan skyline and saw the Twin Towers were not there, in its place I saw only smoke and fire and it deeply affected me.

Mr. Speaker, when I think of the victims, the men, women and children who lost their lives; the firemen, the policemen who went there to save people's lives, and lost their lives, I am saddened. People who went to work, like millions of people across our great country go to work to earn a living to support their families, they went to work and so many were killed by terrorists for simply going about their daily lives. Some of these were my constituents and their families continue to mourn this great loss.

Six years later we have far more to do. The terrorist ringleader, Osama bin Laden remains on the lam. We also know many of those brave individuals who sought to rescue and then recover the victims of this tragedy, are now becoming ill due to exposure to environmental toxins at Ground Zero. Today these brave volunteers, area residents and students still lack a comprehensive federal plan to provide treatment and monitoring of their ailments. This is unconscionable.

I am proud to join with my NY Colleagues this week to introduce the 9/11 Health and Compensation Act. This bill would ensure that everyone exposed to the Ground Zero toxins has a right to be medically monitored and all that are sick have a right to treatment. It would also rightfully provide compensation for loss by reopening the 9/11 Compensation Fund.

Today, I feel sorrow in our remembrance of the tragedy of 9/11. We will never forget what happened that day. But we must look forward and right the wrongs our nation has perpetuated against our own heroes and provide them with the care and compensation they so desperately deserve. Mr. Speaker, I urge all Americans to pause and reflect on the tremendous loss of life that day, and how so many sacrificed so much for their fellow Americans.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. HOYER) that the House suspend the rules and agree to the resolution, H. Res. 643.

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. LANTOS. 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.

RECESS

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

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

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H. Res. 257, by the yeas and nays;

H. Res. 643, by the yeas and nays.

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

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 257, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 257, as amended.

The vote was taken by electronic device, and there were—yeas 330, nays 0, not voting 102, as follows:

[Roll No. 865]

YEAS—330

Abercrombie
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Becerra
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Boren
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Cantor
Capito
Cardoza
Carnahan
Carson
Carter
Castle
Castor
Chabot
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kind
King (IA)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Loebsack
Lowey
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Markey
Marshall
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf

Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—102

Ackerman
Baker
Barton (TX)
Bean
Berkley
Berry
Blumenauer
Bonner
Bono
Boswell
Boyd (FL)
Boyda (KS)
Butterfield
Calvert
Campbell (CA)
Cannon
Capps
Capuano
Carney
Chandler
Clay
Conyers
Costello
Cubin
Culberson
Davis (AL)
Davis, Jo Ann
Deal (GA)
DeGette
Doolittle
Doyle
Emerson
Eshoo
Everett
Fallin
Gallegly
Garrett (NJ)
Gonzalez
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Higgins
Hinchey
Hooley
Hunter
Israel
Issa
Johnson (IL)
Johnson, Sam
Kaptur
Kilpatrick
King (NY)
Lee
Linder
Lipinski
Lofgren, Zoe
Lucas
Lynch
Maloney (NY)
Marchant
Matheson
McCarthy (CA)
Meeks (NY)
Miller, Gary
Mitchell
Moran (KS)
Murtha
Nadler
Napolitano
Neal (MA)
Perlmutter
Platts
Pryce (OH)
Rahall
Ramstad
Reynolds
Rodriguez
Rogers (KY)
Rohrabacher
Roskam
Rothman
Rush
Salazar
Sessions
Shimkus
Simpson
Skelton
Smith (TX)
Solis
Stupak
Sullivan
Tancredo
Thompson (CA)
Towns
Velázquez
Waters
Weiner
Westmoreland

□ 1855

Mr. KING of Iowa changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, September 10, 2007, I was absent during the recorded vote on H. Res. 257—Supporting the goals and ideals of Pancreatic Cancer Awareness Month. Had I been present, I would have voted "yea" on the motion to suspend the rules and agree to H. Res. 257.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 865 on September 10, 2007 I was unavoidably detained. Had I been present, I would have voted "yea."

RECOGNIZING SEPTEMBER 11 AS A DAY OF REMEMBRANCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 643, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. HOYER) that the House suspend the rules and agree to the resolution, H. Res. 643.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 334, nays 1, not voting 98, as follows:

[Roll No. 866]

YEAS—334

Abercrombie
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Boren
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Cantor
Capito
Cardoza
Carnahan
Carson
Carter
Castle
Castor
Chabot
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kind
King (IA)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Loebsack
Lowey
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Markey
Marshall
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Kucinich

NOT VOTING—98

Ackerman
Baker
Barton (TX)
Berkley
Berry
Blumenauer
Bonner
Bono
Boswell
Boyd (FL)
Boyda (KS)
Butterfield
Calvert
Campbell (CA)
Cannon
Capps
Capuano
Carney
Chandler
Clay
Conyers
Costello
Cubin
Culberson
Davis (AL)
Davis, Jo Ann
Deal (GA)
DeGette
Doolittle
Doyle
Emerson
Eshoo
Everett
Fallin
Gallegly
Garrett (NJ)
Gonzalez
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Higgins
Hinchey
Hooley
Israel
Issa
Johnson (IL)
Johnson, Sam
Kaptur
Kilpatrick
King (NY)
Lee
Linder
Lipinski
Lofgren, Zoe
Lucas
Lynch
Maloney (NY)
Marchant
Matheson
McCarthy (CA)
Meeks (NY)
Miller, Gary
Mitchell
Moran (KS)
Murtha
Nadler
Napolitano
Neal (MA)
Perlmutter
Platts
Pryce (OH)
Rahall
Ramstad
Rodriguez
Rogers (KY)
Rohrabacher
Roskam
Rothman
Rush
Salazar
Sessions
Shimkus
Simpson
Smith (TX)
Solis
Stupak
Sullivan
Tancredo
Thompson (CA)
Towns
Velázquez
Waters
Weiner
Westmoreland

□ 1903

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 866 on September 10, 2007 I was unavoidably detained. Had I been present, I would have voted "yea."

Mrs. NAPOLITANO. Mr. Speaker, on Monday, September 10, 2007, I was absent during the recorded vote on H. Res. 643. Had I been present, I would have voted "yea" on the motion to suspend the rules and agree to H. Res. 643.

Mrs. BOYDA of Kansas. Mr. Speaker, in order to commemorate September 11 day in Kansas, I was unable to cast my vote for H. Res. 643. Had I been present for Rollcall Vote 866, I would have voted in the affirmative.

May God continue to bless the United States of America.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I took a leave of absence on September 10, 2007, as I was attending to personal business. The following list describes how I would have voted had I been in attendance today.

"Yea"—H. Res. 257—Supporting the goals and ideals of Pancreatic Cancer Awareness Month (Representative PLATTS—Oversight and Government Reform).

"Yea"—H. Res. 643—Recognizing September 11 as a day of remembrance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our Nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges (Representatives HOYER and BOEHNER).

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 13th Congressional District of Michigan, I was unable to attend to several votes. Had I been present, I would have voted "yea" on final passage of H. Res. 257, Supporting the goals and ideals of Pancreatic Cancer Awareness Month, and voted "yea" on House Resolution 643, which recognizes September 11 as a day of remembrance.

ANNOUNCEMENT REGARDING 9/11 REMEMBRANCE CEREMONY

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

Mr. HOYER. Mr. Speaker, ladies and gentlemen of the House, as you know, we will not be in session tomorrow night.

Many of us remember some 6 years ago when we first had a meeting in the Capitol Police headquarters, many of us, after the traumatic morning and afternoon; and we resolved that we would show to the country a unity and a resolve that the terrorist attack would neither cow us nor deter us from the defense of freedom and liberty and our country and its people.

We are now, of course, 6 years later and continue to be involved in a battle to defeat those who by terror would intimidate us and hurt our people and our country and our way of life.

In a moment we will be led by Speaker PELOSI and Leader BOEHNER to the front steps of the Capitol. We will have a brief ceremony to again show to the country and, indeed, to the world that while we may have differences in debate, there are no differences in our unity of purpose to defend our country, our Constitution, and our people, and to ensure that the friends of liberty around the world will know that they have a friend in the United States of America.

So I would ask all of you to join us as Speaker PELOSI and Leader BOEHNER lead us out to the front steps on the House side. We will organize there, stand, and we will be led in the ''Star-Spangled Banner'' by the United States Marine Corps Band. We will have some comments by the Speaker and by the leader, and then we will conclude, as we did on that evening 6 years ago, with the singing of ''God Bless America.'' I think that was one of the most moving moments in my service in the House of Representatives. I am sure that many of you feel the same way.

So, Mr. Speaker, the House will remain in session, but we would ask all Members to join, as I said, Speaker PELOSI, Leader BOEHNER, and myself on the front steps of the Capitol. We will proceed now.

SPECIAL ORDERS

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

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

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

THE UNJUST PROSECUTION OF FORMER BORDER PATROL AGENTS RAMOS AND COMPEAN

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. Mr. Speaker, today is the 237th day of incarceration for two former U.S. Border Patrol agents. Agent Ramos and Compean were convicted in March of 2006 for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas. These agents have now been in prison for more than 7 months.

Since the agents' conviction, thousands of American citizens and dozens of Members of Congress have asked President Bush to pardon these two men. Mr. Speaker, many in this country are disappointed that the present sentence of Scooter Libby was commuted while these two law enforcement officers are still in prison. Mr. Libby did not spend one day in prison; yet two decorated Border Patrol agents with exemplary records, who were doing their duty to protect the American people from an illegal alien drug smuggler, are serving 11- and 12-year prison sentences. By attempting to apprehend an illegal alien drug smuggler, these agents were enforcing our laws, not breaking them.

Mr. Speaker, I want to thank Judiciary Chairman JOHN CONYERS for his concern and interest in this case. I also want to thank Foreign Affairs Subcommittee Chairman BILL DELAHUNT, who, prior to the August recess, held a hearing to examine the Mexican Government's influence in this case. I am hopeful that Chairman JOHN CONYERS will see to it that the House Judiciary Committee will hold a hearing within the next 30 to 45 days to fully examine this case.

While the Senate Judiciary Committee held a hearing on this case in July, additional questions remain about how this prosecution was initiated and how the U.S. Attorney's Office proceeded in this case. Since that time, it has become clear that not only did the prosecution prevent the jury from hearing evidence that the smuggler brought a second load of drugs across our border, but the smuggler was given free access to our country during and after the second smuggling incident.

The American people want to know, why did the U.S. Attorney's Office continue to prosecute these two border agents even after the credibility of the drug smuggler was shattered? This is a question that U.S. Attorney Johnny Sutton needs to answer. By shedding light on the questionable actions of the prosecution in this case, I am hopeful that this gross miscarriage of justice can be corrected.

Before closing, Mr. Speaker, I call on the White House again to look seriously at the situation. These two border agents are Hispanic Americans who have served this Nation, and they have a right to justice. This is an example of an injustice.

□ 1915

TRIBUTE TO FOUR OF NEWARK'S FINEST

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

Mr. PAYNE. Mr. Speaker, it is with a heavy heart that I come to the House floor today.

Over the August recess, four young, promising Newark, New Jersey residents were savagely gunned down execution style in a city playground while enjoying the last days of summer.

On August 14, 2007, in my city of Newark, Terrance Aeriel, age 18, Dashon Harvey and Iofemi Hightower, both age 20, were senselessly murdered. Natasha Aeriel, age 19, is still recovering in the hospital.

I stand here today to pay tribute to their lives. While three were cut short, were full of courage and determination and continue to inspire the residents of Newark.

Active in their community, these youths stayed above the fray. Dashon, Iofemi and Natasha were avid music lovers and played in their Newark High School marching bands while they attended high school. Terrance, full of charisma, became an ordained minister at age 13.

Their hard work paid off; all became students at Delaware State University. Natasha and Dashon were juniors, Terrance was a freshman, and Iofemi was about to begin classes.

In a testament to how they lived their lives, Natasha, who has undergone many major surgeries and is still

recuperating, provided the police with many key details that led to the apprehension of six suspects. Without her input, some of the suspects may have evaded capture. Her bravery and perseverance is an inspiration for others who, for various reasons, fail to speak up for what is right at times.

While I know that their families and the community are going through a trying time, I hope they take comfort in the legacy that these four young adults had created. It can be said that this senseless crime cut short their promise, that their destinies went unfilled. I beg to differ. In the short time that they were alive, their lives epitomized consciousness, fortitude and dedication to family and friends. They have and will continue to serve as role models for the young and old in the city of Newark.

Mr. Speaker, I stand here today to recognize three lives that ended too soon, and one that is still brimming with possibilities. Let us not remember Terrance Aeriel, Dashon Harvey and Iofemi Hightower for the senseless crime that took their lives, but for the lives that they led. As Natasha Aeriel continues to recover, I commend her for her bravery and conviction. I wish to convey my sorrow and condolences again to their families.

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

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

HONORING THE FIRST RESPONDERS OF SEPTEMBER 11

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

Mr. POE. Mr. Speaker, 6 years ago today, most Americans were going about their business, and then we woke up to the next day, September 11, 2001. I was not yet in Congress at that time, but I was a judge in Texas. And I was driving to the courthouse when I was listening to country western music, and it was interrupted about an airplane that crashed into the World Trade Center. And a few minutes later, a second airplane crashed into the World Trade Center.

And about that time, as I was driving my jeep, I noticed that other folks on the road had pulled off to the side of the road, all doing the same thing, listening to the radio, hearing the news from New York. And then we heard more news. We heard about a third airplane, where some good folks in Pennsylvania took matters into their own hands. And later we learned why that plane crashed in Pennsylvania; it did not crash in Washington, D.C. at the White House or even this Capitol. And finally, we heard about a fourth airplane, a plane that crashed not far from here into the Pentagon.

And at the end of that day, like many Americans, I was watching television and noticed all of the news reports about the World Trade Center and about the Pentagon, and followed that day, as most Americans, intensely observing and being concerned about our country.

As I was watching television that afternoon, over the skies of Houston, Texas, where I'm from, the 147th Air National Guard were flying those F–16s on patrol over our skies and over our refineries, over our ports. But as I was watching television, I noticed that when those planes hit the World Trade Center, that there were thousands and thousands of people, good people, people of all races, all nationalities, both sexes and all ages, when those planes hit the World Trade Center, they were trying to get away from that terror in the sky as fast as they could. They were running as hard as they could. Nothing wrong with that, but that's what they were doing, fleeing that enemy that attacked us on our soil.

But I also noticed that there was another group of people, not very many, but as soon as those planes hit the World Trade Center, they were running as hard as they could to get to that terror that had crashed into our buildings in New York City. Who were they? Emergency medical technicians, firefighters and police officers, because that's what they do; they respond first to terror, domestic or international.

And while today, Mr. Speaker, it is very important that we remember the thousands of people who died on September 11, 2001, it's equally important that we remember the people who lived, that were allowed to live because our police officers, our firefighters and our emergency technical folks were on the job, saving those lives of those people who were in the World Trade Center. Amazing Americans, those individuals, many of whom lost friends that were trying to get into the World Trade Center, people that they had known all their lives, but they did it because it is their duty and because it was the right thing to do.

Of course we have to remember and need to remember the plane that crashed into the Pentagon as well. And across the street from the Pentagon is Arlington National Cemetery, where we bury America's warriors from all wars since the war between the States. And on duty that day, when that plane came low across this land and crashed into the Pentagon, at Arlington National Cemetery, at the Tomb of the Unknown Soldier, those soldiers were on duty. They did not leave their post. They stayed there throughout the entire episode. Amazing people, our military.

So it's incumbent upon us not only to remember those that died, those that lived because of our first responders, but we need to remember that we did not ask for this war, and we must deal with it wherever it takes us throughout this world.

And that's just the way it is.

RECOGNIZING THE SIXTH ANNIVERSARY OF THE SEPTEMBER 11 ATTACKS AND THE NEED TO REFOCUS OUR ATTENTION ON THE GLOBAL WAR ON TERROR

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, tomorrow marks 6 years since America experienced its worst foreign terrorist attack. I send my solemn prayers to the families of the victims and the survivors of the September 11 attack, where nearly 3,000 persons lost their lives.

Although no amount of time can ever bring back the ones you cherish or erase the memories of the tragic event, it is my hope that their wounds have begun to heal.

While the world and the United States mourned the loss of innocent lives that day, we also sought answers as to who had attacked us and what would be our next steps. Rather than focusing on those responsible for organizing these attacks, President Bush and his administration diverted our efforts and refocused our resources to fight the global war on terror by waging war against the regime of Saddam Hussein via a preemptive strike. The administration presented its erroneous case by drawing on allegations that Iran had weapons of mass destruction, that it was a clear threat to the United States, and that it was connected with al Qaeda.

While failing to gain the support of the global community, this administration continued on with its ill-conceived stance on Iraq, convincing the majority of the Congress to vote in favor of entering a war where only 5 years later we continue to pay heavily.

And what exactly has been the cost? It has cost over $450 billion in taxpayers hard-earned dollars, according to the Congressional Research Service. It has left families of servicemembers and the larger population mourning the deaths of over 3,750 servicemembers, 69 of those being from the great State of Maryland. It has resulted in a strained family situation for those who endure multiple deployments, and has led to strikingly low levels of recruitment and retention of our mid-career armed servicemembers.

It has undercut our efforts to ensure adequate protection of the home front because much of the needed equipment has been left behind unaccounted for in Iraq, as the National Guard testified before a Senate committee last April.

It has belabored the economy, where the Government Accountability Office, GAO, has reported that the United States simply cannot continue spending at its current rate. And it has, in reality, resulted in the establishment

of al Qaeda in Iraq, as reported by the National Intelligence Estimate.

Mr. Speaker, the GAO testified before the House Armed Services Committee, upon which I sit, last week that only three of the 18 benchmarks established by the Congress have been met. Four have been partially met, and 11 have not been met at all. Specifically, only two of the nine security-related benchmarks were met, two were partially met, and five not met at all.

Furthermore, in a hearing before the House Armed Services Committee on Thursday, September 6, the Jones Commission made clear that political reconciliation is a key component of resolving the issue of sectarian violence. Accordingly, political reconciliation requires the diplomatic and international support of the global community. Presently, the President and this administration's efforts to gain this pivotal support are less than adequate. The Bush administration, as it has done in the past, continues to try to buy the patience of this Congress and the American people by pulling for excuses.

Mr. Speaker, 5 years ago I expressed my disapproval of the war by voting against the United States military operations in Iraq.

Today, I still remain unwavering in my support of our troops and the urgent need to make a responsible and timely redeployment of our men and women in uniform as a means to end the continued bloodshed.

I urge my colleagues to support our troops, support saving taxpayer dollars, and support the victims of September 11 by ushering in measures that will ensure diplomatic multilateral and bilateral support for political reconciliation in Iraq. A more focused and more determined strategy that will refocus and better utilize our efforts to fight the global war on terror is necessary to ensure that the victims of September 11 have not died without adequate retribution.

Thank you, Mr. Speaker.

□ 1930

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

(Ms. WOOLSEY 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

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

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

(Mrs. MALONEY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRACY, FREEDOM, AND JUSTICE WILL REIGN IN AMERICA

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wanted to come to the floor today as we commemorated one day early the 6 years since 9/11.

Most of us just came from the steps of the east side of the United States Capitol bringing back memories of how we went together, united, on that day, September 11, 2001, to show the world and to reinforce America's values that we would not be deterred, democracy would reign, freedom would reign, and justice would reign in this Nation.

But I come this evening to again express my deepest sympathy for those families that still mourn and those who still bear the emotional scars and, of course, those who remain injured from that fateful day. I remember being here in the United States Capitol in a meeting. Of course, our minds would never have imagined and could not conceive of what we were about to expect as we heard people running through the Capitol knocking on doors, not being able to explain just what was happening.

Of course, those who wished to continue the day's business did not understand that our lives would never be the same. We finally recognized that there was something out of the ordinary happening. As we, in essence, escaped from this building without much information or understanding, watching over our shoulder the billowing black smoke of the Pentagon, rumors abounded. There were thoughts, suggestions, rumors or facts that planes were heading for a number of places, including the United States Capitol in Washington, DC.

On that day, we saw the loss of lives of those in the Twin Towers and the airplanes in the skies. We are reminded of those souls who steered that plane away from the United States Capitol that landed in the fields of Pennsylvania. We hold all of these souls dear to our heart. Over the weekend, I was able to catch, as I was passing by our television, a documentary on engine 54 in New York. It is my understanding that all 15 of those that were on duty on that day lost their lives.

Today I stand to salute all of the first responders and to highlight the firefighters who went into those buildings and never came out, and all other rescuers who likewise went into the buildings and never came out.

As a member of the Homeland Security Committee, we vowed, after the creation of this committee, to never have this happen again. Unfortunately, there is much work to be done. We challenge, and we are challenged, to be dutiful and diligent in making sure that cargo on airplanes does not get unscreened by TSA, that we are assured that airports in the front and the back are secure, and that we are looking keenly at America's transportation system of buses, trains, and highways. We owe that to the American people.

Then, Mr. Speaker, as we listened to General Petraeus and to Ambassador Crocker today, we owe them a real war on terror and that is to be able to join with the world's allies, our allies, and fight the war on terror, fight it and win it in Afghanistan, find Osama bin Laden and bring a political reconciliation to Iraq so that we can bring our soldiers home. Fueling the fires of Al Qaeda and allowing them to come to Iraq in 2005 does not pay tribute to those who died on 9/11.

As I hold in my hand the American flag, I stand here today to recommit myself and to ask my colleagues as they come to this floor to recommit themselves to those lives that were lost, those families that mourn, that we will be a Nation united under truth, fighting the war on terror, making that our number one priority, and that we will pay tribute to the United States military, those who have served in Iraq, Afghanistan and places around the world, and make a final and important decision that the political reconciliation for Iraq must be in the hands of a sovereign people and a sovereign nation of Iraq.

It is time now to bring our soldiers home. The war on terror continues. We will never be daunted by that. We stand against the terrorists. But we must do it rightfully and truthfully. We must join together, win the war on terror, bring our soldiers home so that war can be broadened and we can be victorious on behalf of the people of the United States and those who lost their lives in that war.

REPORT ON IRAQ BY GENERAL PETRAEUS

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

Mr. GINGREY. Thank you, Mr. Speaker.

Mr. Speaker, as the gentlewoman from Texas who just preceded me stated, we just completed a memorial dedication remembrance ceremony on the steps of the Capitol as Members on both sides of the aisle came together led by our distinguished Speaker, our distinguished majority leader, and our distinguished minority leader. We came together in a very bipartisan way to once again pay tribute to the lives that were lost, indeed, and to their families, and to our first responders and the lives that were lost on their part and, of course, the City of New York on that great tragic day, that

great tragedy that occurred 6 years ago today, Mr. Speaker.

Before we went to the steps, the majority leader made a statement to our colleagues on this floor, which I fully support and endorse. I paraphrase his comments, but basically what Mr. HOYER said to us, just a few minutes ago, was that the terrorists, the extremists, those who hate our way of life and hate everything about this country, our great country, brought us to our knees, but they didn't bring us down. And they will never bring us down.

I absolutely agree that it showed the resolve of the American people that they can't bring us down. They got our attention, absolutely. And, Mr. Speaker, today, of course, also is the day that General Petraeus, the commander of Multinational Force Iraq, the four-star general, the combatant commander on the ground in Iraq, along with our ambassador to Iraq, Ryan Crocker, gave their report to the American Congress, to the House of Representatives, they will do the same thing over the next couple of days to the Senate, and directed this report to the House Armed Services Committee and the House Foreign Affairs Committee.

Mr. Speaker, there were 111 Members of those two respective committees present for this hearing today, which went on almost 7 hours. It was an opportunity for Members on both sides of the aisle to come together to listen carefully to a report that we mandated in our emergency supplemental spending bill that was passed March of this year, some 6 months ago.

Mr. Speaker, the thing that bothered me about this report was that in this town, last week, in this Congress, indeed, we heard nothing but negative comments about the messenger and what he might bring in regard to this report to suggest that it would be less than honest. Mr. Speaker, the New York Times today ran an article that basically showed a picture of General Petraeus and said, underneath the caption of that picture, General Petraeus is General Betray Us, to suggest, Mr. Speaker, that this general, our combatant commander of Multinational Force Iraq, would lie to the American people for some political advantage.

At this time, Mr. Speaker, I want to yield to my friend from Mississippi. I think that he may have a copy with him of that particular ad. I will be happy now to yield to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank my friend for yielding. I thank him for the remarks that he has already made.

Actually, it is not usually my practice to come before this House and defend the New York Times. But it was actually an advertisement, a full-page advertisement taken out in the New York Times by the ultra-leftist group, moveon.org. I have a copy of it right here.

Mr. Speaker, it is by George Soros and moveon.org. It says: ''General Petraeus or general betray us? Cooking the books for the White House.'' I was astonished to see even moveon.org attack the messenger as they did today and attack the credibility and integrity and, if you please, the patriotism of this great servant who has served so many years in the military and who was confirmed unanimously in the United States Senate. It was and is an insult. It shows the level to which the opponents of this surge and those who would legislate defeat in Iraq would go.

I was glad to see Ranking Member DUNCAN HUNTER and Ranking Member ILEANA ROS-LEHTINEN take this group to task during the hearing and to call on members of the committee at the hearing today to disassociate themselves, whether they agree with our policy in Iraq or not, to disassociate themselves from this type of smear tactic that we saw coming from moveon.org in the New York Times in the form of this full-page ad.

Frankly, Mr. Speaker, I was disappointed that more Members on both sides of the aisle didn't rise and denounce this scurrilous attack on the integrity of one of our great public servants.

Mr. GINGREY. Mr. Speaker, I want to thank the gentleman from Mississippi before I yield to my colleagues, the gentleman from Minnesota and also the gentleman from Tennessee. But I thank the gentleman firstly from Mississippi for bringing that New York Times ad so that our colleagues on the floor can see just how despicable this is. Now, at the bottom, you can't see the fine print, but moveon.org disavows itself from any political affiliation.

Mr. Speaker, we are going to give the Members of this body an opportunity to repudiate that ad. I have introduced a resolution. I understand our leadership on the Republican side will have a resolution to just say to the Members, please, in a bipartisan way, this cannot stand, and we cannot tolerate this. I think we will get an overwhelming show of support for that resolution.

I yield to the gentleman from Minnesota.

Mr. KLINE of Minnesota. I thank the gentleman. I have a remark I would like to make in a few minutes. I know our friend and colleague, the gentleman from Tennessee, has some comments he would like to make. But I was struck, in view of the discussion we are having right here, that today in that hearing that the gentleman was just talking about, the Joint House Armed Services Committee and Foreign Affairs Committee hearing, that General Petraeus was forced, I believe is the right word, to do something that I find absolutely extraordinary.

□ 1945

I have got his report right here to Congress on the situation in Iraq.

In the second paragraph, after he thanks the chairmen and ranking members, he says, ''At the outset, I would like to note that this is my testimony. Although I have briefed my assessment and recommendations to my chain of command, I wrote this testimony myself. It has not been cleared by nor shared with anyone in the Pentagon, the White House or Congress.''

To think, one of the finest officers in the American Armed Forces felt it necessary to put this in the opening two sentences of his testimony, I find shocking and distressing. I am sure we will have more to say about that later.

But it is not only in response to this scurrilous ad, unforgivable ad that moveon.org has written, but, frankly, as my colleagues here know, there have been comments made by some of our colleagues directly challenging and questioning the integrity of General Petraeus. And when I saw this today, I was just appalled that we have reached that point.

Mr. GINGREY. The gentleman is so, so right. Here we are talking about a four-star general, West Point graduate, 35 years of military service, third rotation in Iraq, to have to put up with that kind of despicable attack. And, like I say, we are going to give our colleagues on both sides of the aisle an opportunity to repudiate that, which I am sure they will.

Mr. Speaker, I yield to my good friend, the gentleman from Tennessee, Mr. WAMP.

Mr. WAMP. Mr. Speaker, I thank the gentleman for his continued leadership.

It is not just General Petraeus that moveon.org attacks. One of the distinguished, I think very reasonable members of the Democratic Caucus here in the house, BRIAN BAIRD of Washington State, also has been protested by moveon.org in his office since he returned from Iraq in August and basically told what he saw. He came back and just said, this is what I saw: There is progress, and we shouldn't leave precipitously because there will be major consequences.

He told the truth. He is an honorable guy. He serves here in the House. I respect him. He is a Democrat, and moveon sends hundreds of people to protest at his office. It is a political agenda, and it is unfortunate.

I grew up a Democrat. The first half of my life I was a Democrat; the second half I was a Republican. I don't think either party has an exclusive on integrity or ideas, but I think this is so far over the top.

There used to be things that we did in this country as Americans, not as Democrats and Republicans. This should not be about winning the next election or the last election. Wars should not divide us along Democrat and Republican lines, and everything should not be seen through that prism, and moveon.org is shameless to do this. It is shameless, this advertisement in The New York Times, and, as the gentleman from Georgia said, everyone in this body should condemn

what they are doing to try to win elections over our men and women in uniform in Iraq.

My nephew is serving there in Iraq right now. I hate it that he would turn around and see this in a full page ad in a major newspaper against the most equipped leader to lead our forces in Iraq that our country has to offer, period, is who this is.

For them to slander him in this way for political gain is un-American. What they have done is un-American. They have the right under the Constitution to say it, and we have the right as Americans to reject it, and everybody in this House should do that.

Three main things, while I have an opportunity to speak tonight.

The mission is just. We lose sight of that sometimes, that our men and women in uniform are doing and carrying out what is right for our country at this very volatile time in world history.

It is also easy to forget that over half the Democrats in the United States Senate and almost half the Democrats in the U.S. House of Representatives voted to remove Saddam Hussein by force. And others will come and say, oh, George Bush sold us a bunch of bad information.

Listen, if there was any bad information, everyone had the same information, and many of us voted, from both sides of the aisle, to remove Saddam Hussein by force. It is just very convenient now to say, oh, that was them and not me.

It is hard to take responsibility for your actions. It is hard to stand before the American people and say we need to work through this together. We need to stand behind our troops until they prevail, until we have victory and not retreat in Iraq, instead of saying this is all about them. It used to be in this country about us. We did things like this together, and we didn't retreat so the world would see us walk away from our commitments. This mission is just, number one.

Number two, the military has been extraordinary. They have been great. You heard General Petraeus say that today. What the Marines have done in Anbar, the progress that has been made there, it wasn't even hardly covered by the GAO report. They didn't even talk about the extraordinary success, civilian casualties way down, 80 percent success in the Anbar Province.

The moderates are even siding up with us and saying ''We don't like al Qaeda. They are cutting off our people's fingers. They are killing our children. We want to fight with the Americans against these insurgents.''

That is not the way it was before we strengthened our forces and had this success in Anbar. The military is performing in an extraordinary way and the tribal governments are now siding with us. That is progress by any definition.

The military is succeeding in Iraq. You may not want to hear it, because, as one of your distinguished leaders said, you are in trouble politically if we succeed as a Nation in Iraq. That is what he said. I hated that he said it. That is terrible. That is an indictment on politics in America. We all win if we beat these terrorists in Iraq. Everyone in this country wins. The military is succeeding.

Number three, the political progress in Iraq is not happening. That is true. We need to be honest about it. I wish personally we could get rid of the Maliki government because I think it is deplorable. But we promoted free elections and that is what we got, and we can't very well turn around now and say, oh, we didn't like who you elected. Get rid of him. They have got to do that. That is the tough work of freedom. They have got to do that. I hope they do. But that is up to them. Politically, we are not succeeding the way we need to succeed in Iraq, and all of us in this House have an obligation to come together and see that through to completion.

Let me just close with this: I have worked for 13 years in a bipartisan way. I have scars on my back to prove it. I have made people on my side of the aisle livid with some of the positions that I have taken working with the other side. But I will not——

Mr. WICKER. Amen.

Mr. WAMP. You didn't have to say ''amen.''

But I will not cooperate with anyone for our soldiers, sailors, airmen and marines to walk away in defeat or to leave prematurely before we can hold our head up and say ''America has succeeded with this just mission in Iraq.''

I don't want to stay for 5 years or 10 years. I think it is a matter of months before we can see real, live redeployments. But the military leaders need to do that. It doesn't need to happen on the floor of the U.S. House of Representatives. We can't micromanage this war, and we sure as heck shouldn't be sending signals that we are going to pull them out, because that is the worst thing we can do for the long-term interests of our country.

The Middle East is in chaos. The Wall Street Journal said it well last week. The worst religious and political pathology in the history of the world is in the Middle East, and now you add to that nuclear weapons, terrorism, IEDs and control of the world's oil supplies, there is a lot at stake.

This is not Vietnam. Nothing like it. Nothing like it. It is a whole lot worse, the stakes of losing in Iraq. I believe that deep in my soul, and I am going to continue to say that on the floor of this House. We need to stand together as a Nation and stand together behind our men and women in uniform until we can leave in victory and drive back this terrorist threat at this point we are fighting in Iraq.

Mr. Speaker, I thank the gentleman for the time.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Tennessee, because he knows of what he speaks and he speaks it well.

You know, this situation with the ad that the gentleman from Mississippi so kindly brought to the floor so all of our colleagues who may not have seen it in the newspaper this morning would have an opportunity to know exactly of what we are speaking about tonight, the gentleman from Tennessee suggested that sometimes people want somebody else to do their dirty work.

Mr. Speaker, look at this first slide to my left. Here is the quote: ''No one wants to call Petraeus a liar on national TV, noted one Democratic Senator, who spoke on the condition of anonymity. The expectation is that the outside groups will do this for us.''

This was last week, an anonymous Democratic Senator being interviewed by Politico.com.

Well, lo and behold, it looks like one these outside groups indeed are doing the dirty work of calling General Petraeus ''General Betray Us.'' How despicable.

As I said just a few minutes earlier, Mr. Speaker, we are talking about a gentleman, a patriot, a great leader who has served this country honorably and selflessly for over 35 years. He has risked his life in combat. He accepted lengthy deployments away from his family to defend our Nation and its citizens from its enemies.

For this, Mr. Speaker, he deserves the respect, the admiration and gratitude of every single American, and not disgraceful slander from despicable groups like moveon.org. Is that PHIL GINGREY coming up with an original statement? No. I am quoting Senator JOE LIEBERMAN. God bless Senator LIEBERMAN.

Mr. Speaker, I yield to our distinguished colleague, the gentlewoman from North Carolina, VIRGINIA FOXX.

Ms. FOXX. Thank you, Mr. GINGREY. I appreciate your allowing me to join you and these other very articulate people who are here tonight speaking on this issue.

I was not here as a Member of Congress on 9/11/2001, but I am very pleased to be here tonight. As we were outside singing The Star Spangled Banner and our colleagues in the majority were talking about our being united, I was thinking about the fourth verse of The Star Spangled Banner, which very seldom gets sung, but I think is something that is so appropriate for the time that we are in right now.

This is the way it goes. I know it by heart, but I didn't want to take a chance tonight, so I am going to look at my notes just in case. It is really my favorite verse.

''O, thus be it ever when free-men shall stand,
Between their lov'd homes and the war's desolation;
Blest with vict'ry and peace, may the heav'n-rescued land
Praise the Pow'r that hath made and preserv'd us as a nation.
Then conquer we must, when our cause it is just,

And this be our motto: ''In God is our trust.''
And the star-spangled banner in triumph shall wave
O'er the land of the free and the home of the brave.''

When Francis Scott Key wrote those words in 1814, they meant a lot. They mean just as much or more now, and I am, like my colleagues, absolutely appalled at the approach that has been taken to the situation that we are in now by many on the Democratic side.

It is appalling that they would question the integrity of the very men and women who are giving them the chance to stand up and lambaste them and slander them the way they are. They completely have forgotten what happened on 9/11. Many American people have forgotten. They don't understand the threat that this country is under and what we are doing to preserve our freedom.

There is such irony in the fact that these people would get up and say this again against the people who are risking their lives so they can stand up in the safety of this country and speak freely. It just absolutely blows my mind that they are able to do that. They are being given the ability to speak freely by people risking their lives and people losing their lives every day.

There is an arrogance of this Congress too, I think, the arrogance that demanded this report, the arrogance that says we are failing, when, in the face of all of the statistics, things are going so much better. There is an arrogance that says that if there is no strong national government, then things aren't going right.

You know, people have forgotten that this country was founded to have a strong local and State governmental structure, and the local and state governmental structures in Iraq are working well. No, it is not going as well as the national level, but compare what we have done with what they have done. We have accomplished very little under the leadership of this Democratic house in the last 8 months; very, very little. You compare that to what they have been able to achieve and think about us.

I spoke to a class today, three classes, actually, in my district, and I said to those students, the American people really don't realize in many ways the radical idea that this country was when we were formed. When people came to the United States, before it was the United States, they came here for freedom. They came seeking freedom. All they had ever known was freedom.

□ 2000

When Britain tried to clamp down on us, people said we are not going to put up with that. All the people in this country have ever known is freedom. All the people of Iraq have ever known is repression. We have asked them to do in a couple of years what took many years to develop in this country; and, again, it was a totally radical idea never perpetuated anywhere before. And yet they are doing very well at the local and provincial level, just like we did.

And now this Congress comes in and says if you don't have a strong national government, you have nothing. You are a failure. That is just not true. And I am simply appalled, too, at the people who want us to lose. How can they not understand the impact of our losing the war against the radical Islamic jihadists? This is not a war in Iraq; this is a worldwide war. One piece is in Iraq, and in many ways we are blessed that we have a concentration there where we can deal with it, because we are stopping them all over. They have not attacked us again. We have successfully defended ourselves from another attack, but they simply do not want to acknowledge it. All they see are the negatives, nothing positive.

And I, again, am appalled at the attitude of the people who want the United States of America to fail. My attitude to them is if you can find a better place to live, go live there. If you can't, then stay here, help us defend this country. Help us support our troops willingly to fight for our freedom. Help us to bring liberty to other places in the world. Then we will see a safe world. If not, go someplace else and live.

Mr. GINGREY. I thank the gentlewoman from North Carolina with such prescient words she brings to us.

I want to bring my colleagues' attention to the next poster I have got. I am going to give two quotes, one from General Petraeus from the hearing today and the other from Ambassador Crocker.

First from General Petraeus: ''To summarize, the security situation in Iraq is improving, and Iraqi elements are slowly taking on more of the responsibility for protecting their citizens. Innumerable challenges lie ahead. However, coalition and Iraqi security forces have made progress towards achieving sustainable security. As a result, the United States will be in a position to reduce its forces in Iraq in the months ahead.'' That was from the testimony of General David Petraeus. Later in the hour we will talk a little more about specific recommendations for troop withdrawal that General Petraeus made.

I will read that quote from Ambassador Crocker in just a minute, but at this point I see my friend from Mississippi is still with us, and I would like to yield to him, the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. I appreciate my friend yielding, and I have also been in need of a poster before and not been able to find it. If the gentleman would put that quote from General Petraeus back up, I will refer to it while he looks for the other quote from the ambassador.

To emphasize this point again, coalition and Iraqi security forces have made progress toward achieving sustainable security. Now, that is the testimony of this well-respected general that we have entrusted with this very important mission.

And it disturbs me, Mr. Speaker, that often the message of the accomplishments doesn't get through to the American people. We hear only about benchmarks not quite being met or expectations not quite being realized. For example, people point to the fact that an oil law has not yet been enacted by the leadership in Iraq and submitted to the Iraqi Parliament.

As a matter of fact, as the testimony indicated today, oil revenues in Iraq are up and the revenues are in fact being distributed out to the local governments and the provinces. Now, this is in the absence of a final piece of legislation enacted by the parliament. But the fact remains that under this interim procedure that they have now, the oil revenues are there. Iraq is exporting oil for the first time in quite some time, and the oil revenues are being distributed out where they can benefit the people. That may not be a benchmark of legislation, but it is a real accomplishment; and it is the sort of thing that General Petraeus and Ambassador Crocker were talking about.

Also, there has been much made of the fact that there has been no reconciliation statute enacted into law over there. But as was pointed out today in the testimony, former members of the Iraqi Army, former Baathists, if you please, are now being accepted into the government and being given pensions from the government and many of them are being accepted back into the security forces there in Iraq.

Now, a law hasn't been passed, but in my opinion that is de facto reconciliation and de facto amnesty for these people who were formerly in Saddam's Iraqi Army. By the thousands, these people are being integrated back into the mainstream of Iraqi security forces.

Also in the Anbar province, it is well known at least in this capital city that the sectarian leaders all across that province have turned on al Qaeda. They were in league with them a year ago. They have now turned on them, and they are helping the United States and coalition forces because they realize that their future does not lie with this destructive, violent al Qaeda force, but with the forces that would bring freedom and liberty and self-determination to more Iraqis.

Sectarian violence is down, as Senator LIEBERMAN and Senator MCCAIN pointed out in their op-ed in the Wall Street Journal today, and I would commend that to our colleagues. There is an excellent bipartisan piece about that. Sectarian violence is down all over the country, down 70 percent in Baghdad alone. So there are real accomplishments there.

Certainly, as the general said, innumerable challenges lie ahead. The assessment is optimistic, but it is sober

and this is no rosy scenario; but there is much reason to be optimistic.

Let me just say this about the feeling of the American people: I know that they are frustrated about this. This war has gone on longer than expected, and they have been conflicted about it. But I believe after being home for much of August and talking to my constituents, I think the American people do want us to succeed in Iraq. They realize that failure there, that withdrawal there, that leaving too early would leave a huge void that probably al Qaeda would fill and probably our detractors in Iran would fill, and they know that would be a disaster. They want success, and I think these two gentlemen who testified before us give us a good opportunity for success.

A few moments ago we gathered on the east steps of the House of Representatives, and we commemorated the sixth anniversary of the terrorist attacks on 9/11. Two other speakers on the floor today were not Members of the House of Representatives at that time. I was, and I shall never forget the resolve and the determination of the Congress, both ends of this building, both sides of the aisle, on that day to defeat these terrorists.

The al Qaeda terrorist network that we are fighting in Iraq today is the very same network that brought down those two buildings in New York. They are the very same network that sent a plane crashing into the Pentagon. And they are the very same al Qaeda that had a plane headed toward Washington, DC, which undoubtedly was headed towards the Capitol Building.

We are still fighting al Qaeda, and I appreciate people like Ambassador Crocker and General Petraeus who are fighting that war as capably as they know how. Al Qaeda must be defeated, Mr. Speaker. And our best opportunity, our greatest chance to defeat al Qaeda today is to be successful in Iraq. That's what I would urge my colleagues to support, and I believe that is what the American people want us to do. I thank my friend for calling this Special Order.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Mississippi. The gentleman is right, I was having a little trouble finding that poster because I don't have that poster; but I do have a smaller copy of it. I guess you would call this a slide, Mr. Speaker.

But I did want to read this quote from the testimony of Ambassador Crocker before I call on my colleague, Colonel John Kline. Here is what Ambassador Crocker said: ''A secure, stable democratic Iraq at peace with its neighbors is attainable. In my judgment, the cumulative trajectory of political, economic and diplomatic developments in Iraq is upwards, although the slope of that line is not steep. The process will not be quick. It will be uneven, punctuated by setbacks as well as achievements, and it will require substantial United States resolve and commitment.''

I think the ambassador and General Petraeus served this country extremely well today in their testimony, and their facts were accurate.

Mr. Speaker, with that I want to yield to my colleague on the House Armed Services Committee, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. Mr. Speaker, I wanted to pick up on some of the comments that our friend and colleague, the gentleman from Mississippi, was addressing when he was talking about some of the information in the testimony that we heard today from both General Petraeus and Ambassador Crocker.

I have the testimony from General Petraeus here in my hand. Mr. Speaker, I thought I would touch on a couple of the points that he made. He says that the progress our forces have achieved with the Iraqi counterparts has been substantial. He says, I see improvements in the security environment. The level of security incidents has decreased significantly since the start of the surge of offensive operations in mid-June. Civilian deaths have declined considerably. He says locals have increasingly supported our efforts. While he says al Qaeda certainly is not defeated, it is off balance and we are pursuing its leaders and operators aggressively.

This report is not all rosy. General Petraeus made the point several times during the over 6 hours of testimony that we had today that he doesn't want to look at this from a rosy standpoint or a pessimistic standpoint or an optimistic standpoint, but from a realistic standpoint; and I believe that this great leader, this great general, this man of great integrity and competence and capability did just that for us today.

One of the things that came up repeatedly during the hearing today was a reference to another report and another hearing that we on the Armed Services Committee heard about last week. General James Jones, a former commandant of the Marine Corps, the former Supreme Allied Commander Europe, was the head of a commission, a very distinguished commission, I might add, one of the most experienced I have ever seen, that had military officers and senior noncommissioned officers and experienced law enforcement personnel go over to Iraq with the charge to evaluate the Iraqi security forces.

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Repeatedly today, and sometimes last week, we heard our colleagues saying, well, General Jones came with a very pessimistic report, and he had great concerns that things aren't going well. And one of our colleagues actually asked the question, General Petraeus, how do you square, how do you reconcile, if you will, these differences in reports.

And I remember thinking, Mr. Speaker, when I was in that Armed Services Committee hearing and listening to General Jones and his exceptionally well-qualified colleagues, that the hearing that we were experiencing was not at all like the news reports, perhaps like the ads we saw earlier today, but was not at all like the news reports we had seen before the testimony in the Armed Services Committee.

And just as an example, Mr. Speaker, I wanted to quote just a few things that General Jones and some of his colleagues said during that hearing.

He said, our first conclusion is that the Iraqi security forces as a whole cannot yet defend the territorial integrity of Iraq. This is not necessarily an alarming conclusion, he said. They're able to do more in terms of combating the internal security threats to Iraq, and that's positive. He said, we've noted improvement in the internal security missions such as denying the safe haven to terrorists, and this progress is likely to continue in the months ahead. He says, the Iraqi security forces can bring greater security to the provinces in the next 12 to 18 months, assuming a continuing rate of progress. He said, the impact of the surge has had a tactical success for both Iraqi and coalition forces in the Baghdad region.

That doesn't sound like a pessimistic report or out of step with what General Petraeus said today. It's what we have known for some time, and I'm sure that my colleagues on their trips to Iraq have had the same experiences and reports that I have, and that is, that the Iraqi Army has been making steady progress but the police forces are in some disarray and need of major improvements.

In fact, General Jones and his commission recommended that the national police force, a relatively small group of 25,000, be disbanded and distributed to other forces and that the much larger Iraqi security police be strengthened. Again, not at all out of sync with what we heard today.

And in fact, because I had heard in previous trips to Iraq that the Iraqi Army was doing well and the Iraqi police was not doing well, I said to General Jones, well, this seems very consistent with the message that we have heard for some time. So I'm not surprised to hear you say that, and you probably weren't surprised to find that yourself.

And I thought this was amazing. He said, and I will check my notes here to make sure that I've got this right, he says, I was pleasantly surprised. I'd been going to Iraq off and on since 2003 in my NATO hat, and again, he was the commander of NATO, but I think I did not expect to see the will that I saw in the Iraqi Armed Forces to take the fight to the enemy. I did not expect to see the length and breadth of the institutions that are functioning that you need to support an emerging army, the training bases, the recruiting, the recruit training, NCO schools, counterintelligence schools, training corpsmen. All of those things exist. We know that because we saw them.

This was a very highly experienced group of four-star and three-star generals, sergeants major, police chiefs that went, and this was their assessment when they came back. And again, this seems to me very consistent with General Petraeus' report today that said, well, things are still tough over there, but the surge is working and we're making progress. I know my colleague wants to talk about some of those recommendations in a bit, but I just want to go to one more.

Mr. GINGREY. The point you made, of course, about the Iraqi national police, General Jones, you're right. I was in that same hearing with Representative KLINE last week, Mr. Speaker, and General Jones did talk about this Iraqi national police force of about 25,000 that in the past was rife with corruption, and of course, a lot of changes in the leadership, as General Petraeus pointed out today, that has occurred.

But I think it's important, and I think Mr. KLINE would agree with me, for our colleagues to understand that the press in the last week, talking about the Jones report, suggested that the entire Iraqi security force was incompetent and corrupt when, indeed, 49,000 is only about 10 percent of the 550,000 Iraqi national army and combined police force. So many of them are doing a good job, as you pointed out in the hearing today.

Mr. WICKER. If the gentleman will just yield on that, I'm glad that both of my colleagues have pointed this out, Mr. Speaker.

In just the short time that we've been hearing quotes from this Jones report, which I very much appreciated, I don't know how many times the gentleman from Minnesota read the word ''progress,'' progress in this respect, progress in other respects, challenges of course, but progress, progress, progress, the word ''success,'' the words ''pleasantly surprised.''

So it would certainly be inaccurate to say that the Jones report was totally negative and that the Petraeus report was somehow far different. So I very much appreciate the gentleman pointing that out, and I simply wanted to underscore the very optimistic words that the general had in his testimony.

Mr. KLINE of Minnesota. I thank the gentleman for that. Reclaiming my time, if it's mine to reclaim, I'm not sure sometimes in these Special Orders whose time it is. I think it's the gentleman from Georgia's, but I don't want to have my colleagues or Americans believe that General Jones or General Petraeus came with nothing but good news. That's not the case.

As we discussed earlier, the Jones commission recommended some major changes in how the police is trained and equipped and how it functions and how it's organized, that they were highly critical of the Ministry of the Interior and how they're functioning and, in many cases, failing to function. So there are clearly problems, but the Jones report, the Jones commission did not come back and say that all is lost and Iraqi security forces are all failing.

In fact, that paragraph that I read quoting General Jones talking about how he was pleasantly surprised about the terrific progress of the Iraqi Army underscores that some good things are happening.

I thought it was interesting in that hearing, as my colleague from Georgia no doubt remembers, during the question-and-answer period, the former Deputy Secretary John Hamre, former Deputy Secretary of Defense, was asked some questions about what we should do in Iraq, should we leave or should we leave quickly or were things too bad. And he said in part, and again I'm quoting, but we have strategic interests that are larger than just Iraq. I mean our continued influence and presence in the region, the ability to get continued access to energy resources, providing a counterweight to Iran. We have large strategic interests. Every one of those interests would be seriously diminished if we had to crawl out of Iraq or run out of Iraq.

I think that is significant, Mr. Speaker. He made the point that when we leave Iraq, we walk out of Iraq on our terms, having defeated in large measure al Qaeda and left an Iraq with a promising future with the violence under control and political progress being made.

And so I just think that we have seen some unfortunate, really strident partisan statements made in the last week or so, and I guess it's unavoidable that people tend to go to sources that match their perspective. But I thought that the constant referring to the Jones Commission's report as somehow undermining what General Petraeus was saying or not consistent with it or indicating that all was lost in Iraq was simply not correct. And these quotes were part of many in what I thought was a very thorough, complete testimony and thorough hearing when we had the members of that commission in before the Armed Services Committee.

Mr. GINGREY. Mr. Speaker, if the gentleman would have time to stay, I would be glad to yield back to him as we go forward, but absolutely this Jones report last week, I couldn't believe what I was reading the next day after hearing the report and hearing General Jones, retired Four-Star General Jones, Marine, former Marine commandant, and Colonel Kline, a Marine, knows him well. He was one of 20 members of that commission.

Again, this commission was created by the Congress, by the new majority, as we passed that emergency supplemental spending bill back in February or March, 6 or 8 months ago, to tell us, you know, what's the situation with the Iraqi security force, both army and the police, and not just, as we pointed out earlier, the national police.

And almost to a person, the members of that panel who spoke, not all 20 did, but they gave encouraging news. They pointed out the shortcomings, of course, of the national police and the Iraqi police force that was not perfect. They didn't give us some Pollyanna, glossed-over, varnished report. They told the truth. But as Colonel Kline points out, I thought it was an encouraging report. Of course, you would never have known it, Mr. Speaker, by the headlines the next day. So the gentleman may want to comment on that.

Mr. KLINE of Minnesota. If the gentleman would yield for just a minute, that's what struck me is that, very much like General Petraeus' testimony today, the media discussion and the political discussion and the partisan discussion that led up to the testimony simply didn't match the testimony that we heard in either of these hearings.

For example, I'm sure that many of our colleagues were surprised, and frankly I was, to hear General Petraeus say that it's tough but we're making progress, and we're making progress to the point where I'm going to recommend that we draw down our forces to the presurge level of brigade combat teams and we do it by next July. I was surprised that he put that date in there and that certainty in there when he made that statement.

He said we're going to start drawing down this year, brigade combat team is going to come back, Marine expeditionary unit is going to come back, and we're going to continue to draw down through the spring and into the summer. And that is consistent with the original intent of the surge. It was temporary with what the Iraq Study Group said about a temporary surge, and in fact, I think it's very consistent with what the Jones commission said as well.

Mr. GINGREY. In fact, I think General Petraeus said that that Marine expeditionary unit will be brought home next month.

Mr. KLINE of Minnesota. I believe that's right.

Mr. GINGREY. I thank the gentleman again.

Mr. Speaker, at this time, I would like to yield to one of my colleagues, another of my colleagues I should say, on the House Armed Services Committee, the ranking member of the Subcommittee on Oversight Investigation, a new subcommittee, a good subcommittee chaired by my good friend, majority member Dr. VIC SNYDER, and I'm speaking of the gentleman from Missouri, Representative TODD AKIN, and at this time I'd yield to the gentleman from Missouri.

Mr. AKIN. Thank you very much, and thank you for taking some time to run through a series of events that actually in the last couple of days seem a little puzzling to me, I might have to say.

My recollection is is that General David Petraeus, his credentials were reviewed over in the other body, and they took a vote as to whether or not he was the guy that we're going to put front and center to be in charge of the

entire campaign in Iraq, and he got a unanimous vote in the other legislative body. That says an awful lot of people had to vote for him to get a unanimous vote over there.

Also, as I recall, it was just not so long ago that the Democrat party, who's in charge of both the House and the Senate, made the request that in September General Petraeus would come before the legislature and would make a report as to what the findings were, would let us know how things were going. Many people were very skeptical about the reorganization, the restructuring of our war in Iraq, around the idea of the surge, but people trusted General David Petraeus. They trusted him because he has an excellent reputation and record as a soldier, but he also is a straight shooter. He doesn't sugarcoat things. He explains it the way it is.

And so it was with some sense of alarm and a little bit, I have to say, with a sense of frustration that we saw in the New York Times this calling General Petraeus where they say ''General Betray Us.''

What we're doing is taking somebody that before we thought they had good credibility, we're going to guess what they may say to us, we think we may not like what he has to say, so now we're going to try to destroy his reputation. I think that's a shame.

My son has served over in Fallujah. As you have mentioned, I also am on the Oversight Committee.

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One of the things that has been consistent with every witness, week after week over a period of months, every witness we could scrounge up, conservative, Republican, liberal, Democrat, you name it, the one thing those witnesses said was, first of all, they said if we pull out of Iraq rapidly, there is going to be a huge bloodbath there.

The second thing is that the whole region will be destabilized. Everybody agreed to that. Now, some people said, well, there is nothing we can do about it, so we ought to pull out now and cut our losses. Other ones said, no, there are some things we could do about it. But everybody agreed that a rapid drawdown of troops is not what we should be doing in America.

After listening hour after hour to all these experts, I came to the conclusion of this simple fact, and that is, it is the least-cost, most logical best alternative for us to just go ahead and win the war in Iraq.

We are more than halfway, and trying to turn around and back out, make excuses and try to lose is just going to be much more costly than moving forward and doing a good job.

That's what the general has outlined today in very credible testimony. I was very thankful that he is here. I am thankful that you took the time to help us to be able to talk about this very important subject about how we proceed and the sense of good news. There is a little light at the end of the tunnel is what it seems like to me.

Mr. GINGREY. Light at the end of the tunnel, indeed. The gentleman is right on target.

As we conclude this Special Order hour, I want my colleagues to take a good look at this ad that ran today in the New York Times.

I know it's hard for the Members to actually see the text, or you can see the picture; but, basically, what it says, the caption is: ''General Petraeus or General Betray Us?'' With a big question mark. Then under that: ''Cooking the books for the White House.''

The first and last paragraph, I will quote, let me read this to you, this is what MoveOn.org, a political action committee says.

Mr. AKIN. Isn't MoveOn.org generally associated with the Democrat Party?

Mr. GINGREY. I hope not, I say to the gentleman from Missouri. I think if you look at their funding trail though you would find that they haven't contributed probably too much support in any way, shape, or form to Republican Members.

But hears what they say about General Petraeus: ''General Petraeus is a military man constantly at war with the facts. In 2004, just before the election, he said there was 'tangible progress' in Iraq and that 'Iraqi leaders are stepping forward.'

''And last week Petraeus, the architect of the escalation of troops in Iraq, said 'We say we have achieved progress, and we are obviously going to do everything we can to build on that progress.' ''

Then their final paragraph, I skipped the middle one, they say: ''Most importantly, General Petraeus will not admit what everyone knows: Iraq is mired in an unwinnable religious civil war. We may hear of a plan to withdraw a few thousand American troops.

''But we won't hear what Americans are desperate to hear: a timetable for withdrawing all our troops, General Petraeus has actually said, will need to stay in Iraq for as long as 10 years.''

Finally, they say, MoveOn.org, today, before Congress and before the American people, General Petraeus is likely to become General Betray Us.

In conclusion, as the majority leader said a few minutes ago, before we walked out on the steps, to commemorate and honor the American people on the sixth anniversary of that tragedy of 9/11, we did that in a bipartisan way. This is not a political argument that we bring to the floor tonight, and this business, if we are winning in Iraq, the Democrats lose. If we are losing in Iraq, the Democrats win. If we are winning in Iraq, the Republicans win. This is not about who wins politically. This is for the American people.

We are going to win. We are going to let victory have a chance. We are not just simply blindly staying the course.

In regard to this surge, this is exactly what the Iraq Study Group, Lee Hamilton and former Secretary James Baker, recommended to the Congress; and this is what the President has done.

I commend him for it. I think we are making progress; but there is, indeed, as the gentleman from Missouri said, light at the end of the tunnel, a bright light. We need to give victory a chance.

IRAQ AND THE MIDDLE EAST

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

Mr. KING of Iowa. Mr. Speaker, as I said a number of times in the past, it remains a tremendous honor to step here on the floor of the United States House of Representatives and address you about how this dialogue that we have across America is a great big national conversation, 300 million people, many of them talking about the very subject matter that my colleagues in the previous hour have discussed, and that being the issue of the global war on terror.

Particularly, because of the hearing today, the joint hearing between the Armed Services Committee, and it used to be the International Relations Committee, and now it's the Foreign Affairs Committee, many of our colleagues in the room of the 435 Members of Congress, over 100 in the room and many others were watching television in offices and in gatherings around this Hill. There was a national conversation going on and taking place here.

As we move forward with our discussion, one of the things that happens is, as talking members of the 300 million people of America carry on their conversation, a consensus forms. As a consensus forms, it works that the constituents across the country call up and write letters and send e-mails to and stop in and see their Members of Congress and their staff.

As that goes on, if the American people are informed, if they are informed honestly and objectively, if they can get there, they can get their eyes and their hands and their ears on the facts, the American people often come to an appropriate and proper conclusion.

But it happens to be a fact that nearly every week that we have been in session in this 110th Congress, now into September, having gaveled in here in January, nearly every week, there has been at least one bill on the floor, that was a bill, I believe, sought to undermine our efforts in this global war on terror.

Except for last week, there wasn't one. Yet, the commitment that was made on the part of the request to Congress, and on the part of our military and the President, was to deliver a report here to Congress by September 15, on or before September 15, that would be an objective update on the operations in Iraq, which I will stipulate again is the most centralized, the most contested battleground in this global war on terror.

We all knew this report was coming, and today we received that report. That report was delivered here to Congress in written form and verbally by General Petraeus and by Ambassador Ryan Crocker.

Well, it's interesting that when the date of this report became something that was published and people were aware of, that's when the debate began.

We started to see an intensity of the different amendments and the resolutions that came before Congress. There are no resolution to unfund the war and call our troops home, but resolutions to try to do that without having to admit that that was the effort. As each one of those resolutions came up, by my view, each one of them one way or another failed with the American people. The argument was continuing. The debate was continuing.

The people that were invested in, let me say, cut-and-run policy and tactics in Iraq, those people thought that they were going to win this argument with the American people, before General Petraeus brought his report before Congress. That's why those resolutions came to this floor every week, in my view, and that's why the media was delivered, message after message, that there was a failed effort in Iraq.

That's also why I and many of my colleagues went to Iraq during that period of time. I made my fifth trip over there on the last weekend of July with a number of my colleagues in codel Burgess. On that fifth trip, it's hard to say, even when you go back to the same place, what was different. Because you will see sometimes different people, and you get a bit different report.

But one thing you do is get briefings, internal briefings, classified briefings, from our top officers that we have and compare the information that comes from General Petraeus and General Odierno and Ambassador Crocker and Admiral Fallon. Those people that are at the front of this that are in the lead that are calling the shots from the highest levels, all the way down through the ranks, when you walk into a mess hall and simply say is there anyone here from Iowa, pretty soon you have a table full, know their hometowns and know some of the people that they are related to and know that there is an instant contact there. We compare notes Iowan-to-Iowan and then compare those notes with the briefings that we receive from our top officers.

Close the door and have an intense, classified discussion with General Petraeus and Ambassador Crocker, then come back here to this Congress and listen to the debate and watch the effort here on the other side of the aisle, the effort that I believe was invested in defeat. I will say even a significant number are still invested in defeat.

But, yet, they thought they could win the debate and convince the American people that the cause was lost in Iraq. They thought they could win the debate before General Petraeus and Ambassador Crocker delivered their report to this Congress that it would be a moot point. Whatever it was that General Petraeus might offer today, they wanted to have the American people convinced. A majority number of Members of Congress were convinced that it was a lost and failed effort in Iraq.

Well, enough information came out from that part of the world; enough Members went over and saw for themselves. Enough Members like myself went into al Anbar province that, according to General Petraeus today, was politically lost a year ago. It was a hopeless case a year ago.

As I was there the last of July, every single tribal area in al Anbar province, and I would remind the body, that that is one-third, Anbar province is one third of the geographical area of Iraq. It represented over half the deaths and violence of Iraq. It was the center of al Qaeda in Iraq. Ramadi was the center of death for the country.

Still, every single tribal area in the entire province of that one-third of Iraq was, a year ago, controlled by al Qaeda. Hamas was preaching an anti-U.S., anti-coalition, anti-Iraqi defense force message.

But as I match the maps, as the tribal zones change and the sheikhs, the tribal leaders, got together, the they made a commitment to come together to kill al Qaeda with coalition forces and with Iraqi defense forces. Every single tribal zone, every sheikh in all of al Anbar province came over to the coalition side, to the side of freedom, and to the side of a free Iraqi people.

When that happened, there was a dramatic sea change in al Anbar province. If you looked at the map of the tribal zones, it was already a year ago painted red because that was al Qaeda. Today, every tribal zone in al Anbar province is green, meaning they are on our side now, they are with us. They said they want to come kill al Qaeda with us. That was their message.

When you see that kind of briefing, and you hear the briefing that came from General Petraeus today, but some of this information came out piece by piece, week by week, as there was an effort to undermine our effort in Iraq, came to a head today. Those who were invested in defeat had to make a case today that there was something weak about this military effort, something weak about the security effort, that there was something disingenuous about the delivery, about the report that was delivered today.

What I saw today was truly two highly intelligent people with worlds of experience in the Middle East, Ambassador Crocker and General Petraeus.

As I saw them with their delivery and their presentation and the facts that they laid out carefully, completely, objectively, with caution about those parts that aren't going so well, brought out before we heard the good news about the parts that are going well, this was a stellar report that the American people can take to the bank. We don't have all the problems solved in Iraq. There is a ways to go, and maybe a long ways to go. It's not going to be easy, but it looks far better today than the news media has characterized it to be.

So there is much to be said about this momentous day today, this watershed day today, the records that were accumulated from General Petraeus and Ambassador Crocker. As I watched my colleagues listen to that delivery and ask their questions and probe, I can only reflect that the people that came out of this thing with their integrity intact were the ones delivering the report. The ones who were their critics were silenced in the end. That's the conclusion that I think an objective media will be reporting tomorrow.

But at this point, I recognize the gentleman from Tennessee, Mr. ZACH WAMP.

Mr. WAMP. It's a privilege and an honor to come back down to the floor tonight. I want to talk on two fronts, really. The one is about Iraq and the other is the threat of radical Islam, Islamofascism, as some people call it; but I think it's important here right on the cusp of the sixth anniversary, tomorrow of 9/11, to remind our colleagues and our fellow countrymen that we are not only not out of the woods, but that these threats are grave. They are grave this week.

It's easy for everyone in this country to get lulled back into complacency or look for the comforts of our living room and shopping malls, but we face a huge growing and imminent threat from the terror itself here on our homeland.

We come, as members of the Republican Policy Committee tonight, we just left a briefing downstairs from a Lebanese Christian named Brigette Gabriel, who wrote a book called ''Why They Hate Us.'' Some would ignore her, but, frankly, coming from that world and able to go on Internet chat rooms and read Arabic and know what's going on out there, we should listen. We should listen very carefully to what's happening in the world of radical Islam.

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I think it is very ironic that some of the very people who may have said a few months ago, ooh, let's embrace the Iraq Study Group's recommendations today would say, no, too late. We even heard that today from distinguished Democrats, some of them, too late. Too late. Too late for what?

Let me tell you, this is not good news. We're at war. There is no good news. But this is positive news from the battlefield. And I think it's very ironic that in Anbar, and now spreading from Anbar originally out through the tribal groups and the provinces, where we're making real progress is among the moderates, which is kind of

the Iraq Study Group's recommendation, is convert the moderates to allies. Work to get them to stand against the radicals; work to get the tribal leaders to say, al Qaeda is the enemy and we're now with the Americans and our allied forces. That's happening. But I'll bet you some people don't want to hear that positive news. That's the reality on the ground. That's important.

I would also say, though, in a macroscale, where some of the Iraq Study Group's recommendations can be very instructive today for all of us is we need to engage moderate Islam, not just in country, in Iraq, but throughout the world, because just the sheer numbers of growth within Islam, if you read the demographics, for instance, in Mark Steyn's book, ''America Alone'' it's overwhelming; 5 years out, 10 years out, they swamp us in population. If you think Americans or Europeans are growing as a population, we're shrinking. We are shrinking. There's fewer and fewer of us every decade and millions and millions more Muslims.

And if the moderates within Islam won't stand against the radicals, that's why I reach out to the gentleman from Minnesota here in the House. Man, if there are freedom-loving people within Islam, where are they? They need to speak out. They need to be aggressive, and more and more of them in Iraq are because their relatives have been killed by al Qaeda. And once they kill your relative, maybe you're going to speak out. But they're intimidated; they're squashed.

Let me give you an example. Mark Steyn just tells us recently of a book that was published called ''Alms for Jihad; Charity and Terrorism in the Islamic World.'' A guy named Jay Millard Burr wrote it. Great research in Saudi Arabia where all this oil money, and we heard this downstairs from Brigette as well, using the Saudi Arabian oil money to promote terrorists around the world, period. It's happening. This documents, ''Alms for Jihad,'' how they're funneling through charities. A man named Sheikh Khalid bin Mahfouz heads it up. The charity is called the Khalid bin Mahfouz or Blessed Relief Foundation. Millions of Saudi oil dollars into this charity that funds al Qaeda directly. This book exposes the whole thing. So you need to go to Amazon.com or Barnes and Noble to get the book. But guess what? You can't get it. It vanished. It was bought up, taken out of circulation, financially, they took the book off the market.

Let me tell you, folks, in this country, from Dearborn, Michigan to right here in Virginia, Falls Church, Virginia, oil money from the wahabis in Saudi Arabia training up young people in this country, under a global Shari'ah, Islamic law, bringing them up against America in this country today.

Listen, this, to me, at the sixth anniversary of 9/11, is a call to action for Americans who've been lulled into complacency thinking that somehow this conflict is about Iraq. If we would just leave Iraq, all of our problems go away.

I'll say to you tonight, Mr. Speaker, this is not about Iraq. Iraq is the venue, it's the theater, it's where al Sadr is, it's where the Iranians and the Syrians have come, it's where they've recruited, it's where the fight is, but it's not about Iraq. It's about us and radical Islam at war. That's the theater. But let me tell you, it could just as easily be here tomorrow. God forbid it, but it could be just as easily here.

They have virtually taken some parts of Europe in terms of public opinion. They've challenged laws of countries and states in their courts, challenging Islamic law should take precedence, and that's what they would like to see here.

You may say, oh, he's wild; he's off the reservation. Not true. This is the way it is. They're using our very porous borders to come at us. And we're not secure. We're ignoring the threat.

Let me tell you what the Wall Street Journal editorial said last week. It said, the world's most political and religious pathologies, combine with oil and gas, terrorism and nuclear ambitions. In short, unlike yesterday's Vietnam, the greater Middle East, including Turkey, is the central strategic arena of the 21st century as Europe was in the 20th century. This is where three continents, Europe, Asia and Africa, are joined. He goes on to say, so let's take a moment to think about what would happen if the last Black Hawk helicopter took off from Baghdad International. And he goes on to talk about Iran's influence in Iraq, emboldening Iran.

Clearly, Ahmadinejad said less than 2 weeks ago he can feel the United States in retreat in Iraq, and we've lost our will. And that when we leave because they force us out, Iran is prepared to fill the vacuum. That's what he said 2 weeks ago. We can ignore it if we want to. But let me tell you, a precipitous withdrawal that the left in this country is asking for, a forced withdrawal from Iraq today, will lead to the most destabilization in the world that we have seen.

And let me tell you, this threat we face, nobody wants to hear this, is greater than the threat of Nazi Germany. And if people say we had no business in Iraq, then we had no business storming the beaches of Normandy because the Germans didn't attack us. But we knew it was our obligation, as the leader of freedom in the world, to go and save Europe from Nazi Germany. We did that. We're doing it again, and it's uncomfortable.

As I said in the previous hour, my nephew's over there. Specialist Jeffrey Watts is fighting in Iraq for us tonight. I'd love for my nephew to come home, but not until we can leave in victory; not until we leave an Iraq and a Middle East that's more secure than they were yesterday; not until we can assure the American people that Iran is not going to rise up and seize control with nuclear weapons in the Middle East, unless you want to accept Armageddon.

I actually know how the story ends. I know the Bible from cover to cover, and I'm prepared to go on across that river at any time. But I've got to tell you, unless you're willing to just accept those ramifications, that's how high the stakes are in Iraq.

This is not George Bush's war. This is America's fight. We committed it together. Some people would like to blame it on others now and not accept the responsibility. But this is America's fight against radical Islam, and it will go on for years to come, even when Iraq is over. And there'll be a time where Iraq is not the central theater. I'm concerned we're going to be fighting radical Islam all the days of my life.

The question is, are we going to stand up, as generations before us have, and defend freedom. Are people like my nephew going to be willing to go and stand between a real threat in our civilian population, because that's what this is. And don't think for a second that it's all about Iraq. Some people dressed in pink would have you believe that. It's not true. And I'll tell you, what some of them are doing is downright un-American, and 50 years ago they'd have run them out of here on a rail.

I'd be happy to yield back to the gentleman.

Mr. KING of Iowa. I thank the gentleman from Tennessee for his delivery. And I reflect that General Petraeus' last part of his prepared testimony said, in closing, it remains an enormous privilege to soldier again in Iraq with America's new Greatest Generation. Our country's men and women in uniform have done a magnificent job in the most complex and challenging environment imaginable. All Americans should be very proud of their sons and daughters serving in Iraq today.

He also said that he believes that this is perhaps the most professional military to ever take to the field. And I recall a discussion that we had in Baghdad just about 5 or 6 weeks ago, and the statement was made that this is not only the most professional but the best military that's ever been put into the field, that's ever gone to war.

And one of the remarks they made, in addition to well-trained and brave and dedicated and well-equipped and patriotic and all of those adjectives that we use, one of the other ones was and the most perceptive. The most perceptive.

And that caught me off guard, Mr. Speaker. I didn't expect that. But I understood what that meant; to have the perception to know the difference on when to shoot and when not to shoot, when to be the ambassador and when to be the soldier. That's one of the hardest things, and sometimes a decision has to be made in a split second. And that's what they meant by the

most perceptive military to be sent off to war.

And again, much was said today, much will be said about today. But at this point, I'd be happy to yield as much time as he may consume to the chairman of the Policy Committee from Michigan, Mr. THADDEUS MCCOTTER.

Mr. MCCOTTER. I thank the gentleman from Iowa. I just want to touch on some points regarding strategic basis of the surge and some of the goals, some of what we've heard today. Your indulgence. Just touch upon some of the general themes that our Nation faces in the war for freedom.

Mistakes in the past in Iraq have been rectified under the Petraeus plan. As I have said and many here have said on our side of the aisle, in the early days of the problems of reconstruction, we believed that you could not impose democracy from above in a top-down approach, but you could unleash liberty so that it could rise up, much as the American Revolution did, to take its own shape as the Iraqi people were emancipated from the shackles of Saddam's oppression.

What General Petraeus is doing, in conjunction with Ambassador Crocker, is they are going into the towns, they're going into the tribes, they are going into the bedrock of the population of Iraq, and with the surge, providing the security to protect these individuals in these towns from the collective and systematic terror of the enemy, so that average Iraqis can make the local political shift to liberty and away from the insurgency. This is being done not simply through the utilization of military force. In fact, the success on the ground in the local levels and in the provinces and in our cooperation with the tribes is built upon and hastened by this political shift among the population.

In any counterinsurgency operation, the critical element is to separate the population from the insurgency. This can be reasoned, if we look back at some of the statements of the grand guerilla warrior, Chairman Mao. When asked about how his guerilla operations and insurgencies against the nationalist Chinese would work, he said, our people will be as the fishes amongst the water of the people. What you have to do is separate the fish from the water. This is why the critical testimony I believe we heard today was that every single Iraqi, everyone in Anbar Province and elsewhere where we are seeing progress is being given the ability to make the free, conscious decision to reach for their liberty. They are not being terrorized because of the valor of our troops and the plan and the reconstruction efforts that are flowing into these areas that show they have a transactional benefit in this transformational change. And this is hastening the local political shift which I believe undergirds our chances for victory in Iraq. This is also what undergirds the good news that we had today, at least the welcome news that, because of the local shift amongst the population and the improved security that is concomitant to it, General Petraeus has proposed a reduction of 4,000 troops by the end of the year and a reduction of 40,000 troops by July.

Even if our Nation is so divided that we cannot unite in the cause of victory in Iraq, at least let us unite with the welcome news that 4,000 now and 40,000 of our fellow Americans citizens are going to be returning from harm's way to their loved ones.

□ 2100

To have individuals derive this as a token gesture is to accuse General Petraeus and Ambassador Crocker of what the accusers themselves are doing, which is to play politics with the lives of our troops. We have seen, despite all evidence, despite what the military's assessment has been, repeated calls for the immediate withdrawal of the United States forces from Iraq. This would be irresponsible not only to our troops in the field but to the people of the region, especially the Iraqis themselves, who would be slaughtered.

When one decides to engage in a strategic withdrawal in the face of enemy, military experts generally concur that this is one of the most dangerous maneuvers forces in the field can attempt because your numbers are getting smaller as the enemy is becoming emboldened and encroaching ever closer to you. The wholesale withdrawal on a date certain, which is an arbitrary dictate from politicians in Washington, for those who believe that this is a proper course of action, I ask them to check into how the Soviet withdrawal from Afghanistan went, and they might reach another decision.

Further, to call this a token gesture not only belittles the sacrifices that our troops have made to reduce the security problems in these areas and to help get this local political shift, it also diminishes and belittles in a callous way the true joy these troops' families are going to feel when their loved ones come back.

To me that is something that is not a token. That is something that relieves the painful anxiety of every waking minute these families spend wondering if their loved one will come home. I highly doubt that the military mothers in my district or throughout America are ever going to consider any troop coming home from accomplishing their mission as being a token gesture.

Be that as it may, it is also critical that we understand, in this period of time, that ours is the latest generation duty bound to defend freedom in its hour of maximum danger. Thus we must ever remember, through this crucible of liberty, our course is tough but our cause is just.

The enemy is the sire of tyranny; we are the children of liberty. By heinously invading our Nation on September 11, 2001, and killing 3,000 innocent American souls, the enemy announced we cannot co-exist. In consequence, it is clear a world condensed by an Internet cannot endure half slave and half free. Yes, many times in the life of our free Republic, we have been called upon to face danger and to defeat it, and we have always done this and secured it by advancing a simple elemental truth that has served us well: to ensure our own liberty, we must ensure liberty to the enslaved.

Thus in this trying time, it is imperative that we demonstrate that our devotion to liberty transcends their obsession with death. And united amongst ourselves and other free people, with prudence, we can, we must, and we will, for the sake of our children and the generations of Americans yet unnamed, we will win and we will walk our path, and we will widen the cause of human freedom.

I thank you for allowing me the chance to address you.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Michigan, the chairman of the Policy Committee, for the insights he has shared with us tonight.

And we get those insights on a fairly regular basis here, and it is quite interesting to track the intellect of Mr. MCCOTTER and causes me to reflect upon the constitutional limitations that this Congress has, Mr. Speaker. And in spite of the bill after bill, resolution after resolution, and policy piece after policy piece that have been brought forward here by almost an average of one a week the entire 110th Congress, there are only just a few things that we have the constitutional authority to do when it comes to war, Mr. Speaker. And the first thing that Congress can do is raise an army and a navy, and that is constitutional, and by implication, an air force. It's clearly a constitutional responsibility of the Congress. And the second thing we can do is we can declare war, and that is constitutional responsibility also that is clearly defined in our Constitution. And the third thing we can do is fund the war.

But there is no provision in this Constitution for micromanaging the war. That goes outside the bounds of our constitutional authority. The management of the war and, in fact, the micromanagement of the war lies within the authority, the constitutionally invested authority, of the Commander in Chief. That is why that is drafted in the Constitution in that fashion. It gives the authority to the Commander in Chief because our Founders went through a difficult Revolutionary War period. They were the Continental Congress. They were essentially a confederacy that had gathered together because of a common cause. And the Continental Congress raised the Continental Army, and the Continental Army was an army that was driven by consensus. And they understood the difficulties in fighting a war if you had

to reach a consensus before you could move forward and make a decision.

They knew you had to have a Commander in Chief, a Commander in Chief who could evaluate all the information, gather his officers around him, gather the information, and then make a definitive directive to be able to give an order to take bold action with intelligence, with military action, both offensively and defensively. They understood that. They learned some bitter lessons during the Revolutionary War. You can't fight a war by consensus. You have got to have a Commander in Chief at the top. That's why the Constitution is drafted in the fashion it is, and that's why the Constitution prohibits us from micromanaging a war.

And yet the effort continues, an effort by this Congress, to micromanage this war that's going on. I recall the Speaker and the chairman of the Foreign Relations Committee sitting over there in Syria negotiating with a person whom we have declared to be a state sponsor of terrorism, and the chairman of that committee announced we have a new Democrat foreign policy. Well, I would like to think that when you pledge an oath to uphold this Constitution, you also are obligated to read it and understand it. And in that are the limitations that say to us, Congress, you can raise an army and a navy and by implication an air force and you can declare war and you can fund them, but you can't micromanage that war and you can't conduct foreign policy. Both of those things are forbidden by the Constitution. They are vested in the Commander in Chief, our chief executive officer, because we have got to speak with one voice and we have got to fight with one effort. It can't be a divided effort, and it can't be an effort to undermine our military.

I would be happy to yield to the fast-thinking, slow-talking gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding to me before he yields to the gentleman from New Mexico, because as I join this hour Special Order and I am hearing from my colleagues, some of the brightest minds and best speakers on our side of the aisle, I don't think I could stand to go behind all four of them. So I am happy to have the opportunity. But it's awfully tough following my colleagues of the likes of the chairman of the Policy Committee and part of our leadership.

But I wanted quickly, Mr. Speaker, to again pay tribute to General Petraeus and also Ambassador Ryan Crocker. I just want to point out, in regard to Ambassador Crocker, I was reading his bio before they testified before our two committees today, the 6½- to 7-hour testimony, physically an ordeal, but Ambassador Ryan Crocker, I think a lot of people, Mr. Speaker, don't know his bio, and I don't have time to read it all. But suffice to say that in September 2004 President Bush conferred on Ambassador Ryan Crocker the personal rank of career ambassador, career ambassador, the highest rank in the foreign service. This is the character of the man and the men that presented this report to us today.

And, basically, we cut right to the chase, and what they said is, now is not the time to quit, and give victory a chance. You can slice it and dice it any way you want to, but that is basically what they said to the 111 members of those two committees, the House Armed Services Committee, the House Committee on Foreign Relations.

And so I just want to make three points, though, Mr. Speaker, that I have thought about and that I have heard in the last couple of weeks on reasons that I have heard Members give for wanting to give up and not give victory a chance.

One of them was this business of, well, you know, it has been too great a strain and stress on our forces. We don't have enough troops back home. What if some other conflagration, war, would break out somewhere in the world in the next year, 2 years, 5 years? We don't have enough troops. We need to bring them home.

Well, Mr. Speaker, retired General Jack Keane, the Vice Chairman of the United States Army, Vice Chief of Staff, spoke to us last week as well, and he also spoke on Saturday morning on Washington Journal. I hope some of my colleagues saw that. But what General Keane said, and I agree with him so much, is, You mean to tell me that you want to accept defeat? You want to lose the war, a war of this magnitude, as the gentleman from Tennessee pointed out, and what all is at stake in regard to the Middle East in this global war on terror? You want to give up that war so that you can bring the troops home and then restock and get ready for the next potential conflict and that's a good trade-off? I don't think so.

And I want to say another thing, Mr. Speaker, that I have heard a lot of people say: We can't afford this war. We cannot afford to spend $750 billion, almost $1 trillion and counting, on this war because we need to rebuild our infrastructure in our country. We need to shore up our bridges. Obviously, that was in the news because of the tragic occurrence in Minnesota. Or we need more money for Head Start, or we need more money for K–12 education, or we need more Pell Grants, or we need to have more money for the food stamp program and the farm bill or whatever you can come up with.

Let me tell my colleagues, if you don't spend the money to protect the American people, what good do all these other things do us when you see what can happen and did 6 years ago today on 9/11 when over 3,000 were killed and the economic blow to this country was over $2 trillion? You talk about destroying some infrastructure. That's what it's all about when you let your guard down and you don't stand up and be secure in this country.

And last but not least, I have heard many say, well, you know, our troops are coming home injured and many of them are suffering from post-traumatic stress disorder or syndrome. That's where you wake up at night, having nightmares, and maybe for the rest of your life you can't get over the mental trauma that you have gone through in a time of difficult war.

Well, let me tell you something my colleagues, as a physician Member of this body. You talk about post-traumatic stress syndrome. You think a lot of them are coming back with that now? You think that that is a tragedy? Well, you just wait and see the numbers that come back with mental illness and post-traumatic stress syndrome and nightmares and a life of anxiety when they have to come back knowing that their comrades in arms have died in vain, their buddies in the foxhole have been blown to smithereens by some improvised explosive device and they have to come home a loser. And we are not going to let that happen, and I think that is what General Petraeus and Ambassador Crocker were telling us today: let's give victory a chance.

With that I will say, finally, as I conclude, who wins politically? Who cares. The American people lose if we lose in Iraq. That is what is important. This is not about the next election; this is about giving victory a chance.

□ 2115

Mr. KING of Iowa. I thank the gentleman from Georgia. And I appreciate your passion and the rapidity with which you speak tonight, Mr. GINGREY.

I would be happy to yield as much time as he may consume to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Thank you, Mr. KING. I appreciate the work that you're doing on this issue on the eve of 9/11.

It behooves us all to remember exactly what happened. It behooves us all to remember the loss of that 1 day, and like my friend from Georgia says, over $2 trillion in loss from America's asset base that day, and even worse, the 3,000 lives that were lost.

I went to Iraq on Thursday evening. We left after votes on Thursday, flew all night long, and ended up in Iraq on Saturday and Sunday. And we spent the night in Baghdad on Saturday night and Sunday visiting with the troops and visiting with Iraqis.

I was struck by the cautious optimism that General Petraeus related to us today, a very cautious optimism that the trend lines are favorable, that we're seeing some lessening of violence, and that's the sort of things that I found there from the troops in the country. I wanted to visit with our soldiers one on one. I had the opportunity to ride into Baghdad with troops who were going for the first time. I sat across from a Captain Serrano from Chicago and was able to talk to her about the 2-year-old daughter that waits at home for her. Her husband,

who is engaged in going through sheriff's training to hopefully work for the sheriff's department there. And we're asking the sacrifice of young men and women daily to be there and stand in the gap to stand between the terrorists and ourselves.

I have one of my friends who says, I hear America is at war. He said, America is not at war, America is at the mall, our military is at war. I think if we've made a mistake since 9/11, it's in failing to accept our responsibility individually, every single one of us, our responsibility to be engaged in this problem, because we are literally fighting for the future of freedom throughout the world. The terrorists who hate us hate our way of life. They hate our freedoms. They hate the films that come out from the West. They think they're corrupting their young people. They think that our society is decadent and that we're corrupting their cultures, so they simply want to annihilate us. That's the difference between a democracy or a republic and the tyrannical states of radical jihad that say that we will annihilate the West and we will annihilate America and Americans.

I remember, on this eve of 9/11, President Bush's three goals. It was very simple. He said, first of all, if you harbor a terrorist, you are a terrorist. But then he said we're going to do three things: We're going to uproot the terrorist training camps that exist throughout the Arab world. We're going to stop the training and the production of new radicals. The second thing he said is we're going to stop the funds that flow from supposedly legitimate compassionate organizations when actually they're funding terrorists. So we're going to uproot the training camps, we're going to stop the funding of terrorists, and finally, we're going to take the fight to the terrorists.

Now, there are many on the left who say that Iraq is not about the terrorists. The terrorists are coming in from Syria, they're coming in from around the world, they're coming in from Iran. This is the site where we are fighting terrorists. Now, maybe it began that way, maybe it didn't begin that way, but it's the way it is now. And if we walk away from that country, the general consensus is that Iraq will fall within days to the terrorists, to the terrorist state of Iran.

After Iraq falls, we're going to see difficulties in Egypt and Jordan, Saudi Arabia, Kuwait, UAE, Qatar. And pretty soon you can see that every one of our friends in the Arab world is at risk. And there are people who ask me, well, how could those countries fall? Just remember back to 1979 when the shah of Iran was making great progress in westernizing that country, and in a matter of days was thrown from power, his whole government collapsed. We stood by, President Jimmy Carter stood by and did not lift a finger for our friends. And that's exactly how the falls will occur at this state.

The difference is that now we import over 60 percent of our oil, and most of it comes from the Middle East. If those countries fall, the terrorists have said they're going to cut the supply of oil off to the world. They will plunge the world economy into chaos. And that's how they're going to create the economic destruction of the United States and of the West.

I went to Israel earlier this year. They said if you leave Iraq, you will allow us to fall, because they saw the same scenario that I'm repeating, that all of our friends in the Middle East will fall, and then ultimately Israel says ''we will fall.'' Now, my personal belief is that Israel is our first line of defense against terrorists. They've been fighting since their inception against radical jihads in the Middle East. They are our first line of defense, and if they fall, what calamity and what terrors await for us in this country? There are many who say that it's just a fabrication, that it's not true, and yet we see the signs all around us.

As I visited with our troops in Iraq over this past weekend, I conveyed one message, that we thank you. We thank you for your service and we thank you for your sacrifice. We thank you for serving your country honorably, and we thank you for serving your country well. As the gentleman from Iowa mentioned, this is one of the messages of General Petraeus, that this may be the best military the United States has ever had.

I do not believe the terrorists can win. I do believe that there are those in this Congress and those in this country who can cause this magnificent military to fail. And if they fail, I don't know where the hope for humanity comes. I don't see any other country in the world willing to fight for freedom and to fight to resist the radical jihad that threatens us all; to fight to resist and to fight to retaliate from circumstances like 9/11/01.

So that's what we're doing today is remembering those events 6 years ago, remembering what our responses were and what our anger was on that evening as we contemplated the events of the day. Both sides, Democrat or Republican, in those days were of the same mind, that we need to get to the terrorists before they get to us. I'm not sure where we came off of the rails and where we've lost so much consensus. It's not good for the United States and it's not good for the world because we're still in a very difficult circumstance fighting a very difficult battle, one that General Petraeus today said is going to be awfully hard.

It's going to be a long struggle, and it's a struggle that will be up and down. He believes our young military men and women are sufficient to the task. I do also. So I would yield back to the gentleman from Iowa by saying thanks to our troops. I hope that we all keep them in our thoughts and prayers.

God bless you to the troops, and God bless America. I thank the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman from New Mexico, a veteran and a C–130 pilot himself, and now a passenger in C–130s over in Iraq, year to year picking up firsthand information, veterans, active-duty personnel, just this last weekend. That's the level of involvement that you see here on the part of a lot of Members of the United States Congress, Mr. Speaker.

One of those other individuals who has had a high level of involvement is an individual who led codel Burgess in the last weekend of July over to Iraq, a number of stops, Bayji, Balad, Baghdad and Ramadi, those places come to mind. And I very much appreciate the leadership and the initiative it took to put that together and to lead that trip over there.

I would be happy to yield all but the last 3 or 4 minutes to the gentleman from Texas, Dr. BURGESS.

Mr. BURGESS. I thank the gentleman for yielding, and the notation made of the exception of the last 3 or 4 minutes, and I will do my best to accommodate that.

I get asked by a lot of people, why in the world did you make this sixth trip to Iraq in July. You knew what was going on there. What did you expect to see that was going to be different? But I knew we had today's hearing coming up. I knew it was coming down the pike at us fairly fast. I knew the news hadn't been good out of the country of Iraq for about the 10 months before July. I had been in Iraq in July of 2006, had thought there was some measure of success that was beginning to be felt then, but then we had August, September and October, pretty rough months by anyone's estimation. And so I will admit, I was significantly pessimistic when we made that trip back in July.

But I knew we were going to hear from General Petraeus today. And I knew that every time I had been to Iraq before I came away learning something that I hadn't seen on CNN or even Fox News. There was information that can only be available to you by going for yourself and looking for yourself, feeling, touching, smelling the situation on the ground.

Now, I get a lot of concern from people when I go back home in the district who say, yeah, that's all great what we're doing for Iraq, but we don't know that we care that much about the Iraqis. I will tell the citizens of this country, it is in America's best interest that we succeed. Where we cannot be successful in Iraq, and you've heard other people talk about it this evening, let's be honest, it's not a political party that loses a car, it's not a Congress that loses a war, it's not a President that loses a war, it is a country that loses a war.

And again, I reiterate, it is in America's best interests that we be successful because an Iraq that is stable, an Iraq that is able to participate in its own security, an Iraq that is able to act as an ally or partner for peace in

the Middle East, what a difference 20 years from now looks like with that scenario compared with an Iraq where we leave prematurely, descends into chaos, is enveloped by Iran, Syria, Saudi Arabia, you name it. And the chaos that has been evident in Iraq in the past suddenly envelopes the entire Middle East, with a country like Iran emerging as the victor.

Now, the surge or the reinforcements that we talked about really since January of this year, I think it's probably worthwhile to just touch on the timeline that we've been through this year. Remember, it was January 26, not that long ago, that General Petraeus was unanimously confirmed by the Senate, sent off with a pat on the back out the door, and no sooner had the door closed behind him when the Senate began sniping and criticizing his activity. He hadn't even gotten into the country yet.

Ambassador Crocker. You heard my friend from Georgia talk about the wonderful resume of Ambassador Crocker. Many of us who were here in the spring of 2003 remember Ambassador Crocker as one of those stalwarts who came at 10:30 every morning and briefed us in the Armed Services Committee room, whether we were members of the committee or not, came with General McCrystal and briefed us every morning as to what was going on on the ground in Iraq. And I was really very grateful to Ambassador Crocker for having taken the time to do that so meticulously when the active combat phase was going on.

On May 26, we finally passed the emergency funding and Bush signed it into law. Mid-July, we took a trip over to Iraq. Again, I didn't know what I was going to see. I was prepared to accept bad news if bad news was all we were going to find. But the reality was the city of Ramadi, which was absolutely off limits to me in July 2006, that's the first place we went. After we landed in Baghdad, we got on the Black Hawk helicopter and immediately went to the city of Ramadi, had a briefing by the Second Marine Expeditionary Force, had a briefing by Colonel Jacobsen there on the ground. After the briefing, instead of just shaking hands and parting ways, we went downtown. We went to the market. We walked through the market. We talked to children in the market. We saw things for sale in the market. We talked to a man who was concerned that one of our JDAMs fell on his building. And I will tell you, it doesn't do much to drive up a deal if that happens to your building.

But nevertheless, we had a very one-on-one, close-up discussion with Iraqis on the street in Ramadi. And a year ago, no one in their right mind would have taken a Member of Congress to Ramadi; it was far too dangerous.

Now, you can imagine how gratified I was. We got back. We got a call from the White House, and we were invited down to present our findings. I even tried to downplay it a little bit; well, there's some good news, but we've got to be careful because we've had nothing but bad news out of Iraq. And then a week later, two guys from the Brookings Institution, a place that I don't normally agree with, two guys from the Brookings Institution come up with an op-ed that says, this is a war we just might win.

Throughout all of that, for the last week we have seen the steady drumbeat of efforts to undermine the credibility of General Petraeus and Ambassador Crocker prior to their hearing today.

Today, we did have the House hearing, tomorrow there is going to be the Senate hearing. Arguably, there was not a whole lot new that was discussed because everything had been leaked in the New York Times in the weeks leading up to the hearing. And General Petraeus did say that he expected there was a possibility he would bring one of the Marine units home before the end of September, and that there was reason to be optimistic if things continued on this course, there was reason to be optimistic that other troops could be brought home early, beginning in December, much prior to fulfilling the 15-month rotation that was originally posed to them.

□ 2130

That would be good news. I hope he is correct in that. I hope he is successful.

The data collection that went on leading up to this briefing, always for the last year you can pick data points out of the air wherever you want to make them. But the discipline to evaluate the trend lines is what is so critical. Today we saw those trend lines established and the data meticulously collected before those trend lines were established. Not all of them showed good news. But a preponderance of them show a positive effect that has happened in Iraq since our reinforcements arrived.

None of us can predict what is going to happen beyond the end of this year. I will tell you, Mr. Speaker, as we sit here tonight on the eve of the anniversary of 9/11, I am terribly concerned about what might even happen tomorrow. None of us knows what tomorrow holds. Didn't we learn that lesson Monday, September 10 in 2001 when it seemed like there just wasn't much happening in the world? We have another tape from Osama bin Laden. We are told there is another one out there. What does all this mean? None of us knows for sure. But I reiterate that we are living in a very dangerous time. Now is the time for us not to show weakness and retreat from Iraq. Now is the time for us to redouble our resolve, make certain that we are successful, and for every one of us to give thanks that we have leaders like General Petraeus and Ryan Crocker to lead us in this perilous time.

Mr. KING of Iowa. I thank the gentleman from Texas. Again, I thank him for leading a codel over there. That was one of the most meaningful that I have been on. I picked up a lot in watching the observations of my colleagues and listening to their questions, as well. It is fresh information and helped fill in a lot of the blanks we might have had going into this hearing that we had today.

I would, again, be happy to recognize the chairman of the House Republican Policy Committee, Mr. THADDEUS MCCOTTER, for the balance of the time this evening.

Mr. MCCOTTER. Thank you. The gentleman from New Mexico, the good doctor from Texas and other speakers have touched upon a fundamental point. I wish to stress what General Petraeus said in terms of what an American victory would look like and then ask a question of those who would support an immediate withdrawal.

In his own letter to the troops, General Petraeus said that what we need is for the Iraqis to become solely responsible for their own security. That means a very small footprint, if at all, of the United States in Iraq militarily. Secondly, it will depend upon the local reconstruction, reconciliation, and security of the average Iraqi which will then drive the national reconciliation. Between those two pillars of local reconciliation and security will come a stable and free Iraq that no longer creates terrorists, but captures them instead.

But as we are the children of liberty, as we are a Nation that proudly proclaims it is conceived in liberty, that since every human being has an unalienable, God-given right to breathe free, to have the right to pursue life, liberty and happiness, I ask my fellow Americans who support the immediate withdrawal this: If we betray our fundamental commitment to liberty to the people of Iraq and watch them be slaughtered in the sands, what will we ever be able to offer them again to turn them from the enemy and towards us? If we betray our own profession of the desire to liberate them, to let them share in their God-given rights the same way we have, we will be ideologically disarmed in the war for freedom.

I assure you we will rue the day that we betrayed not only them but the inherited legacy that we have received from the greatest generations of Americans who preceded us and allowed us to live in the majestic America that we know today.

Mr. KING of Iowa. I thank the gentleman from Michigan. He poses a question that is a difficult one for those who want to withdraw from this operation, the simple cut-and-run version, to answer. It is left for those to answer, Mr. Speaker.

I would point out also that yesterday I did a memorial dedication at Charter Oak, Iowa, for all of the military personnel that have come from that area since the beginning of the conflicts, since that area was settled. It starts with the Mexican-American War, goes to the Civil War and on up to today.

They placed out in the field there by the memorial 4,200 flags representing the lives of the Americans that have been sacrificed in this global war on terror in this quest for freedom. It also represents 50 million people that live free today that didn't at the beginning of this global war on terror.

I looked back at the dedication and the sacrifice of all of them, and I added to that dedication another sacrifice, a sacrifice that we hear very little of, and that is those over-5,000 Americans who gave their lives during a time of peace during the period between Desert Storm and the beginning of this global war on terror, 510 a year, Mr. Speaker.

I thank you for being recognized. I thank all the speakers here tonight that have spoken up for freedom.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOYD (at the request of Mr. HOYER) for today.

Mr. CONYERS (at the request of Mr. HOYER) for today, the balance of the week, and the week of September 17 on account of official business.

Ms. ESHOO (at the request of Mr. HOYER) for today.

Ms. KILPATRICK (at the request of Mr. HOYER) for today.

Mr. LYNCH (at the request of Mr. HOYER) for today.

Mrs. NAPOLITANO (at the request of Mr. HOYER) for today.

Mr. PLATTS (at the request of Mr. BOEHNER) for today on account of an official delegation trip to visit American military and civilian personnel in Central Asia and the Persian Gulf, as well as humanitarian efforts in Africa.

Mr. SESSIONS (at the request of Mr. BOEHNER) for today on account of travel delays.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of official business.

Mr. BONNER (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of illness.

Mr. EVERETT (at the request of Mr. BOEHNER) for today on account of official business.

Mr. GARRETT of New Jersey (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PAYNE) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PAYNE, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, September 17.

Mr. POE, for 5 minutes, September 17.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 11, 2007, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3233. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Witchweed Quarantine Regulations; Regulated Areas in North Carolina and South Carolina [Docket No. APHIS-2006-0170] received August 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3234. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Prohibition of the Use of Specified Risk Materials for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle; Prohibition of the Use of Certain Stunning Devices Used To Immobilize Cattle During Slaughter [Docket No. 03-025F] (RIN: 0583-AC88) received August 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3235. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Designation of the State of New Mexico Under the Federal Meat Inspection Act and Poultry Products Inspection Act [Docket No. FSIS-2007-0023] (RIN: 0583-AD29) received August 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3236. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Agriculture, transmitting the Department's final rule — Food Additives Permitted in Feed and Drinking Water of Animals; Selenium Yeast [Docket No. 1998F-0196] received August 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3237. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Residues of Quaternary Ammonium Compounds di-n-Alkyl (C8-10) dimethyl Ammonium chloride, Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-0572; FRL-8146-7] received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3238. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained as contractors involved in supporting Plan Colombia, pursuant to Public Law 106-246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

3239. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Kentucky: Volatile Organic Compound Definition Updates [EPA-R04-OAR-2006-0650-200705(a); FRL-8464-2] received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3240. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans North Carolina: Mecklenburg County Regulations [EPA-R04-OAR-2005-NC-0004-200704(a); FRL-8465-4] received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3241. 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; New Hampshire; Revised Carbon Monoxide Maintenance Plan for Nashua [EPA-R01-OAR-2007-0497; A-1-FRL-8463-6] received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3242. 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; FRL-8464-3] received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3243. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Update of Continuous Instrumental Test Methods: Technical Amendments [EPA-HQ-OAR-2002-0071; FRL-8448-9] (RIN: 2060-A009) received September 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3244. A letter from the Senior Legal Advisor, Federal Communications Commission, transmitting the Commission's final rule — Service Rules for the 698-806 MHz Band and Public Safety Spectrum Requirements [WT Docket No. 06-150 CC Docket No. 94-102 WT Docket No. 01-309 WT Docket No. 03-264 WT Docket No. 06-169 PS Docket No. 06-229 WT Docket No. 96-86 WT Docket No. 07-166] received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3245. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Telecommunications Services Inside Wiring Customer Premises Equipment Implementation of the Cable Television Consumer Protection and Competition Act of 1992: Cable Home Wiring Clarification of the Commission's Rules and Policies Regarding Unbundled Access to Incumbent Local Exchange Carriers' Inside Wire Subloop [CS Docket No. 95-184 MM Docket No. 92-260 WC Docket No. 01-338] received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3246. A letter from the Chief, Policy Division, Federal Communications Commission, transmitting the Commission's final rule — In the Matters of Review of the Emergency Alert System; Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc.,

and the Minority Media and Telecommunications Council, Petition for Immediate Relief [EB Docket No. 04-296] received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3247. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Digital Audio Broadcasting Systems And Their Impact on the Terrestrial Radio Broadcast Service [MM Docket No. 99-325] received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3248. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — In the Matters of IP-Enabled Services Implementation of Sections 255 and 251(a)(2) of The Communications Act of 1934, as Enacted by The Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities The Use of N11 Codes and Other Abbreviated Dialing Arrangements [WC Docket No. 04-36 WT Docket No. 96-198 CG Docket No. 03-123 CC Docket No. 92-105] Received September 4, 2007, pursuant to 5 U.S.C. to the Committee on Energy and Commerce.

3249. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2775. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize funding for emergency management performance grants, and for other purposes; with an amendment (Rept. 110–322). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REICHERT:

H.R. 3508. A bill to provide automatic continuing appropriations for the Government; to the Committee on Appropriations.

By Mr. BURGESS:

H.R. 3509. A bill to provide health care liability reform, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERSON of Pennsylvania (for himself, Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, and Mr. RODRIGUEZ):

H.R. 3510. A bill to prohibit the imposition and collection of tolls on certain highways constructed using Federal funds; to the Committee on Transportation and Infrastructure.

By Mr. ALEXANDER:

H.R. 3511. A bill to designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, a the ''Murphy A. Tannehill Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. CARSON (for herself, Mr. WU, Mr. KAGEN, Ms. HOOLEY, and Mr. SCOTT of Virginia):

H.R. 3512. A bill to ensure that college textbooks and supplemental materials are available and affordable; to the Committee on Education and Labor.

By Mr. DEFAZIO:

H.R. 3513. A bill to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes; to the Committee on Natural Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3514. A bill to authorize workshops to eliminate gender bias for women in careers in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Science and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHUGH:

H.R. 3515. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance; to the Committee on Ways and Means.

By Mr. MCHUGH:

H.R. 3516. A bill to amend the Internal Revenue Code of 1986 to provide a 100 percent deduction for the health insurance costs of individuals; to the Committee on Ways and Means.

By Mr. MCHUGH:

H.R. 3517. A bill to amend the Internal Revenue Code of 1986 to provide that distributions from an individual retirement plan, a section 401(k) plan, or a section 403(b) contract shall not be includible in gross income to the extent used to pay long-term care insurance premiums; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself, Mr. BUCHANAN, Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, Mr. CRENSHAW, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Mr. PUTNAM, Mr. STEARNS, Ms. CASTOR, Mr. HASTINGS of Florida, Mr. BOYD of Florida, Mr. WEXLER, Mr. WELDON of Florida, Ms. WASSERMAN SCHULTZ, Mr. YOUNG of Florida, Mr. MACK, Mr. FEENEY, Mr. MICA, Mr. MEEK of Florida, Ms. CORRINE BROWN of Florida, and Mr. MAHONEY of Florida):

H.R. 3518. A bill to designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the ''Charles H. Hendix Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 3519. A bill to establish the United States Commission on an Open Society with Security; 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. SENSENBRENNER:

H.R. 3520. A bill to provide for the appointment of additional Federal circuit and district judges, to improve the administration of justice, and for other purposes; to the Committee on the Judiciary.

By Mr. SIRES (for himself, Mr. FRANK of Massachusetts, and Ms. WATERS):

H.R. 3521. A bill to improve the Operating Fund for public housing of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. UDALL of New Mexico:

H.R. 3522. A bill to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes; to the Committee on Natural Resources.

By Mr. GALLEGLY (for himself and Mr. GARY G. MILLER of California):

H. Con. Res. 208. Concurrent resolution expressing the sense of Congress regarding raising awareness of and opposition to global terrorism; to the Committee on Oversight and Government Reform.

By Mr. HOYER (for himself and Mr. BOEHNER):

H. Res. 643. A resolution recognizing September 11 as a day of rememberance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges; considered and agreed to.

By Mr. BOEHNER (for himself, Mr. BLUNT, Mr. PUTNAM, Mr. CANTOR, Mr. MCCOTTER, Ms. GRANGER, Mr. CARTER, Mr. HUNTER, Ms. ROS-LEHTINEN, Mr. KING of New York, Mr. MARIO DIAZ-BALART of Florida, Mr. DREIER, Mr. UPTON, Mr. POE, and Mr. SAXTON):

H. Res. 644. A resolution reaffirming the commitment of the House of Representatives to respecting the independent and professional reputation of General David H. Petraeus and all members of the United States Armed Forces serving in good standing in the defense of the United States; to the Committee on Armed Services.

By Mr. MARIO DIAZ-BALART of Florida (for himself and Mr. MCHENRY):

H. Res. 645. A resolution expressing the gratitude and appreciation of the House of Representatives to the professionalism and dedication of the United States Capitol Police; to the Committee on House Administration.

By Mr. GARRETT of New Jersey (for himself, Mr. FRANKS of Arizona, Mr. MACK, Mr. BARTLETT of Maryland, Ms. FOXX, Mr. MILLER of Florida, Mr. PAUL, Mr. CONAWAY, Mr. AKIN, and Mr. DANIEL E. LUNGREN of California):

H. Res. 646. A resolution celebrating the 220th Anniversary of the signing of the Constitution of the United States of America, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GINGREY:

H. Res. 647. A resolution commending General David H. Petraeus for his exemplary service to the United States and for his leadership as Commander of the Multi-National Force-Iraq and condemning in the strongest possible terms the reprehensible efforts of certain persons questioning the honesty, integrity, and service of General Petraeus; to the Committee on Armed Services.

By Mr. ISSA:

H. Res. 648. A resolution supporting the goals and ideals of Sudden Cardiac Arrest Awareness Day; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

185. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 361 urging the Congress of the United States to address the economic impact of interchange fees and merchant discount charges and develop clear and concise disclosure to consumers and retailers; to the Committee on Financial Services.

186. Also, a memorial of the Cabinet of the State of Florida, relative to a Resolution urging the Congress of the United States to support a National Catastrophe Insurance Program; to the Committee on Financial Services.

187. Also, a memorial of the Legislature of the State of New Hampshire, relative to Senate Concurrent Resolution No. 4 calling on the President of the United States and the Congress of the United States to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act; to the Committee on Energy and Commerce.

188. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 89 memorializing the Congress of the United States to enact H.R. 2927, which responsibly balances achievable fuel economy increases with important economic and social concerns, including consumer demands; to the Committee on Energy and Commerce.

189. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 59 memorializing the Congress of the United States and the United States State Department to increase efforts to halt the violence and to provide humanitarian assistance in the Darfur Region of Sudan; to the Committee on Foreign Affairs.

190. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 63 memorializing the Congress of the United States to enact legislation to prohibit federal funds from going to any business or entity that works with the Sudanese Government; to the Committee on Foreign Affairs.

191. Also, a memorial of the House of Representatives of the State of Missouri, relative to a Resolution urging the Congress of the United States to repeal the REAL ID Act; to the Committee on the Judiciary.

192. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 134 memorializing the Congress of the United States and urging the respective executive branch departments to take a proactive role in assisting the communities of New Orleans East in protecting their health and safety and in promoting economic development; to the Committee on Transportation and Infrastructure.

193. Also, a memorial of the General Court of the Commonwealth of Massachusetts, relative to a Resolution memorializing the Congress of the United States to designate the Vineyard and Nantucket Sounds as no discharge zones; to the Committee on Transportation and Infrastructure.

194. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 137 memorializing the Congress of the United States to provide funding for the Louisiana University of Medical Services, Inc., College of Primary Care Medicine; jointly to the Committees on Energy and Commerce and Education and Labor.

195. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 115 memorializing the Congress of the United States to vote in favor of H.R. 1229, ''Non-Market Economy Trade Remedy Act of 2007''; jointly to the Committees on Ways and Means and Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. LUCAS.
H.R. 138: Mr. CULBERSON, Mr. GOODE, Mr. MARSHALL, and Mrs. JO ANN DAVIS of Virginia.
H.R. 303: Ms. CORRINE BROWN of Florida.
H.R. 507: Mr. JACKSON of Illinois.
H.R. 526: Mr. HODES.
H.R. 542: Ms. SCHAKOWSKY.
H.R. 549: Mr. SMITH of New Jersey and Mrs. BOYDA of Kansas.
H.R. 552: Mr. BISHOP of Georgia.
H.R. 601: Ms. SUTTON.
H.R. 621: Mr. WAMP, Mr. WILSON of South Carolina, and Mr. MANZULLO.
H.R. 695: Mr. ARCURI.
H.R. 743: Mr. DEAL of Georgia.
H.R. 748: Mr. BARRETT of South Carolina.
H.R. 823: Ms. SHEA-PORTER, Mr. UDALL of Colorado, Mr. LOEBSACK, and Mr. TIERNEY.
H.R. 997: Mrs. MYRICK.
H.R. 1117: Mr. OLVER.
H.R. 1120: Mr. BACHUS.
H.R. 1125: Mr. KLINE of Minnesota, Mr. DEFAZIO, Mr. NUNES, and Ms. SLAUGHTER.
H.R. 1154: Mr. STEARNS, Mr. OBERSTAR, Mr. BARROW, Mr. BISHOP of New York, and Mr. BACHUS.
H.R. 1193: Mr. ROGERS of Michigan and Mr. LAMPSON.
H.R. 1216: Mr. SMITH of Washington.
H.R. 1222: Mr. BARTLETT of Maryland.
H.R. 1223: Mr. BARTLETT of Maryland.
H.R. 1225: Mr. CROWLEY.
H.R. 1275: Mrs. CAPPS.
H.R. 1283: Mr. SARBANES.
H.R. 1303: Mr. CROWLEY.
H.R. 1343: Mr. JOHNSON of Illinois.
H.R. 1366: Mr. FRANKS of Arizona.
H.R. 1386: Mr. PETERSON of Minnesota, Mr. YARMUTH, and Mr. FARR.
H.R. 1464: Mr. WOLF, Mr. DAVIS of Illinois, and Ms. CLARKE.
H.R. 1524: Mr. VAN HOLLEN.
H.R. 1537: Mr. ABERCROMBIE.
H.R. 1567: Mr. BOUCHER.
H.R. 1655: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1687: Mr. EHLERS.
H.R. 1691: Mrs. DAVIS of California.
H.R. 1740: Mr. FRANK of Massachusetts.
H.R. 1755: Mr. MCDERMOTT.
H.R. 1843: Mr. SALAZAR and Mr. KUHL of New York.
H.R. 1866: Mr. GONZALEZ.
H.R. 1877: Ms. SUTTON.
H.R. 1927: Mr. JONES of North Carolina and Mrs. DAVIS of California.
H.R. 1974: Mr. BRALEY of Iowa.
H.R. 1992: Ms. WOOLSEY.
H.R. 2027: Mr. JONES of North Carolina.
H.R. 2040: Mr. GONZALEZ, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. ENGLISH of Pennsylvania, and Mr. WATT.
H.R. 2053: Mr. WAXMAN, Mr. MCHENRY, Mr. CARTER, and Mr. MCGOVERN.
H.R. 2060: Mr. ADERHOLT.
H.R. 2086: Mr. MATHESON and Mr. DEAL of Georgia.
H.R. 2138: Mr. CARDOZA and Mr. MITCHELL.
H.R. 2167: Mr. MCDERMOTT and Mr. MCGOVERN.
H.R. 2188: Mr. PLATTS and Mr. ELLISON.
H.R. 2233: Mr. PALLONE.
H.R. 2265: Ms. DELAURO.
H.R. 2295: Mr. JOHNSON of Illinois and Mrs. TAUSCHER.
H.R. 2303: Mr. GONZALEZ and Ms. MOORE of Wisconsin.
H.R. 2327: Ms. CLARKE, Mr. BISHOP of New York, and Mr. DOYLE.
H.R. 2329: Mr. JOHNSON of Illinois and Mr. SAXTON.
H.R. 2376: Mrs. MYRICK and Ms. FOXX.
H.R. 2384: Mr. BRALEY of Iowa.
H.R. 2522: Mr. PAYNE.
H.R. 2566: Mr. FARR.
H.R. 2567: Mr. BISHOP of Georgia and Mrs. CHRISTENSEN.
H.R. 2805: Ms. SCHAKOWSKY, Mr. TIERNEY, and Mr. ALLEN.
H.R. 2821: Mr. PAYNE.
H.R. 2827: Mr. TERRY.
H.R. 2833: Ms. SCHAKOWSKY.
H.R. 2849: Mr. MORAN of Kansas.
H.R. 2880: Mr. ROSKAM.
H.R. 2881: Mr. AL GREEN of Texas.
H.R. 2895: Ms. WOOLSEY, Mr. KIND, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. MCDERMOTT, Mr. RANGEL, Mr. DAVIS of Illinois, and Mr. MATHESON.
H.R. 2904: Mr. WALBERG.
H.R. 3012: Mr. BUCHANAN.
H.R. 3029: Mr. BERMAN.
H.R. 3090: Mr. GOHMERT and Mr. TERRY.
H.R. 3143: Mrs. CUBIN and Mr. HILL.
H.R. 3148: Mr. JONES of North Carolina, Mr. BURTON of Indiana, and Mr. BACHUS.
H.R 3189: Ms. DEGETTE.
H.R 3207: Mr. GILCHREST.
H.R 3219: Mr. BERMAN, Mr. MOORE of Kansas, Ms. ESHOO, Mr. LEWIS of Georgia, and Mr. KING of New York.
H.R 3223: Mr. MICHAUD.
H.R 3262: Mr. PAUL.
H.R 3282: Mr. PLATTS and Mr. GORDON.
H.R 3317: Mr. BUTTERFIELD.
H.R 3326: Mr. GONZALEZ.
H.R 3334: Mr. YOUNG of Florida.
H.R 3337: Ms. SCHAKOWSKY, and Mr. MCGOVERN.
H.R 3355: Mr. JINDAL.
H.R 3357: Ms. SLAUGHTER, Mr. HOLDEN, Mr. WELCH of Vermont, and Mr. WU.
H.R 3381: Mr. HARE.
H.R 3412: Mr. GARY G. MILLER of California.
H.R 3430: Mr. FRANK of Massachusetts.
H.R 3439: Mr. HONDA.
H.R 3501: Mr. DOGGETT.
H. Con. Res. 122: Mr. EHLERS, Mr. KENNEDY, and Mr. ENGEL.
H. Con. Res. 163: Mr. HINCHEY.
H. Con. Res. 176: Mr. ARCURI.
H. Con. Res. 189: Mr. CROWLEY and Mr. PASCRELL.
H. Con. Res. 200: Mr. MCGOVERN and Ms. BORDALLO.
H. Con. Res. 203: Mr. KLEIN of Florida, Mr. BOUSTANY, Mr. WYNN, Mr. MCGOVERN, Mr. BLUMENAUER, Mr. LANTOS, Mr. UPTON, Ms. LEE, Mr. HOEKSTRA, Mr. BURTON of Indiana, Mr. PITTS, Mr. CARTER, Mr. YOUNG of Alaska, Mr. EHLERS, and Mr. SAXTON.
H. Res. 111: Mr. KLEIN of Florida, Mr. PUTNAM, Mr. AL GREEN of Texas, and Mr. BARTLETT of Maryland.
H. Res. 118: Mr. KUCINICH, Mr. WYNN, and Mr. PEARCE.
H. Res. 282: Mr. MCINTYRE.
H. Res. 407: Ms. WATSON.
H. Res. 499: Mr. TERRY, Mr. GERLACH, Mr. BACHUS, and Mr. KAGEN.
H. Res. 525: Ms. WATSON and Mr. MICHAUD.
H. Res. 565: Mr. PLATTS.
H. Res. 588: Mr. PATRICK MURPHY of Pennsylvania, Mr. SCHIFF, Ms. CLARKE, Mr. CARNEY, Ms. SLAUGHTER, Mrs. BOYDA of Kansas, and Mrs. TAUSCHER.
H. Res. 604: Mr. MURTHA, Mr. WALBERG, Mr. BUYER, Mr. MARIO DIAZ-BALART of Florida, Mr. KILDEE, Mr. DOYLE, Mr. TOWNS, Mr. JONES of North Carolina, Mr. FORBES, Mr. WILSON of South Carolina, Mr. DANIEL E. LUNGREN of California, Mr. HUNTER, Ms.

GRANGER, Mr. TAYLOR, Mr. SKELTON, Mr. ORTIZ, Mr. MEEK of Florida, Mrs. MILLER of Michigan, Mr. SHUSTER, Ms. CASTOR, and Mr. AKIN.

H. Res. 620: Ms. WATSON.

H. Res. 625: Mr. MEEKS of New York, and Mr. STARK.

H. Res. 626: Mr. MEEKS of New York, and Mr. STARK.

H. Res. 641: Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. SHAYS, Mr. BURGESS, Mr. MCCAUL of Texas, Mr. TIAHRT, Mr. JORDAN, Mr. DAVIS of Kentucky, Mr. LAMBORN, Mr. SALI, Mr. NUNES, Mr. MCCARTHY of California, Mr. HELLER, Mrs. MYRICK, Mr. ROSKAM, Mr. COBLE, Mr. DENT, Mr. DAVID DAVIS of Tennessee, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, Mr. KELLER, Mr. WALBERG, Mr. BRADY of Texas, Mr. GINGREY, Mr. MCCOTTER, Mr. GOODLATTE, Ms. FOXX, Mr. SMITH of Nebraska, Mr. WILSON of South Carolina, Mr. PRICE of Georgia, Mr. SESSIONS, Mr. PUTNAM, Mr. KLINE of Minnesota, Mr. MACK, Mrs. BONO, Mr. GRAVES, Mr. SHUSTER, Mr. PETERSON of Pennsylvania, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ISSA, Mr. BARTON of Texas, Mrs. MILLER of Michigan, Mr. GERLACH, Mr. RYAN of Wisconsin, Mr. HAYES, Ms. FALLIN, Mr. TERRY, Mr. BILBRAY, Mr. CANTOR, Mr. SOUDER, Mr. GARRETT of New Jersey, and Mr. POE.

H. Res. 642: Mr. REYES, Mr. MORAN of Virginia, Mr. SERRANO, and Mr. GUTIERREZ.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. O God, our help in ages past, our hope for years to come, on the eve of the sixth anniversary of the 11 September attacks, when many are not strangers to anxiety and fear, draw near to us. Speak to those who recall the uncertainty of life and their hearts fail them.

Lord, some look at an empty chair or a desk and remember that all flesh is as temporary as the grass of the fields and withers like the flowers. Others find themselves thinking about brave Americans in harm's way. Today, remind us of Your sovereignty. Teach us that You are our refuge and strength, a very present help in trouble, and we need not fear. Infuse us with a faith that will not shrink, though the Earth be removed, though the mountains be carried into the midst of the sea, though the waters roar and be troubled. Bless our Senators today as they labor for freedom. Use them to hasten the day when justice will roll down like waters and righteousness like a mighty stream. We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 10, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will immediately proceed to executive session for an hour's debate regarding three noncontroversial—we hope, at least—District Court nominations. The time is equally divided and controlled between Senators LEAHY and SPECTER or their designees, and Members can expect votes on these nominations to occur at approximately 11 a.m. this morning.

Once the nominations have been confirmed, Senator BARRASSO will be recognized to give his maiden speech, and he will be recognized for up to 30 minutes.

I say to Senator BARRASSO and others, sometimes these maiden speeches bear fruit. I remember my first speech. I was speaking on the Taxpayers' Bill of Rights, and presiding, as is the Senator from Virginia today, was Senator David Pryor from Arkansas, who was chairman of the IRS Subcommittee of the Finance Committee. Also listening to this speech, fortuitously, was Senator GRASSLEY, who was a member of the Finance Committee—not a senior member but someone who was active. When I finished my speech, talking about the Taxpayers' Bill of Rights making it a more level playing field between the taxpayer and the tax collector, Senator Pryor had written a note, given it to a page, and he said to me he liked what I was trying to do and would help me. I also got a communication from Senator GRASSLEY that he wanted to work on this.

Well, to make a long story short, Mr. President, because of their involvement, I had to do very little. That legislation passed, and it was landmark legislation. It was not because of my ability to communicate as much as who was listening. So I say to Senator BARRASSO: You never know what is going to happen with your maiden speech.

Once he has completed his speech, the Senate will proceed to the Transportation Appropriations bill. Senators MURRAY and BOND are managers, and they are prepared to finish that legislation this week. There should be votes prior to 5:30 or 6 o'clock tonight. After that, we will have no votes.

Tomorrow should be a very long, productive day because at 1 o'clock on Wednesday we can have no more votes. We can do more Senate business, but because of the Jewish holiday there will be no more votes after that time.

Mr. President, on September 17, which is a week from today, there will be no votes but there will be work. I indicated to the distinguished Republican leader and others that we are going to do what we can to see if we can get the DC-Utah congressional thing worked out, the Voter Rights Bill. What we are working on now is to get some type of consent to have a cloture vote on that sometime next week. That hasn't been resolved yet but we are working on it. I have kept Senator LIEBERMAN involved.

Next week, also, we are going to move to the authorization bill for Defense, which has to be completed. We

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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need to complete this appropriations bill this week, because as soon as we complete the Defense authorization bill, we need to move to Defense Appropriations. That is what we have to complete before the end of the work period.

There are other things we have to do. We have to have some extension or some agreement on what we are going to do with the farm bill. We have SCHIP that we need to work on prior to the end of this month. So we have a tremendous amount of work to do. Last week was a very productive week. We had to work a couple of late nights, but it was worth it. So that should set us up for this week and give us an idea of what we are going to do next week.

Mr. McCONNELL. Mr. President, I would ask one question of my good friend, the majority leader. I didn't hear him indicate whether—and maybe he doesn't know yet—the Iraq debate will occur in the context of the DOD authorization bill or separate from that.

Mr. REID. I am going to try to work with the minority leader to see what we can work out as to whether we want to have the Iraq votes intertwined with Defense authorization or whether we do not. I have Members telling me on the Defense authorization bill that they are going to offer an amendment to close Guantanamo and offer habeas corpus, so it is going to be a contested piece of legislation. We have to complete that.

There are some who believe we would be better off having the Iraq matters separate and apart from Defense authorization. I have to work that out first with Senators LEVIN and McCAIN. My initial report from them is that they would rather have them separate, but I will work with the minority leader and we will try to finish deciding what we are going to do by Wednesday or Thursday of this week.

Mr. McCONNELL. Mr. President, I am going to make some remarks in my leader time. I would ask the Chair if this is the appropriate time to do that.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The Republican leader.

THE PETRAEUS PLAN

Mr. McCONNELL. When we opened this session in January, the situation in Iraq appeared to be unraveling. Sectarian violence had sharply increased, particularly in Baghdad, since the bombing of the Golden Mosque. Foreign fighters were taking advantage of this fighting to inflame it even more. And two options emerged: withdraw our forces and abandon this fledgling democracy to al-Qaida and the other terrorists, or confront them directly, in the streets and neighborhoods where they lived.

We needed a new and realistic strategy to succeed, and we got one. The President proposed, and a Democratic-led Senate unanimously confirmed, Gen David Petraeus on January 26 to carry out a new plan aimed at protecting the population in and around Baghdad, beating back al-Qaida, and training Iraqi forces to defend Iraq on their own. The new plan would take time and patience. We had no guarantees it would work. But General Petraeus assured us of one thing. In testimony delivered just before his Senate confirmation, he said this:

> I will provide Multinational Force Iraq the best leadership and direction I can muster; I will work to ensure unity of effort with the ambassador and our Iraqi and coalition partners; and I will provide my bosses and you with forthright, professional military advice with respect to the missions given to Multinational Force Iraq and the situation on the ground.

That was General Petraeus.

And if he should determine that this new strategy cannot succeed, the general said he would provide such an assessment.—a promise of candor.

Tomorrow, General Petraeus will give the Senate the forthright advice he promised, a first-hand account by the commander of U.S. forces in Iraq on the progress of their mission. And then we, the men and women who unanimously confirmed him for that mission, will respond accordingly. This briefing will take place 6 years to the day after the attacks of 9/11—when nearly 3,000 innocent people were killed in unprovoked attacks; more than in another sneak attack some 60 years earlier at Pearl Harbor.

Over those 6 years, General Petraeus has compiled an astounding record of service. He has spent 4 of them deployed away from home and away from his family, with nearly 3 years service in Iraq. Let me say that again: 3 years of service in Iraq.

He led the 101st Airborne with distinction in northern Iraq early in the fight. Later he improved the way we trained Iraqi security forces after early mistakes by the Coalition Provisional Authority. And he served as commander of the U.S. Army's Combined Arms Center at Fort Leavenworth, where he developed the Army's doctrine on counterinsurgency—he literally wrote the book.

He has proven his devotion to this country. His integrity is above reproach. And any suggestion to the contrary is totally absurd and demonstrably untrue.

And so I resent the comments of those who have sat comfortably in their air-conditioned offices, thousands of miles away from the firefights and the roadside bombs, and tried their Washington best in recent days to impugn the general's good name.

The Democratic majority sent him into battle by a unanimous vote, funded his mission, and asked him to report back on progress. And when he returns, is he greeted with the respect and appreciation his service deserves? No. He is attacked again, at home, by some of the very Democratic Senators who confirmed him.

They are following the lead of the left-wing groups that placed a full-page ad in today's New York Times, questioning the character—questioning the character—of a four-star general who has the respect and admiration of the more than 150,000 brave men and women serving under his command. These childish tactics are an insult to everyone fighting for our freedom in Iraq, and they should be condemned. I am waiting for someone on the other side to condemn this ad in the New York Times today—the condemnation it richly deserves.

Republicans have tried to maintain a level of civility in this debate. We have let most of the rhetorical excesses of the other side slide, knowing that tempers are bound to flare in this charged environment. But the effort to discredit General Petraeus personally over the past few days is completely and totally out of bounds. It needs to be recognized as such, and it needs to end—right now.

The early effort to undermine his mission was troubling enough. Scarcely had a fraction of the additional soldiers or marines landed in Iraq before we started hearing the voices of defeat. Amazingly, some Democrats who had called for a surge before January, would then label the policy a failure 2 full months before it fully began. Others said the war was lost even as these soldiers and marines were being sent into battle.

General Petraeus was asked to carry out a new plan, and it would be a challenge. But it was guaranteed to fail too if armchair generals in Washington were allowed to dictate the battle plan from here. And with the help of a single courageous Independent, Republicans circled around a simple principle: tactics would be dictated by conditions on the ground, not the political thermometer. Before rushing to legislative judgment, we would listen closely to our commanders.

We held our ground. Despite the best efforts of some of our colleagues on the other side, we gave our commanders what they needed to carry out their plan. Not least of all we gave them hope that they'd have the time and the funding to do their work.

As the summer dragged on here in Washington, leftist groups continued to insist on an arbitrary withdrawal date. And when they failed to get their wish in Congress, they followed Republicans home over the August recess, pouring money into misleading political ads and busing in protesters. This was the other surge, a surge aimed at intimidating Republicans who supported the Petraeus Plan.

These efforts were misguided—and of course they failed.

They failed because Americans will always choose the hopeful path, when they see one in view. And while the defeatists were pouring out of their buses

with their coffee and their doughnuts last month, thousands of tough, determined American soldiers and marines were spilling out into Iraqi cities and villages finding a way to win this fight. And the news that started to trickle back from those villages and towns was this: after a long season of setbacks, there is reason for hope.

The first major combat operation of the surge began less than 3 months ago on June 15. And the early reports of our commanders in the field confirm some truly remarkable gains. Our second in command, GEN Raymond Odierno, has told us that total attacks are at the lowest level since last August, that attacks against civilians are at a 6-month low; civilian murders in Baghdad are down to their lowest point since just before the bombing of the Golden Mosque; and that he sees a new aggressiveness in Iraqi soldiers, and discipline and pride.

This report mirrored others that we have heard, from journalists and independent analysts, about the strong morale of U.S. troops. One of those reports came in late July. After spending 8 days with American and Iraqi military and civilian personnel, two prominent early critics of the war at the left-leaning Brookings Institution issued a call to all critics: stop, look, listen.

They said morale among U.S. troops is high, that troops are confident in their commander, that they see results, and that they believe they have the numbers to make a difference. And then they told us what many others have confirmed: that Iraqis themselves are turning on the extremists, that Al Anbar, once thought to be lost to al-Qaida, has gone in 6 months from being the worst place in Iraq to the best. The marines and soldiers fighting in Anbar have been working with the local tribes and sheiks for years to produce this result, but their efforts are beginning to show remarkable results.

The authors of this report didn't sugarcoat the hard realities in Iraq. The obstacles are enormous. And they admitted what all of us, including General Petraeus, have long known and repeatedly said: that we can't stay in Iraq indefinitely at current troop levels. But, they concluded, we are finally getting somewhere militarily. And it would be foolish to turn back now.

We have heard of stirring scenes in recent weeks: hundreds of thousands of Iraqi pilgrims marching to the Kadhimiya Shrine in Baghdad in peace, protected by the Iraqi security forces. Political leaders from across the ethnic divides who once stood by silently as terrorists bombed neighborhoods and mosques now joining together to condemn them. Arabs, Kurds, Sunnis, Shias, and Christians working together in Ninevah to help the victims of the recent bombing there.

Americans like what they have heard. Recent polls suggest that an increasing number of Americans now think we have a chance of winning. They have put their trust in our commanders and the troops in the field, and they trust that we will respect their gains and listen to their general, without prejudice, when he reports back to us this week. The early successes of the Petraeus Plan give America hope that we can bring about ample stability to Iraq, and it also gives us real hope that we can start to bring our troops back, not in retreat but with full honor and pride.

None of us wants the troops to stay in Iraq any longer than it takes to make it a stable democracy capable of defending itself. But Republicans have insisted that we let the uniformed generals advise us when that time comes, not armchair generals who are more focused on the polls than on a successful mission.

General Petraeus has already hinted that a reduction in troop levels might be possible at or near the end of the year. This is the most welcome news yet, and if he recommends it tomorrow, I assure you Republicans will be ready to draft the legislation supporting that request.

We hope that Democrats who have signaled a willingness to cooperate on Iraq, after 8 months of insisting on arbitrary withdrawal dates and premature troop reductions, join us in acknowledging that our generals know better than we do what it takes to win this war.

Again, none of us wants the troops in harm's way a minute longer than necessary. But while there is a chance for hope, we will not retreat. We know the stakes if we leave Iraq to terrorists: slaughter on an unimaginable scale, the abandonment of an entire nation to vicious killers who would use it as a staging ground for future acts of violence against Americans, an open field for Iran, and the entire world murmuring that America doesn't have the patience or the stomach or the grit to win.

Some on the other side of the aisle sent General Petraeus to Iraq, then tried to control the mission. When that failed, they tried to define the mission as a failure. And in a last-minute burst of defeatism, they have tried to discredit the man they sent to carry that mission out. No wonder a recent poll showed that only 3 percent of Americans think the Democratic Congress is doing a good job handling the war.

Let's listen to General Petraeus when he gets here, really listen. I know that is hard for Senators, but let's listen and respond accordingly. At some point we will have to draw down our forces, and we won't leave perfection in our wake. We know we will have to maintain a long-term presence in Iraq and the region. We must deter Iran, we must combat al-Qaida, and we cannot countenance terrorist sanctuaries.

But crafting a wise policy for the region over the long term will be impossible in the current partisan climate. Let's listen to the ranking member of the Foreign Relations Committee, the senior Senator from Indiana, who said we will only be able to craft a sustainable bipartisan strategy in Iraq together.

Eight months ago, the situation in Iraq was unraveling. It remains difficult and dangerous. But there is hope and proof, not only of success, not only of bottom-up political progress on the ground, but for the reduction in troops that all of us want. And if General Petraeus says this is warranted, then we will act, together, and move forward with new confidence that we can craft a sensible policy for protecting our interests not only in Iraq but in the broader Persian Gulf.

Let's allow this man to speak tomorrow and listen to him without prejudice.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF WILLIAM LINDSAY OSTEEN, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NOMINATION OF MARTIN KARL REIDINGER, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA

NOMINATION OF JANIS LYNN SAMMARTINO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nominations en bloc, which the clerk will report.

The assistant legislative clerk read the nominations of William Lindsay Osteen, Jr., of North Carolina, to be United States District Judge for the Middle District of North Carolina; Martin Karl Reidinger, of North Carolina, to be United States District Judge for the Western District of North Carolina; and Janis Lynn Sammartino, of California, to be United States District Judge for the Southern District of California.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 60 minutes of debate equally divided between the Senator from Vermont and the Senator from Pennsylvania.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand the Senator from North Carolina is on the floor and wishes to speak. Obviously, I will yield her more time if she wants, but I ask unanimous consent that she be yielded 10 minutes out of the time reserved for the distinguished senior Senator from Pennsylvania, Mr. SPECTER.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from North Carolina is recognized.

Mrs. DOLE. Mr. President, today the Senate has the opportunity to confirm, for district judgeships, William Osteen, Jr. and Martin K. Reidinger, two of North Carolina's most talented and capable legal minds. Both of these men have impeccable credentials, a keen sense of justice and a strong desire to serve. I am fully confident that Bill and Martin would serve the people of my home State with great honor and distinction as members of the Federal judiciary.

I am delighted to support Bill Osteen, to serve as a judge for the Middle District. With deep roots in North Carolina, Bill received his education at the University of North Carolina at Chapel Hill, and has practiced law in the State for the past two decades. In 2004 and 2005, Business North Carolina included him in its Legal Elite—the cream of the crop, selected not by the editors of the magazine but by State bar colleagues.

Bill has broad experience in both criminal and civil litigation. As we all know, criminal cases make up a substantial and increasingly large portion of a Federal district judge's docket, and Bill is well equipped to handle this important aspect of the job. He estimates that he has served as the counsel of record in more than 100 Federal criminal cases. Bill also knows his way around a courtroom. In an age when most cases are resolved through settlement or plea agreement, Bill has taken over 30 cases to trial. On the strength of this experience, I have no doubt that he will be able to make the transition to district judge without missing a beat.

In addition to a distinguished professional life, Bill also has a very full personal life. He is a dedicated family man to his wife Elizabeth and their two children, Anne Bennett and Bill, and he is a man of faith, actively involved in the First Presbyterian Church of Greensboro. It is also notable that Bill has been nominated to succeed his father to this seat. Bill's father, William Osteen, Sr., has served the Middle District with great distinction and it is a rare and remarkable feat that a son has the opportunity to serve in his father's onetime place on the bench. And let me add that Bill's mother, Joanne, has been a treasured friend since our Duke days together. I know the Osteens are very proud of their son and I am honored to highlight Bill's many qualifications here today.

Another outstanding North Carolinian for the Western District of North Carolina, Martin Reidinger, has built quite an impressive record of accomplishment over the years. A graduate of the University of North Carolina at Chapel Hill, he has practiced law for the past 23 years in Asheville with Adams Hendon Carson Crow & Saenger. There he gained vast civil litigation experience, handling matters running the gamut from employment law to land disputes. He frequently appears in Federal courts and has litigated to a verdict or judgment nearly 200 cases over the past two decades.

In addition to his vast professional experience, Martin makes it a top priority to give back to his community. He has served as the president and secretary-treasurer of the Buncombe County Bar Association, and he currently sits on the board of directors for Pisgah Legal Services, which provides free, civil legal services to low-income people who are unable to afford an attorney. In fact, in 2004, Martin accepted the North Carolina State bar's Outstanding Pro Bono Services Award for his law firm's commitment to giving back to their community. In addition to his extensive public service work, Martin is dedicated to his family—his wife Patti and children Heather, Sara, Alex and Max.

Bill Osteen and Martin Reidinger are vastly qualified to serve on the Federal bench. They have earned the admiration of their colleagues and peers and support from Senators on both sides of the aisle.

It was my privilege to recommend these individuals to the president for these posts, and I am proud to urge my colleagues to support their confirmation today, so they can get to work for the people of North Carolina.

I yield back any remaining time.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Senator. I note that when we confirm these three nominations today—and I fully anticipate we will; I will support them and I know Senator SPECTER will support them—the Senate will have confirmed 29 nominations for lifetime appointments by the middle of September this year. That is 7 more than were confirmed in all of 2005 when the Senate had a Republican majority which was considering nominations of this Republican President. I mention that because consistently, for the Republican President, President Bush, when the Democrats have been in charge, we have moved his nominations faster than Republicans have.

You would not know this, certainly, with some of the rhetoric that comes out of the White House; but, you know, sometimes facts get in the way of rhetoric. It is a pesky thing.

Incidentally, there were 12 more confirmations that were achieved during the entire 1996 session, when Republicans stalled consideration of President Clinton's nominations by pocket-vetoing them. It is actually a little-known fact that during the Bush Presidency, more circuit judges, more district judges, and more total judges have been confirmed in the time we have had Democrats in control and I have been chairman, than during the 10 years that either of the two Republican chairmen were working with Republican Senate majorities.

Taking into account today's confirmations, the Administrative Office of the U.S. Courts lists 46 judicial vacancies. The President has sent us only 24 nominations for these 46 remaining vacancies. Twenty-two of these remaining vacancies—almost half—have no nominee. Of the 19 vacancies deemed by the Administrative Office to be judicial emergencies, the President has yet to send us nominees for 8 of them, more than a third. Of the 16 circuit court vacancies, 6, more than a third, are without a nominee. If the President had worked with the Senators from Michigan, Rhode Island, Maryland, California, New Jersey, and Virginia, we could be in position to make even more progress.

Of the 22 vacancies without any nominee, the President has violated the timeline he set for himself at least 13 times—13 have been vacant without so much as a nominee for more than 180 days. The number of violations may in fact be much higher since the President said he would nominate within 180 days of receiving notice that there would be a vacancy or intended retirement rather than from the vacancy itself. We conservatively estimate that he also violated his own rule 11 times in connection with the nominations he has made. That would mean that with respect to the 46 vacancies, the President is out of compliance with his own rule more than half of the time.

William L. Osteen, Jr., is a partner at the two-person law firm of Adams & Osteen in Greensboro, NC, where he has worked for his entire legal career. His practice focuses primarily on Federal criminal litigation and State civil litigation.

Martin K. Reidinger is a partner at the Asheville, NC, law firm of Adams, Hendon, Carson, Crow & Saenger, where he has worked his entire 23 year legal career as a civil litigator. His legal practice concentrates primarily in the areas of general business litigation, land disputes, municipal matters, and employment law.

Janis L. Sammartino is the presiding judge in the Superior Court of San Diego County in California. For 12 years, she served on the State trial court bench as a municipal court judge in San Diego, and she worked for 18 years as a deputy city attorney in the San Diego City Attorney's Office.

I congratulate the nominees and their families on their confirmations today.

How much time is remaining for the Senator from Vermont?

The ACTING PRESIDENT pro tempore. The Senator has 5½ minutes.

Mr. LEAHY. I thank the distinguished Presiding Officer.

I see the distinguished Senator from North Carolina and the distinguished Senator from Pennsylvania.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the distinguished chairman. We have worked harmoniously in a bipartisan way on the Judiciary Committee.

An expression I like to use when we change chairmen: It is a seamless transfer of the gavel in a bipartisan way. I join Chairman LEAHY in asking for the confirmation of the three judicial nominees who are pending this morning.

I start with Janis Lynn Sammartino, who is up for the District Court for the Southern District of California, because she was born in Philadelphia, PA: magna cum laude from Occidental College in 1972, Phi Beta Kappa at that university; law degree from Notre Dame; law clerk to a superior court judge in California, Judge Douglas Seely; deputy city attorney; judge on the Municipal Court of the City of San Diego; a judge on the Superior Court for San Diego for the past 12 years—a very distinguished resume. She has a majority ''qualified'' rating from the American Bar Association, and some rated her as ''well qualified.'' She comes to the floor with the unanimous recommendation of the Judiciary Committee.

Similarly, I urge the confirmation of Martin Karl Reidinger for the U.S. District Court for the Western District of North Carolina. He has an outstanding academic record: a bachelor's degree from the University of North Carolina-Chapel Hill; a law degree with honors from the University of North Carolina-Chapel Hill School of Law; Order of the Coif, which means top 10 percent academically; North Carolina Law Review. He has had an extensive practice with the law firm of Adams Hendon Carson Crow & Saenger—associate for 5 years and partner for the last 18 years—distinguished qualifications. I think he is well suited to become a Federal district court judge.

Third, I urge the confirmation of William Lindsay Osteen, Jr., for the District Court for the Middle District of North Carolina. He has a bachelor's degree from the University of North Carolina-Chapel Hill in 1983 and a law degree from the same university in 1987. He practiced law for the last 20 years—first as an associate and later as a partner—in Adams & Osteen, and has a distinguished curriculum vitae.

I ask unanimous consent that the resumes of these three distinguished nominees be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANIS LYNN SAMMARTINO—UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Birth: April 24, 1950, Philadelphia, PA.

Legal Residence: California.

Education: A.B., Magna Cum Laude, Occidental College, 1972; Phi Beta Kappa; J.D., University of Notre Dame Law School, 1975.

Employment: Law Clerk, Judge Douglas Seely, Superior Court, St. Joseph County, Indiana, 1975–1976; Deputy City Attorney, San Diego City Attorney's Office, 1976–1994; Judge, Municipal Court of the City of San Diego, 1994–1995; Judge, Superior Court of San Diego County, 1995–Present.

Selected Activities: Master and President-elect, American Inns of Court, Louis M. Welch Chapter; Member, Association of Business Trial Lawyers of San Diego; Member, National Association of Women Judges; Member, San Diego County Judges Association; Member, California State Bar; Member, San Diego County Bar Association; Member, University of Notre Dame Law School Alumni Association.

ABA Rating: Majority ''qualified,'' minority ''well-qualified.''

MARTIN KARL REIDINGER—UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

Birth: December 18, 1958, New Haven, Connecticut.

Legal Residence: North Carolina.

Education: B.A., University of North Carolina–Chapel Hill, 1981; J.D., with honors, University of North Carolina–Chapel Hill School of Law, 1984; Order of the Coif; North Carolina Law Review, 1983–1984; Jefferson Pilot Foundation Scholar.

Employment: Associate, Adams Hendon Carson Crow & Saenger, P.A., 1984–1989; Partner, 1989–Present.

Selected Activities: Member, North Carolina Bar Association, 1984–Present; Member, 28th Judicial District Bar, 1984–Present; President, 2003–2004; Secretary-Treasurer, 1989–1992; Member, Local Bar Services Committee, 2003–Present; Chair, 2005–Present; Member, Select Drafting Committee of the North Carolina Board of Law Examiners; North Carolina Bar Association Statewide Small Firm Pro Bono Award, 2004; Board Member, Pisgah Legal Services, 2005–Present; Member, Arden Rotary Club; Paul Harris Fellow and Sustaining Member, Paul Harris Foundation.

WILLIAM LINDSAY OSTEEN, JR.—UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Birth: 1960, Greensboro, North Carolina.

Legal Residence: North Carolina.

Education: B.S., University of North Carolina–Chapel Hill, 1983; J.D., University of North Carolina–Chapel Hill School of Law, 1987.

Employment: Associate, Adams & Osteen, 1987–1991; Partner, 1991–Present.

Selected Activities: Member, North Carolina Bar Association; Past Member, Criminal Justice Council; Chairman, Criminal Justice Council, 2000–2001; Member, Greensboro Bar Association; Director, 1995; Listed in Business North Carolina magazine's ''Legal Elite'' in Criminal Law, 2004, 2005, 2006; Member, Criminal Justice Act Advisory Committee; Criminal Justice Act Panel Attorney, Middle District of North Carolina; Member, American Bar Association; Member, American Board of Trial Advocates; Member, National Association of Criminal Defense Lawyers.

Mr. SPECTER. Mr. President, I see the Senator from North Carolina. I am going to yield the floor to him and perhaps take a minute or two at the conclusion of his comments.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. BURR. Mr. President, it gives me great pleasure to stand before my colleagues today to urge them to confirm two great lawyers in North Carolina to be U.S. district court judges. I wish to take a moment to commend my colleagues on the Judiciary Committee for unanimously reporting out Bill Osteen, Jr., and Martin Reidinger before we adjourned for the August recess. I thank Judiciary Chairman LEAHY and Ranking Member SPECTER for their dedication to ensuring that judicial nominees get hearings and votes on the Senate floor. I am grateful for the care and passion with which the Judiciary Committee members approach their responsibility of examining nominees for Federal judgeships.

I have often said that there is no area of our daily lives that is not somehow affected by judicial decisions. The decisions made by judges today will have a lasting effect long after we are gone from this institution. It is critical that these Federal judges serve to administer justice according to the strict interpretation of law and the Constitution. We have before us today the opportunity to confirm two individuals who are committed to doing just that.

As I mentioned in my remarks before the Judiciary Committee when he had his hearing, this is not the first time that somebody by the name of Bill Osteen has been before the Senate for consideration. Fifteen years ago, Bill Osteen's father was confirmed to be a U.S. district court judge. Bill Osteen, Jr., was nominated by the President to be a Federal judge because he is qualified to serve on the bench, and I am confident he will continue to work towards a strong judicial system in North Carolina.

Born and raised in Greensboro, he attended the University of North Carolina in Chapel Hill for both undergraduate and graduate law school. He has a diverse legal background and has litigated many cases spanning all areas of the legal profession. Trying both civil and criminal matters, Bill spent much of his time in the Federal courtroom. After today, I hope he continues to spend his time in the Federal courtroom but now for a different reason in a different seat.

While I am impressed by the professional qualifications he will bring to the bench if confirmed, perhaps most importantly, Bill is a good man. Bill is a family man. He is a good dad to his two children Ann-Bennet and Bill. He is a good husband to his wife Elizabeth. I urge my colleagues to support Bill's nomination and to confirm him to serve on North Carolina's Federal bench.

Martin Reidinger of Asheville, NC, is also before the Senate today to be confirmed as a U.S. district court judge.

Like Bill, Martin graduated from the University of North Carolina for both his undergraduate and law degrees, graduating with honors from the law school.

Martin's well-established Federal practice in western North Carolina has existed for a number of years. Throughout his career, he has handled all types of cases, represented a wide range of clients, and has appeared in all levels of State and Federal court.

I had the pleasure of meeting Martin's family as well: his wife Patti, and his four children: Heather, Sara, Alex, and Max.

Martin's family and friends are proud of him for all of his accomplishments,

and Martin has continuously expressed how honored he is to be considered for the Federal bench. These two nominees have tremendous legal experience, an unwavering commitment to their families, and are men with good moral character.

On too many occasions, we have let judicial nominations escalate into contentious debates where people's good reputations are tarnished as a result of partisan politics. We have seen it throughout history, and no one party is to blame. Unfortunately, both sides share blame. But it is great to see how this body can come together to work to make a difference in the lives of Americans.

As policymakers, our debates certainly affect every American. We hear from thousands of our constituents every week, and when we make decisions, we think about how to best balance the competing policy positions so we are able to make good laws.

But every day, judges see how these laws we are responsible for making, apply in real life. They do not have the benefit of changing the law based on who appears before them. We owe it to our constituents to put fair-minded and qualified judges on the bench whom we are confident will apply the laws this body passes in an impartial manner.

By confirming Bill Osteen, Jr., and Martin Reidinger to the Federal bench in North Carolina, I believe we are fulfilling that obligation.

I urge my colleagues to support both of their nominations.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent to speak for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 2035 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. FEINSTEIN. Mr. President, I am pleased to support the confirmation of Judge Janis Lynn Sammartino to be a U.S. district judge for the Southern District of California.

Judge Sammartino is nominated for a seat that has been designated a ''judicial emergency'' by the Administrative Office of the U.S. Courts. The seat has been vacant for 3 years, ever since Judge Judith Nelson Keep passed away in September 2004.

Fortunately, the Judiciary Committee has acted quickly on this nomination. It was submitted to the Senate on March 19 of this year. Judge Sammartino completed the required questionnaire, and a hearing was promptly scheduled for June 20. Now, fewer than 3 months later—including the August recess—we are voting on the nomination today.

I urge my colleagues to vote in favor of this nomination to fill this long-standing vacancy and permit the district court in the Southern District of California to operate at full capacity.

Judge Sammartino is a graduate of Occidental College and of the law school at the University of Notre Dame. After earning her law degree, she served as a law clerk on the superior court in South Bend, IN.

For her entire legal career since then, she has devoted herself to the service of her city, San Diego, and the State of California.

Judge Sammartino worked for 18 years as a deputy city attorney in San Diego. In her first 2 years, as a deputy in the Criminal Division, she tried more than 50 criminal cases in front of juries and an equal number of bench trials. She then was promoted to the Municipal Law Section of the Civil Division, where she developed substantial expertise in land use law. She later served as the principal legal advisor to the city of San Diego on redevelopment issues. In that capacity, she played a major role in the planning and construction of the Horton Plaza Retail Centre in downtown San Diego.

Judge Sammartino rose to the rank of senior chief deputy city attorney and was responsible for supervising three advisory divisions in the City Attorney's Office. She was a regular participant in legal and strategy decisions for pending cases. Her public service career then moved from the City Attorney's Office to the courthouse. She was appointed to the municipal court in 1994, and to the superior court in 1995.

As a testament to her skills as both a judge and a leader, her fellow judges elected her to be assistant presiding judge from 2004 to 2005 and then to be presiding judge as of January 2006. She now oversees the second largest trial court in California, which is also the third largest trial court in the Nation.

Judge Sammartino's judicial career has given her experience in a wide range of areas from criminal cases to family law cases, environmental cases, and complex civil cases.

In California we have developed a bipartisan process for selecting Federal district court nominees. Under this system, a committee of lawyers known as the Parsky Commission, which includes Democrats and Republicans, recommends qualified applicants to the President. I am proud of this system, and proud to report that Judge Sammartino was recommended unanimously by the Parsky Commission to be nominated as a Federal district judge. I chaired the hearing on her nomination, and I was impressed with her testimony. By all accounts, she would make an excellent addition to the Federal bench in San Diego.

I urge all of my colleagues to vote in favor of this nomination.

Mr. SPECTER. Mr. President, I note the time has come for the scheduled votes.

The ACTING PRESIDENT pro tempore. If all time is yielded back—

Mr. SPECTER. The time is yielded back.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of William Lindsay Osteen, Jr., of North Carolina, to be United States District Judge for the Middle District of North Carolina?

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. DURBIN), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Michigan (Mr. LEVIN), the Senator from Illinois (Mr. OBAMA), the Senator from New York (Mr. SCHUMER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), the Senator from Nebraska (Mr. HAGEL), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 0, as follows:

[Rollcall Vote No. 327 Ex.]

YEAS—86

Akaka	Dole	Menendez
Alexander	Domenici	Mikulski
Allard	Dorgan	Murkowski
Barrasso	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Bennett	Feinstein	Pryor
Bingaman	Graham	Reed
Bond	Grassley	Reid
Boxer	Gregg	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inouye	Sanders
Burr	Isakson	Sessions
Byrd	Johnson	Shelby
Cantwell	Kennedy	Smith
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Kyl	Stevens
Coburn	Landrieu	Sununu
Cochran	Leahy	Tester
Coleman	Lieberman	Thune
Collins	Lincoln	Vitter
Conrad	Lott	Voinovich
Corker	Lugar	Warner
Cornyn	Martinez	Webb
Crapo	McCaskill	Wyden
DeMint	McConnell	

NOT VOTING—14

Biden	Hagel	McCain
Clinton	Harkin	Obama
Craig	Inhofe	Schumer
Dodd	Lautenberg	Whitehouse
Durbin	Levin	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid on the table.

VOTE ON NOMINATION OF MARTIN KARL REIDINGER

The question is, Will the Senate advise and consent to the nomination of Martin Karl Reidinger, of North Carolina, to be United States District Judge for the Western District of North Carolina?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid on the table.

VOTE ON NOMINATION OF JANIS LYNN SAMMARTINO

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of Janis Lynn Sammartino, of California, to be United States District Judge for the Southern District of California?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Iowa (Mr. HARKIN), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), the Senator from Nebraska (Mr. HAGEL), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. PRYOR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 328 Ex.]

YEAS—90

Akaka	Casey	Feinstein
Alexander	Chambliss	Graham
Allard	Coburn	Grassley
Barrasso	Cochran	Gregg
Baucus	Coleman	Hatch
Bayh	Collins	Hutchison
Bennett	Conrad	Inhofe
Bingaman	Corker	Inouye
Bond	Cornyn	Isakson
Boxer	Crapo	Johnson
Brown	DeMint	Kennedy
Brownback	Dole	Kerry
Bunning	Domenici	Klobuchar
Burr	Dorgan	Kohl
Byrd	Durbin	Kyl
Cantwell	Ensign	Landrieu
Cardin	Enzi	Lautenberg
Carper	Feingold	Leahy
Lincoln	Pryor	Specter
Lott	Reed	Stabenow
Lugar	Reid	Stevens
Martinez	Roberts	Sununu
McCaskill	Rockefeller	Tester
McConnell	Salazar	Thune
Menendez	Sanders	Vitter
Mikulski	Schumer	Voinovich
Murkowski	Sessions	Warner
Murray	Shelby	Webb
Nelson (FL)	Smith	Whitehouse
Nelson (NE)	Snowe	Wyden

NOT VOTING—10

Biden	Hagel	McCain
Clinton	Harkin	Obama
Craig	Levin	
Dodd	Lieberman	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

Under the previous order, the President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The Senator from Pennsylvania.

CHANGE OF VOTE

Mr. CASEY. Mr. President, on rollcall vote No. 320, I voted ''yea.'' It was my intention to vote ''nay.'' Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of that vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT JAN ARGONISH

Mr. CASEY. Mr. President, I wish to take a couple of moments to highlight the life of one of our brave fighting men who lost his life in Afghanistan. His name is Jan Argonish. He was a sergeant in the Army National Guard.

On the last business day before our August recess was over, I was in a line in Peckville, PA, at his viewing where all of his family and his friends paid him last respects and prayed for him. Just to give a sense of the scene, the context of this scene, this was a viewing line that lasted hours and hours. I was in the line from about 6 o'clock to 8:30. So for all the reasons we celebrate the service and the sacrifice of our brave troops, I wish to highlight the life of SGT Jan Argonish, who passed away at the age of 26 when he was killed in action in an ambush in Kunar Province in Afghanistan.

Jan Argonish was a veteran of Operation Iraqi Freedom, with nearly 10 years of service in the Pennsylvania National Guard. He volunteered to help train soldiers of the Afghan National Army. For SGT Jan Argonish, this was his third deployment since September 11, 2001.

He was born in Peckville, PA, and was a resident most recently in Scranton, my hometown. He was a 1999 graduate of Valley View High School, where he played football and was on the swim team. He went on from high school to enlist in the Army. He was a graduate of the Army's infantry and mortar schools and tanker school at Fort Knox, KY.

He received numerous awards for his brave service—the Bronze Star, the Purple Heart, the National Defense Service Medal, and on and on, award after award. He was a member of the Sacred Heart Church in Peckville, PA, and VFW Post 5544 in Jessup, PA. Since February 2006, he was employed as a corrections officer at the U.S. Penitentiary Canaan in Waymart, PA.

Sergeant Argonish leaves behind a family. One member of his family I will never forget, his 8-year-old son Jakub, who was in the viewing line to greet hundreds and hundreds of people. He was wearing a State trooper's hat which was, obviously, too large for an 8-year-old. But in so many ways, that image of that young boy, Jakub, is an image I will never forget, and in so many ways it is symbolic of and a metaphor of what so many families have lost when they have lost a loved one in Iraq, Afghanistan, or fighting around the world. Even someone who is old enough to understand it better than 8-year-old Jakub did—so many families are not ready for the horror and the trauma of that loss.

So I am thinking of SGT Jan Argonish today. I am thinking of his service. We are remembering and praying for his family and, of course, all those who are doing the brave work our troops are doing in Afghanistan and, of course, in Iraq during this very profound week we are about to enter into, the week where we think about the victims of 9/11 and we think about our troops.

The PRESIDING OFFICER. Under the previous order, the Senator from Wyoming, Mr. BARRASSO, is recognized to speak in morning business for up to 30 minutes.

The Senator from Wyoming.

WYOMING AND MY VISION FOR THE FUTURE

Mr. BARRASSO. Mr. President, I rise today to address this body and our Nation in my first official speech as Wyoming's newest Senator. Today I share with you how I got here, who I am, what I believe, my vision for the future, and what I hope to accomplish.

All of us in this body and everyone in the State of Wyoming lost a great friend when we lost Senator Craig Thomas. I have heard it in this Chamber on both sides of the aisle and throughout this building, and I have heard it all around Wyoming: We have lost a great friend. Susan Thomas and the memory of Craig Thomas have been recognized all across Wyoming this summer at rodeos, county fairs, the State fair, parades, and at special events. The new visitors center at the Grand Teton National Park has appropriately been named in his honor.

Craig was a forceful and courageous voice for his constituents. He always did what he saw as right for Wyoming and right for America. He was a cowboy and a marine. The Marines say ''Semper fidelis.'' Craig Thomas was always faithful. God, country, and Wyoming—that was Craig Thomas. He has left huge boots to fill. No one can truly do it. I am very honored to be the person to succeed Senator Thomas. I am humbled to be given the opportunity and the responsibility to represent the people of Wyoming in the U.S. Senate.

Wyoming is the Equality State. It is a State of high altitude and low multitude and a State of great natural beauty blessed with remarkable mineral resources.

The law in Wyoming says a Senate vacancy must be filled by the Governor from a list of three names. The three names are supplied by the central committee of the political party where the vacancy occurred.

Thirty-one Republicans in Wyoming applied for this Senate seat. The number was then reduced to 10, and then 5, and then 3 by a series of speeches and forums. The Governor then made his selection from the three finalists. I am very grateful to Gov. Dave Freudenthal for the confidence he and the people of Wyoming have placed in me.

During the selection process, I made a simple pledge to the people of Wyoming: I told them they could count on me to show up, to stand up, to speak up, and then to shut up. I would show up early for work and be here for votes. I would show up at home in Wyoming on weekends to listen to people and to host a town meeting in every county by Labor Day and to show up when people from Wyoming visit the Capitol. As Craig Thomas did, I will only work in Washington but continue to live in Wyoming.

I will stand up—stand up for Wyoming people and Wyoming values, stand up against big government and Washington's one-size-fits-all approach, stand up against those who try to take away the rights of Wyoming people. And I will speak up—speak up for limited government, lower taxes, and fewer regulations, speak up for a strong defense and secure borders, and speak up to make Wyoming values the values for all of America. And then I will shut up. That is because words are no substitute for action, and the most important thing a Senator can do is listen to Wyoming people, their hopes, their dreams, their concerns for themselves, their children, their families, their communities, and for all of Wyoming, and because the best things about Wyoming and America don't need long speeches but are expressed in single words: freedom, justice, honor, duty, compassion, hope, opportunity, life, and liberty.

I have kept my pledge to visit every county in Wyoming before Labor Day and listen to people. I have held 30 town meetings and heard from thousands of people. Many brought their children. I have heard about their hopes for their families, their communities, Wyoming, and our Nation. And I have heard about their dreams for our future.

Parents in Wyoming want what all parents want for their children: the opportunity for a better life. It is what all of our parents wanted for us.

My dad had to quit school in ninth grade because of the Depression. He fought in World War II. He was in the Battle of the Bulge. As a cement finisher, he did backbreaking work to put food on the table for the family. That is where I really learned about hard work, by pushing wheelbarrows of heavy, wet cement every summer in high school and college.

Every day growing up, my dad would say: You should thank God every day you live in America. You don't know how fortunate you are. It is the same lesson I try to pass on to my children Peter and Emma, because in America, through hard work, even the son of a cement finisher can have the opportunity to serve in the U.S. Senate.

My dad would have been 90 when I was sworn in. We lost him 2 years ago. I had his dog tags from World War II in my pocket when I took the oath of office.

Now, my mom's lesson was different. Since the day I started kindergarten, my mom would always say: This year, this one right now, is the most important year of your life. What she was saying is that whatever you are doing, focus on it, do it right because the future depends on what you are doing today. In the Senate, I want to spend this next year, this most important year, working for a better future for our families—the families of Wyoming and the families of America.

In Wyoming, many people refer to me as Wyoming's doctor. For over two decades, folks have invited me into their homes with statewide television and radio health reports. I give people information on how to stay healthy and how to keep down the cost of their medical care. I end each report by saying: ''Here in Wyoming, I am Dr. John Barrasso, helping you care for yourself.'' That is also my philosophy for Government—helping people help themselves.

I believe there is a role for Government, but that role must be limited. Government should not do for people what they can and should do for themselves. Nor should Government put obstacles in the way of people pursuing their American dream. Limited Government means limited in size, limited in scope, and limited in spending—limited but effective. That means a government that gives us value for our tax dollars.

Speaking of values, to me that means families, schools, communities, and charities. I believe, as Ronald Reagan believed, we should rely more on ourselves and less on our Government. That is why I will champion legislation to cut wasteful spending and to make sure taxpayers get value for their money.

Now, some may wonder why and how an orthopedic surgeon became interested in serving his community in elective office. As a high school senior, I attended a program right here on Capitol Hill. The program is called A Presidential Classroom for Young Americans. It is the Nation's premier program in civic education. Both of my children have attended. This past year, 50 Wyoming students attended on scholarships. I would enthusiastically recommend A Presidential Classroom for Young Americans to any high school student.

I have been privileged to serve in the Wyoming State legislature. It is a true citizen's legislature. Through the years, it has been a great training ground for the folks Wyoming sends to Washington. During my two terms in the Wyoming State Senate, I built a reputation for getting the job done by working with members of both parties. That includes being a strong advocate for our veterans and members of the National Guard, working to keep our roads safer for young drivers, and reducing the tax burden on all the people of Wyoming by eliminating the sales tax from groceries.

I was one of the original sponsors of the Hathaway scholarship program. The Hathaway scholarship is designed to give opportunity for all Wyoming high school students to further their education at the University of Wyoming or one of our community colleges. It is a way we used our State's mineral wealth to invest in our people and in our future. The original bill was introduced by four State senators, two Republicans and two Democrats. Members of the senate and members of the house improved the bill considerably. The bill was signed by Governor Freudenthal, a Democrat, and named for former Governor Hathaway, a Republican. It is a great example of members of both parties working together to improve the quality of life for our citizens.

Now, as a Senator, I will continue to work with all people, regardless of party, on issues that are important to the people of Wyoming. As one of only two physicians in the Senate, people are already coming to me to ask about health issues. Well, health issues go way beyond a twisted knee or a painful shoulder. The concerns include those of people living longer and needing care; the concerns of access to care, of affordable care; the concerns of substance abuse and mental health; and the concerns of what to do with a sick child or elderly parents when the caregivers are not available because they are working full time, and sometimes more. This country deserves a serious discussion on our health care needs and our health care system. I will be actively engaged in that discussion, along with my Wyoming Senate partner, MIKE ENZI.

Craig Thomas knew that rural States such as Wyoming have special needs

when it comes to health care. He was cochair of the Rural Health Caucus for over 10 years. There are obstacles that our hospitals and providers must overcome to deliver quality care to families in an environment with limited resources. The week he passed away, Senator Thomas was set to reintroduce a followup health care bill, along with Senators ROBERTS, CONRAD, and HARKIN. This bill has been renamed the Craig Thomas Rural Hospital and Provider Equity Act. I will ask to cosponsor the legislation and to join the Rural Health Caucus.

While health care is near and dear to my heart, I am very pleased to be serving on three committees that are critical to Wyoming. So much of Wyoming's heritage and Wyoming's future is tied to our land, our people, and our natural resources. Wyoming has been represented on the Energy and Natural Resources Committee for over a century. I am grateful that my Republican colleagues recognized that long tradition and allowed me to keep Wyoming's voice on the committee.

The Environment and Public Works Committee also has a major influence on daily activities in the Equality State, and the Select Committee on Indian Affairs will allow me to continue to serve the needs of our Native American citizens, as I have done before as a trauma surgeon.

Energy, Public Lands, and the National Parks are all vital to our State's economy and our Nation's. I will work to make sure that public lands remain open to multiple use, while at the same time ensuring our environment is protected.

As an outdoorsman and a conservationist, Craig Thomas worked on two bills affecting the western part of Wyoming that were very close to his heart. While he is not here to carry on the work, the work needs to continue as part of his legacy. One is called the Snake River Headwaters Legacy Act of 2007. The bill, S. 1281, designates sections of the Snake River and several tributaries as ''wild and scenic.'' This will create a lasting legacy for Wyoming people and for future generations. The designation of wild and scenic announces to the world that this river is the best of the best.

The legislation he was working on also ensures that access, multiple use, and private property rights are not restricted. As a tribute to Senator Thomas, and in recognition of his years of leadership in the Senate, and specifically the Energy Committee, I will ask that my name be attached to S. 1281. I will work hard for passage of the bill that achieves Senator Thomas's vision, while balancing the concerns shared with me during August by private landowners and the agriculture community in Wyoming.

The second bill affecting the western part of Wyoming deals with a very special area named the Wyoming range. The Wyoming range is part of the Bridger-Teton National Forest. As a strong supporter of multiple use, Senator Thomas still believed there are areas of our State that are so sensitive that they must be protected from development. In 2005, Senator Thomas said:

> We ought to seek a balance of energy development and conservation. We can have both. Wyoming's economy is thriving because of the positive role of energy in our State. And most folks live in Wyoming because of our outstanding natural resources and quality of life.

A bill to protect the Wyoming range was in the final stages of development when Senator Thomas died. I had talked with him about it. I have his draft bills. I have visited the Wyoming range and listened to those whom the legislation affects. I am completing that work and will soon be introducing a bill in the Senate to protect the undeveloped areas of the Wyoming range from any future oil and gas leasing. My legislation is intended to achieve that goal while respecting private property rights that currently exist in the Wyoming range.

When I think of the history of our great State, I am reminded of one rugged individualist who loved Wyoming—Teddy Roosevelt. We take our kids to Mt. Rushmore to see his face chiseled into the mountain, along with Washington, Lincoln, and Jefferson. He gave a speech at the University of Wyoming about 100 years ago. There were 10,000 people in the crowd. Now, back then, that was a huge number for a sparsely populated State. He said:

> People of Wyoming, I believe in you and in your future. The government can only supplement the work of the individual. The work of the individual depends on the character of the individual.

Here we are, 100 years later, and the lesson is still the same: The Government can only supplement the work of the individual. It is the same message Ronald Reagan delivered in Cheyenne, WY, 25 years ago. He talked of why he loved the frontier spirit of the West. He said:

> Wyoming is a place where people are still sure that the future is ours to shape.

Still sure that the future is ours to shape. In Wyoming, we do believe the future is ours to shape. To shape the future, you need to have a vision for the future. I can see a specific future for Wyoming that helps all Americans. Imagine a future where America breaks its dependence on foreign energy. Imagine a future of affordable domestic sources of energy. Imagine a future where we solve the issue of carbon emission. And imagine a future where we can accomplish all of this while we protect the environment. That is the future I see for America, and that is the future I see for Wyoming.

Wyoming is blessed with incredible resources—coal, natural gas, oil, and alternative sources of energy, with wind leading the list. The University of Wyoming's School of Energy Resources is prepared to become the leading energy research institute in the world, converting coal to liquid, converting coal to gas, pumping carbon dioxide back into the earth to enhance our ability to get more oil.

The world's most powerful computer is being assembled in Wyoming to help make this possible. We can and we will do it while preserving the natural beauty and the wildlife of our State. That is the future I see for Wyoming.

As a Senator from Wyoming, I am always asking myself: What can I do today for Wyoming's future? I will tell you what I heard at 30 town meetings since I have been sworn in. What I heard is: Fight for Wyoming, fight every day, fight for our future, fight for quality education for our children, fight for quality jobs for our families, fight for health care, and fight for our core values—the values that come from within us, from our families, our communities, and how we were raised. That is what I plan to do every day because, like my mom's lesson, this is our most important year.

Mr. President, I conclude by thanking the Members of the Senate who have all been so gracious in making me feel so welcome. I also want to tell you I feel very blessed. I am blessed with a wonderful team of Wyoming folks with whom I serve—Vice President CHENEY, Senator ENZI, and Representative CUBIN. I am blessed with a wonderful staff, who served with Senator Thomas. And I am blessed with a wonderful family—my children Peter and Emma—and the love of my life, Bobbi Brown, and her daughter Hadley.

Bobbi is a breast cancer survivor. She is a remarkable person. At last month's Race for the Cure in Wyoming, we announced our engagement. I joked with the crowd that I believed if I ever made anything out of myself I would ask Bobbi to marry me. The newspaper headline told the story: ''Barrasso proposes—Brown says yes.'' And I am very grateful.

There is a passage in the Bible, a letter from Paul to Timothy, which says:

> In the end, he fought the good fight, he finished the race, he kept the faith.

As I enter the Senate, it is my goal to fight the good fight, to finish the race, and to keep the faith—faith in God, faith in my family, faith in Wyoming, and faith in America.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. MCCONNELL. Mr. President, I am hard pressed to remember a time when I complimented a Democratic Governor for a great appointment, but I think I will have to say once again that the Governor of Wyoming made an outstanding selection in picking our new friend JOHN BARRASSO to replace our late and beloved colleague Craig Thomas.

I have heard a few maiden speeches. Actually, some people on the floor right now have made their initial Senate speeches in the last few years, but I believe we just heard one of the best.

So I want to add, on behalf of all the Republican conference, our congratulations to Senator BARRASSO on an outstanding opening address.

He pointed out that one of his specialties, which is greatly needed around here, is the fact he is a physician. That is extremely important. So your skill set, in addition to your leadership abilities, is certainly welcomed here in the Senate.

Mr. President, I congratulate our colleague from Wyoming on a great maiden speech and welcome him once again to the Senate.

The PRESIDING OFFICER. The senior Senator from Wyoming.

Mr. ENZI. Mr. President, I, too, congratulate my colleague on his official first speech, so I will officially give my first welcome. He and I and the people of Wyoming know this is not his first speech, and definitely not his first effort. He has been helping people in Wyoming. He gave up a great orthopedic practice that he founded, which is a disappointment to a lot of people in Wyoming who were actually still hoping they would have an operation from him. But because of the quickness of the appointment, he was back here, ready to work, and at work. He has done a phenomenal job since he has been here.

I am glad to have the help explaining Wyoming, as he did so aptly in this speech. There is a lot of work to be done here, teaching the East about the West so they understand better that one size fits all does not work.

I have been across Wyoming and talking with my colleagues here explaining what a hard worker and a fast learner the new Senator is. He has certainly proven that on his own. He did mention the 30 town meetings he held prior to September 1. That leaves out a lot. Besides 30 town meetings, he had meetings with officials, he had meetings with special groups, he went to a lot of events. He was even in a bocce ball tournament in Cheyenne, where he narrowly lost to the reporter who wrote a wonderful three-page article after that.

When we talk about 30 town meetings in Wyoming, we are talking about one of the bigger States in the United States. We are a small population, but we are a big State. To get to those people you have to travel a lot of miles and talk to a lot of small groups. He does that willingly. He shows up at everything. I am pretty sure, by my count, he was in Jackson six times during August. Jackson is on the far side of the State where the Grand Tetons are. We hope everybody in America visits there and visits there frequently. It is just on the south of the Yellowstone, which is even a little better known, but it is on the far side of the State. It is very difficult to get to from anywhere in Wyoming. It is pretty easy to get to from Houston or Atlanta or Minneapolis, but it is very difficult to get to from Wyoming. He was there six times. That means traveling probably 250 miles a trip, each way, to get there, and then to get back on schedule, meeting with the constituents with whom he promised to meet. That is the kind of dedication he has. He did a marvelous job of answering questions, gathering information. He is a good listener, but he is also a good doer.

He served in the State senate. That has been a training ground for people who have served here for years. That legislative experience makes a difference in how fast you can adjust to the way things operate here compared to the way things operate in the State legislature—compared to not knowing about either one of them. He had some marvelous achievements while he was in the State. He has mentioned some things he wants to get done here. Watch out for him. He will get those done. Help him out. They are worth doing.

He is a tremendous asset to the Senate, and I am very proud to welcome him as my colleague and part of the delegation.

I yield the floor.

DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3074, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the substitute amendment be considered and agreed to, the bill as amended be considered as original text for the purpose of further amendments, and that no points of order be waived for purposes of this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The substitute amendment (No. 2790) was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mrs. MURRAY. Mr. President, I am very pleased that the Senate is now debating the Senate amendment to H.R. 3074. This is the Transportation, Housing and Urban Development Appropriations bill for this coming fiscal year. This bill has been supported by the broadest possible bipartisan majorities. The Transportation, Housing and Urban Development Appropriations subcommittee has 21 members, more than one-fifth of the Senate. It is one of the largest subcommittees in the Senate. Despite the diversity of views on our very large subcommittee, back on July 10 we voted unanimously to report the bill to the full Appropriations Committee, and 2 days later, each and every one of the 29 members of that committee voted to report this bill to the Senate.

This bill has broad, bipartisan support because it addresses pragmatically the very real housing and transportation needs of American families across all regions of the Nation. Rather than endorse the many arbitrary and destructive cuts called for in the administration's budget, we worked in this bill to target our limited resources on getting citizens out of traffic jams and home to their families; keeping our low-income tenants in their homes and out of shelters; providing housing for the elderly and the disabled; investing in crumbling infrastructure, and improving safety on our runways, highways, and railways.

Much has been said recently about a looming battle between the White House and Congress over spending priorities and the funding levels in these appropriations bills. There is no question that the bill before us spends more than the level sought by the Bush administration, both for transportation and for housing. Yet this bill still has broad bipartisan support, and I believe the Senate would benefit greatly from a detailed explanation as to why that is the case.

More than any other reason, this bill spends more than the administration's budget because it rejects many of the most punitive and misguided cuts that were proposed by the White House. The President's budget that he sent us for fiscal year 2008 proposed cuts across the board. Those included cuts that would put low-income tenants and their children on the streets. It proposed cuts that would undermine transportation safety, especially when it comes to aviation and railway safety; cuts that would worsen congestion on our Nation's roadways and runways; and cuts that undermine the community development efforts of mayors and county executives and Governors across this country.

So this bill spends more than the President's budget, not because it includes vast new spending initiatives but because it simply refuses to acquiesce to the President's reckless cuts. These are the very same cuts that have been proposed in recent years by the Bush administration and rightly rejected by the then-Republican-led Congress. That is why every member of the Appropriations Committee voted to support this bill.

In addition to restoring funding to the cuts that were proposed in the President's budget, there are a limited number of selected funding increases in

this bill. Those increases are targeted on efforts to maintain the current service levels for the HUD section 8 program, so tenants do not lose their homes. It continues to make investments in highway infrastructure so we can address our crumbling bridges and highways. It addresses the critical housing needs of homeless veterans, including veterans who are struggling after returning from Iraq and Afghanistan. And it addresses the current crisis in the mortgage market by boosting funding to counsel subprime borrowers who are today facing default and foreclosure.

As appropriators, we have an obligation to ensure that with our limited resources we are addressing the most critical and current needs we face in transportation and in housing. I believe we can all agree the needs of our returning veterans, especially those in need of housing while they struggle with physical or mental illness, have to be paramount. I believe we can all agree that with billions of dollars of mortgages about to reset to higher interest rates in the next few quarters, we have to do everything we can to help our borrowers keep their homes.

I have been greatly fortunate to be joined by my ranking member, Senator BOND, in crafting this package. Senator BOND's long service on the Appropriations Committee, as well as his work on the Public Works and Banking Committees, has made him one of our leading experts in the areas of both transportation and housing. Senator BOND's leadership and his commitment to the mission of HUD takes a back seat to no one. I could not have a better or more experienced partner in this effort.

The bill that Senator BOND and I put together contains congressionally directed earmark spending. Consistent with the instructions of Senator BYRD and Ranking Member COCHRAN, those earmarks have been substantially reduced from prior years.

For the first time in a great many years, the committee has reported a bill that will leave dollars available to initiate national competitions among all eligible applicants for discretionary transportation programs. For the first time in several years, this bill requires every earmarked project to be fully eligible under the basic authorizing statute for the pertinent program in which it is earmarked.

Those projects must also conform to other strict criteria newly imposed by our subcommittee this year.

Now, as I said earlier, this bill spends more money than the President's request, principally because it rejects a great many of the cuts that were proposed in the President's budget cut, that by the way have been rejected year by year by Republican Congresses.

I want to take a few minutes of the Senate's time today to discuss those cuts in greater detail. The President proposed to cut community development efforts in all our States and communities across the Nation by slashing the CDBG Program by $735 million or 20 percent.

Now, at a time when our changing economy is imposing unprecedented challenges to our mayors and our governors in preserving their struggling cities and towns, the President wanted to slash this effort by almost three-quarters of a billion dollars.

I have yet, personally, to meet a mayor or governor of any political party who endorses that approach. So our bill restores every penny of that cut. The President's budget also proposed to cut housing funding for the disabled by $112 million, almost 50 percent. At a time when our social service networks are trying to give our disabled citizens the chance to live independently, the Bush administration wants to slash that program in half.

Now, if that is not bad enough, at a time when the number of senior citizens is growing, the President's budget for HUD seeks to cut housing for low-income seniors by $160 million or 22 percent. So the bill before you restores every penny of those cuts.

The bill also rejects the President's proposal to completely eliminate funding for the very successful HOPE VI Program. Senators BOND and MIKULSKI deserve a great deal of credit for the success of that program. We have again restored funding for it so we can demolish some of the most decrepit and crime-ridden housing projects with new mixed-income developments that are cleaner, safer, and promote stable community living.

The bill before us rejects several punitive cuts proposed for the Department of Transportation. The President's budget proposed to slash funding for Amtrak by almost $500 million or 40 percent in a single year. This subcommittee heard testimony back in late February that a cut of that size would cripple the railroad and push it into certain bankruptcy. That was not just the view of Amtrak supporters, that was the view of the DOT inspector general who audits Amtrak's books every quarter.

The bill before us also rejects the President's proposal to cut subsidies for the Essential Air Service Program, which would eliminate all flights to dozens of rural and midsized communities in about every State.

At a time when our commercial airlines are terminating air service to small- and medium-sized cities, the President's budgets worsens the situation by slashing subsidies to keep some of those cities on the national aviation map.

As anyone who has taken a flight recently can attest, the number of air travelers has now well exceeded the levels we experienced prior to September 11. Flights are packed and are too often delayed. Planes are landing to find there are no gates to accommodate them. Consumer complaints are growing. Our air traffic control infrastructure is increasingly showing its age, with equipment outages and near misses occurring with frightening frequency.

Yet, as in past years, the President's budget for the FAA proposes to slash over $800 million from our programs that invest in airport capacity, safety projects, and modernizing the air traffic control system.

Maybe if the President flew commercial instead of on Air Force One we would see a much different budget here. But thankfully, as was the case in past years, our bill that is before us today rejects those proposed cuts.

Finally, as I mentioned before, the bill before us includes some select but critically needed funding increases. The President's budget proposed an absolute freeze on the amount of money available for tenant housing vouchers for the coming years, completely ignoring inflationary costs and rising rents. This bill provides a $500 million increase for tenant-based rental assistance. That is the amount we estimate will be needed to ensure that all currently federally assisted tenants can stay in their homes.

Senator BOND and I joined forces to add $78 million for the HUD-VASH Program. That program was designed to target both housing assistance and support services to our homeless veterans, including our veterans who are returning today from Iraq and Afghanistan.

We have coordinated this increase in voucher funding with a comparable increase in supportive services funding in the appropriations bill for the VA and military construction. This is a program that has not received funding for several years. I am very proud to say that our new initiatives will provide critically needed funding to support at least 7,500 homeless veterans.

This bill has also included small and selected increases to address critical and worsening problems with transportation safety. Small increases above the President's budget are provided to hire more air safety inspectors. At present, these inspectors cannot inspect all the maintenance facilities they are responsible for, and we are especially concerned about these facilities that are overseas.

We have also provided small increases for rail safety, highway safety, and pipeline safety. Our subcommittee, in fact, had a special hearing on the rising level of highway fatalities. We have worked to respond to some of the needs that were cited during that hearing.

We have also provided increased funding to enable the Department of Transportation to investigate the growing backlog of customer service complaints by airline passengers.

In summary, this bill rejects reckless and misguided cuts that Republican-led Congresses have also rejected before, cuts that would harm our infrastructure, our communities, and our citizens. It also contains modest targeted increases on programs that are tackling emerging and growing problems, programs that will help our veterans,

our safety and our efforts to keep our families in their homes.

In doing all this critical work, this bill does spend more than the President's request. But in that sense, it is no different from the transportation and housing appropriations bills that were passed by the House and Senate when my Republican colleagues across the aisle chaired our committees.

This bill has broad bipartisan support because it takes a practical approach in addressing real needs we found in the transportation and housing sector. I urge all our Senators to support this bill and move us rapidly to final passage.

AMENDMENT NO. 2791

Mrs. MURRAY. Mr. President, before I turn to my colleague for his opening remarks, I would offer an amendment to the bill to clarify the authority of the Secretary of Transportation to collect damages.

The PRESIDING OFFICER (Mr. CARDIN.) The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 2791.

The amendment is as follows:

(Purpose: To strike a provision of the bill and insert authority for the Secretary of Transportation)

On page 129, strike section 218 and insert the following:

''SEC. 218. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars as a result of third party liability for such damages.''

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2792 TO AMENDMENT NO. 2791

Mrs. MURRAY. Mr. President, I offer a second-degree amendment to my amendment on behalf of Senator LANDRIEU and myself.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself and Ms. LANDRIEU, proposes an amendment numbered 2792 to amendment No. 2791.

The amendment is as follows:

(Purpose: To expand the extension of authority of the Secretary of Transportation and provide additional obligation authority for the highway bridge program)

In lieu of the matter proposed to be inserted, insert the following:

''SEC. 218(a). The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third party liability for such damages, and any amounts collected under this subsection shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

ADDITIONAL OBLIGATION LIMITATION

HIGHWAY TRUST FUND

(b) For an additional amount of obligation limitation to be distributed for the purpose of section 144(e) of title 23, United States Code, $1,000,000,000; *Provided*, That such obligation limitation shall be used only for a purpose eligible for obligation with funds apportioned under such section and shall be distributed in accordance with the formula in such section; *Provided further*, That in distributing obligation authority under this paragraph, the Secretary shall ensure that such obligation limitation shall supplement and not supplant each State's planned obligations for such purposes.''

Mrs. MURRAY. Mr. President, the second-degree amendment that I sent to the desk further expands the Secretary's collection authority and provides additional funding for the bridge rehabilitation program. I am going to be discussing this amendment in detail later this afternoon after Senator BOND has completed his opening statement.

I would like to thank my colleague, Senator BOND, for his work and his staff's work on this very complex and very important bill. Again, I urge all our colleagues to bring their amendments to the floor. As everyone knows, we are in a very short timeframe this week because of the Jewish holidays. We are going to be working late in getting our amendments done. We encourage everyone to get to the floor. I thank my colleague for his work on the bill.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, my sincere thanks to Senator MURRAY for being such a good partner on this bill. It is a very challenging bill, particularly under the constraints in which we are supposed to work. It is always a difficult bill and many complex and controversial issues.

I begin by echoing her comments; we know there will be amendments. We urge our colleagues to come down as soon as possible and offer those amendments so we can deal with them. We have a hard deadline of Wednesday noon. I hope we can get the issues resolved before then. But that is a deadline which the Senate schedule imposes on us. We do want to get it completed.

Senator MURRAY deserves a great deal of credit for balancing the tough issues that are included in this bill; she referred to them. These are important programs that help build our communities and without which a lot of persons would been placed at the risk of homelessness.

This would have been particularly harsh on seniors and persons with disabilities. I also especially am grateful for the programs Senator MURRAY described that we were able to include $75 million in Section 8 funds for the VA Supportive Housing Program.

I think it is a critical program that calls attention to some of the many needs that face our returning service people. There are far too many returning service men and women who come back and are without housing. This is a start on dealing with this serious problem that I know the VA and HUD are familiar with.

We want to give them the authorization and the direction to move forward on it. I think the worth of this program will become even more evident as young disabled service men and women try to make the difficult adjustments to civilian life.

Now, the next item that is going to be discussed is the Minnesota bridge collapse. This was surely a catastrophic event. Our hearts go out to all of those families who lost loved ones in that horrific tragedy. In response to the bridge collapse, Congress immediately authorized $250 million in emergency relief spending to rebuild this vital infrastructure in Minnesota.

I think a welcomed awareness has arisen from this event, brought a higher degree of understanding and appreciation that new methods for inspecting and rating our bridges are necessary. People are even talking about infrastructure and the need for infrastructure.

Well, that is what we have been talking about in this committee and on this floor for many years. We are delighted to have our long-time supporters and some new friends agreeing with us on it.

Now, as far as this bridge collapse, we are anxiously awaiting further information from the National Transportation Safety Board on what the root cause of this tragic accident was and how we can further improve our Federal oversight of critical infrastructure. There are a number of items which have been raised which may point out specific causes for this collapse and which will be a warning to other States and other localities as well of steps they must take and things they must do to avoid bridge collapses.

But I understand why my colleague, Senator MURRAY, has offered the amendment that would add $1 billion in obligation limits for bridges in reaction to this tragic event. I share that concern. But I do have a feeling we should not overreact to the Minnesota bridge collapse by spending more money out of the highway trust fund than is available until we have time to work on a comprehensive reauthorization of the underlying legislation, SAFETEA.

Part of this process must be a comprehensive review of our Nation's infrastructure problems, including how best to prioritize and fund those needs. Obviously, we are going to be looking at bridge safety as well as the other aspects of transportation safety.

I know in my home State of Missouri, and I assume in every State

transportation department across the country, this event brought renewed attention to bridge inspection. In my State, the department of transportation is embarking on a major program to rehabilitate 800 bridges that are of varying levels of deficiency. But while we need to avoid and prevent a future repeat of the Minnesota tragedy, we also must minimize the risk of death or injury posed by the broad spectrum of our aging infrastructure.

This measure would cause serious problems with the declining balance in the highway trust fund and leave us with an additional $1 billion greater shortfall for highway trust fund funding in the 2009 appropriations cycle. Everybody in this building, all my colleagues know or should know that we have significant problems in the highway trust fund because we have seen the impact of higher gas prices on fuel consumption. People are driving less. Economics does work. But when they drive less and use less gasoline, use more efficient conservation measures, which is all to the good, it results in less money coming into the highway trust fund than had been anticipated and lessens the amount of revenue we have available to use on bringing our highway and bridge infrastructure up to the needs of the 21st century. We are not there yet.

Chairman MURRAY and I held a hearing in April on the question of rising highway fatalities. We agree—and everybody would agree—we cannot ignore the fact that 43,443 Americans were killed on the highways last year and some 2.7 million more were injured. From my State, our highway transportation department estimates that one out of three of these people is killed by reason of inadequate infrastructure. In our State, the major problem is too many two-lane roads carrying traffic which should properly be on four-lane roads. I suspect other States are fighting that problem.

The vast majority of highway fatalities are not on the Nation's bridges but, rather, on the highways. The best estimate we have from the U.S. Department of Transportation is that approximately 2,200 out of the 43,000 deaths occurred on bridges. This leads me to suggest that we cannot overreact to such a horrible and tragic event such as that in Minnesota by micromanaging our Federal aid dollars solely to bridges, unless that is where a State, through its unique local vantage point and knowledge of its situation, wants to focus its efforts in Federal apportionment.

So this is something we will be discussing further. We are both concerned about safety on highways and bridges. We look forward to working with our colleagues to see how this can be resolved.

With respect to the Federal Aviation Administration, I again thank Senator MURRAY and her staff for their close cooperation in working through these issues. The chronic delays experienced by numerous travelers this year and specifically this summer have not gone unnoticed by the committee. As ranking member, having spent a wonderful 2½ hours sitting on an airport runway after we landed, I have a personal interest in dealing with this. The bill continues to support the beginning stage of the NextGen Air Transportation System, which we believe is a much needed step toward providing additional capacity and relieving many of the delays at our Nation's airports. The bill also contains funds above the administration's request for flight inspection and certification personnel. Almost all of us use airplanes frequently, and we understand the need the flying public has for greater assurance of safety. We think these funds will ensure continued safety for the National Airspace System.

I also note additional funds for the Airport Improvement Program. That remains an important bipartisan priority for this subcommittee. I can't tell my colleagues how many small airport operators and community leaders in those cities and towns around my State have expressed their strong support for the program.

There are some issues we will have to address as the bill moves forward. For example, we include revenue aligned budget authority, that which we call RABA. When Members hear the term ''RABA,'' it is not the name of a dog or somebody's pet name; it is ''revenue aligned budget authority.'' This was not included in the President's budget.

The bill also contains a $2.89 billion rescission of highway contract authority apportionments to the States used as a budgetary offset to meet the other pressing needs my colleague already described. The bill includes an additional $43.359 million in administrative contract authority and another $172 million in the unused transportation innovative financing infrastructure account—the TIFIA—contract authority, for a total offset of spending of $3.495 billion. In the HUD section, we include a rescission of $1.1 billion.

Finally, I raise one issue we have not been able to address; namely, HUD and OMB's failure to provide adequate funding for HUD's section 8 project-based housing program for fiscal year 2008. To my colleagues and to OMB and to HUD, I say: Let's get serious. This is a critical and important program which serves many of our most vulnerable citizens—low-income families, extremely low-income families, seniors, and persons with disabilities. If we don't fund it, they are out on the street. None of us wants to see that result. HUD has been unable to fund in a full and timely fashion many of these contracts during fiscal year 2007, and this problem is only going to get worse in 2008 to the extent that HUD could have a shortfall in its budget of as much as $2 billion or more which is needed to meet its obligations to these contracts in the next fiscal year. If we don't act in this bill, we are going to see a $2 billion shortfall. Think of the number of people who would be put out on the street if we don't solve that problem. It is unacceptable.

I know this program enjoys wide support, and I expect and hope that OMB will provide the necessary funds for the program through a budget amendment or as part of a continuing resolution or through emergency supplemental legislation. To my good friends at OMB, I say: You cannot walk away from this problem. This problem is real. It must be addressed or we are going to see a tremendous tragedy for the Nation's lowest income and most needy housing residents.

While I am pleased with much of the bill, especially spending in critical programs, I have to say that we are on a collision course with the White House on the spending levels contained in this bill. Both sides are going to have to make adjustments. Some of the adjustments we have outlined are absolutely essential, and we cannot lose the benefit of the positive investments we have made in this bill. This is a very important bill. It is a very difficult bill because we have some extremely serious challenges to face. We understand the need to be sensitive to the budget needs, but there are real pressing human problems we must meet in this bill.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I associate myself with the remarks my colleague made regarding the HUD tenant-based housing. I will have more to say on that later. I appreciate his comments.

We do have now before the Senate a pending amendment about which I would like to make a few remarks. I am hoping we can set a timetable for a vote on that fairly shortly. I do want my colleagues to know about the amendment now pending.

Less than 6 weeks ago, our entire Nation—really, the entire world—watched in horror as the I–35W bridge in Minneapolis, MN, collapsed into the Mississippi River. Given the scope of that disaster, it is miraculous that the fatalities were not greater. Thirteen people lost their lives and over 100 were injured on that horrible day. We are all going to remember the horrendous vision of that yellow schoolbus full of children that came within a few feet of tragedy.

The National Transportation Safety Board is still, of course, conducting its investigation into the exact cause of the bridge collapse, but the horror of that incident has appropriately focused the Nation on whether we are investing adequately in a national highway system that is fragile and aging. The troubling conditions of our Nation's highways and bridges should not have been a surprise to the media or to policymakers. This has not been a story kept under wraps for years. This is not a case where the true conditions were

suddenly revealed in a groundbreaking study.

The U.S. Department of Transportation has by law been required to publish regular reports on the conditions and performance of America's highway infrastructure. That report is submitted to Congress and posted on the Web. The DOT's report was used extensively in the debate we had with the Bush administration 4 years ago over the appropriate amount of funding that should be authorized in the highway bill. This report from the DOT is amplified by regular annual report cards published by the American Society of Civil Engineers, along with regular studies by other groups. The difference today is that the nightmare became a reality for the people of Minnesota and Americans across the country as we watched it live on television.

We have built a national highway system that is the envy of the world. But it is now no secret that our Government has failed to adequately fund the maintenance needs of that system. Increasing traffic has put added stress on a system that simply was not designed for it. As a result, our bridges are deteriorating far faster than we can finance their replacement. This is why more than one in every four bridges on U.S. highways is rated as deficient. Put another way, fully 27 percent of our 600,000 bridges have aged so much that their physical condition or their ability to withstand current traffic levels is simply inadequate. Roughly half of these deficient bridges or about 78,000 across the Nation are structurally deficient. That means the Department of Transportation considers the physical condition of these bridges to be poor or worse.

These bridges require immediate attention, and many of them will need to have weight limits to keep them in service. For a portion of these bridges, their physical condition is so bad that they are unsafe and do need to be replaced. The other half of deficient bridges or another 80,000 across the Nation are functionally obsolete. They don't meet today's design standards. They don't conform to today's safety requirements, and they are handling traffic far beyond their original design.

These deficient bridges are not just found off the beaten path, by the way. In fact, over 6,000 bridges considered deficient are located on the National Highway System, the roadway system that is designated as most important to our Nation's economy, defense, and mobility. There are deficient bridges found in every State in the Nation. My home State of Washington has more than 2,300 deficient bridges. But certain of our States are struggling a lot more than others. Iowa has more than 6,600 deficient bridges. Oklahoma has more than 7,400 deficient bridges. Pennsylvania has almost 9,600 deficient bridges. Texas has more than 10,000 deficient bridges. California has more than 7,000 deficient bridges, with more than 2,000 on the National Highway System.

The Department of Transportation evaluated the complete picture across the Nation last year when it published its Conditions and Performance Report for 2006. That report concluded that there is a $65.3 billion backlog of repairs needed on U.S. bridges by all levels of government. Unfortunately, the challenge of addressing this issue comprehensively is going to have to wait for the next highway reauthorization bill. But today I have offered an amendment to this bill that will add $1 billion to the resources available to all 50 States to help address their most critical bridge replacement and repair needs.

This amendment will not bust the budget. It can be accommodated within the budget ceiling that governs our subcommittee bill. It does not bust through that ceiling or through the discretionary spending cap that has been imposed by our budget resolution.

Working with Chairman BYRD and Ranking Member COCHRAN, our subcommittee was allocated additional outlays that were not used by other subcommittees specifically to accommodate the cost of this amendment I have offered.

My amendment would distribute the $1 billion strictly according to the formula that already exists in the code for the bridge replacement and rehabilitation program. That formula by law takes into account the physical conditions of the bridges in each State, the cost to rehabilitate or replace the deficient bridges, current safety standards and traffic demands, and the role of the bridges in the overall transportation system.

Mr. President, I ask unanimous consent that a table displaying the distribution of this funding to all 50 States be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISTRIBUTION OF OBLIGATION AUTHORITY UNDER THE MURRAY AMENDMENT

	Bridge Oblig. (Murray Amendment)
Alabama	15,555,494
Alaska	3,039,702
Arizona	3,928,042
Arkansas	12,472,923
California	100,000,000
Colorado	7,465,758
Connecticut	33,545,876
Delaware	3,028,428
District of Columbia	7,058,550
Florida	22,508,320
Georgia	13,900,183
Hawaii	5,398,718
Idaho	4,125,863
Illinois	28,349,052
Indiana	12,756,193
Iowa	14,572,001
Kansas	10,848,673
Kentucky	13,366,925
Louisiana	40,207,373
Maine	7,512,716
Maryland	23,292,258
Massachusetts	42,442,187
Michigan	23,539,287
Minnesota	6,849,173
Mississippi	13,486,737
Missouri	26,396,149
Montana	2,822,240
Nebraska	5,692,805
Nevada	2,500,000
New Hampshire	5,569,814
New Jersey	37,919,229
New Mexico	2,978,426
New York	100,000,000

DISTRIBUTION OF OBLIGATION AUTHORITY UNDER THE MURRAY AMENDMENT—Continued

	Bridge Oblig. (Murray Amendment)
North Carolina	25,321,588
North Dakota	2,500,000
Ohio	32,918,739
Oklahoma	15,962,296
Oregon	18,096,746
Pennsylvania	93,887,593
Rhode Island	15,224,139
South Carolina	11,626,086
South Dakota	2,880,383
Tennessee	12,035,612
Texas	32,362,327
Utah	2,568,480
Vermont	7,013,688
Virginia	20,440,584
Washington	34,839,647
West Virginia	11,554,093
Wisconsin	5,138,903
Wyoming	2,500,000
Total	1,000,000,000

Mrs. MURRAY. Mr. President, consistent with the rules that are already in law for the bridge program, these additional funds we are covering under this amendment will be available to the States for bridge replacement, bridge rehabilitation, preventive maintenance, seismic retrofitting, bridge inspections, and the installation of countermeasures designed to protect bridges and extend their lifespans.

Importantly, my amendment does include one restriction that is not included in current law. My amendment will require the Secretary of Transportation to ensure these additional funds be used to enhance planned expenditures by the States for bridge construction and repair.

Under current highway law, States have the flexibility to use obligational authority for many different uses. States may transfer funding between program activities so they can target Federal funds on their most urgent needs. My amendment would not disturb that flexibility for the over $40 billion we are allocating to the States in regular Federal aid funding. However, my amendment would require the States to use the additional $1 billion we allocate with this amendment solely for their most critical bridge activities.

This amendment is a very measured response to a very big problem. I know our States need even greater resources to address their bridge repair needs, but my amendment will allow for an historic increase in Federal bridge funding—a boost of 25 percent. And it will do so while working within the constraints of our budget resolution.

I urge our Senators to support this amendment. The American people deserve to feel safe on our roads and our bridges. We should be taking every step necessary to ensure they are.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

PRODUCT SAFETY

Mr. BROWN. Mr. President, last week, Mattel, the maker of Barbie and Elmo and Barney toys, issued its third recall of tainted products from China just in the last month. Toothpaste, tires, toys—when ''made in China'' becomes a warning label, something is very wrong. Our trade policy should prevent these problems, not invite them. Clearly, our trade policy has failed. Yet anyone who disagrees with America's trade experts is labeled a protectionist, as if that is a bad word. It is not only our moral obligation to protect our communities, protect our families, protect our children from contaminated, possibly deadly products, as Members of Congress it is our duty to protect them.

Last year, the United States imported from China $288 billion worth of goods, much of it food and toys and vitamins and dog food. Not only is China weak in unenforced health and safety regulations, as the Washington Post revealed again today, it aggressively foists on vulnerable nations contaminated food and products.

China sends formaldehyde-laced children's candy, mercury-laced makeup, and fungus-infested dried fruits to unsuspecting consumers in Indonesia, Malaysia, and Hong Kong—a part of China—nations largely reliant upon Communist China for trade and for aid. Our country has worked hard to build safe working places, to build a reliable, healthy food supply, and to ensure that our drinking water is pure and safe. For 100 years, workers, community leaders, elected officials, advocates, labor union activists, people of faith in their synagogues and in their churches, took on some of the world's most powerful corporations to make sure our food and our products were safe. Unrestricted, unregulated free trade with China threatens these gains and jeopardizes our public health. Why would we expect otherwise? China doesn't enforce food safety, doesn't enforce consumer product safety, doesn't enforce worker safety in its own country for its own people. Why would we expect—with this wide-open trade arrangement with the People's Republic of China, why would we expect that Communist government, which cares little about its own citizens—why would we expect them to ship us uncontaminated vitamins? Why would we expect them to ship us products that are safe? Why would we be surprised when toys are coated with lead-based paint or vitamins are contaminated?

As of now, there is little interest among the Chinese in changing the way we and they do business. Our trade deficit with China exceeded $250 billion last year.

So what is to be done? Since the Chinese Communist party forbids third party inspectors on Chinese soil, we either buy less—much less—from China, or we hold importers responsible for the safety of the products they bring into our country. First of all, we must increase the number of food and consumer product safety inspectors. Less than 1 percent of all imported vegetables and fruits and seafoods and grains are inspected at the border—less than 1 percent.

Mattel is to be commended for taking the proactive step of an internal investigation into the recall of products. But such action should be the rarity, not the norm, which is why we cannot in our Nation's best interests focus solely on consumer threats from China.

The real threat is our failed trade policy that allows—and in fact encourages in some ways—recall after recall after recall. The real threat is our failure to change course and craft a new trade policy. The real threat is this administration's insistence not just on continuing these trade relationships, but on building more of the same: More trade pacts that send U.S. jobs overseas, more trade pacts that allow companies and countries to ignore the rules of fair trade, and more trade pacts that will lead to more recalls.

The administration and its free trade supporters in Congress are gearing up for another trade fight. They want to force on our Nation—a nation that in November demanded change in every State in the Union—they want to force on our Nation more trade agreements with Peru and Panama, Colombia and South Korea, all based on the same failed trade model.

FDA inspectors have rejected seafood imports from Peru and Panama. Yet the President is suggesting trade agreements with Peru and Panama. Yet the current trade agreements—as written—limit food safety standards and continue to ignore real border inspections. Adding insult to injury, the agreements would force the United States to rely on foreign inspectors who aren't doing their jobs to ensure our safety. We have seen how well that worked in China.

More of the same in our trade policy will mean exactly what we have seen now with China: more contaminated imports; more unsafe, dangerous toys; more recalls. It is time for a new direction in our Nation's trade policy.

As my friend from North Dakota says, we want plenty of trade. We want trade—plenty of it—but we want it under different rules. It is time for a trade policy that ensures the safety of food on our kitchen tables and toys in our children's bedrooms.

Everyone agrees on one thing: We want more trade with countries around the world, but our first responsibility in the Senate is to protect the safety and the health of our families first.

Mr. DORGAN. Mr. President, would the Senator from Ohio yield for a question?

Mr. BROWN. I would love to.

Mr. DORGAN. Mr. President, the Senator from Ohio has spoken often about trade issues, and I have as well. We have talked a lot about the issue of workers, the impact of free-trade agreements on workers in this country, and the downward pressure on their income and the outsourcing of American jobs. We have talked a lot about its impact on the environment; being able to produce, for example, in China and pump effluents into the air and chemicals into the water and encouraging corporations to move to produce where they can hire people for 20 cents an hour, 30 cents an hour, and pump their pollutants into the air and the water unimpeded.

We have not talked previously much about this issue of protecting consumers. I would just say to my colleague that I spoke last week about a young boy, a 4-year-old boy, who swallowed a little heart-shaped charm—a little heart-shaped charm—and died. Why? Because that heart-shaped charm was made of 99 percent lead coming from China. Well, we know the impact of lead on human health. Ben Franklin described that. It is not something that is new. Yet we have these products now coming into this country with lead because it is cheap. It is bright. So we have all of this lead coming in.

My colleague describes the circumstance now as a ''race to the bottom'' with respect to consumer standards. We have always known that is what is going on with these free-trade agreements with respect to labor standards and environmental standards. But is it also the case—I would ask the Senator from Ohio is it also the case that this is a race to the bottom with respect to consumer standards, by passing these free-trade agreements and doing nothing to insist that the conditions abroad are the conditions that we require at home with respect to what is used in the production is safe for consumers, and so on?

Mr. BROWN. Mr. President, Senator DORGAN is exactly right. The tragedy of the young boy who swallowed the little toy made of lead is that it is less expensive to use lead. It is easier to paint. The paint dries quicker. All of that when you use lead. So when we have this race to the bottom, when our companies go to China and are looking for the cheapest way to make products, and then to import those products, export them from China, import them back into the United States, you are going to see that race to the bottom.

We have seen it with contaminated toothpaste, we have seen it with vitamins, we have seen it with inulin in apple juice, and we see it in toy after toy after toy made by Fisher Price, made by Mattel, some of the most respected companies in our country.

Until we change the trade policy when we are dealing with a country that doesn't protect its own consumers, doesn't do much for its own clean water, its clean air and safe

drinking water, doesn't do much for its workers, we know this race to the bottom will continue. That is why the Senator's efforts on trade issues and our efforts jointly on trade issues are so important. We want more trade, and we want plenty of it, but we want it under different rules that protect American families.

Mr. DORGAN. Mr. President, if the Senator would yield further for a question, it was, I believe, about a century ago when Upton Sinclair wrote the famous book that launched an effort in this country that decided to protect consumers. He was describing conditions in the slaughterhouses. Once people read what he described, they insisted—they demanded—protection for consumers. He talked about the rats in the slaughterhouses and how they would take pieces of bread, loaves of bread, slices of bread, and lace them with poison and lay them around so that the rats would eat the poison and die, the bread would poison the rats. It was all shoved down the same hole, and out the other hole came meat to be sold to the American consumer. There was a demand on behalf of the consumer to stand up for the protection of the American consumer.

So over a century, we lifted standards in this country to protect Americans, to protect consumers. Oh, I know some consider it regulation which is, in their minds, something we should never do, but we regulate to protect people. It is the case with the global economy.

I would ask my colleague from Ohio, it is the case, is it not, with the global economy that if you don't have rules that keep pace with the galloping global economy, you see downward pressure on American wages? Because it is unfair to workers—to ask a worker from Ohio or North Dakota to compete with someone who will work in Sri Lanka, Bangladesh, Indonesia, or China to work for 20 cents an hour; it is unfair to those of us who care about the environment—and there is only one fishbowl. We all live in the same fishbowl, and we breathe the China haze in the United States—and it is also unfair to consumers who believe that for over a century we raised standards to protect them and now we discover we have been engaged in a race to the bottom to obliterate those standards by those who are able to produce abroad.

Is this not the case?

Mr. BROWN. Exactly. As we weaken those standards, as we have this wide-open trade arrangement with a country that doesn't respect those standards and has a history of undermining any standards like that, it is intensified by the fact that we have seen in our own country a weakening of consumer products, safety laws, and we have seen a scaling back of the number of food inspectors at the U.S.-Mexican border and in other places. So the first job—and I know the Senator thinks in North Dakota, and I think in Ohio that U.S. Senators protect our families. And the best way to do that is stronger consumer product laws, stronger health and safety laws, and not to allow them to be undercut and not to allow them to be unenforced.

So I thank my friend from North Dakota for his interest, and I also want to lend support for his amendment that he is about to introduce that deals with the same kinds of issues; in this case truck safety, and how important that is to all of us.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am going to offer an amendment to the underlying bill. My understanding is there is an amendment pending. I can withhold the amendment. I have not yet filed it. Let me at least describe for this moment the amendment, and then I will file it and offer it with the consent of the chairman and the ranking member.

In this morning's newspaper there is a story of a great tragedy in Mexico. It says: 37 die in Mexico truck blast accident. Monterrey, Mexico. Thirty-seven people killed when a truck loaded with explosives crashed into another truck in northern Mexico, Mexican media reported on Monday. About 150 people were injured by the blast, which left a crater of up to 65 feet in diameter in the road. Most of the dead were bystanders, including three newspaper journalists who had rushed to the scene of the crash and the truck exploded, the paper said. That area is a mining State where explosives are used in the coal industry.

Why is that something I raise today? Well, we also had something that happened last week that was pretty unbelievable. The inspector general issued a report, and the report is titled: ''Issues Pertaining to the Proposed NAFTA Cross-Border Trucking Demonstration Project.'' What this means is they have issued a report on whether we ought to allow long-haul Mexican trucks to come into this country and begin trucking in our country.

Well, we then have an accident in Mexico of two trucks. Tragically, 37 people are killed, 150 are injured, with a crater in the highway of 65 feet.

And then we have the Bush administration that last week rushed—yes, I say rushed—to approve the pilot project of some 100 trucking firms to do long-haul trucking in our country.

The inspector general's report, which I have, is 40-some pages long. I had previously cosponsored an amendment with some of my colleagues saying that they had to wait to allow long-haul truckers from Mexico to do long-haul trucking in our country until they could have an inspector general's report which analyzed the advisability of this pilot program.

So they could not proceed with the pilot program despite the fact that they were itching to do it. But they were impeded from proceeding until they got the inspector general's report. The inspector general's report came in at 7:30 last Thursday evening.

At 8:30 the same evening—presumably having read 40-some pages—the attorneys and the administrator at the Department of Transportation announced that the pilot program would begin. So in 1 hour, the Department of Transportation evaluated this inspector general's report—or maybe not.

Let me describe some of what this report is about. First, the inspector general's finding—the inspector general's finding, Department of Transportation only looking at records that the Mexican trucking companies make ''available.'' Here is what it says:

> While the Department of Transportation officials inspecting Mexican trucking companies took steps to certify onsite data, we noted that certain information was not available to them. Specifically, information pertaining to vehicle inspections, accident reports, and driver violations maintained by Mexican authorities was not available to the Department of Transportation.

I will say that again. This is very stunning, almost unbelievable. The Department of Transportation says it has now evaluated all of this—the pertinent information—and has decided now to trigger the pilot project by which Mexican long-haul trucks will be moved into this country, but they weren't able to verify the onsite data. What weren't they able to verify? Well, vehicle inspections, accident reports, and driver violations.

Why am I concerned about this whole issue? Because I know—and I think most people know—that you don't have the same circumstance in Mexico with respect to truck safety, with respect to requirements, regulations, and inspections; you don't have the same enforcement with respect to driver standards, hours of service, and all of those related issues. The practices are not equivalent. So if we move a trucking fleet into this country from Mexico that doesn't have equivalent safety requirements and standards, and drivers who have not been required to meet the same standards and have enforcement to the same standards, then there is no question but that we put at risk drivers on America's streets, roads, and highways. That is a fact.

Yet this administration is so anxious to move that they took only 1 hour to evaluate the IG report. They tell us: We have all this under control. Don't worry, be happy; it doesn't matter what truck you are driving next to ours or what truck you are going to meet at a four-way stop sign; it is all under control—except they weren't able to get information about vehicle inspections. That means they weren't able to get that information on Mexican trucks. They weren't able to get information about accident reports. They weren't able to get information about driver violations. What were they able to get?

Is this one of those ''trust us'' things? I think we have had enough of these ''trust us'' claims. How about verifying just a bit some of the basic

information we need to know and understand before we decide to allow Mexican long-haul trucks beyond that 25-mile perimeter they have been allowed to drive since NAFTA. Well, as I indicated, it took this administration all of 1 hour to approve this pilot project.

Let me provide the next chart that shows the key issue. The inspector general's report doesn't resolve these issues. You would think the Department of Transportation, having some sort of epiphany at 8:30 in the evening, must have felt everything was resolved. If they read the IG report, here is what it says:

Inconsistent data used to monitor Mexican commercial driving convictions in the U.S. Lack of coordination with the Department of Transportation offices to ensure that drug and alcohol testing issues are addressed. Lack of Federal motor vehicle policy to check and record vehicle identification numbers during an inspection. Inadequate Mexican bus inspection coverage during busy periods.

I went to page 2 of the IG report. Page 2 on the report is a response to what the administration said. They said, if we can allow these long-haul Mexican trucks in, we are going to inspect every one of them under the pilot project. If we get one coming North, we are inspecting it. We are going to put an inspector on the vehicle. We are going to inspect the vehicle. Here is what the IG report says: They agreed to develop a plan to check every truck every time. But as of July 2007—that is a little less than a month ago—no coordinated site-specific plans to carry out such checks were in place. Federal Motor Vehicle Carrier said it would have plans outlined by August 22, but the IG says we have not received any outlines or completed plans.

In our opinion, not having site-specific plans developed and in place prior to initiating the demonstration project will increase the risk that project participants will be able to avoid the required checks.

I will not read that all again. It means this: Despite the promises that they are going to inspect every truck every time, they don't have plans in place to do that. Those are pie-in-the-sky promises. We have had a bellyful of them. Time after time, they say here is what we are going to do and we commit, trust us. On this subject, the fact is we should not trust anybody. We should say show us the plan that is going to guarantee the next time you show up at a four-way stop, or you are driving down a highway in this country, and you are confronted by a truck that came across our border from Mexico, that that truck has met an equivalent safety standard as an American truck, and that that driver and his or her record of service and the conditions of service and the hours of service are equivalent to what you would expect with an American driver. If that is not the case, then there ought not to be a pilot project at this point.

I only referred to page 2 of the report. As I indicated, they took a little less than 1 hour last Thursday evening to decide to approve the pilot project after they were prevented from doing so until this report came out. It is clear to me that they either didn't read the report or didn't understand the report, because this report doesn't suggest at all that what has been put into place represents any kind of safety or security for American drivers when confronting a Mexican long-haul truck coming across the border.

Do I allege that every truck that will come across is unsafe, that every American should shudder at the risk of pulling up to an intersection with them? That is not my point. We have two different standards with respect to the enforcement of safety requirements, with respect to trucks and drivers in Mexico versus the trucks and drivers in the United States. To decide at this moment that we are going to merge these systems without providing the assurance to the American people they are going to do what they say they are going to do—inspect every truck every time—that is a decision by the Department of Transportation to provide extraordinary risks they should not provide for American drivers.

Let me again put up a chart that shows three issues on which you would have to know, it seems to me, at least the body of information if you were serious about saying we are going to implement the NAFTA, which itself—by the way, in my conversation a few moments ago with the Senator from Ohio, we could have described our trade failures, and the hood ornament of that failure is certainly NAFTA, an agreement we reached with Mexico and Canada. At the time, we had a very small trade surplus with Mexico. We have turned that into a very large trade deficit with Mexico now. We had a modest trade deficit with Canada, and we have now turned that into a very large one. By all accounts and standards, NAFTA has been a huge failure for this country. It ought to be, in my judgment, renegotiated, but those who chant ''free trade'' and believe that any trade agreement is better than no trade agreement continue to say NAFTA was a success, despite all of the evidence. It is very hard to describe success as very large and growing trade deficits. NAFTA, apparently, indicated that we should integrate our trucking and, therefore, Mexican trucks should be allowed into this country for long-haul capability. But in order to do that, we would harmonize the safety standards in Mexico and the United States with respect to equipment and drivers.

So the Department of Transportation, anxious as it is to allow long-haul Mexican trucking into this country right now and, again, with a pilot program right now, they have tried to assure us there is no risk, no problem, be happy. The problem is the very IG report they rely on to trigger the pilot project, in my judgment, tells them they should not do it at all; there is substantial risk. You would need to have a body of information about what is happening with respect to Mexican trucking in order to make this judgment. What kind of information did they get? They didn't get accident reports because there wasn't any central repository of information for the reports. They didn't get vehicle inspections. They didn't have that information. They didn't get driver violations—with one exception; that exception was the Mexican companies that decided voluntarily to provide the information. They have that—whatever that is. It is not very much, but they have that. That doesn't represent any information that is validated by anybody.

It is unbelievable to me that they would rush off and—I know this about transportation, but it seems to me if anybody should be arrested for speeding here, it is those who have decided they are going to rush and speed to approve this pilot project less than 1 hour after the IG report comes out, at a time when the IG says clearly they have not been able to get the information you would need.

Again, on page 2 of the IG report, I will say it again because it is central to what I am saying on the floor of the Senate, the Department of Transportation says they will inspect every truck every time with respect to this pilot project. Let me say, again, here are the facts. They agreed to develop a plan to check every truck every time. But as of July 2007, a month ago, no coordinated site-specific plan to carry out such checks was in place. They stated they would have plans outlined by August 22 at that point. That is about 2 weeks ago.

But the IG says that ''we have not received any outlines or completed plans.'' ''In our opinion,'' they say, ''not having site-specific plans developed and in place prior to initiating the demonstration project will increase the risk that project participants will be able to avoid the required checks.'' What the IG is saying is if you don't have a plan in place to inspect every truck every time, you increase the risk that these participants will be able to avoid the required checks.

I think this sets us up for failure, but, more importantly, it imposes substantial additional risks, I believe, for American drivers.

First and foremost, with respect to our trade agreements, they ought to be able to protect this country's economic interests and our interests with respect to safety. I don't believe the actions by the Department of Transportation have done that.

I don't believe the inspector general's report suggests that standard has been met. For that reason, I will offer an amendment that is identical to the amendment previously passed by the House that will prohibit the use of funds to continue this pilot project.

Thursday, at 8:30 in the evening, 1 hour after the inspector general's report was published, the administration

announced they were embarking on the pilot project. I don't know exactly where they are at this moment on it, but wherever that happens to be, the House of Representatives has already said no, and I believe the Senate, in support of my amendment, will do exactly the same thing.

There is an amendment pending on the floor of the Senate. I will shortly file my amendment, and I will call it up at an appropriate time. But I wish to make a comment on another matter very briefly, if I may.

IRAQ

General Petraeus and Ambassador Crocker are now testifying before the House of Representatives. Most of us know from this morning's news reports and from the expectations last week what the report will be today. The report will be as existed now for a good many years, longer than the Second World War has lasted. That is how long we have been engaged in the war in Iraq. The report will be: Things are getting better; there is marginal improvement; things are uneven; we can't leave; we have to stay. That is going to be the report. We understand.

I wish to raise the question again, however, that I think is being missed with the Petraeus report and the Crocker report, and missed by Congress as well.

Last week, we were told that we received a message from Osama bin Laden. Osama bin Laden, in a ''safe and secure'' hideaway—and I use the words ''safe and secure'' in quotes because that is what our intelligence officials have indicated to us—in a safe and secure hideaway, we are receiving messages from the leadership of al-Qaida. The last National Intelligence Estimate, just months ago, indicated that the greatest threat to our country and our homeland is the leadership of al-Qaida and that they are ensconced in a safe or secure hideaway.

My question is this: Despite all of the reports we will now hear on the subject of Iraq, does it meet any kind of test of faith or good strategy that we should be going door to door in Baghdad in the middle of a civil war at a time when those planning additional attacks against our country are in safe and secure havens in northern Pakistan, at a time when the National Intelligence Estimate says that the greatest threat to our homeland—this is not me making this up—the greatest terrorist threat to this country and our homeland is from the leadership of al-Qaida, and they are planning new attacks, does it make sense there is a spot on Earth that ought to be safe and secure for them? Isn't it the case there ought not be 1 square inch on this planet 6 years after 9/11 that the leadership of al-Qaida can plan and plot attacks against our country?

I guess that is the case because we are in the middle, once again, of civil war in Iraq and have been for a long while, and we will, if we agree there shall not be a change in course, remain in Iraq for some long while.

My own view is we are going to leave Iraq. The question is not whether; the question is how and when. It makes little sense to me not to have as a priority, not to have as the priority in our country to eliminate the greatest terrorist threat to our country, and that, according to the National Intelligence Estimate, is the leadership of al-Qaida.

Some will make the point that there is al-Qaida in Iraq, and that is true. That is not the central war on terror, however, and Iraq is not the central war on terror. Iraq is more sectarian violence. The National Intelligence Estimate tells us that as well.

All of us hope for the same thing. We want this country to find its way; we would wish that the leadership of Iraq will be able to provide strong leadership, resolve the questions, and then at some point find a way to provide for its own security. Saddam Hussein has been executed; he is dead. The people of Iraq have a new constitution; they voted for it. The people of Iraq have a new government; they voted for that government. The next question for the people of Iraq is whether they have the capability and the will to provide for their own security because this country cannot do that for many more years, and we do that at the expense of not eliminating the most significant threat to our country, according to the National Intelligence Estimate, and that threat is the leadership of al-Qaida that sits now in a safe haven, a safe and secure place.

I say again, as I conclude, that even as we have testimony today before the House and tomorrow before the Senate, our goal ought to be to fight the terrorists first, and those terrorists, according to the National Intelligence Estimate, plan additional attacks against our homeland even now from safe and secure places. There ought not be 1 square inch on this planet that should be safe and secure for the leadership of the terrorist organizations plotting attacks against our country. That ought to be our priority.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I appreciate all the comments of my colleague. He had some very interesting things to say. I don't believe I can let it pass, as vice chairman of the Intelligence Committee, without clarifying some of what has been said about the danger to this country.

First, we have never taken our eyes, our efforts off getting the leaders of al-Qaida. There were times in the past, in the nineties, when we had an opportunity to get him, and apparently, according to published reports, from one of the people who was with Osama bin Laden, we came close, but we have not been able to find him. I can assure you, without going into the details, that we continue to make a major effort to find Osama bin Laden and Ayman al-Zawahiri, the No. 2 man. If any Senator wants to come to the Senate Intelligence Committee in Hart 219, we will be happy to brief them on the efforts made there.

As far as the threat to the United States, the greatest threat to the United States from abroad is having al-Qaida establish a safe haven where they can recruit, have training facilities, issue command-and-control orders, and develop weapons of mass destruction. We have no better authorities than Osama bin Laden and Ayman al-Zawahiri that they still seek to establish that headquarters for their effort in Iraq because this is where they believe their caliphate should be headquartered. They would be far more capable of operating against the United States and others if they could go back to establishing their safe havens in Iraq, as they had in Afghanistan prior to our eliminating the Taliban.

I believe anybody will tell you that this country is safer because we have denied them a safe haven. Yes, some of the leaders are hiding out in the rugged mountains in that region. Their communications are very difficult. Their training facilities have been interrupted from time to time by our and allied efforts. We continue those efforts. They know they cannot operate safely there with impunity, but they are denied the operational freedom of a safe haven in Iraq. That is their goal—that and attacking the United States. Establishing a foothold in Iraq would give them not only the training facilities and recruiting and command-and-control capacities, but it would give them access to tremendous oil reserves, so they would have the funding from the oil resources, potentially putting tremendous economic pressure on us if they cut off Iraq's oil supply to the free world. But they would have the oil resources.

As far as Iraq is concerned, the intelligence we had before we went in was not good. We pointed out in the Intelligence Committees where it fell short. But we have also had the report of the Iraqi Survey Group, David Kay, which said Iraq was a far more dangerous place even than we knew. Before we went in and took out Saddam Hussein, we did not know the chaotic system in that country. The fact that there were terror groups operating in that country who sought weapons of mass destruction—and we know Saddam Hussein not only manufactured but used weapons of mass destruction—those terrorist groups in Iraq were seeking to get weapons of mass destruction from Saddam Hussein's operations and his just-in-time inventory system.

There is a lot more to the story than we just heard, but I can assure my colleagues, from the intelligence standpoint, we are not giving anybody any safe haven where we have any reasonable knowledge of where they stand or in what way they are operating.

I wanted to make those comments. I thank the Chair. I note another colleague has asked to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me take 2 minutes. My colleague is a distinguished member of the Senate Intelligence Committee, but I want to observe this point because it is important. We will certainly have an Iraq discussion late this week or next week. It will be, I hope, a discussion that represents the best of what both sides have to offer rather than the worst of each. When we get the best of both, the country has benefited. I hope and expect that will be the case. But I do wish to make this point: The training camps have already been reconstituted. Last week, I was on the floor of the Senate describing in three different pieces of evidence that Osama bin Laden, Ayman al-Zawahiri, and others have already reconstituted training camps, which represents a problem. Last week in Denmark, they picked up terrorists. Guess where they were trained. Partly in Afghanistan but mostly in Pakistan. And the expectation is they were trained in those training camps which have been reconstituted because the leadership of al-Qaida does, in fact, have a safe haven.

I have great respect for my colleague, and I do not want to pursue a lengthy debate, but I want to say that the leadership of al-Qaida has largely been given safe haven. We took our eye off the ball. There was a period of time when it didn't matter where they were. They have reconstituted their training bases, and we are starting to see the bitter fruits of that effort, and we will see more. It is why I say I believe it is very important, as a matter of national strategy, to fight the terrorists first.

I will speak later about the question of what was in Iraq when we went there. At this point, I think all of us as a country believe that if that is the greatest terrorist threat to our country, the leadership of al-Qaida, the elimination of that leadership and the elimination of any safe and secure haven must be the most important goal for this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

IRAQ

Mr. VITTER. Mr. President, today we are embarking on another very important chapter in our ongoing Iraq debate, and it is very appropriate that we do so because we are receiving testimony and reports from two great American leaders who have been forging our cause there—GEN David Petraeus and Ambassador Ryan Crocker. In that context, I wish to begin to offer some preliminary thoughts of my own as we reenter this debate. They are forged in particular by a recent experience, my recent visit to Iraq with three of our Senate colleagues during the August recess. I was able to go there with Senators VOINOVICH, ALEXANDER, and CORKER. We had a very good review of many issues there, as well as, obviously, a great opportunity to converse and study and talk with experts on the way there and on the way back.

I guess out of that trip in particular—it was my second trip to Iraq; the first was just about a year prior to that, and this was my fourth trip to the Middle East—three things struck me in particular, that while many of them have been stated before, they are very important to get out on the table and reaffirm at the beginning of this debate.

One is, it is very clear—in fact, I think it is largely beyond dispute—that in recent months, because of not just the personnel and the extra manpower given to the effort through the surge but because of the excellent strategy, the strategic thinking largely of General Petraeus behind that effort, there have been real and meaningful gains made on the security side. There have been enormous gains made against al-Qaida in Iraq in particular and in tapping down the sectarian violence more generally, although perhaps gains there to a lesser extent.

We have heard a lot about the Anbar awakening and the enormous gains made against al-Qaida in Iraq. But I think those who try to isolate those gains just to that region, just to that situation are missing the full picture.

We got a fuller picture of the gains while we were there. Not perfectly even gains, not all across the country but significant gains made in a number of different places, in a number of different contexts, and not just in that one region. The security gains, again because of our greater numbers but even more so because of the strategic thinking that was placed behind that surge, I think those gains are very real and very meaningful. They were evident to us, to myself and Senators VOINOVICH and ALEXANDER and CORKER, because of a number of factors and a number of parts of our visit.

What got the message through particularly forcefully was the last part of our visit in Iraq, when we went to Combat Outpost X-ray near Taji, outside of Baghdad about a half-hour, 45 minutes by helicopter. This was a very instructive and, indeed, inspiring visit. Because, again, we saw the very real fruit of our new strategy and the surge force put behind it. And it wasn't just in that situation of Al Anbar, that many folks try to portray as extremely unique and not being able to be replicated anywhere else; it was in this combat outpost outside of Baghdad. And it wasn't just among a Sunni population or Sunni insurgents; it was in an area that was roughly half and half, Sunni-Shia.

Two things struck me about that visit more than anything else. One was talking to a young African-American soldier from Louisiana, an enlisted man, who in casual conversation—he wasn't quoting any talking points, he wasn't giving any formal brief—who said how motivated he was and what a greater sense of progress he thought they were making during his work there at Combat Outpost X-ray as compared to his previous deployment about 2 years before. He said the difference was night and day, and he felt so much more optimistic because of the surge and the strategic thinking behind the surge and the results it was having that he could see, face-to-face, on the ground.

Some of those results we saw on that visit. Because we not only visited with U.S. military commanders and their military personnel, such as this young soldier from Louisiana, we also sat down with four sheiks from the region who had become full and active partners with our military and the Iraqi military in getting after the bad guys. It so happened, as is representative of that area, that two of the sheiks were Sunni and two of the sheiks were Shia, but they had come together as true brothers in arms and as true brothers in arms with the U.S. military and the Iraqi military to get after the bad guys, particularly al-Qaida in Iraq but also insurgents who were causing violence and terrorizing their families.

That is the sort of real progress the Louisiana soldier was talking about. That is what was exciting him and had gotten him so motivated, particularly compared to his previous tour of duty about 2 years prior.

The second thing I saw firsthand during that visit to Iraq is on the other side of the ledger and is also talked about quite freely and quite openly, and that is that while we have this meaningful security progress, while we have real results from the surge and the strategic thinking behind the surge, unfortunately we don't have a lot of political progress produced at the Iraqi central government level. Again, this was very evident from our personal experiences on the ground, particularly two meetings we had, one with the Sunni Vice President of Iraq and one with the Shia Vice President. Those two meetings, separate meetings, helped to underscore the enormous need we have for further reconciliation and for further political progress on the ground at the central government level.

I remarked during our visit to Combat Outpost X-ray that I would like to nominate those four sheiks to help form a new central government because their reconciliation was in stark contrast, their friendship and partnership was in stark contrast, quite frankly, to the discussions we had with the two Iraqi Vice Presidents, one Shia, one Sunni. So, again, we saw firsthand the unfortunate lack of political progress. Of course, the surge was designed to create breathing room and time for the political process at the central government level, but that lack of progress has been very frustrating.

Now, I do have to say there has been a little progress since then. Since we came home, the big five Iraqi leaders, if you will—the President, the two Vice Presidents, the Prime Minister, and also the Kurdish leader—have signed a joint communique and have laid out a path to reconciliation and progress on the key political issues facing them. That is encouraging. But certainly it doesn't completely change the situation on the ground politically, which wasn't particularly encouraging when we were there.

The third and final thing which I observed very directly, and which is perhaps the most important, in my opinion that we focus on this week, is the enormous integrity, focus, dedication, and intelligence of our two primary leaders on the ground in Iraq—GEN David Petraeus and Ambassador Ryan Crocker. Again, our four-Senator delegation had a great opportunity to sit down with them for about an hour and a half, and we had a very meaningful, indepth discussion, hearing recent progress and lack of progress from them. They gave us their own personal observations, and they responded to all of our queries and questions. There were a lot of details and facts that came through during that meeting. But what most came through, to me, was their enormous credibility, in terms of what is going on there on the ground, and their enormous dedication, focus, background, and real intelligence about the challenge they were leading there on the ground.

I think that is perhaps the most important of my three observations as we begin this new chapter of the Iraq debate, for a very simple reason. Those gentlemen are testifying, as we speak, before the House. They will testify tomorrow before the Senate. This is following the lead-up of many months, where we have been looking forward and waiting to hear their direct observations and their testimony. This is after it is universally acknowledged that they are very smart, qualified people; there to lead our military and diplomatic effort. Yet, even having said all of that, I think the rush of all of us in Congress, House and Senate, is to talk and debate and offer our own opinions without taking a little time to be quiet, to take a deep breath and listen to the observations and opinions of those two highly qualified leaders.

So I end with that observation, of their enormous credibility, dedication, focus, and intelligence, in terms of the task before them. I end on that observation to encourage all of us not to reserve our opinions forever, not to shy away from an important debate, not to disagree, if we truly disagree in our minds and in our hearts, but to take a deep breath for a few days, for a few moments, to listen to the observations and the suggestions of these very capable leaders.

That is the third thing I brought back from my personal trip to Iraq during August with Senators VOINOVICH, ALEXANDER, and CORKER. Today, tomorrow, as General Petraeus and Ambassador Crocker testify before Congress, perhaps that is the most important observation. We will have plenty of time to debate, argue, disagree, propose resolutions, move forward with legislation, and take votes. But surely, given the universal credibility of these two men, we should take a deep breath and listen carefully to their observations, their suggestions, and their plans. That is certainly what I am going to do as we begin this new chapter of the debate.

With that, I yield the floor.

Mrs. MURRAY. Mr. President, I ask unanimous consent that at 3:30 p.m. the Senate proceed to vote in relation to the Murray amendment No. 2792, and that regardless of the outcome, amendment No. 2791 be agreed to as amended, if amended.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. CARDIN are printed in today's RECORD under "Morning Business.")

Mr. CARDIN. I yield the floor.

Mrs. MURRAY. Mr. President, I ask unanimous consent that at 2:45 p.m. Senators BENNETT and HATCH be given 15 minutes of time to talk about a resolution regarding the Utah mining incident.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING THE SACRIFICE AND COURAGE OF MINERS AND RESCUERS IN THE CRANDALL CANYON MINE DISASTER IN UTAH

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 312, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 312) honoring the sacrifice and courage of the 6 miners who were trapped, the 3 rescue workers who were killed, and the many others who were injured in the Crandall Canyon mine disaster in Utah, and recognizing the community and the rescue crews for their outstanding efforts in the aftermath of the tragedies.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 312) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 312

Whereas, on August 6, 2007, 6 miners, Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, were trapped 1,800 feet below ground in the Crandall Canyon coal mine in Emory County, Utah;

Whereas Federal, State, and local rescue crews have worked relentlessly in an effort to find and rescue the trapped miners;

Whereas, on August 16, 2007, Dale "Bird" Black, Gary Jensen, and Brandon Kimber bravely gave their lives and 6 other workers were injured during the rescue efforts;

Whereas Utah is one of the largest coal-producing States in the United States, having produced more than 26,000,000 tons of coal in 2006;

Whereas coal generates more than half of our Nation's electricity, providing millions of Americans with energy for their homes and businesses;

Whereas coal mining continues to provide economic stability for many communities in Utah and throughout the United States;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation's coal mines; and

Whereas the American people are greatly indebted to coal miners for the difficult and dangerous work they perform: Now, therefore, be it

Resolved, That the Senate—

(1) honors Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, as well as Dale "Bird" Black, Gary Jensen, and Brandon Kimber for their sacrifice in the Crandall Canyon coal mine;

(2) extends the deepest condolences of the Nation to the families of these men;

(3) recognizes the brave work of the many volunteers who participated in the rescue efforts and provided support for the miners' families during rescue operations; and

(4) honors the contribution of coal mines and coal-mining families to America's proud heritage.

Mr. HATCH. Mr. President, in the early morning hours of August 6, 2007, my home State of Utah, our home State of Utah—my distinguished friend and colleague, Senator BENNETT, is with me today—suffered a seismic event at the Crandall Canyon mine in Emery County. These "mountain bumps" set up a chain of events that culminated in great tragedy and tremendous sorrow to all of our fellow Utahans and, I think, to many people across the country.

As a team of miners was working on its shift at the Crandall Canyon mine, the earth shifted and debris and ruin rained down trapping six men, all of whom have remained missing since August 6.

As news began to travel regarding the collapse and the lives in peril, crews began working to somehow, some way, free the six men. As one day turned into the next and hopes were lifted, just to sadly be dashed, one thing has remained constant: men and women from all walks of life have come together to fight for Manuel Sanchez, Kerry Allred, Luis Hernandez, Carlos Payan, Brandon Phillips, and Don Erickson.

The list is long and varied of the many who have sacrificed and given their time, knowledge, and resources to help in this tragedy. The list includes officials from the Federal Mine Safety and Health Administration; Murray Energy Corporation; the United States Air Force; Utah's Departments of Public Safety, Natural Resources and Human Services; the Utah Air National Guard; local, State and national government; and last but perhaps most importantly of all the men, women and children living in the communities impacted by this tragedy.

As our State and Nation watched closely day after day for news of hope and rescue, we suffered another devastating blow the evening of August 16, 2007, when another seismic bump inside the mine buried rescue crews in coal and debris. As another new tragedy unfolded, many flew into action to now rescue the rescuers. People rushed to the scene to offer aid and valiantly try to save additional lives. Stories are told of miners using their bare hands to dig out buried miners.

As we heard the news of first one rescuer's death, then another, and another, it is difficult to describe the overwhelming sorrow and disbelief Utahns felt at the deaths of those who had risked everything for their coworkers, friends, and fellow miners.

Many were saved that evening, but sadly three lost their lives for others.

Dale Black was in the mine desperately trying to reach his cousin, Kerry Allred. In fact, he wasn't even supposed to have been in the mine that evening. He had been promoted the day before and would now be assigned as a rescue manager, working outside the mine. However, as Dale's brother Guy stated, ''That's Dale. He wouldn't have let his guys go in without him.''

Gary Lynn ''Gibb'' Jensen from Redmond, UT, was an employee working for MSHA who was no stranger to mining. He had been in the mining industry in various capacities for 35 years and was described by others as someone who steered his career toward mine safety. He never hesitated to better the lives of his fellow ''coal'' miners.

And finally, Brandon Kimber, a father of a 5-year-old daughter and twin 4-year-old boys. He was relatively new to the mining industry, only working in the mines for 3½ years. He was described as an unselfish, wonderful man who never hesitated to help others.

Dale Black, Brandon Kimber, and Gary Jensen will long be remembered for their selfless acts that day. These were three humble miners who are now three wonderful heroes.

As our State and Nation grapples with this tragedy and looks for answers, I do not want us in our haste to solve this tragedy overlook the contributions miners and the mining industry has made to America for many, many years. We want to solve this tragedy, but we haven't been able to. The original six miners are still buried in the mine. We hope we can recover them.

Mining is a community, it is a brotherhood, and it helps fuel our economy and growth. Generations of Utahns from many of our communities have toiled in and helped propel the mining industry. Many men and women return home each evening with faces marred by coal dust, and tired bodies. However, to many Utahns mining is a way of life and their contributions to this important industry must always be appreciated.

As I have traveled throughout our State and Nation, some of the most wonderful people I have met and talked with are miners. They are humble, they work hard, and they display courage each day as they enter the mines to make a living and support their families.

Throughout the communities bordering the Crandall Canyon Mine, you don't need to travel far to see a sign, a t-shirt, or some other display urging all to ''save our miners,'' ''pray for our miners,'' and ''love our miners.'' I have witnessed first-hand the courage, fortitude, and heroism of many wonderful people to do all three save, pray, and love our miners.

I have been saddened greatly by the events that have transpired in my home state throughout the past several weeks. The Crandall Canyon Mine collapse and tragedy will forever be remembered for the grief we shared as a State, and the valiant, and courageous efforts displayed by many. In the depths of this tragedy heroes emerged, and our faith in the human spirit lives on through the sacrifices made by many to comfort, and save the lives of others.

Senator BENNETT and I have introduced this resolution which has been agreed to, honoring the sacrifice of the miners and rescue workers and expressing the condolences of the Senate and our Nation to their families.

I have been almost blown away by the kindness of our fellow Utahns and the courage and strength of those who have tried to save these miners. I have appreciated the leadership of the mayors of both Huntington and Price who have stood so valiantly as rocks against the pain and suffering these good people have suffered. I am so grateful to know these people. My heart goes out to the families of these miners and, of course, their children. I hope and pray that somehow we can do a lasting memorial for these folks who have died and who have worked so hard to try and support their families. I was happy to urge our colleagues to support this resolution, and I appreciate their support.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank my senior colleague for the thorough and sensitive way in which he has described this Senate tribute to the families and the coworkers of the miners who were killed in the Crandall Canyon mine disaster.

I was there the day after the mine collapsed. The Governor was there as well. Senator HATCH was on his way and joined us later. We welcomed the assistant Secretary of Labor to Utah, and we examined with soberness and concern the facts surrounding the situation. We were not sure whether the miners had survived. There were reservations from those who were experienced with these kinds of mine problems. They were afraid the miners had, in fact, been killed in the initial blast. But we all held out hopes that they could survive, and efforts were undertaken to determine whether they were alive.

To show the ruggedness of the territory, there was no way to drill a significant hole into the mine immediately because there was no road up to the top of the mountain where the drill would have to be placed. So a smaller drill was brought in by helicopter and drilled a 2½ inch hole through roughly 1,200 feet in an attempt to find out whether we could make contact with any survivors who might be there. A road was built, a larger drill was brought in and followed the 2½ inch hole with an 8½ inch hole. Neither one produced any tangible evidence that the miners had survived.

In the briefings we had from the experts onsite, we discussed what might be done further besides drilling the holes. They talked about the dangers connected with trying to dig into where the miners were. It was understood there would be no further attempt in terms of digging in until the seismic activity in the mountain had stopped. The mountain would continue to shift, and as it was shifting, the experts said: We will not undertake any attempt at further rescue.

I subsequently learned they did make an attempt while the mountain was shifting. It was not a reckless attempt, although it was a heroic attempt. They believed they had sufficient protection from the rescue workers that they could get somewhere near where the miners had been trapped and find out if they were still alive, even while the mountain was still shifting. They applied fully known and reliable means of protection for the rescuers, and then the second tragedy occurred. Even with

this protection, the rescuers themselves were caught by a seismic shift in the mountain, and two more miners and one mine inspector were killed, bringing the tragic total to nine. More holes were drilled. More attempts were made to find out what could be found. But the mountain had claimed its nine lives and still has not yielded any of those bodies.

This double tragedy has united the mine community in Utah in the ways Senator HATCH has described. And throughout the State of Utah, far away from the minefields, flags were flown at half staff as the people of our State joined together in mourning for those who had lost their lives in this tragic accident. Hearings have been held. We hope to learn as much as we possibly can, to continue to work as hard as we can as a nation to see that the deaths in the mining world continue to decrease, but we recognize that whatever satisfaction we take from the fact that mining deaths have decreased over the decades, that still does not lessen the tragedy for those loved ones and coworkers who have seen this kind of death occur.

I am pleased to join with my colleague Senator HATCH in cosponsoring this resolution and I thank the Senate for its unanimous support of the resolution and extend, once again, my personal condolences and sympathies for all of those who are personally touched by the tragedy.

We must, as a Congress, do everything we can to see that this kind of tragedy is reduced to the point where, ultimately, it ceases to be.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mrs. MURRAY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CYBER ATTACKS

Mr. BENNETT. Mr. President, I rise to make note of an event that the newspapers have talked about and then passed over, but one we should pay a great deal more attention to. This has to do with the number of increasing cyber attacks that have occurred where hackers have gotten into computers and upset their ability to function. I am not talking about the kind of hackers who break into a computer to leave behind an obscene message simply to demonstrate that they could do it. These are amateurs. I am talking about attacks that appear to be state sponsored.

The Nation of Estonia had its computers shut down for a period of a week, unable to perform any kind of connection with the outside world, almost as if it were a test on the part of some nation state to determine whether they could perform this kind of activity. Now we have had further demonstrations of their ability to do it in government computers. This has been going on for years. I remember, when I was connected with the Y2K issue as chairman of the Senate's committee on that problem, going over to the Pentagon and standing in the room where we watched the cyber attacks come in. The officials in the Pentagon would identify for me the countries from which they were coming. They would say: Those are attacks coming from the Philippines. Those are attacks, probing, trying to get into our computers. They come from South Korea. These are coming from whatever other country. That does not mean the attacks originated in any of those countries. It is entirely possible in today's world for someone to have a sophisticated computer attack in one nation and route the attacks through a second or even third or fourth nation as cutouts so the victim of the attack will not be able to know the original source.

The recent attacks that have occurred against our Government computers clearly come from a higher level of sophistication than those I saw 3 or 4 years ago.

I pursued an interest in this issue and then became consumed with other Senate business—that happens to us—and said, a few years later: I probably need to check into this to see what has happened. So I went back to the National Security Agency, I went back to the Pentagon, I made contact again with people at the CIA and said: What is going on in the world of cyberattacks and cyberterrorism?

I was startled that everything had progressed two, three, four, five generations beyond what it had been just a few years before. It is a classic sword-and-shield confrontation. The attack comes—representing the sword—we create firewalls—representing the shield—and then a new sword is invented and a new shield is called for. This game has been going on now to an escalated level where now we are seeing sophisticated nation state-sponsored attacks, and they break through occasionally, and they get a little space in the newspaper and maybe a mention on the evening news, and then we go about business as usual.

I am as guilty as anyone else of going about business as usual. I want to get back into this issue, dig a little deeper, and find out what is going on because eventually this will be the ultimate battlefield. Eventually, the people who wish this country ill will not come at us with tanks and aircraft carriers or cruise missiles; they will come at our computers. Our military is the most sophisticated in the world, but if you shut down their ability to communicate through satellites and by computers, our military becomes crippled and impotent. I remember when I went through basic training being told that an army has to do three things: It has to move, shoot, and communicate. Those who are mounting these cyberattacks are developing the capability to prevent us from communicating. We need to spend more time and effort looking at this issue.

I have one suggestion for the executive branch. During the Clinton administration, the highest official dealing with this issue was in the White House. After President Bush became the President, that official reported to Condoleezza Rice in her role as National Security Adviser. I sat down with Condoleezza Rice to talk about this issue, to try to bring her up to date on what I thought was important. She was very polite, but I became quickly aware she knew more about this issue than I did. She was not patronizing about it, but she was up to speed and up to date on it, and I felt reassured that the White House had that level of understanding.

Well, she has now gone on to other duties, and the highest official now is in the Department of Homeland Security. I am not sure that is the place where it needs to be. It may very well be that it needs to go back into the White House at the high level it held at one point in the past.

I will be discussing this and other issues relating to this question in the months to come. I appreciate the opportunity of alerting my fellow Senators to this very important but often overlooked issue.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

VOTE ON AMENDMENT NO. 2792

Mrs. MURRAY. Mr. President, I believe a vote will now occur on an amendment.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN),

the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), the Senator from Nebraska (Mr. HAGEL), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 33, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—60

Akaka	Grassley	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kennedy	Reid
Brown	Kerry	Roberts
Brownback	Klobuchar	Rockefeller
Byrd	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Smith
Casey	Levin	Snowe
Coleman	Lieberman	Specter
Collins	Lincoln	Stabenow
Conrad	McCaskill	Stevens
Domenici	McConnell	Tester
Dorgan	Menendez	Warner
Durbin	Mikulski	Webb
Feingold	Murkowski	Whitehouse
Feinstein	Murray	Wyden

NAYS—33

Alexander	Cornyn	Isakson
Allard	Crapo	Kyl
Barrasso	DeMint	Lott
Bennett	Dole	Lugar
Bond	Ensign	Martinez
Bunning	Enzi	Sessions
Burr	Graham	Shelby
Chambliss	Gregg	Sununu
Coburn	Hatch	Thune
Cochran	Hutchison	Vitter
Corker	Inhofe	Voinovich

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Hagel	
Craig	McCain	

The amendment (No. 2792) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The underlying amendment is agreed to.

The amendment (No. 2791), as amended, was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, for the information of all Senators, we are hoping to shortly get an agreement on an amendment that will be considered, we believe, with an hour time agreement, equally divided, and a vote in about an hour from now. It is the amendment that will be offered by Senator DORGAN. I believe the minority is looking at the amendment right now. We hope to get an agreement in just a minute.

I will suggest the absence of a quorum, but Members should know that we hope to get an agreement and move to that vote in about an hour. We should know in the next several minutes.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 2797

Mr. DORGAN. Mr. President, I have previously described an amendment I wish to offer. I believe I have filed the amendment. It is an amendment that deals with Mexican trucks. I wish to offer it at this point on behalf of myself and Senator SPECTER from Pennsylvania and other cosponsors. It is amendment No. 2797.

I ask that we consider that amendment. I believe there is no amendment pending at the moment, so I do not need consent to set an amendment aside. I ask for the immediate consideration of the amendment I just described.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mrs. CLINTON, Mr. OBAMA, Mr. BROWN, and Mr. SPECTER, proposes an amendment numbered 2797.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the establishment of a program that allows Mexican truck drivers to operate beyond the commercial zones near the Mexican border)

At the appropriate place, insert the following:

SEC. ____. None of the funds made available under this Act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico.

Mr. DORGAN. Mr. President, as I indicated, I am offering the amendment on behalf of myself, Senator SPECTER of Pennsylvania, and others. I believe my colleague, the chairman of the subcommittee, is working with the ranking member of the subcommittee for a time agreement. I don't believe a time agreement exists at this point.

With consent, I ask that Senator SPECTER from Pennsylvania be recognized. He has a time commitment. He was asking to be recognized now. I previously said a few words about this amendment. I will speak about it in greater detail in a bit. I ask unanimous consent for Senator SPECTER to be recognized for as much time as he may consume. If he is not ready, Mr. President, I will continue for just a moment to describe the amendment.

I will be happy to yield to my colleague from the State of Washington.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask if we could set up a time agreement on this amendment so Members know when the vote is going to occur tonight. I ask unanimous consent for 60 minutes of debate prior to the vote; that no second-degree amendment be in order to the amendment prior to the vote; that the time be equally divided and controlled in the usual form; and that upon the use or yielding back of time, the Senate proceed to vote in relation to this amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BOND. Reserving the right to object, I regret we have not been able to clear this request on this side. As much as we would like to, I have to object at this point.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I am going to recognize my colleague from Pennsylvania in a moment, but let me describe very briefly what this amendment is.

Over this past weekend, a pilot project was initiated by the Department of Transportation dealing with long-haul Mexican trucks coming into this country. My contention is, and I think it is buttressed by the inspector general's report that was issued on this subject, that they are nowhere near having the information that would give them the opportunity to initiate long-haul Mexican trucks coming into this country. We have, since the advent of the North American Free Trade Agreement, allowed Mexican trucks to come in within a 25-mile radius of the Mexican border.

Mr. REID. Mr. President, will the Senator withhold for a brief statement to the Senate?

Mr. DORGAN. I will be glad to yield.

Mr. REID. Mr. President, based on my conversation with the Republican leader, there will be no vote on this amendment this afternoon. That being the case, I think it is a fair statement to say there will be no more votes today. I had indicated already we would not have any votes after 5 or 5:30 today. We have at least an hour's debate on this, and the Republican leader said we would not vote on this amendment today.

This means we will have votes in the morning, unless there is something untoward. So everyone should understand we will have votes in the morning, we will have our caucuses between midday, and there is a White House meeting, I know for a few people, but that doesn't mean we could not go forward tomorrow. But we have a lot of work to do on this bill. It is to the Senate's advantage to finish this bill this week. That would mean we will have finished one-third of our appropriations bills, if we finish this bill.

In my brief conversation in the well with a number of Senators a few minutes ago, we have Senators wanting to move the Labor-HHS bill and the Energy and Water Appropriations bill. Those are my only two conversations today. We, of course, have to deal with the Defense Appropriations bill in the near future. So the sooner we finish this bill, the better off we will be. There is a lot of work that needs to be done before the end of the fiscal year, which is in a few weeks. I hope everyone understands that if we are going to maintain some degree of financial integrity, we are going to have to finish these appropriations bills. The Republican leader has told me on more than one occasion that the minority is interested in finishing the appropriations bills, and we have had some good cooperation in the last several weeks. So I do hope we can finish this bill.

There will be votes more than likely in the morning, though.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, again, this is an amendment that deals with the issue of a pilot project on long-haul trucking into this country. The House of Representatives has already passed a piece of legislation that would prohibit that pilot project, and this amendment would do the same for the Senate.

I will describe in some detail the reasons for the amendment, but I am pleased a cosponsor, Senator SPECTER, wishes to make a statement. I know he has a time constraint, so I will relinquish the floor so Senator SPECTER can make a statement.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the senior Senator from Louisiana has asked for 2 minutes to precede my comments, and I am prepared to yield to her for that purpose.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleagues for yielding because of time constraints.

I came to the floor to thank Senator MURRAY for her extraordinary work on the bridge replacement amendment and for the colleagues—60—who joined her in supporting this amendment. It is important to all of our States, but particularly for Louisiana, that is struggling, like so many of our other States are, to find funding for critical infrastructure. We, of course, 2 years ago, had the collapse of an infrastructure, of our levees. We have great impacts on many of our highways. Of course, the collapse of the bridge in Minnesota has caused us all to refocus on the importance of this issue.

Mr. President, I will submit my longer statement for the RECORD, but we have over 4,000 bridges in the State of Louisiana alone, that is including overpasses over highways. Nearly 30 percent of the total are categorized as structurally deficient or functionally obsolete. In fact, one of the bridges I have outlined in my statement is the Red River Bridge that was built in 1936. It alone will cost $100 million. This U.S. 71/165 bridge is in a very small parish in Louisiana. We are straddling the great Mississippi River, and it causes a great deal of strain on some of our poorer parishes that need to find ways to cross but have very little capacity.

The backlog of bridge replacement needs for bridges that are either structurally or functionally deficient and have a sufficiency rating of less than 50 in Louisiana is $2.1 billion. The I–35 West Bridge in Minneapolis was given a sufficiency rating of 50 in 2005.

A total of almost 4,000 bridges, or nearly 30 percent, of the total bridges in Louisiana are categorized as either ''structurally deficient'' or ''functionally obsolete.''

If all bridges categorized as ''structurally deficient'' or ''functionally obsolete'' in Louisiana were to be replaced, the total projected cost would be more than $10.5 billion today, not fully including other costs such as rights of way, engineering or utilities.

Louisiana is not unlike most other states with a backlog of transportation projects. The Louisiana Department of Transportation and Development alone has a total transportation backlog of over $14 billion. The funding in this amendment will help address a critical piece of that backlog by providing additional funds for bridges in the State.

I hope my colleagues will join me in supporting Senator MURRAY and this critical amendment for our Nation's bridge infrastructure.

Specific examples in Louisiana are:

The I–10 Calcasieu River Bridge in Lake Charles, built in 1952, is now functionally obsolete, with additional capacity needed in the corridor and estimated replacement cost several times the current annual funding of the entire bridge replacement program. This bridge is nationally significant because it is part of Interstate 10, a ''Corridor of the Future'' as designated by the Department of Transportation.

The Red River Bridge at Fort Buhlow, US 71/165, built in 1936, is structurally deficient and functionally obsolete, with an estimated replacement cost of greater than $100 million, a significant portion of our current annual funding of the entire bridge replacement program.

I thank Senator MURRAY, and my colleagues for yielding before we go on to the next debate, which is on trucks and trucking, and I am happy to cosponsor their amendment as well.

I ask unanimous consent to have printed in the RECORD a letter from the Department of Transportation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 10, 2007.

DEAR SENATOR LANDRIEU: Your inquiry regarding the condition of bridges in Louisiana, comes at a time where the citizenry and leadership in this State have recognized the criticality of our infrastructure and have opened a serious discussion of the needs for better roads and bridges, especially the types of funding levels which are needed to make improvements to our overall transportation systems. We welcome the opportunity to provide you the information you require to assist in your capacity as a member of the United States Senate.

This letter and attachment should provide answer to help in preparation of remarks for the floor. It includes information pertinent to our bridge programs, current status of our bridge system and important nomenclature and rationale for the replacement, rehabilitation and repair of our critical infrastructure.

The backlog of bridge replacement needs in Louisiana is $2.1 billion. These are bridges that qualify for federal bridge replacement funds. They are either structurally or functionally deficient, and have a sufficiency rating of less than 50 (on a scale of 1–100).

If there was $1 billion additional bridge funds nationwide, that would only equate to approx. $20 million +/− for each state on average. That would only address about 1% of our needs.

As a starting point for this discussion, we would like to assure a common understanding of the utilization of the terms ''structurally deficient'' and ''functionally obsolete''. These phrases portray a dire description of a structure which is normally unwarranted, as they are specifically used to define structures as qualifying for rehabilitation or replacement based on structural repair and traffic safety related needs, respectively. For federal bridge funding to be distributed in accordance with the regulations, bridges must be so defined to qualify for this funding. Using these terms literally generally causes trepidation amongst motorists regarding specific bridges which are quite able to safely carry traffic.

We trust that this reply provides information which will assist you in your upcoming committee hearings. As always, if I may be of further service in this matter, please notify me.

Sincerely,

JOHNNY BRADBERRY,
Secretary.

THE FEDERAL BRIDGE PROGRAM IN LOUISIANA

The Highway Bridge Program in the DOTD is separated into three distinct subsets: Bridge Preservation On-System, Bridge Preservation Off-System and Bridge Preventative Maintenance. Bridge Preservation On-System projects are selected based on eligibility for funding, District priorities and additional factors such as truck routes, average daily traffic, route continuity, structure age, material and condition, crash data, construction cost estimate, constructability and available program funds. Rehabilitation and replacement under this program require that the structure meet current standards when construction is complete. Funding of this program has historically been $60 million to $73 million per year until last year, prior to the collapse of the I–35 West Bridge in Minneapolis, when a decision was made to fund the program starting in FY 07–08 at $125 million for at least the next 5 years.

The Bridge Preservation Off-System projects are selected based on eligibility for funding and availability of funds, utilizing similar methodology as with the Bridge Preservation On-System Program. Local governments are allowed to prioritize the projects in their parishes in order to meet their specific needs and priorities. Program funding has historically been $13 million to $15 million per year and is limited by the amount of funding allocated in capital outlay to match the federal funds.

The Preventative Maintenance Program, which allows us to repair rather than replace

or rehabilitate structures, is currently funded at $3 million. The primary difference between this program and the aforementioned programs is that funds are allowed to go towards maintenance work that prevents the structure from deteriorating, provided an approved systematic approach is used to select projects. This maintenance work does not follow the caveat that the structure be constructed to current standards, allowing us to more economically repair structures in limited specific cases.

The term ''Structurally Deficient'' is used to identify structures that could qualify for rehabilitation or replacement because of structural-related problems. Such a problem could include a particularly low rating of a bridge deck, superstructure or substructure element (girder, pier, etc.). This does not amount to a declaration that the bridge is unsafe, just an indication that the bridge could qualify for federal bridge funding for rehabilitation or replacement.

The term ''Functionally Obsolete'' is used to identify elements of the structure which are not currently up to current standards. A bridge over an Interstate highway with 15 feet of vertical clearance is obsolete by AASHTO standards, but may service quite well. Another example is an Interstate Highway bridge with 4–foot outside shoulders; again, full shoulders are not provided, but the bridge functions quite well.

The term ''Sufficiency Rating'' is a way of evaluating a bridge, based on a structural inventory of the bridge's geometry, clearances, load rating, traffic and other criteria. It is a score from 0 (completely deficient) to 100 (totally sufficient). Bridges with a sufficiency rating of 50–80 qualify for rehabilitation under Federal funding regulations, while a rating of 50 or less qualifies a bridge for replacement.

The table below demonstrates the status of Bridges Categorized ''Structurally Deficient'' or ''Functionally Obsolete''.

Program	Total Number of Bridges	Bridges Categorized Structurally Deficient (SD)	Bridges Categorized Functionally Obsolete (FO)	Bridges Under Construction	Bridges Currently Programmed	Replacement/ Rehabilitation Cost (Currently Programmed)	Replacement/ Rehabilitation Value (All SD or FO Bridges)
On-System	7694	664	1562	124	304	$1.003 B	$6.185 B
Off-System	5259	1071	645	51	328	189 M	4.370 B
Total	13223	1735	2207	175	632	1.192 B	10.555 B

A total of 3942, or nearly 30%, of the total bridges in Louisiana are categorized as either ''structurally deficient'' or ''functionally obsolete''. There are currently 175 bridges currently being rehabilitated or replaced and under construction. There are 632 bridges currently programmed for rehabilitation or replacement within our 6–year program with a replacement cost of $1.192 Billion; the figure in the table for on-system bridges ($1.003 Billion) includes estimates of real estate acquisition, engineering and utility relocation. If all bridges categorized as ''structurally deficient'' or ''functionally obsolete'' were to be replaced, the total projected cost would be $10.555 Billion today, not fully including other costs such as real estate, engineering or utilities.

There are currently 202 bridges closed which are classified either ''structurally deficient'' or ''functionally obsolete''. Of these closed bridges, 199 (12 on-system, 187 off-system) are classified as ''structurally deficient'' and 3 (all off-system) are classified as ''functionally obsolete''. Of this total, 86 (1 on-system and 85 off-system) are currently not programmed for rehabilitation or replacement. It should be noted that these numbers do not include detour bridges for bridges in these categories currently under construction, which are considered ''open'' to traffic.

Based on the funding limitations and other programmatic restrictions as regards the federal bridge program, there are several bridge projects which we need to point out as problematic in their implementation:

I–10 Calcasieu River Bridge in Lake Charles, built in 1952, functionally obsolete (narrow shoulders) and additional capacity needed in the corridor, estimated replacement cost several times the current annual funding of the entire bridge replacement program.

I–310 Hale Boggs Memorial Bridge in Luling, built in 1984, does not qualify based on sufficiency rating, though it has fallen significantly in a short period of time, need to replace cables ($30 million), does not fit into program well.

Red River Bridge at Fort Buhlow, US 71/165, built in 1936, structurally deficient and functionally obsolete, estimated replacement cost (greater than $100 million) a significant portion of our current annual funding of the entire bridge replacement program.

US 190 Mississippi River Bridge at Baton Rouge, built in 1940, preventative maintenance required—cleaning and painting ($68 million) to preserve structure from further deterioration and to protect investment to widen roadway (1989).

Consequently, it is very difficult to provide to you a list of specific structures most in need of replacement or rehabilitation. There are numerous considerations we make in the programming of bridges for replacement, rehabilitation or repair, including eligibility for funding, District priorities and additional factors such as truck routes, average daily traffic, route continuity, structure age, material and condition, crash data, construction cost estimate, constructability and available program funds. However, the list above is illustrative of projects which are problematic to fit into the existing bridge program, though it is clear that repair, rehabilitation or reconstruction is needed on these structures immediately.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I am cosponsoring the amendment offered by the distinguished Senator from North Dakota because I believe there are very serious safety issues involved here which have not been answered sufficiently by the Department of Transportation.

Here we have a situation where the Secretary of Transportation announced a pilot program on February 23 of this year to allow up to 100 Mexican trucking companies to ship goods to and from the United States. The Iraq supplemental appropriations bill delayed implementation of this program until there was a report by the inspector general and a response by the Department of Transportation. The inspector general released his report and the Department of Transportation submitted responses on the same day—on September 6. As I read these documents, it is insufficient to have the requisite guarantees of safety. And of no little concern to me is that all of this should be done on the same day, without taking into account some very serious underlying problems.

There are safety concerns here which include the database deficiencies that prevent the Department of Transportation inspectors from being able to accurately gather information on truckdriver convictions and driving violations, vehicle accident reports, and insurance records. The inspector general confirms that these databases are still under development. The Department of Transportation report does not respond to these issues.

The inspector general report also states that the Department of Transportation has not developed and implemented adequate plans for checking trucks and drivers participating in the demonstration project as they cross the border. The DOT report responded by stating they created border-crossing plans with the U.S. Customs and Border Protection. Well, that is hardly an assurance of safety.

We do want to have good relations with Mexico. We do not want to impede legitimate commerce. But safety is a very vital factor, and there are good reasons to insist on safety and verification before we permit this pilot program with 100 trucking companies, which we can obviously expect to be supplemented in a very substantial number. When you are dealing with issues on truckdriver convictions and driving violations and vehicle accident reports, you are talking about something which is very probative on whether it is a safe program. When you are talking about insurance records, those are necessary in order to be sure that if there are accidents, and there is liability, there is adequate insurance to protect Americans from these trucks which are coming into our country.

We have had a fair amount of experience here. I believe there is ample time to reevaluate this program if and when this database is updated and there is sufficient record documentation to guarantee the requisite safety. But on this date of the record, it seems to me this program ought not to go forward, and the amendment which Senator DORGAN has advanced is very sound. I

intend to support it and I urge my colleagues to do the same.

Mr. President, I thank my colleague from North Dakota for yielding me time at this stage of the debate.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I thank my colleague from Pennsylvania. The statements he made represent the crux of the matter, the issue of: Are there equivalent standards and is there equivalent enforcement with respect to trucking in Mexico, and would that then allow us to feel assured that long-haul Mexican trucks entering this country all across the United States would give us the same notion of safety we have with respect to the kinds of restrictions, the kinds of regulations we have in the United States?

Mr. President, I am going to get some charts I will make a presentation with in a couple of moments. It will take me a minute to get the charts I want to show my colleagues.

Let me, for the moment, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my colleague from Pennsylvania said it well, I believe. Look, Mexico is a neighbor of ours to the South. We don't come to the floor, none of us would come to the floor of the Senate, under any condition, whether it is a trade debate or a debate about Mexican trucking, in a way that is pejorative with respect to our neighbor. But it is important to understand that we are two different countries and, in many ways, have very different approaches to some of these issues.

With respect to trucking, we have not previously allowed long-haul Mexican trucking into this country. We have allowed a 25-mile periphery, or 25-mile diameter from the border, but we have not allowed long-haul trucking in this country from Mexico. The reason: There has not been a demonstration that there are equivalent standards and equivalent enforcement with respect to Mexican trucks and U.S. trucks.

Now, we have built, over a long period of time, very significant and stiff requirements for long-haul trucks in this country. We require certain things of drivers. There are hours of service they can't go beyond, there are logbook requirements that are significant, there is equipment inspection that is very significant, there is reporting of accidents, and a whole series of things we have done in this country to try to understand and make certain the trucking is safe. Are there accidents from time to time? Sure. But it is not because we don't have in place significant regulatory capability, and it is not because we don't enforce it. We have regulations and we have enforcement.

Now, I want to show my colleagues what happened last Thursday night. Last Thursday night, at 7:30 in the evening, the Department of Transportation received what is called the Office of Inspector General's Report. They have always wanted down at DOT to do a pilot program for long-haul Mexican trucks, but they have been prevented from doing that because I and others put a provision in law that says you can't proceed with this pilot project until you get the inspector general's report and see what the situation is.

Well, they got it Thursday night. It is 42 pages. I have a copy of it, or we are getting a copy of it—42 pages. At 7:30 at night they received the inspector general's report, and at 8:30 at night they triggered the pilot project.

I tell you what, I took Evelyn Woods' speed reading course in college. I remember taking that, and all of a sudden I was galloping along. I started at about 300 words a minute and pretty soon I was reading at about 1,200 words per minute. It was remarkable. But that is nothing compared to what they do at the Department of Transportation, apparently. This is speed reading par excellence. In 1 hour, they digested the inspector general's conclusions in the inspector general's report. Or maybe there is another answer. Maybe they had already decided what they were going to do, and it didn't matter very much.

Let me tell you what the inspector general's report says. It says:

> While Department of Transportation officials inspecting Mexican truck companies took steps to verify the on-site data, we noted that certain information was not available to them.

What kind of information wasn't available? Well, little things, apparently. They say:

> Specifically, information pertaining to vehicle inspections, accident reports, and driver violations.

Excuse me, I am sorry, that represents the entire guts of what you need to know if you are going to assure the safety of the American driver as we begin to see long-haul Mexican trucks coming into this country—vehicle inspections, accident reports, and driver violations.

Now, this morning I showed a news report of a tragic accident, an almost unbelievable accident that happened in Mexico. It is heartbreaking to understand the consequences of this. Two trucks collided. This is in today's paper. Two trucks collided. Thirty-seven died and 150 were injured. There was a blast, because one of the trucks was carrying explosives. This was in a mining area. One truck loaded with explosives crashed into another. It caused a crater of 65 feet, with 150 people injured and 37 people killed.

Now, I don't know the specifics of this. I am only saying that at a time when we are speaking of safety issues, this was in the paper this morning. My guess is when you move explosives around in this country, particularly on our roads, we have very specific standards—vehicles in front with warning signs, vehicles behind. My guess is—and I don't know what those standards are—that we have very specific standards about the conditions under which you would do that.

I don't know whether those standards exist in Mexico. I suspect we will learn about that. But I think the questions of the maintenance of the vehicles, these heavy, 18-wheel vehicles that come moving down our highways, are very important questions. They are not resolved.

Let me go to page 2 of the inspector general's report. You don't have to go further than page 2. It says the following, that the Federal Motor Vehicle Group down at DOT ''agreed to develop a plan to check every truck every time.''

So they are going to check every truck every time in this pilot program, and they have certified 100 trucking companies to be able to come in, but the inspector general says, ''as of July, 2007,'' a month and a half ago, ''no coordinated site-specific plans to carry out such checks were in place'' and they stated they would have the plans then outlined by August 22, but we have not received any outlines or completed plans. ''In our opinion,'' they say, ''not having site specific plans developed and in place prior to initiating this project will increase the risk that project participants will be able to avoid the required checks.''

All of us have heard these things from the Federal agencies: Trust us; we are going to do it; we promise; we pledge. Somehow it does not get done.

We have an inspector general's report that came out on Thursday evening at 7:30, and on Thursday evening at 8:30 the Department of Transportation wanted to trigger this report.

I have found some things in this report that would give the Department some comfort. They are there. But you cannot avoid page 2. That provides no comfort at all. They say they are going to inspect every truck every time. They are not and cannot. You cannot avoid this: that the only information they have is information that comes from the trucking companies that wish to give it to them. Otherwise no information was available. No database was made available to them, and no information on these three critical issues: vehicle inspections, accident reports, and driver violations.

That is the ball game. So the U.S. House of Representatives has already passed by voice vote a provision that says ''no money in this appropriations bill shall or can be used to continue this pilot project.'' With my colleague from Pennsylvania, Senator SPECTER, and others, I propose we do exactly the same thing. This amendment is identical to that which the House has

passed. It makes sense to me. Will there be, at some point, because we have a trade agreement called NAFTA with Mexico, homogenization of rules and standards and so forth with respect to trucking? Maybe. Will at that point there be long-term trucking in this hemisphere from Canada to the United States to Mexico? Maybe. But there will not be, in my judgment, until we are satisfied as a country that the standards and enforcement of those standards, which is the most important issue—the enforcement of those standards with respect to Mexican long-haul trucking are at least equivalent to that which we have in this country.

When an American citizen pulls up at a four-way stop sign or drives down a road, a two-lane or a four-lane road, it doesn't matter, and comes next to an 18-wheel truck, I believe most of them want to be assured that the inspections on that vehicle, the requirements on that driver, are the equivalent—if they are not from this country—are the equivalent to the standards we have already imposed.

When that is the case, I think the consumers, the drivers, the American people will not have additional risk. Until that is the case they most certainly will have additional risk.

Again, one can argue, I suppose—one can debate at great length this issue and talk about what has been done—the improvements, the progress. But one cannot ignore the fact that what we know about Mexican trucking with respect to vehicle inspections, with respect to drivers' records and accident reports, we are getting only from voluntary compliance from those companies that wish to provide it. That is the case.

My amendment is very simple. I have more to say, but I think there are others who wish to speak. I will defer to them and then speak following that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am under no illusion that I can change the mind of my good friend from North Dakota, but maybe I can ease his concerns, at least in several areas, because he did raise some things that I think should be noted.

Prior to 1982, Mexican trucks did operate throughout the United States without restriction. Since then, Canadian trucks have continued to operate through the United States. Surprisingly, even some of the Mexican carriers who were authorized to operate beyond the commercial zones in 1982 have continued to operate in the United States. As best we can tell, they have as good a safety record as the U.S. drivers. But, obviously, there are lots of arguments in terms of efficiency, in terms of commitments made under the North American Free Trade Agreement for carrying this out. But I want to focus just a minute on a couple of items of concern about meeting safety standards.

Mexican trucking companies, drivers, and vehicles participating in the demonstration program have to abide by stricter safety standards than U.S. and Canadian trucking companies, drivers, and vehicles operating in the United States. These safety standards include they have to have a U.S.-based insurance policy, full compliance with hours of service regulations, vehicle maintenance, driver qualifications, including the ability to communicate in English, and drug and alcohol testing. Every carrier satisfactorily completing the test has to have its drivers drug tested by U.S. labs.

In addition, as many of us would be concerned about the tremendous accident with hazardous materials, these carriers are prohibited from transporting hazardous materials in the United States. They cannot transport passengers, and they cannot pick up domestic freight going from point to point.

Every Mexican truck participating in the program has to pass a rigorous 39-point, front-to-back inspection and is required to display a valid Commercial Vehicle Safety Alliance—CVSA—inspection decal that indicates it has passed this inspection. The decals are valid only for 3 months and can be renewed only by passing another inspection.

As far as who is going to verify that the trucks are following U.S. regulations, U.S. Federal inspectors perform, and Mexican trucking companies must pass, a preauthorization safety audit to get into the program, conducted in Mexico prior to granting the authority to operate beyond U.S. commercial zones.

The audit includes inspections of vehicles the company intends to use in long-haul operations in the United States and a thorough inspection of the company's records to ensure compliance with Federal safety regulations. Vehicles not inspected by the U.S. Federal inspectors cannot be used for long-haul operations in the United States.

Every inspector reviews Federal safety regulations with the carrier, including those concerning driver hours of service, to ensure the carrier is knowledgeable of and comprehends the Federal Motor Carrier Safety Regulations.

All the motor vehicles and drivers in the cross-border demonstration program will be subject to roadside inspections, just like U.S. and Canadian vehicles and drivers, and will be placed out of service, as any carrier would be, if they fail critical portions of the inspection.

I thought that might be of some comfort to my colleague who raised questions about safety inspections. I suggest that be taken into consideration as we review the appropriateness of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I am going to wind the clock back to 1994. I had the occasion of voting twice against NAFTA, once when I was in the House and once when I was in the Senate, in the same year because I came in in a special election. I remember at that time we had a delegation of six, four House Members and two Senators from Oklahoma, and I was the only one out of six who voted against NAFTA.

Ironically, the very arguments I made in the House and Senate back in 1994 are the same things we are hearing now. I said at that time I could see what was going to be happening in the future; that we would be having Mexican truckers coming in; that they would be competing in a way where they would not have to qualify with all of our environmental standards, our safety standards, our wage and hour standards. It appears to me that is the case.

I listened very carefully to my good friend from Missouri, but I have not seen—and having reviewed the IG report—that all of these questions have been answered. I have to say I am inclined to agree with the Senator from North Dakota that the problem that existed in 1994 still exists today, and I would probably oppose this amendment.

I would like to also make a comment, a request. When I have a chance, after the disposition of this, I would like to bring up amendment No. 2796 for its immediate consideration. I will wait and see if I can get in the queue.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. First of all, I thank the Senator from Oklahoma. I think it is the case that the Department of Transportation—and I think this is true under most administrations—that whatever they want to do they will give you words of assurance that whatever they want to do they will do it right and make sure all the t's are crossed and the i's are dotted, but it is the case that the inspector general describes for us what the Department of Transportation says it will do, it is not doing.

We do not have to debate that. It is a circumstance—let me go back to this chart, if I might, to describe what the inspector general says.

It seems to me the key issue, as my colleague from Oklahoma suggests, if we have long-haul Mexican trucks on the roads in this country, the question is, when you are driving beside one or coming to a four-way stop and meeting one, does that 18-wheel truck have the same vehicle inspection, the same level of safety? Does the driver have the same hours of service, the same requirements that our drivers do? Do we have the same accident record and reports on that driver?

The answer is no. So that in itself obliterates the question of are we ready to integrate that Mexican long-haul trucking experience into this country.

It is true the Canadians are here. We have similar, nearly equivalent standards and enforcement with respect to

Canada. Of course, an added issue with respect to Mexico is the language issue, and there is an English requirement. But the Department of Transportation folks, who really do this sort of thing, kind of roll their eyes, saying: That is fairly hard to enforce.

But I do want to make this point. What the inspector general's report says, on two pieces—No. 1, on page 2, again, he said ''DOT said they will check every truck every time.'' That is part of the assurance.

[B]ut in July 2007, no coordinated site-specific plans to carry out such checks were in place.

FMCSA stated that it would have plans outlined by August 22, 2007, but [the inspector general said] we have not received any outlines or completed plans. In our opinion, not having site-specific plans developed and in place prior to initiating the demonstration project will increase the risk that project participants will be able to avoid the required checks.

That is the dilemma.

Also, in addition to that, the inspector general says:

The DOT officials inspecting Mexican truck companies took steps to verify the on-site data. We noted that certain information was not available to them. Specifically, information pertaining to vehicle inspections, accident reports, and driver violations—

That is the ball game. If you do not have those, you don't have a base of information on which to make a judgment that this is going to be safe for the American people.

My point is we have developed certain standards in this country. I know in some cases we have developed those standards after great debate. They represent regulations, and no one likes regulations. But in many cases these regulations are necessary in order to assure us of the kind of safety we would expect on the roads. We license drivers, we inspect trucks, and require certain things of trucks. We have certain standards which you are required to meet when you haul certain kinds of products. We do all those things.

Is it perfect? No, not at all. But are they standards we understand, and are they standards we try to enforce in every case in every State? They are. Sometimes we make mistakes, sometimes the enforcement fails a bit, but that is a very different set of circumstances than trying to integrate that system with a country that while it has standards, does not have the same kind of enforcement.

You do not have to take it from me, there are volumes of testimony in the Congress from previous hearings about the circumstances of the lack of enforcement of these standards in Mexico.

Now, when these issues are resolved, you will not have amendments such as this on the floor of the Senate. But I do not see them resolved any time soon. I think the inspector general's report itself says they are not resolved. When you say, as they have said in the report released last Thursday night, the only information available was in the company records when the records were volunteered to them, otherwise there is no base of information.

There is no base of data with which to judge these central questions: Are the trucks safe? Is the inspection standard rigorous? Does it meet anything near our standard? Do we have drivers who are going to enter this country with the same rigorous requirement with respect to hours of service, recordkeeping, logbooks, accident reports, all of those issues? The answer to that is no. It is clearly no.

The answer to that is embedded in the inspector general's report. I, for the life of me, do not understand why, before the ink was dry Thursday night, 1 hour later the Department of Transportation decided we have to now have assimilated, apparently through some kind of speed reading of this IG's report, we now have to implemented this program which the House of Representatives, by voice vote, said: No funds should be allowed to be used for the program for the reasons I have described. I believe the Senate should take similar action.

Finally, let me say this, I tried to say it earlier: Mexico is a neighbor of ours. Always we should treat neighbors with respect. We have a lot of things we do with Mexico. There are many areas in which we cooperate and agree. We have a trade agreement. I happen to agree with my colleague from Oklahoma. I did not vote for the trade agreement either. I think the trade agreement has been a horrible mistake.

I am talking about NAFTA, the North American Free Trade Agreement. We turned a very small surplus with Mexico into a very large trade deficit with Mexico. We turned a moderate trade deficit with Canada into a very large trade deficit. So by any standard I think this has been a failure.

But aside from the fact it is a failure, it does have a requirement to homogenize the standards and the ability to allow long-haul trucking into this country; but it does not do so in a way that allows us or requires us to obliterate our determination for what is safe for American drivers. That is why I am on the floor of the Senate hoping we will do what the House of Representatives has already done by voice vote and pass this amendment.

It will come back. There will be another day. There will be a time, my guess is, when there will not be objection to this because the standards are homogeneous, the standards Americans have are the same and the enforcement is reasonable. We believe the enforcement to be significant enough to provide significant safety without additional risks to American drivers. That is not the case today.

Mr. BOND. Mr. President, would the Senator yield for a question?

Mr. DORGAN. I would be happy to yield.

Mr. BOND. Through the Chair, I would ask my colleague if he wants to apply these same standards to Canadian truckers. Because it is my information, I do not have it documented, that the standards required of Canadian truckers are less than the standards required of Mexican truckers. The Canadian truckers coming into the United States, into North Dakota and beyond, do not have to have U.S. insurance.

I would ask my colleague if he is concerned about the Canadian trucks coming in as well and what he plans to do about those.

Mr. DORGAN. Well, it is interesting to me in trade discussions. For example, Mexico has pretty decent environmental standards. Someone said: Well, you have big environmental standards in Mexico. Yes, the problem is they are not enforced at all.

So it doesn't matter to me what the standards required are, that is why I have emphasized enforcement. What are the standards and are the standards enforced? In most cases the answer is, with respect to Mexico, they are not enforced to the same degree we enforce the standards in this country.

I do not believe you can make the case that there is similarity between the Canadian enforcement of good standards with respect to truck safety and the Mexican lack—I don't think you can make the same case it exists in identical fashion with Canada or Mexico. I think the evidence is quite clear the standards, with respect to Mexico, are lower, especially with respect to its enforcement.

The reason I say that is this: If you had standards in Mexico that were enforced, and therefore you had knowledge of the issue of vehicle inspections, you had knowledge of accident reports and driver violations, there would be a database in Mexico by which you could access the data and make an evaluation of the data.

Our inspector general has already determined no such database exists.

Mr. BOND. May I ask my colleague another question?

Mr. DORGAN. I would be happy to respond.

Mr. BOND. It relates to the fact that the U.S. Federal inspectors will be going to Mexico and making those inspections with Mexican trucks would satisfy his concern about the enforcement. Before the trucks can come in, U.S. Federal inspectors go to Mexico and make the inspections.

Does he think we ought to be doing the same thing in Canada, for example? What about requiring Canadian trucking companies to have U.S. insurance as well?

Mr. DORGAN. Well, it is interesting. We have some experience in that as well. Let me use the experience of meat; meat from Canada and meat from Mexico. We allow, because they have equivalent standards and equivalent inspections, we believe, for meat to leave a Canadian plant and to come into this country uninspected at our border.

We allow that because we believe there are standards and enforcement that are equivalent to the standards of this country. I have spoken on the floor, and my colleague, I think, was not here at the time, but I held up a, I think a 2-pound piece of T-bone steak one day and said: Can anybody tell me where this came from? Because meat is not labeled, it should be, but it is not. I said: Can you tell me if it came from the processing plant, the slaughter plant in Hermosillo, Mexico. Because if it did, I wish to read to you the one time an inspector went there. It was a plant that was allowed to slaughter cattle and produce meat shipped into our country. One inspector showed up one time. I read the report of the inspector on the floor of the Senate. Sufficient to say, no one would want to purchase meat from that plant.

It was promptly closed down, the ownership changed, the plant is now sending meat back into this country. I do not believe it has been inspected again. My point is the requirement to inspect, with respect to slaughterhouses in Mexico, is one example. My colleague says: Well, if we would send people down to inspect in Mexico, would that give you comfort?

Well, we are told by the Department of Transportation what will give us comfort is this, that they will check every truck every time. The problem is, we are told this by the inspector general: They are not going to inspect every truck every time. Yes, they tell you that. That is what they claim. But here is the reality. They have no plans, no outlines to inspect every truck every time. They have no site-specific plans developed and in place prior to initiating this project. The risk is, the project participants will be able to avoid the required checks.

So you know, once again, there is a great variation between what the Federal agency says and what it is willing to do. So my colleague and others might be comforted by the fact that say: We will go there, we will do those rigorously. I am not so comforted because we have had plenty of experience with that.

Mr. BOND. Mr. President, may I ask another question? We are not talking about packing houses where there was obviously a failure of sanitation. We are talking about a situation where U.S. Federal inspectors go down, conduct a pretest, a preinspection of the Mexican trucking operations, the vehicles coming in have to go through a U.S. overseen or implemented safety inspection every 3 months.

Now, I do not think we require Canadian trucks, and certainly we do not require U.S. trucks, to be inspected every time they travel on our roads. But we do have inspections, random inspections that will apply to United States, Canadian, and Mexican trucks.

What I am asking, if U.S. Federal inspectors are doing this—nobody ever said they are going to do it every time. Nobody expects to have inspectors inspecting every truck. But what is the difference, I would ask my colleague, between having U.S. inspectors every 3 months in Mexico and having random safety inspections—in what situation do either the Canadian or the U.S. trucks get the same degree of inspection?

Mr. DORGAN. Mr. President, my colleague is not accurate. They, in fact, did say they were going to inspect every time. Let me read the inspector general's report. After our visit to Federal—it is the FMCSA, one of these other acronyms in Government again. The Federal Motor Carrier Safety Administration. It is in DOT.

So the Federal Motor Carrier Safety Administration agreed to develop a plan to check every truck every time. So that is exactly what they said. But the inspector general says: They are not going to do that. He says, as of July, there is no coordinated site-specific plan to carry out such checks. Then they said: Well, we will have it done by August 22. They said: We have not received any outlines or completed plans. In our opinion, not having site-specific plans in place prior to initiating the project will increase the risk project participants will be able to avoid the required checks.

I would say to my colleague, I do not always dismiss this issue of inspections because I think sufficient inspections can be very helpful. But having been on the floor of the Senate now speaking about the issue of tainted products coming into this country, understanding whether it is trinkets or toys or shrimp or catfish or tires, car tires, or any number of pet foods, having spoken about them at some length and understanding that we inspect 1 percent of them.

We inspect 1 percent, 99 percent of the vegetables and the trinkets and toys come in here without any inspection. Now we are told, if we would allow the Department of Transportation to proceed with this project, which they announced late at night with 1 hour of review of the inspector general's report, if we would only allow them to proceed, boy, they guarantee they will inspect.

I am sorry. I think the evidence, with respect to the Federal Government, would suggest a different conclusion and a different result. I hope at some point we do not have these issues. You know, I mean I can give you lots of examples of what has promised to have been homogenized between the United States, Canada, and Mexico because of the trade agreement. But promises are cheap.

I mean, there are lots of promises, and very few are kept with respect to these trade agreements. The trade agreements are similar to Swiss cheese, riddled with holes.

This, in my judgment, is a circumstance where, if we decide to proceed to say: Under these conditions, we will allow immediately the Department of Transportation to move to this pilot project, I think we will make a mistake. We will make a mistake on behalf of those who are traveling on America's roads, who at some point, coming up to a four-way stop or a stoplight or meeting on a four-way highway, some vehicle that was not subject to the same rigor and the same inspections that exist in this country because they did not have the same enforcement, I think someone will be injured. That risk ought not be borne by the American consumer or the American driver.

We ought to decide what is fair. You know, we have spent a century lifting this country's standards and demanding in this country. Upton Sinclair wrote that book and described at the start of the century, start of the last century, in Chicago, IL, at the big packing houses, how when they were slaughtering cattle and trying to control the rat population in the slaughterhouses, they put poison on bread loaves and things.

They would kill the rats, and they would shove the dead rats and the bread loaves and the meat down the same chute, and out the other side of the chute would come some sausage and some steak and some meat, and off to the consumer. Well a tremendous public outcry resulted from that, and we developed regulations.

So we have standards and regulations in a number of areas. This is but one area in which we have standards and regulations. They can be standards and regulations that are the difference between life or death. Because, when you are on America's roads and highways, safety is very important.

My own view is, I think the Department of Transportation is making a mistake. I think all the promises and all the assurances will fall far short of what the American consumer and the American driver should expect to minimize risk and to maximize safety on America's roads.

I yield the floor.

Mrs. MURRAY. Mr. President, we are working our way through the Transportation appropriations bill. We have one amendment pending. I see the Senator from Oklahoma is here, and he shortly is going to ask to set aside this amendment in order to call up an amendment. I ask any other Members who have amendments they wish to offer during this debate to come to the floor, offer their amendments, and we will work our way expeditiously through as many as possible. I remind all colleagues that the majority leader has been very clear that due to the Jewish holidays we will be finishing by midday on Wednesday; therefore, Members should expect a very long night tomorrow night as we work our way through these amendments. It will work a lot better if Members come to the floor and offer their amendments so we know what order we have and how we can work through them. I ask Members who have been calling us and letting us know they have an amendment to come to the floor this evening

or tomorrow morning at the latest and get those amendments up so we can go through them.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I join with my colleague from Washington, the chairman of our committee. I urge my colleagues on this side of the aisle to bring in their amendments. Because of the timeline we are working under, we will be much more willing and able to work out the amendments that come in early. We may be able to cut off the time for filing amendments, I would hope, as early as sometime tomorrow afternoon. But I suggest that in case that happens, people come forward with their amendments as early as possible because we are facing a time deadline and need to get this bill amended, if desired, and passed. I would appreciate the cooperation of colleagues on both sides.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 2796

Mr. INHOFE. Mr. President, I ask unanimous consent to set the pending amendment aside for consideration of amendment No. 2796.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment No. 2796.

Mr. INHOFE. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to implement the proposed Air Traffic Control Optimum Training Solution of the Federal Aviation Administration)

On page 147, between lines 8 and 9, insert the following:

SEC. 414. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Administrator of the Federal Aviation Administration to transfer the design and development functions of the FAA Academy or to implement the Air Traffic Control Optimum Training Solution proposed by the Administrator .

Mr. INHOFE. Mr. President, it is my understanding that the test language, the IG said, apparently has been corrected. I only remind my friend from North Dakota and my friend from Missouri that when I had the English language amendment up, we used the same definition I believe they are using right now in order to make sure there is adequate knowledge of English language by Mexican truckers. I will read what it said: Applicants have up to three chances to read and write one sentence correctly in English. That is the test, which doesn't give me a very high comfort level.

The amendment I am offering, No. 2796, would prohibit the FAA from using any money in fiscal year 2008 to implement their proposed new ATC training system. It is called the ATCOTS. The FAA has sped up the schedule for transition without giving sufficient attention to the transition from the old to the new. By prohibiting the FAA from using fiscal year 2008 funds to implement this new training system, there will be additional time to plan for the transition, if we decide the transition at that point is something we want to do.

Finally, there has been no explanation on why the existing system does not work. This additional time can be used to examine the current system and determine where it needs to be changed, if it needs to be changed.

This is how the current system works. This is how the FAA wants to change it. Currently, candidates must enroll in an FAA-approved education program and pass a preemployment test which measures his or her ability to perform the duties of a controller. Let's keep in mind, we are talking about controllers who have our lives in their hands. It happens that I am in my 51st year of aviation. Just as recently as 2 days ago, I was flying, and I have a great deal of respect for these people. To me, the training must absolutely be perfect. The candidates currently must enroll in an FAA-approved education program and pass a preemployment test which measures their ability to perform the duties of a controller. Then the FAA has designated 15 institutions around the country for preemployment testing. The candidates must also have 3 years of full-time work experience and have completed a full 4 years of college. These have to be people who have a college education, have to have 3 years of on-the-job training. Then they have to, of course, have gone through this preemployment test. Then if the candidate successfully meets those three tests, they are eligible for employment as an air traffic controller.

Successful candidates attend the FAA Academy in Oklahoma City for 12 weeks to learn fundamentals of the airway system, the FAA regs, controller equipment, and aircraft performance characteristics. Upon graduating from the academy, the candidates are assigned to an air traffic control facility as ''developmental controllers'' where they receive training on specific controller positions. Generally, it takes 2 to 4 years, depending on the facility and the availability of facility staff or contractors, to provide the on-the-job training.

Currently, there are two separate contractors that provide training for potential controllers: one contractor at the academy and one contractor for on-the-job training at the facility. What the FAA wants to do is to combine these two contracts into one, thereby speeding up the training, they believe, and getting more controllers to train faster.

Because controllers hired—and most of us have been around long enough to remember this—after the PATCO strike are now eligible for retirement, the FAA estimates they need to hire and train approximately 15,000 new air traffic controllers over the next 10 years. They believe the air traffic control optimum training solution, which is called ATCOTS, will accomplish this because it will, No. 1, leverage current industry best practices to develop innovative training services delivery solutions; No. 2, achieve efficiencies by reducing time and the cost it takes to certify professional controllers; No. 3, institute continuous improvement within the training program; and No. 4, establish a performance-based contract management system. That is what the FAA hopes to achieve, but I have yet to understand how.

Recently, the FAA announced that they plan to issue a request for proposals for this new single controller training contract in January of 2008, with an expected award in June of 2008. That is less than a year from this month. This is despite assurances to the Oklahoma delegation that there would be a multiyear transition to ATCOTS. In other words, it is going to take several years to make the transition, if it is desirable. Now it appears ATCOTS could be fully implemented within 1 year, although there is no clear transition plan. The winning bid is supposed to provide the transition plan.

Furthermore, there is no clear assurance that the millions in taxpayer dollars already invested in the FAA training academy in Oklahoma City will continue to be used. Per the documents I have seen, if the winning bidder should choose to conduct the initial classroom instruction elsewhere, they have that option. I question why we would abandon the academy and our Federal investment there.

Finally, I do not believe there has been sufficient examination of the cost benefits of this new training program. Rather, there has been a rush to fix a system that no one has been able to explain, at least to me, how or if it is broken.

My amendment merely slows down the process so Congress can have more time to examine what are the shortfalls of the current training system and how the proposed ATCOTS system will improve the training. This is like so many things we rush into. We lay out the predicate that we are going to spend all this time and be deliberate in making sure we are not getting into something that is not, in fact, a lot better than the old system, when we have yet to see anything to at least convince me or any plausible argument that there is a problem with the existing system.

While I could have introduced an amendment to stop this, I didn't want to do that because I thought if it is more efficient, then it might be something we may want to consider. But I can assure my colleagues that nothing has been done so far that would convince me that it is a better system. I don't think we should be using 2008

funds. My amendment would give us another year to determine whether this is the wise thing to do. I believe it is a reasonable approach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I thank the Senator from Oklahoma for coming to offer his amendment. He has my commitment that we will take the time to review it. We have not had a chance to do so as yet. We want to know what the impact is on the FAA budget, as well as the training needs we have, but we will evaluate it as quickly as possible and work with him in order to dispose of it.

Mr. INHOFE. I thank the Senator.

Mrs. MURRAY. I encourage, again, Senators to come to the floor and offer their amendments so, like the amendment we are currently looking at, we have time to review it and get it done in a timely fashion. I remind all Members that if they wait until the last minute to get their amendments here, they may likely not be considered or adopted simply because of time. Again, if Members are here, come tonight quickly, get your amendments up. We will have a chance to review them and hopefully be able to dispose of them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. SESSIONS. Mr. President, it is time for us to review our policy in Iraq. We have been aware this day was coming for some time.

To recap how things have occurred, we had hearings in the early part of this year to confirm General Petraeus. This has been General Petraeus's third tour in Iraq. I first had the opportunity to meet with him when he commanded the 101st Airborne in Mosul. He was part of the initial invasion—a brilliant combat commander who impressed all of us on our CODEL.

I later visited him in Iraq when he was in charge of training the Iraqi military and their police. It was a critical moment in their development. He was asked to go back early to do that, and he agreed to do so.

He then returned to the United States and wrote the counterinsurgency manual for the Department of Defense. Before the ink was dry on that manual, the President asked him to go back to Iraq, for the third time, to lead this critical effort at this critical time.

So I wish to first say how disappointed I have been that some have seen fit to attack this man, attack what he might say. I am afraid, frankly, the purpose of that was to sort of preemptively smear his testimony. I saw most of his testimony this afternoon. As a member of the Armed Services Committee, I expect to see more of it tomorrow and to be there tomorrow when he testifies before our committee and to hear it all in complete form.

So let me say this: It is right and just and appropriate this Congress, which sent him there in January, I believe, which voted on May 24 to fund the surge—we had a lot of debate about this surge, whether we should do it, whether we should increase our troop levels. The situation in Baghdad was not good. The situation in Al Anbar had made some improvement but was not where we wanted it to be. The country was in a difficult time.

The President said: Let's step up the troop level. Let's have a surge. We had much debate about it. I know our leader, HARRY REID, went to the White House along with NANCY PELOSI, the Speaker of the House. They came out with an agreement, and only 14 Senators opposed—in a truly bipartisan vote—funding of this effort.

So I have been disappointed that some announced it a failure even before it got started good. But we all committed to one thing; and that is that General Petraeus would come back and he would report to us and we would hear from him.

Some thought we needed more than that. So we as a Congress included in our funding legislation a requirement that another commission be set up, an independent commission, with retired officers and so forth. GEN Jimmy Jones, former Commandant of the Marine Corps and former Supreme Allied Commander Europe, chaired that commission. He reported last week.

Also, we had the Government Accountability Office do an independent analysis of the benchmarks in Iraq.

Now we are having General Petraeus and Ambassador Crocker, who is clearly one of the best respected Ambassadors in the State Department with experience in this region of the world. They are giving us their report today and tomorrow.

If Congress concludes this effort ought not to go forward, so be it. But we ought to do it after listening to our generals. In fact, I noticed some of the polling data showed more than two-thirds of the American people prefer to have their decision process be informed by the military, and only less than 10 percent, I think, or maybe 20 percent, said the Congress should set the military standards.

Here is an article by Bing West I noticed in the National Review in May. He has been to Iraq multiple times. He has written two books on the Iraq war. He said:

> The new American military team has infused the effort with energy and strategic clarity, and seized the initiative. In this war, the moral/psychological element outweighs the physical by 20 to 1.

I think there is a good bit of truth in that. I think we have seen a more coherent, focused strategy under General Petraeus's leadership.

With regard to his testimony and its truthfulness, I remember interviewing him before he was to testify in January, before being sent to Iraq, and he said: I will tell you one thing, Senator. I am going to tell you the truth as I see it if you send me there.

So the next morning I thought I would ask him that very question before the committee while he was under oath. I said:

> You've indicated, I think, in your opening statement [General Petraeus] that you would, but I'd like you to say that so the American people would know that a person who knows that country [Iraq], who's written a manual on counterinsurgency—if you believe it can't be successful, you will tell us so we can take a new action. That was my question to him: Will you tell us if you think this will not work? Because he told us and made the public statement our effort in Iraq was difficult, but he did not think it was impossible.

He replied to me this way:

> Sir, I firmly believe that I have an obligation to the great young men and women of our country who are putting themselves in harm's way, and certainly to all Americans, to tell my boss if I believe that the strategy cannot succeed at some point.

I believe this man told us the truth today as he saw it and will tell us the truth before the Armed Services Committee tomorrow, as God gives him the ability to do so. He finished near the top of his class at West Point. He was No. 1 in his class at the Command and General Staff College. He has a Ph.D. from Princeton. He has been in combat. He has led one of the Army's finest combat divisions in combat. He has trained the Iraqi Army. He knows most of the Iraqi leaders pretty well because of his time there. We could not have a better person. We need to listen to him and then make our independent judgment after he testifies.

So I thank the Chair for this time. I hope all Americans will participate, as Congress should, in evaluating where we are today. Then, once we make a decision about what our next step will be, I would call on my colleagues to not do things that undermine the strategy once we have established it. Don't come up 2 weeks after we have voted on what to do and then say it is a failure. Let's don't do that this time. Let's agree to—no matter what it is, no matter how it comes out—have our debate and then our vote, and let's establish a policy and stick together and work hard to make it a success.

I thank the Chair, and I yield the floor.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent to proceed to morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEXICO TRUCKERS

Mr. LOTT. Mr. President, I wish to be heard on this Dorgan amendment, the pending amendment, with regard to the Mexican trucker demonstration project. I wish to speak on it because I was involved in it the last time this issue came up.

I have always urged that we deal with this in a fair way and in a responsible way. We don't want unsafe trucks or unsafe drivers coming into our country, whether they are coming from Mexico or Canada. But I have always felt that maybe we had an attitude toward trucks coming in from Mexico; it was very different from those which might be coming from Canada. I think we need to have rules in place and we need to have proper precautions, but I think we also need to be rational and reasonable. If we don't have at least a demonstration project, what is going to happen when our trucks want to go to Mexico? I will guarantee you one thing: If I were the President of Mexico, I would say there are not going to be any American trucks coming down here. Can't we use some common sense? This is not some enemy satellite sitting on our border. This is a place where we can begin to make progress.

I know it is easy to demagogue this issue and get into all kinds of flights of fancy about, oh, yes, this is the beginning of a superhighway coming from Mexico; that the border is just a bump in the road and this is part of the one nation movement in North America. I don't know where all this comes from. Maybe I am naive. I don't advocate that. But I think we are really turning this into another case of trying to make a bogeyman out of our neighbor to the south.

I don't have a vested interest in this. I was in the trucking business once upon a time in my life. I know a little bit about trucking. This is not a case where my State is on the border and is going to be abused one way or the other. So I have the ability to try to look at this objectively and to ask that we try to make sense in how we deal with all of this.

This is not a new issue. We have been working on this, planning for this, preparing for this for 14 years to make sure it is done properly, including proper inspections, proper requirements. There is a program we are trying to put in place which would be subject to an additional audit at 6 months and when the project concludes. Remember, it is a pilot program. We are not putting it in place in perpetuity. We want to check it and see how it works and if it is done correctly.

Since 1982, trucks from Mexico have only been able to drive in a 25-mile commercial zone along U.S. borders. Think about that. They can come across the border, and they must stay in a 25-mile commercial zone and then offload to U.S. trucks before they can come into the United States.

The North American Free Trade Agreement contains a trucking provision that was put on hold in 1995 by President Clinton, and, without being critical of him, he wanted to make sure we had looked at it enough and that there were safety requirements, and so forth. At that time, I thought, frankly, he was probably doing the right thing. Then, in 2001, a NAFTA dispute resolution panel ruled the United States was violating NAFTA obligations by adopting a blanket ban on trucks from Mexico. So then we kind of got into a fight about it, and that is where I got directly involved, and that was in 2002 on the appropriations bill. It detailed, as a result—again, we didn't say we were going to do it regardless; we said, OK, we are going to try to find a way to do this, but we are going to have some specific requirements. We detailed 22 safety requirements that had to be met prior to allowing trucks from Mexico to drive beyond the U.S. 25-mile commercial zones.

Here are the 22 safety requirements and mandates we included in that bill. I am going to read every one of them because I want to make sure my colleagues understand that this is not something we are doing frivolously or carelessly. We had specific requirements, and they have been met:

Establish mandatory pre-authority safety audits.

Conduct at least 50 percent of the safety audits on-site in Mexico.

Issue permanent operating authority only to Mexican trucking companies who pass safety compliance reviews.

Conduct at least 50 percent of the compliance reviews on-site in Mexico—including any who do not receive an on-site pre-authority audit.

Check the validity of the driver's license every time a truck comes across the border.

Yes, we want these drivers to be licensed. I am sure that when we go forward with this, that some trucker gets in here with an unsafe truck or without a driver's license or with illegal immigrants in the belly of that truck, it will get huge coverage. I don't want any of that to happen. So we have these safety checks, and we have a check of the validity of the driver's license.

Assign Mexican truck companies a distinct Department of Transportation number.

Inspect all trucks from Mexico that do not display the current CVSA decal.

Have State inspectors in the border States report any violations of safety regulations by trucks from Mexico to U.S. Federal authorities.

Equip all U.S.-Mexico commercial border crossing with weight scales—including weigh-in-motion systems at 5 of the 10 busiest crossings.

Study the need for weigh-in-motion systems at all other border crossings.

Collect proof of insurance.

Limit trucks from Mexico operating beyond the border zone to cross the border only where a certified Federal or State inspector is on duty.

Limit trucks from Mexico operating beyond the border zone to cross the border only where there is capacity to conduct inspections and park out-of-service vehicles.

We must ensure compliance of all—all—U.S. safety regulations by Mexican operators who wish to go beyond the border zones.

Improve training and certification for border inspectors and auditors.

Study needed staffing along the border.

Prohibit Mexican trucking companies from leasing vehicles from other companies when they are suspended, restricted, or limited from their right to operate in the U.S.

Forbid foreign motor carriers from operating in the United States if they have been found to have operated illegally in the United States.

Work with all State inspectors to take enforcement action or notify U.S. DOT authorities when they discover safety violations.

Apply the same U.S. hazardous materials driver requirements to drivers from Mexico hauling hazardous materials.

Provide $54 million in Border Infrastructure Grants for border improvements and construction.

Conduct a comprehensive Inspector General's review—to be certified by the Secretary—that determines if border operations meet requirements—

That are required.

This is lengthy.

Now, I believe it has been pointed out on the floor that the inspector general may have indicated: Well, it may not be possible to do all this. We may not be able to check every truck—let's see here. Any truck with a safety violation we stop until the problem is fixed.

There are questions about do we have the infrastructure and capability to do that. But the specificity of the 22 mandates have been met, and these are the critical provisions that are important.

The companies in Mexico must pass a safety audit by United States inspectors, including review of drivers' records, insurance policies, drug and alcohol testing, and vehicle inspection records. Every truck that crosses the border as part of the program will be checked every time it enters. There is a question about whether we can do that. Remember, this is temporary and a pilot program. We need to check every one of them. If we don't have the infrastructure to do that, we should add it.

Any truck with a safety violation will be stopped until the problem is fixed. Yes, that ought to happen. So we have a very distinct list of items we are trying to do here.

In the first 30 days of the program, 17 Mexican truck companies will be given operating authority. Additional companies will be added each month. So there is some order to this program.

I say to my colleagues that this has been dealt with very methodically. The requirements of Congress have been met. It is a pilot program on a temporary basis with a 6-month audit. We ought to do this program.

I cannot help but think that there is something more going on here than safety concerns. I do think there is an attitude: We don't want those Mexican truckdrivers up here. Sure, there are some who might not be as good as they should be, but that is true with American truckdrivers, too, on occasion. What about Canadian truckdrivers?

I feel we are making a mistake if we try to stop this temporary pilot program, and I think it is going to seriously damage our ability to work with the Mexican Government, with their new President, in not only this area but a lot of other areas.

I urge my colleagues to look carefully at what has been done by our Department of Transportation. Let's not assume the worst of our neighbors from Mexico. I have known a lot of truckers, and I know the kinds of problems one can have with trucking. But these are well-intentioned, hard-working people. They are an important part of our economy, and we need to have free-flowing trade that benefits both countries, all countries in a way of which we can be proud.

If we find a problem, fix it. But to just say no, we are going to stop it after 14 years of planning and preparation because some people—I don't know—don't want the competition? This is not an immigration issue. This is a transportation issue. We can do this. We can do it sensibly. But we should defeat the Dorgan amendment. We should allow the pilot program to go forward and make sure it is done properly.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION APPROPRIATIONS

Mr. LAUTENBERG. Mr. President, I want to take a few minutes to talk about the bill that is presently on the floor. It is a good bill, and it couldn't be done at a more appropriate time. It is a critical issue. We hear many people talking about our decaying transportation infrastructure. The bill is focused primarily on the transportation side, but it also applies to other important subjects, including housing. But when we see the reports about how structurally deficient and functionally obsolete our transportation system is, and where we stand relative to other countries—even some third world countries—we should want to catch up here.

When flights are taking off and landing on time, when our railroads are carrying more passengers and cargo safely, when our roads and bridges are in good condition—our economy thrives, and so does the well-being of our people. We don't have anything that measures the stress factor of motorists, but I am sure if every driver were wearing some kind of a meter that recorded stress levels, the needles would go off their face. Tempers rise, time is lost, and appointments are not kept.

But when we fail to adequately fund these priorities, our economy and our infrastructure falters. That is why this bill is critical to our economy.

My colleague, the Presiding Officer, also from the wonderful State of New Jersey, knows we have to get things done. We have to get people and cargo moving. We have a tiny State, with lots of people, the most crowded State in the country, and transportation is essential. However, we don't have a monopoly on congestion, delays, and pollution from travel.

I remember days when I went back and forth to work from the Capitol and that the ride used to be 15 minutes. Now sometimes it can take half an hour. Look at the bridges and the roads around the Capitol, and we see it. Go anyplace that has a thriving population and you will find the same problem.

Our State of New Jersey is a global gateway and a national crossroad for transportation—air, railroad, and sea. We have the largest seaport on the East Coast. Each year, millions of cargo containers are put on trucks and trains at New Jersey's ports, bound for cities and towns across the interior of America. Newark's Liberty International Airport is one of the busiest, and is the most delayed in the country. We have that unfortunate distinction right now.

Each week, many of New Jersey's almost 9 million residents ride trains or buses or drive their cars across bridges and through tunnels connecting them to jobs outside the State or within the State. Last year, 54 million cars, trucks, and buses crossed the George Washington Bridge from Fort Lee, NJ, into New York City, by way of example.

After the tragedy in Minnesota, I began working with State leaders to make sure our bridges in New Jersey could safely and effectively handle the increasing volume of cars and trucks. I know many of my colleagues did the same thing. Thirty-four percent of the bridges in the State of New Jersey are deficient, which is higher than the national average of 27 percent. Think about what these percentages mean. It is saying that one out of three bridges is structurally deficient or functionally obsolete and in trouble. That is the way it seems to be in many places in the country. Enormous parts of the highway system are not able to handle the volume of traffic that passes over these areas.

Congress understands that bridges in America should not disappear into dust and rubble, costing lives and untold economic consequence. That is why in this bill we included $5 billion for Federal bridge programs, a 20-percent increase over last year. I was pleased to work with Senator MURRAY to add another $1 billion to strengthen our bridges.

As the chairman of two subcommittees overseeing Federal transportation programs, I am going to continue to do my part to keep our bridges strong so New Jerseyans can get to their jobs and back to their families safely.

We want to strengthen these bridges and give people the assurance that when they cross over they are safe. I talk to people who say they are reluctant to cross over some of the bridges we have in our area. Reluctant. But we take it for granted you have to do it in order to get where you must be.

I want to thank Subcommittee Chairman MURRAY and Ranking Member BOND for building a smart and strong transportation and housing appropriations bill. It funds Federal bridge repair programs, airline safety inspections, bus and rail transportation systems, and even operation of the air traffic control system.

In particular, I am pleased that the committee agreed to increase funds for Amtrak, our Nation's passenger railroad. Between the lines of cars on the highway and the long security lines at airports, American travelers need and deserve a choice. If one wants to see what a difference it could make, travel to some of the countries in Europe or Japan where they have world-class passenger rail service, where a trip from Brussels, Belgium, to Paris, France, a 200-mile distance, is accomplished in 1 hour 25 minutes. If you tried to get an airplane to take you that distance, you couldn't. They do not fly that way anymore. It is superfluous when you can get from the inside of one city to inside the other city and not have to go through the torment of the long lines and other inconveniences of getting on airplanes.

Today I had the experience of getting on an airplane at LaGuardia Airport in New York. My home in New Jersey is mid-way between LaGuardia and Newark airports. The weather didn't look that bad. We got on the airplane at 9 o'clock for a 38-minute flight to be here for a vote at 11. But due to congestion, we arrived here at a quarter past 11. It is somewhat amusing, with an odd twist, when the pilot gets on and tells

you how many minutes the flying time is because it is almost irrelevant. The flying time doesn't tell you how long it is going to take. It can take 38 minutes in the air, but it can take an hour and a half on the ground, which is pretty much what happened to us this morning. As a consequence, Mr. President—and you know how important casting your vote is around here—we missed a vote this morning, two other Senators and myself who were on that flight.

With all the problems with our transportation systems, President Bush either doesn't get it or just won't do it. He wants to put brakes on progress. The day after the terrible tragedy in Minnesota, when rescue crews were still searching for missing people, I heard the President respond, and he said: I am disappointed the Congress hasn't sent me a spending bill. But 2 weeks earlier he said he was going to veto the transportation spending bill because it was too much money. Can't have it both ways, Mr. President. And the public suffers.

President Bush's funding request would put Amtrak into bankruptcy, but expanding Amtrak is one way to get people off of the highways in many cases and out of the skyways. It is unacceptable for the Nation's passenger railroad service. Amtrak is experiencing record ridership levels, and it is unfair to the traveling public not to put the money in there that we have to. The bill before us would provide $1.5 billion for Amtrak, providing the funding it needs to survive and to grow. I am a frequent user of Amtrak, and I know very well that while the service is radically improved from where it was, more needs to be done to accommodate the volume of passengers who would use the railroad.

The funding here includes a new $100 million grant program for States to expand passenger rail service. This proposal stems from a plan Senator LOTT and I have developed to reauthorize Amtrak.

I also thank my subcommittee leaders for agreeing to my request to include additional funding for the Department of Transportation's Office of Aviation Enforcement, to be able to protect airline passengers' rights. Now it is a small group of people trying to handle passenger complaints, and they cannot get to them. It is ridiculous. How do we in the Government know what is going on if we cannot process complaints that come in? This office is the only place where airline travelers can turn when they are mistreated by airline companies, and they know very well this mistreatment is frequent.

Right now this enforcement office only counts most complaints. Instead of acting on them, they collect them. It is like a mail repository. This includes complaints about overbooked and canceled flights, deceptive advertising, failing to process fare refunds and adjustments, unfair administration of frequent flier programs, and even acts of discrimination upon disabled passengers.

With this new funding we can make sure that airlines provide better service to all their customers and act on the complaints a customer files, not just note that they have arrived.

Furthermore, I am pleased the committee agreed at markup to include an amendment I put in limiting pollution by some waste-handling facilities near railroads. It is an issue of great significance to New Jersey. We have seen fires and pollution emitted from waste-handling facilities. The problem is we cannot get at them and correct them because of a loophole in the Federal law which lets some solid waste processors do business without regulation, allowing unimpeded pollution of our water, air, and lands. My amendment will at least temporarily close this loophole.

I have a more comprehensive bill which will close this loophole permanently, and I am working with railroads and other stakeholders in hopes we can get it passed this year.

We now have transportation and public housing programs together in this bill. Perhaps it is just the way it ought to be to accommodate life in better form for our citizens. Public housing programs provide homes for some 38,000 people in my State alone. Public housing needs have been underfunded by at least $1 billion in the last 6 years. The bill also maintains funding for the Hope VI program, instead of eliminating it, which President Bush has tried to do. Hope VI has generated more than $1 billion to revitalize distressed public housing in New Jersey alone, to make sure these families have an affordable home.

At a time when we see problems with home ownership for lots of people—bankruptcies in abundance—people will have to find different places to house themselves and their families. We have to make these investments. The housing stock that we have is often inadequate, inadequate not simply in numbers but in quality as well. This funding we are getting will be especially important.

President Bush, as I mentioned before, has threatened to veto the bill because it contains $4 billion more for transportation and housing needs than he requested. A veto would cause people to lose their homes. A veto would cause bridges to go unrepaired—bridges in dangerous condition. We have to fix these things to be publicly responsible.

President Bush is willing to have us spend $3 billion every week in Iraq. We want to make sure we provide funding for those soldiers who are serving overseas right now, but we also need to fund our needs here at home.

There is an unacceptable problem we see in our country. We do not invest our limited funds back into our infrastructure as we so desperately need to do, and at the same time we are continuing a war that, for many of us, is questionable and ought to be terminated very quickly.

It is about time the President's priorities matched up with the needs of Americans at home. This bill will go some way toward helping that.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, the last time I addressed this body was before we adjourned for the August recess, and I had just returned from surveying the enormous damage that occurred when the I–35W bridge collapsed in Minneapolis. It had just collapsed the day before.

While I spoke, the dust from this tragedy had yet to settle. Well-trained first responders had arrived at the scene, and they were heroically rescuing survivors from the wreckage. The entire country was mourning for the victims while praying for the ones yet to be found. Everyone was expressing relief that a schoolbus filled with little children had miraculously escaped disaster.

Brave divers, despite mental and physical exhaustion, were working around the clock to find loved ones, people such as Patrick Holmes, who was driving home to his young wife Jennifer and their two children, who was on the bridge when that happened; people such as Sadiya Sahal, a pregnant nursing student and her 2-year-old daughter Hannah, who were headed to a relative's house when the bridge crumbled beneath them.

The police, the fire department, the emergency personnel, and ordinary citizens all came together. The tragedy of the day was met with enormous generosity from the community.

It was also met with generosity from this body. United in bipartisanship, every single Senator agreed that they would help to provide the necessary means to help Minnesota rebuild. It was done in record time—60 hours.

Today, as I stand before this body, the dust has finally settled, and the promise was that when the dust settled we would provide the necessary means to help Minnesota rebuild. On August 20, the nearly 3-week recovery effort finally came to an end when the last known victim was found. The loss of Greg Jolstad, or ''Jolly'' as he was known by his family and friends, brings the official death toll to 13.

Much of our massive eight-lane interstate highway bridge is now awkwardly draped over the bluffs of the Mississippi River while the remaining tons upon tons of steel and concrete lay buried below the river.

As I said that day, a bridge just should not fall down in America. But it did. And although we do not know yet why the I–35W bridge failed, and while we still mourn those who lost their lives, the rebuilding effort has begun.

With the initial money that Congress appropriated, Minnesota has increased transit options to serve commuters, set up detours to restore traffic flow, cleared structural debris, and has begun to lay the general framework for rebuilding.

As Minnesota continues to clear the path for a new bridge, I know this body, as they promised that evening, stands ready to ensure that the appropriate funding is made available to rebuild it. It is one of the most heavily traveled bridges in the State and vital to our economy. If anyone would imagine the most major bridge in their metropolitan area, the most major highway overpass, suddenly falling into a river, you would understand. It is a bridge that takes people downtown, that brings students to one of the biggest universities in this country, and it brings hard-working Minnesotans to their jobs every day. But most important, it is the bridge that connects countless people with their families and friends.

On August 3, this Congress made a promise to the people of Minnesota that we would help rebuild the bridge. Today I come to the floor to ensure that we make good on that promise.

I am very happy with and I supported this effort to look at repairs across the country. That is what we just voted on today, and it passed. But I think we should make clear that appropriation did not include the money that Congress promised for the Minnesota bridge. It was used as the key example of why we needed to make repairs across the country, but it did not include the money to repair our bridge.

The last time I addressed this body, the day after the bridge collapsed, I said the rebuilding effort is going to be a long process. It is not just going to end tonight. Today I am here to take the next step in that rebuilding process. Our goal is to get this bridge rebuilt and to get our metropolitan area moving again.

The Minnesota Department of Transportation concluded that the loss of this critical bridge costs our economy $400,000 per day. This is primarily due to lost travel time for commuters, for commercial truckers, for businesses closed down. This means our economy has already lost well over $8 million since the bridge collapsed.

As this fiscal year comes to a close, I am dedicated to getting the funding for our State and the entire Midwest. We need to rebuild this bridge. We would like to rebuild this bridge as soon as possible, as I know this country wants to do and this body pledged to do. That is why we will work on this bill and whatever other bills we need to work on to get this funding for this bridge.

I applaud the efforts of my colleagues to get bridge repair for every State across the country, but we are devoted to ensuring that Congress make good on its promise and rebuild this bridge that is the symbol for why we need to make infrastructure repairs across this country.

VOTE EXPLANATION

Mr. DURBIN. Mr. President, this morning, due to flight delays, I missed the rollcall vote on the confirmation of William Lindsay Osteen, Jr., to be U.S. District Judge for the Middle District of North Carolina. Had I been present for this vote, I would have voted to confirm this nomination.

PRESERVING STRONG RELATIONS WITH OUR INTERNATIONAL NEIGHBORS

Mr. LEAHY. Mr. President, among the important issues I wish to discuss this morning is an important issue, an international border issue with our friends and neighbors in Canada and Mexico, that could have severe implications for the social and economic ways of life for border communities in my own State of Vermont but all across the country.

In the wake of the September 11 terrorist attacks, a number of new border security measures have been put in place, all with the express goal of preventing another terrorist incident. I worked hard to provide balance and needed resources and to ensure that in the intervening years we did not focus solely on our southern border. I also have tried to convey to the administration and to this body something of the special relationship we have with our northern neighbor, Canada.

It is convenient to forget that most of the 9/11 hijackers entered the United States with legal visas. They would not have been stopped at any border. Some were on secret watch lists by this Government, but they were not being watched. And even later on, the Bush administration sent them official letters after they had killed themselves and thousands of innocent people in their attacks. The Bush administration had them on a watch list but did not watch them. In reaction, after these mistakes, the administration has demanded billions of dollars for constructing border fences, seeking to develop and to deploy surveillance technologies, and adding troops along our borders. Now in doing this, we have snared some illicit drug shipments, we have snared a few criminals. We have not picked up many terrorists.

Nobody questions that any country has a right to protect its borders, as we do to protect ours, but we should do it sensibly and intelligently. Instead, the administration's policy threatens to fray the social fabric of countless communities that straddle the border. They have needlessly offended our neighbors, they have sacrificed much of the traditional good will we have enjoyed, and they have undermined our own economy in border States. Local chambers of commerce along the border estimate that the costs of the administration's plans will amount to hundreds of billions of dollars and, I might say, the loss of thousands upon thousands of American jobs.

I have heard from many Vermonters about problems they have encountered at U.S. border crossings, from long traffic backups to invasive searches and questions, to inadequate communications from Federal authorities about new facilities and procedures. Such a top-down approach does not work well in interwoven communities along the border where people cross daily from one side to the other for jobs, shopping, and cultural events.

I live an hour's drive from the Canadian border. Traditionally in my State, as in most border States, people go back and forth all the time. Many of us have family members in Canada. We have enjoyed an over 5,000-mile-long unguarded frontier. Canada has been an important trading partner. It has been a friendly neighbor not only to Vermont but to the rest of the United States for more than 200 years. It is in the best interest of both of our countries to keep those relationships as positive and productive as possible. Post 9/11, everyone on both sides of the border recognized the potential threat and security needs. We have hardened security around the U.S. Capitol, hardened it around the White House, and built fences near San Diego. But those procedures do not work on Canusa Avenue in Beebe Plain, a two-lane road where one side of the road is Vermont and the other side is Quebec. That is actually true. This is a street, an avenue. On one side, you are in Vermont; on the other side, you are in Quebec. What are we going to do, put an enormous barrier down the middle of the street? People are used to going back and forth to their neighbors to borrow a cup of flour or something such as that. Are they going to take two hours to go through some kind of an unnecessary, baseless search?

And we have the Haskell Free Library and Opera House in Derby Line, VT, and Stanstead, Quebec. The library and opera house is half in Derby Line, VT, half in Stanstead, Quebec. It straddles the international border. Mr. President, I invite you to come see that some time. It is a beautiful piece of architecture.

That is why I am so troubled by the so-called Western Hemisphere Travel Initiatives, which would require individuals from the United States, Canada, Mexico, and the Caribbean to present passports or other documents proving citizenship before entering the United States. This is a dramatic change in the way border crossings have been processed in the western hemisphere since the Treaty of Paris set up the international boundary to Canada in 1783. That is already costing us greatly.

The Departments of State and Homeland Security have been charged with implementing this law. They should be coordinating their efforts with our neighbors in Canada, Mexico, and the Caribbean to ensure a smooth transition at our borders. Unfortunately, as I detailed to Secretary Rice and Secretary Chertoff on several occasions, there are serious problems in the ways in which their agencies have pushed forward with implementation of the

Western Hemisphere Travel Initiative, before any of the necessary technology installation, infrastructure upgrades, or training takes place in our border stations. If these critical features of deployment are not in place, we are going to see severe delays at our border, and law-abiding citizens from the United States, Canada, Mexico, and the Caribbean will have great difficulties moving between our countries. Most importantly, a hasty implementation without assurances that the technology to be used is truly effective can actually result in a less secure border.

Month after month, and despite hearing after hearing, the Department of Homeland Security, one of the least functional Departments in our Government, and the Department of State has highhandedly rushed to impose this new border crossing plan on the America people before they are ready with the necessary technology, infrastructure, and training, and at every step their rosy assurances to the Congress and the American people have been wrong. The administration's record on implementing the new passport program is clear, and it has been abysmal. Hundreds of Vermonters have been calling my office for assistance in salvaging their travel plans. I know that Americans from other States have experienced high levels of concern and problems as well. We have been doing what we can, passport by passport, but a large backlog persists.

The huge passport backlogs prompted by the launch of DHS's requirement for air travel passports earlier this year are just a taste of the chaos that is likely next summer when they want to start enforcing passport checks at our land and sea borders. DHS, which has difficulty implementing most of their programs, said it will be very easy; look how well it is working for those who are flying to have the passports. They had press conferences, they had announcements, they got their talking points in the press on how well it is working. And then, within weeks, they had to pull it back. Why? Because it was not working. They did not have anything in place to make it work. And that is only about 5 to 10 percent of the actual traffic that will go across these borders. Well, think what is going to happen next summer when they start enforcing passport checks at our land and sea borders. If they cannot handle the small percentage, what is it going to be like when they have to do it for 100 percent?

I have been urging the State Department and the Department of Homeland Security not to rush into establishing rules and procedures that shut our borders to legitimate travel and trade and, instead, work with our neighbors, coordinate with our neighbors on security plans that might actually work. We can be smarter and more effective, rather than arrogantly insulting our traditional friends in Canada and Mexico. We have worked with them on joint intelligence operations to identify and target terrorists. I would much rather see, instead of wasting tens of billions of dollars on a program that is not going to work, lose hundreds of billions of dollars in jobs in America, that we spend a tiny fraction of that talking about our northern border now, working with our friends in Canada, and do a better job of intelligence and identifying possible terrorists.

Unfortunately, my calls and the pleas from border communities from Maine to Alaska—for that matter, from California to Texas—have been largely ignored. This administration is setting the American people up yet again for a fiasco of failure and frustration.

Since DHS and State keep saying WHTI is a congressionally mandated program, they should stop opposing the bicameral and bipartisan flow moving through Congress to shift the new requirement to June of 2009. They have been warned repeatedly that they are not ready. Even the fresh embarrassment of this passport debacle does not humble these arrogant purveyors of a failed program. In the memorable words of President Bush: They are doing a ''heck of a job.'' The incompetence that led to the human and economic tragedy of Katrina and its aftermath, a tragedy that has not been rectified for more than 2 years, is striking again. By maintaining the fiction that they will be ready to implement the largest phase of this program next January, they are recklessly risking the travel plans of millions of Americans, but they are also risking the economies of scores of States and communities.

Today is September 10. Tomorrow is the sixth anniversary of the attacks. I remember that day so well, being right here in Washington. The administration's failure to prevent those attacks, to connect the dots, to take seriously the warnings of Richard Clarke, to listen to FBI field agents in Minnesota and Arizona, all because of the preeminence of its ideological agenda, is no longer subject to denial. Those failures before 9/11 are no excuse to indulge in authoritarian excesses now and in the future.

When we sacrifice our freedoms, Americans lose and the terrorists have taken from us what they cannot by force of arms. As we commemorate the sacrifices of so many that took place 6 years ago tomorrow, we need to rededicate ourselves to American principles and values.

In the days ahead, the Judiciary Committee will be holding a series of hearings into important security matters. Today I am writing to the Director of National Intelligence inviting him to join us on September 25 for a hearing into warrantless surveillance of Americans.

I am not convinced that the sweeping scope and lack of checks and balances in the recently enacted temporary amendment to the Foreign Intelligence Surveillance Act are necessary to address the national security concerns the administration had identified. As elected representatives of the American people, we need to consider whether there are more effective mechanisms to ensure appropriate oversight of surveillance involving U.S. persons. We need to restore the proper balance in order to maintain our security while preserving the constitutional rights of Americans and providing appropriate oversight of executive action involving private communications of Americans.

Just this past weekend, we saw reports indicating that the President's surveillance program of Americans was much more extensive than he had led us to believe. The New York Times reported that the FBI was not just concerned about known or even suspected al-Qaida operatives, as the President spokespeople repeated over and over since the programs became known in December 2005, but with casting a much wider net for information about what they termed a ''community of interest.'' We need to examine how far this so-called link analysis has gone, how far down the daisy chain it has gone, what use was made of the private call information, and whether private information of innocent Americans has been collected and retained in Government databases without any authorization. How many innocent Americans who called someone else, who may have had some innocent contact with someone else, are now in a Government database and suddenly wonder why they didn't get a job promotion or why their child wasn't able to get a student loan? It is telling that as this story became public—this always happens only when it becomes public—the FBI responded by saying that this data is ''no longer being used'' and, of course, ''was used infrequently.'' Is the administration nonetheless going to prevent Congress from obtaining the information it needs to provide appropriate oversight? Will our patriotism be threatened anew if Congress seeks to examine the administration's overreaching and ineffectiveness? I hope not, but we will have to see. The very first hearing we held before the Senate Judiciary Committee this year was on data mining. With the leadership shown by Senator FEINGOLD, we have passed a reporting requirement on Government data mining. Now we need to follow up and get the information we need and exercise oversight authority.

The first week in October, we are looking forward to hearing from Professor Jack Goldsmith, who served at a critical juncture in 2004 as the Assistant Attorney General for the Office of Legal Counsel to the Department of Justice. In that capacity, he considered the constitutional underpinnings of the President's program of warrantless wiretapping and helped lead the way to changes in that clandestine surveillance affecting the rights of every single person in this Chamber and all other Americans.

This past week, we were reminded yet again of the need to improve the operations of the Terrorist Screening Center, which failed to make watch list records of suspected known terrorists available to front-line screening agents but continues to list the names of innocent Americans in its watch list database. I won't go through all of the stories that come out of some of these things: a year-old child having to get a passport to fly and prove they are not a 45-year-old terror suspect or one of the most senior Members of the Senate being blocked 10 times from taking a flight he has been taking for 30 or 40 years because he is on a terrorist watch list. Somehow, they got the names mixed up. We saw a recent Government Accountability Office report on the Department of Homeland Security with its failing grades, having failed to achieve half its performance expectations since 2003. If you or I in college were to get a 50 or less on all our exams, we would be out on our ear in a moment. This is what we have seen from the Department of Homeland Security. We heard from an independent commission and former military leaders who indicated the Iraqi police force is so riddled with corruption and sectarianism that they should be disbanded, and after 4 years and hundreds of millions of American taxpayer dollars, we should start over from scratch. We can't even find half the weapons we have given them until they turn up in terrorist hands. But we send these hundreds of millions of dollars to the Iraqi police force and we tell the police in America: We have to cut out the COPS Program. We don't have money for our American police. We can't afford to improve our American police because we have to send hundreds of millions of dollars to the Iraqi police. If I have to call a police officer, I am going to call an American police officer. I would like to know that some of that money was spent on them.

This past week also provided a reminder of the need to refocus our efforts on bin Laden. Six years after 9/11, he has not been brought to justice but continues to taunt us. He should never have been allowed to escape when our forces had him cornered in Tora Bora. One of the greatest mistakes of this administration—not counting the great mistakes made before 9/11—was withdrawing our special forces and not providing the support needed. That was another mistake driven by ideology. Think how much better it would be today had they actually succeeded in the one thing the whole Congress agreed on—to go and get bin Laden. They failed. The bipartisan leaders of the 9/11 Commission are right that the occupation of Iraq has provided a recruiting bonanza for al-Qaida and a costly distraction. Iraq, a country that didn't have al-Qaida, is now a recruiting bonanza for them. We need to be smarter and more focused in countering terrorism.

How many costly mistakes are the American people going to be asked to bear? I hope all Senators, Republicans and Democrats, will join together in the days ahead as we did 6 years ago, when so many of us stood on this floor and joined hands to do the things that needed to be done. The American people deserve a government that works and that works for them. American freedom and values need to be defended and reinforced, not mortgaged to fleeting and ill-considered promises of security.

TRIBUTE TO FORMER SENATOR DANIEL BREWSTER

Mr. CARDIN. Mr. President, the State of Maryland and the United States lost a brave and committed public servant last month. Former Senator Daniel Brewster, who served in this esteemed Chamber during the 1960s, died of cancer on August 19.

Few Americans have the political ancestry of Senator Brewster, who was a direct descendant of Ben Franklin and the former Attorney General for President Chester Arthur. Public service came naturally to this man, whose life and work showed his commitment to our country. He first gave to this country through his military service as a decorated war hero, wounded seven times during his service in Guam and Okinawa. Then he served as an elected official for 18 years. He served in the Maryland House of Delegates starting in 1950, was elected to the House of Representatives in 1958 and then to the Senate in 1962.

Senator Brewster first came to politics as an advocate for civil rights. In his own Baltimore neighborhood, neighbors complained when he invited African-American servicemen from World War II to his home. This was an outrage to him. He would never slight a person, particularly soldiers who had courageously served to defend the American flag. Senator Brewster went on to cosponsor the Civil Rights Act of 1964, forever changing the course of history in this country.

Senate Brewster represented much of what is great about public service: a desire and commitment to make this country better and stronger for every American, black and white, rich and poor, farmer and businessman.

Senator Brewster had some very trying times in his life: First, at the age of 10 when his father died; then when he was beset with personal struggles in the very public forum of public life. The lesson he left for all of us is one can rise above adversity, even in the face of trying times, and continue to serve the people of this great Nation. He did that and left this country and this Congress with a lasting legacy of accomplishments.

He left another legacy quite apparent today, introducing some of our country's strongest leaders to the world of politics. House Speaker NANCY PELOSI and House Majority Leader STENY HOYER both started their political careers working for Senator Brewster.

I am personally indebted to Senator Brewster for the wisdom and advice he shared with me as a newly elected Senator. This past spring, he, along with former Senators Joe Tydings and Charles Mathias, Jr., met with me to share their insights. For this, I am forever grateful.

Senator Brewster and his wife Judy Lynn had five children: Gerry, who served in the Maryland legislature, Daniel, Jr., Dana, Danielle, and Jennilie. On behalf of the citizens of Maryland and this body, I wish to extend our sincere condolences to Senator Brewster's family. He will be missed by all.

CONGRATULATING DR. BILLINGTON

Mr. DURBIN. Mr. President, an important anniversary will be marked on September 14, at the Library of Congress. Twenty years ago, in the Great Hall of the Thomas Jefferson Building, then-President Reagan presided over the swearing-in of Dr. James H. Billington as the 13th Librarian of Congress.

When he was appointed, Dr. Billington brought great expertise to the Library, both as the world's premier scholar of Russian culture and history and as director of the Woodrow Wilson International Center for Scholars. His vision, and the hard work of so many dedicated Library staff members, has led to continued growth of the Library of Congress. He has fulfilled the promise made on September 14, 1987—to make the riches of the Library more broadly available to ever widening circles of our society.

At the time, Senator Wendell Ford remarked that the Library of Congress ''represents our nation's commitment to a knowledgeable citizenry.'' Dr. Billington has upheld that commitment by enhancing the Library and making its riches and inspiration available to all Americans. Under his leadership, the Copyright Office, the Law Library, the Congressional Research Service, and the National Library have seamlessly worked together to build the collections and preserve them for future generations.

The Library's accomplishments of the last two decades are extraordinary. The collections have expanded by 50 million items, and state-of-the art facilities have been built to ensure their long-term preservation. The establishment of the Kluge Center for Scholars and the Kluge Prize for Lifetime Achievement in the Human Sciences have enriched not only the scholarly life of Washington but also have enabled Members of Congress to meet thought leaders and benefit from their perspectives. Also, the Library was a pioneer in online collections and services, launching American Memory, THOMAS, the World Digital Library and resources for teachers, students and families across the Nation and world.

The Library's pioneering work in education has had a great impact in my home State of Illinois. The Library's educational mission, shaped by Dr. Billington's vision, is that young people benefit from learning with primary sources such as Lincoln's magnificent Gettysburg Address, seeing the Founding Father's notes and revisions to the Bill of Rights, and exploring maps and sound recordings to understand history and culture firsthand. As the Library developed and focused its massive resources in ways that teachers could explore and use for their classrooms, Dr. Billington recognized the profound impact of incorporating primary sources into teacher education. Many of us in Congress recognized the potential around this idea and helped create and fund the Adventures of the American Mind, which is now poised to become a national program—Teaching with Primary Sources. The 10 universities in Illinois that have benefited from working with the Library have transformed their teacher education programs. I have seen first hand the programs and curricula that have been created using the amazing resources from Congress's Library to improve teaching in our Nation's schools.

Dr. Billington's energy is unflagging. He has led efforts to launch the World Digital Library, the reinstallation of Thomas Jefferson's Library in the Jefferson Building, and the Library's celebration of the Lincoln Bicentennial in 2009 and beyond. In short, I have valued and look forward to continuing leadership from Dr. Billington. He and his colleagues at the Library of Congress are a tremendous resource to our work as a legislature.

The Library of Congress has benefited immeasurably from the first 20 years of Jim Billington's leadership. We are grateful to him and congratulate him, his wife Marjorie, and his family on this milestone of service to our Nation.

RECOGNIZING TOSTAN

Mr. DURBIN. Mr. President, during my time in the Senate, I have been a vocal advocate of programs that help the nations of Africa improve the living conditions of their citizens. Much of this work is done through dedicated nongovernmental organizations that work year after year on issues of health, literacy, women's empowerment, democracy, human rights, and microfinance lending. Today I wish to recognize one such group, Tostan, which recently won the 2007 Conrad Hilton Humanitarian Prize for its extraordinary contributions to help alleviate human suffering in Africa.

Tostan means ''breakthrough'' in the Wolof language of Senegal. The efforts of Tostan have truly been a breakthrough in the West African countries in which it works. Tostan was founded by a University of Illinois alumna, Molly Melching. When Molly arrived in Senegal in the 1970s, she began teaching literacy through traditional African stories, songs, and theater. Later, in 1991, she founded Tostan, which began offering a community empowerment program that helped Africans address problems they found in their daily lives, while teaching reading, math, health, hygiene, problem solving, and management skills. In 1996, human rights and democracy components were added, with particular attention toward ending domestic violence and the exploitation of children, empowering women, and expanding health and education for all.

The Hilton award recognizes Tostan for its ability to empower African communities, focusing on change from within and from the ground up. Its program has helped reduce infant and maternal mortality, improve community health care and nutrition, reduce female genital cutting, and lower rates of domestic violence in the nine countries where it works. Thousands of women and children have learned to read and perform basic math and have used these skills to start local cooperatives, build stoves, and improve health care. It is not surprising, therefore, that Tostan has been recognized by others for its outstanding work, including by UNESCO, which called it ''one of the most innovative educational programs.''

Tostan's work deserves to be applauded and should receive our continued support. As one of the world's richest countries, we have a responsibility to help lift up the large numbers of people in our country and around the world who are still living in poverty. Again, I congratulate Tostan for its important work.

FOREIGN OPERATIONS APPROPRIATIONS

Mr. LEAHY. Mr. President, last Thursday, September 6, after less than 12 hours of debate, the Senate passed by a vote of 81 to 12 the fiscal year 2008 State, Foreign Operations appropriations bill. I think it was the shortest amount of time we have taken to debate and pass this bill. I also think that on the whole we can be satisfied with the outcome. It is a bipartisan bill, and while neither I nor Senator GREGG, the ranking member of the subcommittee who played an indispensable role in getting it done, supports every provision in the bill, that is the nature of the process.

I also know there are things in this bill the administration supports and things they don't like. I would remind them that our allocation was $700 million below the President's budget, and the President underfunded a number of programs that have strong bipartisan support—the Global Fund to Fight AIDS, TB and malaria, to give one example. I would hope the White House would recognize that we tried hard to fund not only the President's priorities but also the requests of Senators of both parties. This is, as sometimes the White House needs to be reminded, a government of equal branches.

Senate conferees were named immediately after final passage, and I look forward to sitting down with the House to finish this bill so we can send it to the President for signature as soon as possible.

Mr. President, the last vote on the State, Foreign Operations bill did not occur until late at night, and Senators were anxious to go home. I want to take this opportunity to again thank Senator GREGG and his staff, Paul Grove, minority clerk for the subcommittee, whose good humor and penchant for thoroughness and bipartisanship have served the committee extremely well. I also want to thank Michele Wymer, who joined the subcommittee's minority staff this year. Michele has been a pleasure to work with. She did a superb job last week on the floor keeping track of the flurry of amendments.

On the majority side, I want to thank Kate Eltrich, who for the past 5 years has handled the State Department Operations appropriations. Kate's budgetary skills, dating from her time at OMB during the Clinton administration, are a great asset to the subcommittee. She has done an excellent job and is someone whose judgment I have great confidence in. Nikole Manatt joined the subcommittee staff earlier this year, and she has already distinguished herself as energetic, willing and capable of taking on any project, and is a pleasure to work with. J.P. Dowd, my legislative director, spent most of last Thursday on the Senate floor helping out in more ways than I can count. I want to thank Tim Rieser, the majority clerk, who has worked for the Senate for 22 years, either as a staff member in my office or, since 1989, for the Appropriations Committee. Tim was my lead staff member on this bill. Tim and Paul Grove have worked together to draft these bills year after year, and to deal with the amendments on the floor. Last Thursday, we disposed of 73 amendments. That is no small feat, and the staff deserves our thanks for the long hours and hard work that made it possible.

Among the other Appropriations Committee staff whose contributions to this process were indispensable are Richard Larson and his outstanding staff in Editorial and Printing, and chief clerk Bob Putnam and Jack Conway, who make sure our numbers add up as they are supposed to.

The funds in this bill support lifesaving programs for the poorest people in Africa. They help protect the economic and security interests of this country and our allies from South America to South Asia. In a world as complex and dangerous as this, we should be doing far more to exert U.S. leadership, particularly in countries and regions plagued by poverty, injustice, and conflict or where the United States is regarded unfavorably or misunderstood. We have done our best

with what we have to spend, and if used wisely, the funds in this bill will advance U.S. interests and improve the lives of countless people less fortunate than we are.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS DANE BALCON

Mr. SALAZAR. Mr. President, I want to take a moment to reflect on the life and service of a fallen Coloradan: PFC Dane Balcon of Colorado Springs.

Private Balcon graduated from Sand Creek High School in 2006, joined the Army, and was deployed to Iraq in July with the 3rd Brigade, 1st Cavalry Division, out of Fort Hood, TX. Private Balcon was killed last Wednesday alongside CPL William T. Warford, III, of Temple, TX, when a roadside bomb exploded near their vehicle. Dane Balcon was 19 years old.

Private Balcon was looking forward to a long career in the military. Since he was 3 years old he dreamed of being a soldier, of following the path of service that his father, John Balcon, and his mother, Carla Sizer, chose. Dane was eager for the opportunity to serve in Iraq, and was dismayed when his unit's deployment was delayed. He knew that the longer he was at Fort Hood, the longer another soldier would have to stay in theater. ''Every day I stay at Fort Hood,'' he told his mother, ''someone is away from their family.'' He wanted to get into the fight and lift his weight, so that the weight on others might be lifted.

Dane's loss has left a hole for his community, his friends, and his family that no words can ever fill. At Sand Creek High School, Dane's friends remember a young man dedicated to his future in the military. He joined the ROTC program, was in the drum line, and had a voracious appetite for learning the soldier's craft.

His charm won him widespread admiration and friendship. His habit of playing his drumsticks alongside an imaginary chorus during the school day exasperated his teachers, but his jokes would gain their smiles, and his heart would earn their respect. When he deployed in July, their thoughts and prayers, like those of his classmates, friends, and family, were with him.

The values that led Private Balcon to enlist and to serve on the battlefields of Iraq are the values that have guided American soldiers for more than two centuries. ''Duty, honor, country,'' GEN Douglas MacArthur told young soldiers at West Point in 1962, ''these are the words that dictate what a soldier wants to be, can be, and will be. . . . They teach you to be proud and unbending in honest failure, but humble and gentle in success; not to substitute words for action; not to seek the path of comfort, but to face the stress and spur of difficulty and challenge; to learn to stand up in the storm, but to have compassion on those who fall; to master yourself before you seek to master others; to have a heart that is clean, a goal that is high; to learn to laugh, yet never forget how to weep; to reach into the future, yet never neglect the past; to be serious, yet never take yourself too seriously; to be modest so that you will remember the simplicity of true greatness; the open mind of true wisdom, the meekness of true strength.''

PVT Dane Balcon, who dreamt of serving his country and of devoting his life to its protection, embodied this creed. He donned the soldier's uniform at the first opportunity, he showed his bravery on the battlefield, and he perished in service.

Duty, honor, country, GEN MacArthur's ''hallowed words'' characterize Private Balcon's sacrifice. They are the values of America's great soldiers, the giants to whom we owe our freedom. Theirs is a debt we cannot repay.

To Carla and John, I cannot imagine the sorrow that you are feeling with the loss of your son. I hope that in time your grief will be salved by your pride in your son's extraordinary dedication to service. Dane served the Nation with honor and dignity. His sacrifice will never be forgotten.

CHIEF WARRANT OFFICER SCOTT OSWELL

Mr. President, I rise today to reflect on the life, service, and sacrifice of CWO Scott Oswell, who died on July 4 when his helicopter went down in Mosul, Iraq. Chief Oswell was on his second tour of duty in Iraq, piloting OH–58 Kiowa Warrior helicopters with the 4th Squadron, 6th U.S. Air Cavalry out of Fort Lewis. He was 33.

Scott grew up the son of an Army officer and was a stoic servant of the greater good. He joined the Marines soon after graduating from Air Academy High School in Colorado Springs, CO. He later transferred to the Army, where he became a helicopter pilot and, in 2006, earned his instructor rating.

At his funeral at Fort Logan National Cemetery in Denver, friends and family spoke of Scott's devotion to his family and to his service. He was ''family man'' to his wife, Cheri, and to his three children, Caitlyn, Amanda, and Ian. He was a patient ''big brother'' to the pilots he taught. And he was a brave soldier to those with whom he served in Iraq, willing to risk his life to defeat an enemy or to lift others to safety.

For his service to his country and his unit, and for his death on Independence Day on a mission to save another, Chief Oswell will always be remembered as a patriot. But he is also a patriot in a larger sense. Frances Wright, one of America's most famous lecturers, reminds us that patriotism is a virtue that characterizes an individual's dedication to the public good, to the preference of the interests of the many to the interests of the few, and to the love of liberty. ''A patriot,'' she told an Indiana crowd on July 4, 1828, ''is a useful member of society, capable of enlarging all minds and bettering all hearts with which he comes in contact; a useful member of the human family, capable of establishing fundamental principles and of merging his own interests, those of his associates, and those of his Nation in the interests of the human race.''

Chief Oswell wore his patriotism with humility. He did the job, and he did it well amid the perils of war. At Scott's memorial service, a fellow soldier recalled how they flew out to examine a suspicious flicker of light along a supply route to Baghdad. Finding an insurgent with a rocket-propelled grenade in hand, Chief Oswell hovered within the enemy's range, committed to preventing an escape. ''This guy is not going to get away,'' he said.

Even with the best training and preparation, keeping calm and composed in difficult circumstances demands something more from an individual. Chief Oswell had what it takes. His friends recall that on missions he would often sing popular children's songs. He was steady and stoic.

CWO Scott Oswell sacrificed his life for this Nation as a patriot, in service to something larger than himself. He accepted the great risks of being a pilot with a smile and used his talents and temperament to teach others what he had learned. His extraordinary courage is a lesson to us all, a debt we cannot repay, a loss we cannot replace. He was a father, a teacher, a pilot, and a patriot. We are humbled by his service and his sacrifice.

To Chief Oswell's wife Cheri, to his children, Caitlyn, Amanda, and Ian, and to his parents, Barry and Nancy, I know that even now, no words can fill the hole left by Scott's death. I pray that you can find comfort in knowing that he was always, and will remain always, a true patriot. He will endure in our hearts and prayers.

ADDITIONAL STATEMENTS

CELEBRATING EL GRITO DE DOLORES

• Mr. CRAPO. Mr. President, next week, Idahoans of Hispanic and Latino heritage will be joining others in the United States and Mexico to celebrate the beginning of the decade-long battle to liberate Mexico from Spain almost 200 years ago. They gather to celebrate ''El Grito de Dolores,'' or ''The Cry from Dolores,'' issued by Father Miguel Gregorio Antonio Ignacio Hidalgo y Costilla Gallaga Mondarte Villasenor, better known as Miguel Hidalgo y Costilla, Mexican priest and revolutionary leader. Cura Hidalgo, although ethnically a criollo, or Mexican of Spanish or European descent, became sympathetic at a young age to the terrible plight of the Indians and mestizos—those of mixed ancestry—who had been subjugated by the Spanish for 300 years in Mexico. Hidalgo was an intellectual, well-versed in a number of languages and well-read. Some historians tell that his classmates called him ''el zorro,'' or ''the Fox.'' He was

also known to be an entrepreneur and humanitarian. With the intention to better the plight of the indigenous people of his community, he taught them carpentry, harness-making, wool-weaving and blacksmithing and encouraged local artisans. He also cultivated vineyards and olive groves. In the early 1800s, he became involved in a movement to overthrow the Spanish-led Government of Mexico, then called ''New Spain.'' Although led by a group of criollo intellectuals, the movement aimed to unify and energize the indigenous people and mestizos against their Spanish overlords. Due to a breach of intelligence, the conspirators were discovered, and Hidalgo gambled—and won.

Hidalgo's call to independence was obviously not recorded, and historical accounts cannot agree on the words of his exact speech, but it is understood that early on the morning of September 16, 1810, Cura Hidalgo, instead of delivering mass, rang the church bell and delivered a call to arms that has come to be known as ''El Grito de Dolores,'' or, simply, ''El Grito.'' The armed Indians and mestizos, under the command of Hidalgo, fellow revolutionary Ignacio Allende and others, marched to the provincial capitol, Guanajunto, and, just 2 weeks after ''El Grito,'' won a stunning battle with their now 20,000-strong army. Although Hidalgo was captured 9 months later and executed on July 30, 1811, the storm that had been unleashed could not be stopped. Mexico successfully fought and won its independence from Spain in 1821.

Idahoans and other Americans of Mexican descent have a proud heritage in this early freedom fighter. Much like the tradition of our American Founding Fathers, the seeds of revolution sprouted in the fertile soil of intellectual debate and a recognition of the inherent equality of all human beings regardless of race, gender or ethnicity. As people in Idaho and across the United States celebrate Mexico's independence and those young freedom fighters 200 years ago, parallels are strong with Mexican Americans today who are fighting to keep the United States free from terror here at home. How fitting, then, for the week of September 11 that we also remember Hidalgo's ''El Grito!''●

TRIBUTE TO DR. PHILIP R. LEE

● Mrs. FEINSTEIN. Mr. Presdient, today I recognize Dr. Philip R. Lee, a pioneering Californian and fellow San Franciscan, who has been a dynamic leader in health policy for more than 40 years. This September, the health policy program that Dr. Lee founded 35 years ago at the University of California, San Francisco, UCSF, will be renamed the Philip R. Lee Institute for Health Policy Studies in his honor.

Dr. Lee is a giant among health professionals. His work in health care policy continues to affect how millions of Americans receive health care today. He served as Assistant Secretary for Health on two occasions; under President Johnson in the sixties and under President Clinton in the nineties. During the first 8 months of his tenure as Assistant Secretary in 1965, more than 80 landmark healthcare bills were passed including Medicare and Medicaid; health professions education assistance amendments; heart disease, cancer, and stroke amendments; the war on poverty; Job Corps; food stamps; and Head Start, to name a few.

Especially significant was Dr. Lee's work in developing policies for the newly created Medicare Program, his work to fund graduate medical education, and the work he is most proud of, the desegregation of 1,000 of the Nation's 7,000 hospitals at a time when discrimination was a real problem in the Nation.

I am proud to say that as mayor of San Francisco in 1985, I appointed Dr. Lee as the first president of the newly established health commission of the city and county of San Francisco. He was in charge of San Francisco's public health, mental health and substance abuse services, as well as San Francisco General Hospital. Dr. Lee served the health care needs of the residents of San Francisco during challenging times when the city was in the midst of the AIDS epidemic. He has served our city well.

Dr. Lee's influence also extends to health care education. As UCSF's third chancellor, he was charged with the instruction of future health care professionals and the running of a premier research university. As chancellor, he was known for his commitment to academic excellence and his efforts to stimulate minority recruitment and enrollment. When Dr. Lee founded the Institute of Health Policy Studies at UCSF, it was the first health policy unit in an academic health sciences center to bring together a multidisciplinary group of faculty to address complex health issues.

Dr. Lee's career has been devoted to improving health care and public health for all people. He has an unwavering commitment to the needs of the disadvantaged, including the elderly, the disabled, and those without access to care. Yet he is able to encourage evenhanded policy debate among parties with highly divergent views in a manner that encourages creative innovation.

He continues to be a valued teacher and mentor for many who are now in key positions as researchers, teachers, and as leaders in the health professions. It is fitting that the institute he founded three decades ago, the UCSF School of Medicine Institute for Health Policy Studies, will now be re-named the Philip R. Lee Institute for Health Policy Studies.

I wish to congratulate Dr. Lee on this tremendous honor and thank him for his service to the city of San Francisco and the State of California.●

TRIBUTE TO SHAWN JOHNSON

● Mr. GRASSLEY. Mr. President, on Tuesday Iowa gymnast Shawn Johnson and her USA teammates won the gold at the Gymnastics World Championships in Germany.

Shawn is a native of West Des Moines, IA, where she has trained in gymnastics with Coach Liang Chow since the age of six. How did this young girl from Iowa become a world champion gymnast? I think it may have been said best by her coach in an interview with the Des Moines Register earlier this week. Coach Chow said Shawn, ''loved gymnastics. She loved to work out. She wanted to learn, and to get better.''

It is that love for what she does that carried Shawn to be crowned National Champion in San Jose, CA, two weeks ago, and carried her even higher to win the World Championship this week. I hope that Shawn's dedication to this sport will inspire many others to achieve greatness within their respective fields as well.

It is with great Iowa pride that I offer my sincere congratulations to Shawn Johnson for her accomplishments.●

TRIBUTE TO PETER A. MAYER ADVERTISING, INC.

● Ms. LANDRIEU. Mr. President, I would like to take a moment to pay tribute to Peter A. Mayer Advertising, Inc., which on Friday celebrated its 40th anniversary.

This firm represents that Louisiana really is ''open for business'' following the devastating 2005 storms, Katrina and Rita. Not only is this agency profitable and strong, but part of its business practice is to contribute to our great city and region in the aftermath of the storms that completely destroyed 18,000 businesses in Louisiana alone.

When Katrina hit, the Agency evacuated to Baton Rouge and Monroe and provided housing and accommodations for employees and their families. Soon the firm was up and running again in New Orleans and promoting the city's recovery. For instance, it was the Peter A. Mayer agency that developed the ''Come fall in love all over again'' television and print tourism campaign. Tourism is our State's second largest industry, and the agency's help getting the word out that we are ready for tourists was invaluable.

Not only did the agency help the city and region, but it looked inward to create a support network for its own employees whose common thread was recovering from Katrina. The agency created a Web site, LivesConnected.com, where employees, though oral history, told their Katrina stories.

Peter Mayer founded the firm in 1967 with just three employees and $200,000 in billing. It has become one of the largest advertising, public relations and marketing agencies in the South

and an economic anchor in New Orleans, with a staff of 125 and annual billings of more than $75 million. The news media has recognized the agency's famed corporate culture, with New Orleans City Business and Gambit Weekly each naming it one of the top places to work in New Orleans.

In celebration of its 40th anniversary and in an effort to help beautify our city, the agency last week began planting 40 trees in City Park to replace those lost in Katrina. On Friday evening, the agency celebrated its history with all past and present employees at the Audubon Tea Room. I thank the Senate for recognizing this outstanding agency for its commitment to excellence and public service.●

MESSAGES FROM THE HOUSE

At 10:05 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2669) to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008.

The message also announced that the House passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2786. An act to reauthorize the programs for housing assistance for Native Americans.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

S. 377. An act to establish a United States-Poland parliamentary youth exchange program, and for other purposes.

H.R. 2358. An act to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individuals Native Americans to the development of the United States and the history of the United States, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 1:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1908. An act to amend title 35, United States Code, to provide for patent reform.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2786. An act to reauthorize the programs for housing assistance for Native Americans; to the Committee on Indian Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1908. An act to amend title 35, United States Code, to provide for patent reform.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 10, 2007, she had presented to the President of the United States the following enrolled bill:

S. 377. An act to establish a United States-Poland parliamentary youth exchange program, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3059. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Craney Island Dredged Material Management Facility; to the Committee on Environment and Public Works.

EC–3060. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the implementation of the Underground Storage Tank Program in Indian Country; to the Committee on Environment and Public Works.

EC–3061. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a flood damage reduction project in California; to the Committee on Environment and Public Works.

EC–3062. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Use of Electronic Submissions in Agency Hearings'' (RIN3150–AH74) received on September 4, 2007; to the Committee on Environment and Public Works.

EC–3063. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''NRC Size Standards; Revision'' (RIN3150–AI15) received on September 4, 2007; to the Committee on Environment and Public Works.

EC–3064. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: TN–68 Revision 1'' (RIN3150–AI21) received on September 4, 2007; to the Committee on Environment and Public Works.

EC–3065. A communication from the Assistant Secretary, National Wildlife Refuge System, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''2007–2008 Hunting and Sport Fishing Regulations for the Upper Mississippi River National Wildlife and Fish Refuge'' (RIN1018–AV36) received on September 4, 2007; to the Committee on Environment and Public Works.

EC–3066. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Early Season Migratory Bird Hunting Regulations'' (RIN1018–AV12) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–3067. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting and Permits: Regulations for Managing Resident Canada Goose Populations'' (RIN1018–AV15) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–3068. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands'' (RIN1018–AV12) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–3069. A communication from the Assistant Secretary of Commerce (Economic Development), transmitting, pursuant to law, a report relative to the activities of the Economic Development Administration during fiscal years 2005 and 2006; to the Committee on Environment and Public Works.

EC–3070. A communication from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's inventory of commercial activities and inherently governmental functions for fiscal year 2006; to the Committee on Environment and Public Works.

EC–3071. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's Strategic Plan for fiscal years 2007 through 2012; to the Committee on Environment and Public Works.

EC–3072. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Licenses, Certifications, and Approvals for Nuclear Power Plants'' (RIN3150–AG24) received on August 27, 2007; to the Committee on Environment and Public Works.

EC–3073. A communication from the Administrator, Environmental Protection Agency, transmitting, draft legislation intended to collect certain fees under the Toxic Substance Control Act; to the Committee on Environment and Public Works.

EC–3074. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Medical Use of Byproduct Material—Minor Corrections and Clarifications'' (RIN3150–AI14) received on August 17, 2007; to the Committee on Environment and Public Works.

EC–3075. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the worst forms of child labor; to the Committee on Health, Education, Labor, and Pensions.

EC–3076. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of

Labor, transmitting, pursuant to law, the report of a rule entitled ''Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provisions of Six Federal Environmental Statutes and Section 211 of the Energy Reorganization Act of 1974, as amended'' (RIN1218–AC25) received on September 4, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3077. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additive Permitted in Feed and Drinking Water of Animals; Selenium Yeast'' (Docket No. 1998F–0196) received on August 27, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3078. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to a petition filed by the workers from the Rocky Flats Plant requesting their addition to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–3079. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Board's annual report for the fiscal year ended September 30, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–3080. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, ''Evaluating the Effectiveness of Citizen Review Panels: A Feasibility Study''; to the Committee on Health, Education, Labor, and Pensions.

EC–3081. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Board's budget request for fiscal year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3082. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices: Immunology and Microbiology Devices: Classifications of In Vitro Immunodeficiency Virus Drug Resistance Genotype Assay'' (Docket No. 2007N–0294) received on September 5, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3083. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on September 5, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3084. A communication from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on September 5, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3085. A communication from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Advance Electronic Transmission of Passenger and Crew Member Manifests for Commercial Aircraft and Vessels'' (RIN1651–AA62) received on August 14, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3086. A communication from the Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Management of Federal Agency Disbursements'' (RIN1510–AB07) received on August 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3087. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the Board's annual report for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–3088. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to Office of Government Ethics Freedom of Information Act Regulation: Designations under E.O. 13392 and Updates to Contact Numbers and Addition of E-Mail Address'' (RIN3209–AA37) received on September 4, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3089. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's financial statement for the period of October 1, 2005, to September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–3090. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–18'' (FAC 2005–18) received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3091. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, an inventory of the Office's federal activities as of June 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–3092. A communication from the Regulatory Contact, National Archives and Record Administration, transmitting, pursuant to law, the report of a rule entitled ''NARA Reproduction Fees'' (RIN3095–AB49) received on August 17, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3093. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Nonforeign Area Cost-of-Living Allowance Rates; U.S. Virgin Islands'' (RIN3206–AL12) received on August 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3094. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–100, ''Joe Pozell Square Designation Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3095. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–96, ''District of Columbia Consumer Protection Fund Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3096. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–97, ''District of Columbia Regional Airports Authority Clarification Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3097. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–98, ''Calvin Woodland Sr. Place Designation Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3098. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–99, ''Adams Alley Designation Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3099. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–103, ''Closing of a Public Alley in Square 28, S.O. 04–13414, and Closing Clarification in Square 739, S.O. 06–221, Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3100. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–102, ''Historic Preservation Tax Credit Partnership and Limited Liability Company Clarification Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3101. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–101, ''Senior Driver Empowerment Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3102. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–94, ''Retail Class Exemption Clarification Temporary Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3103. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–95, ''Heat Wave Safety Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3104. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–92, ''Unfoldment, Inc., Equitable Real Property Tax Relief Clarification Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3105. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–93, ''Bank Charter Modernization Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3106. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–91, ''Non-Resident Taxi Drivers Registration Temporary Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3107. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–90, ''Eastern Market and Georgetown Public Library Disaster Relief Temporary Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3108. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 17–89, ''Capitol Riverfront Business Improvement District Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3109. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–88, ''Election Date Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3110. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–84, ''Ballpark Hard and Soft Costs Cap Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3111. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–85, ''Ballpark Parking Completion Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3112. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–86, ''One-Time Relocation of Licensees Displaced by the Ballpark and Skyland Development Project Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3113. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–87, ''District of Columbia Sentencing and Criminal Code Revision Commission Amendment Act of 2007'' received on September 5, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3114. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of action on a nomination for the position of Deputy Administrator for National Preparedness, received on September 6, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3115. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, a report relative to the Board's inherently governmental and commercial activities during fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–3116. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to the Administration's commercial and inherently governmental activities during fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–3117. A communication from the Inspector General, General Services Administration, transmitting, pursuant to law, the Administration's Audit Report Register for the six-month period ending March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–3118. A communication from the Secretary of Housing and Urban Development, transmitting, proposed legislation entitled, ''Native American and Native Hawaiian Housing Reauthorization and Improvement Act of 2007''; to the Committee on Indian Affairs.

EC–3119. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Indian Housing Block Grant Program—Extension of Annual Performance Report Due Date'' (RIN2577–AC74) received on August 27, 2007; to the Committee on Indian Affairs.

EC–3120. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy, designation of an acting officer and nomination for the position of Director of the Indian Health Service, received on August 27, 2007; to the Committee on Indian Affairs.

EC–3121. A communication from the Under Secretary of Commerce (Intellectual Property), transmitting, pursuant to law, the report of a rule entitled ''Revision of Patent Fees for Fiscal Year 2007'' (RIN0651–AB81) received on August 14, 2007; to the Committee on the Judiciary.

EC–3122. A communication from the General Counsel, Department of Commerce, transmitting, a draft bill entitled the ''Patent Law Treaty Implementation Act''; to the Committee on the Judiciary.

EC–3123. A communication from the Acting Chief, Regulatory Management Division, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Removal of Temporary Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule'' (RIN1615–AB61) received on September 4, 2007; to the Committee on the Judiciary.

EC–3124. A communication from the General Counsel, Department of Commerce, transmitting, a draft bill entitled the ''Hague Agreement Implementation Act''; to the Committee on the Judiciary.

EC–3125. A communication from the Secretary of Labor and the Secretary of Homeland Security, transmitting, proposed legislation entitled the ''Nonimmigrant Alien Labor Enforcement Reform Act of 2007''; to the Committee on the Judiciary.

EC–3126. A communication from the Speaker of the Senate and the Speaker of the House of Commons of Canada, transmitting, correspondence commemorating American Independence; to the Committee on the Judiciary.

EC–3127. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Acting Assistant Attorney General, received on September 5, 2007; to the Committee on the Judiciary.

EC–3128. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Acting Assistant Attorney General, received on September 5, 2007; to the Committee on the Judiciary.

EC–3129. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report relative to foreign military sales; to the Committee on Armed Services.

EC–3130. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Acting Deputy Attorney General, received on September 5, 2007; to the Committee on the Judiciary.

EC–3131. A communication from the White House Liaison, Office of Legal Counsel, Department of Justice, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Acting Associate Attorney General, received on September 5, 2007; to the Committee on the Judiciary.

EC–3132. A communication from the Deputy General Counsel, Office of Surety Guarantees, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Surety Bond Guarantee Program-Preferred Surety Qualification, Increased for Veteran and Service-Disabled Veteran-Owner Business, Deadline for Payment of Guarantee Fees, Denial of Liability, and Technical Amendments'' (RIN3245–AF39) received on August 3, 2007; to the Committee on Small Business and Entrepreneurship.

EC–3133. A communication from the Director, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Information to Organ Procurement Organizations'' (RIN2900–AM65) received on September 5, 2007; to the Committee on Veterans' Affairs.

EC–3134. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, a report relative to the Commission's FAIR Act inventory for fiscal year 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3135. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Registration of Intermediaries'' (RIN3038–AC37) received on September 6, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3136. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules Relating to Review of National Futures Associations Decisions in Disciplinary, Membership Denial, Registration, and Member Responsibility Actions'' (RIN3038–AC43) received on September 6, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3137. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Navy, case number 06–03; to the Committee on Appropriations.

EC–3138. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Army, case number 05–03; to the Committee on Appropriations.

EC–3139. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Navy, case number 07–01; to the Committee on Appropriations.

EC–3140. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Army, case number 06–11; to the Committee on Appropriations.

EC–3141. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Army, case number 06–02; to the Committee on Appropriations.

EC–3142. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (13) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–3143. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the National Defense Stockpile Annual Materials Plan for fiscal year 2008; to the Committee on Armed Services.

EC–3144. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Requirements for Insurance'' (12 CFR Part 741) received on September 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–3145. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report relative to the national emergency blocking property of persons undermining the democratic process in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–3146. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency relative to persons who commit or support terrorism as declared in Executive Order 13313 of July 31, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–3147. A communication from the Deputy Assistant General Counsel, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Administrator, received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3148. A communication from the Deputy Assistant General Counsel, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of action on a nomination for the position Deputy Secretary of Transportation, received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3149. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch and Pelagic Shelf Rockfish in the Western Regulatory Area in the Gulf of Alaska'' (RIN0648–XB79) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3150. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB87) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3151. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XB86) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3152. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole, Flathead Sole, and 'Other Flatfish' by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB88) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3153. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB89) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3154. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correction to Inseason Adjustments to Groundfish Management Measures'' (RIN0648–AV69) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3155. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval of Final Rule to Modify the Halibut and Sablefish Individual Fishery Quota Program; Approval of Final Rule to Implement Amendment 67 to the Fishery Management Plan for Groundfish of the Gulf of Alaska'' (RIN0648–AS84) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3156. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Emergency Action to Lower the Haddock Minimum Size Limit to 18 Inches to Reduce Regulatory Discarding'' (RIN0648–AV75) received on September 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3157. A communication from the Acting White House Liaison, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of action on the nomination for the position of Assistant Secretary (Postsecondary Education), received on September 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3158. A communication from the Acting White House Liaison, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of the discontinuation of service in an acting role for the position of Assistant Secretary (Postsecondary Education), received on September 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3159. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; General and Plastic Surgery Devices; Classification of Absorbable Poly(hydroxybutyrate) Surgical Suture Produced by Recombinant DNA Technology'' (Docket No. 2007N–0267) received on September 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3160. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary (Planning and Evaluation), received on September 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3161. A communication from the Assistant Secretary of Labor (Administration and Management), transmitting, pursuant to law, the Department's inventory of commercial and inherently governmental activities for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN:

S. 2034. A bill to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself, Mr. LUGAR, and Mr. SCHUMER):

S. 2035. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2036. A bill to temporarily raise conforming loan limits in high cost areas and portfolio caps applicable to Freddie Mac and Fannie Mae, to provide the necessary financing to curb foreclosures by facilitating the refinancing of at-risk subprime borrowers into safe, prime loans, to preserve liquidity in the mortgage lending markets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH (for himself and Mr. BENNETT):

S. Res. 312. A resolution honoring the sacrifice and courage of the 6 miners who were trapped, the 3 rescue workers who were killed, and the many others who were injured in the Crandall Canyon mine disaster in Utah, and recognizing the community and the rescue crews for their outstanding efforts in the aftermath of the tragedies; considered and agreed to.

By Mr. LOTT (for himself and Mr. PRYOR):

S. Res. 313. A resolution supporting the We Don't Serve Teens campaign; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mr. NELSON of Nebraska):

S. Res. 314. A resolution designating September 13, 2007, as ''National Celiac Disease Awareness Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 368

At the request of Mr. BIDEN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of

1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 449

At the request of Mr. BIDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 449, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws.

S. 469

At the request of Mr. BAUCUS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 582

At the request of Mr. SMITH, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 648

At the request of Mr. CHAMBLISS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 667

At the request of Mr. BOND, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 671

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 671, a bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas.

S. 694

At the request of Mrs. CLINTON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 714

At the request of Mr. AKAKA, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 714, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 771

At the request of Mr. HARKIN, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 771, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 805, a bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

S. 807

At the request of Mr. DOMENICI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 807, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 829

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 829, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 911

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

At the request of Mr. REED, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 911, supra.

S. 912

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 912, a bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 968

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 968, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 969

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

At the request of Mr. DODD, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 969, supra.

S. 988

At the request of Ms. MIKULSKI, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 999

At the request of Mr. COCHRAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 999, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1087

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1087, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 1204

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor

of S. 1204, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 1247

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1247, a bill to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, and for other purposes.

S. 1295

At the request of Mr. FEINGOLD, the names of the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1295, a bill to amend the African Development Foundation Act to change the name of the Foundation, modify the administrative authorities of the Foundation, and for other purposes.

S. 1359

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1359, a bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus.

S. 1382

At the request of Mr. REID, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1386

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1386, a bill to amend the Housing and Urban Development Act of 1968, to provide better assistance to low- and moderate-income families, and for other purposes.

S. 1430

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1545

At the request of Mr. SALAZAR, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1545, a bill to implement the recommendations of the Iraq Study Group.

S. 1576

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1576, a bill to amend the Public Health Service Act to improve the health and healthcare of racial and ethnic minority groups.

S. 1627

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1792

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1792, a bill to amend the Worker Adjustment and Retraining Notification Act to improve such Act.

S. 1800

At the request of Mrs. CLINTON, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Maryland (Mr. CARDIN) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1800, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 1812

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1812, a bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes.

S. 1841

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1841, a bill to provide a site for the National Women's History Museum in Washington, District of Columbia, and for other purposes.

S. 1903

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1903, a bill to extend the temporary protected status designation of Liberia under section 244 of the Immigration and Nationality Act so that Liberians can continue to be eligible for such status through September 30, 2008.

S. 1921

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 1930

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1930, a bill to amend the Lacey Act Amendments of 1981 to prevent illegal logging practices, and for other purposes.

S. 1944

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1944, a bill to provide justice for victims of state-sponsored terrorism.

S. 1958

At the request of Mr. CONRAD, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S.J. RES. 13

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S.J. Res. 13, a joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. RES. 82

At the request of Mr. HAGEL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 82, a resolution designating August 16, 2007 as ''National Airborne Day''.

S. RES. 241

At the request of Mr. BROWN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. Res. 241, a resolution expressing the sense of the Senate that the United States should reaffirm the commitments of the United States to the 2001 Doha Declaration on the TRIPS Agreement and Public Health and to pursuing trade policies that promote access to affordable medicines.

S. RES. 269

At the request of Mr. LAUTENBERG, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. Res. 269, a resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that a commemorative postage stamp be issued in honor of former United States Representative Barbara Jordan.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 2034. A bill to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the

State of Oregon as wild or scenic rivers, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, Oregon's coastal forests contain many hidden gems. Within the lush rainforests of the Siskiyou-Rogue River National Forest, we find one of these gems—the headwaters of the North Fork of the Elk River, known as the Copper Salmon area. Today I introduce a bill to protect this natural treasure, which lies adjacent to the existing Grassy Knob Wilderness.

During the last decade, a dedicated group of local conservationists has been working hard to protect Copper Salmon. It is one of the last intact watersheds on the southwest Oregon coast. Copper Salmon is renowned among fishermen. For anglers seeking to catch a trophy chinook salmon or winter steelhead for the barbeque or smoker in Oregon, this is the place. Few watersheds in Oregon can match the Elk River drainage. Even after torrential rainstorms, anglers are still able to fish the Elk. When 25 inches of rain fell over 18 straight days last December, the Elk was still fishable while the other rivers in southwest Oregon, Rogue, Umpqua, Coquille, were clouded with debris and mud. Copper Salmon also supports healthy populations of blacktail deer, elk, black bear and mountain lion. This beautiful gem on the southwestern Oregon coast provides great and challenging opportunities here to hunt in freedom and solitude.

Mr. President, 80 percent of the watershed in this region is still intact. The Elk has healthy wild runs of winter steelhead and chinook. It also has some coho salmon and sea-run cutthroat trout, as well as resident cutthroats and rainbow trout. Oregon State University researchers believe it is one of the healthiest anadromous fish streams in the lower 48. There is a reason why: intact habitat.

My bill would provide permanent protections to 13,700 acres of new wilderness. It would also designate 9.3 miles of wild and scenic rivers. Wilderness and wild and scenic designations will protect this watershed and ensure that hunting and fishing opportunities are protected in the Copper Salmon area. Wilderness designation is popular in the local area, as evidenced by resolutions in favor of it from the Port Orford Chamber of Commerce, the mayor of Port Orford, and the Curry County Commissioners. Additionally, a majority of the guides, lodges and local citizens have supported this proposal. It is time now that we all come together and permanently protect this special place.

As Oregon's population grows, I believe that we must match this growth and the corresponding development with protection of our natural heritage. Protection of these areas will ensure that Oregonians and visitors will continue to enjoy opportunities to hike in the wilderness, hunt healthy populations of elk, blacktail deer, black bear, mountain lion and to catch trophy-sized chinook and steelhead.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2034

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 ''Copper Salmon Wilderness Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the proposed Copper Salmon Wilderness, comprising 13,700 acres, includes a significant portion of an inventoried roadless area adjacent to the Grassy Knob Wilderness area protected by the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–328);

(2) the proposed Copper Salmon Wilderness includes—

(A) the North Fork and South Fork of the Elk River;

(B) the upper Middle Fork of the Sixes River; and

(C) tributaries of the South Fork of Coquille River;

(3) the Elk River is designated as a Tier 1 Key Watershed;

(4) the fisheries of the Elk River are recognized as 1 of the best salmon and steelhead producers in the 48 contiguous States, producing more salmon per square meter than most rivers outside the State of Alaska;

(5) designation of the proposed Wilderness would provide permanent protection for the last remaining mammoth Port Orford Cedars in the Elk River watershed;

(6) the protection of the proposed Copper Salmon Wilderness is supported by the local communities near the proposed Wilderness, which have passed resolutions supporting the designation of the proposed Wilderness;

(7) the master plan for the economic stability of Curry County, Oregon, includes ecotourism and recreation as primary sources of income; and

(8) permanent protection for the proposed Copper Salmon Wilderness is needed to conserve the environment in southwestern Oregon.

SEC. 3. DESIGNATION OF THE COPPER SALMON WILDERNESS.

Section 3 of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–328) is amended—

(1) in the matter preceding paragraph (1), by striking ''eight hundred fifty-nine thousand six hundred acres'' and inserting ''873,300 acres''; and

(2) in paragraph (29), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(30) certain land in the Siskiyou National Forest, comprising approximately 13,700 acres, as generally depicted on the map entitled 'Proposed Copper Salmon Wilderness Area', to be known as the 'Copper Salmon Wilderness'.''.

SEC. 4. WILD AND SCENIC RIVER DESIGNATIONS, ELK RIVER, OREGON.

Section 3(a)(76) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(76)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''19-mile segment'' and inserting ''29-mile segment'';

(2) in subparagraph (A), by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (B) and inserting the following:

''(B) The approximately 0.4–mile segment of the North Fork Elk from the source of the North Fork Elk in sec. 21, T. 33 S., R. 12 W., of the Willamette Meridian, downstream to 0.01 miles downstream of Forest Service Road 3353, as a scenic river.

''(C) The approximately 5.3–mile segment of the North Fork Elk from 0.01 miles downstream of Forest Service Road 3353 downstream to its confluence with the South Fork Elk, as a wild river.

''(D) The approximately 0.9–mile segment of the South Fork Elk from the source of the North Fork Elk in sec. 32, T. 33 S., R. 12 W., of the Willamette Meridian, downstream to 0.01 miles downstream of Forest Service Road 3353, as a scenic river.

''(E) The approximately 4.2–mile segment of the South Fork Elk from 0.01 miles downstream of Forest Service Road 3353 downstream to the confluence with the North Fork Elk, as a wild river.''.

By Mr. SPECTER (for himself, Mr. LUGAR, and Mr. SCHUMER):

S. 2035. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to establish a reporter's privilege. The situation in the United States today is that newspaper reporters, journalists, are subject to a compulsory process to disclose confidential informants. The matter came to a head with the incarceration of a New York Times reporter, Judith Miller, for an extended period of time.

Last year, Senator LUGAR and I introduced legislation to establish a reporter's privilege. Since that time, the legislation has been revised to provide limitations where national security is involved or where the reporter may be the eyewitness to a specific event.

This legislation differs from S. 1267, the bill which has been introduced by Senator LUGAR and Senator DODD, in that it tightens up exceptions where, for reasons of substantial public importance, the privilege will be limited. But today, there is a patchwork quality in the law, with the circuits going in different directions. Privileges are accorded under many State laws.

This bill has very widespread support. So on behalf of Senator SCHUMER, Senator LUGAR, and myself, I introduce this bill.

I ask unanimous consent that the full text of my prepared statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. President, I seek recognition today to introduce, with Senators Schumer and Lugar, the Free Flow of Information Act of 2007. This bill would establish a Federal reporter's privilege to protect the free flow of information between journalists and confidential sources. It seeks to reconcile reporters' need to maintain confidentiality, in order to ensure that sources will speak openly and freely with the media, with the

public's right to effective law enforcement and fair trials. Senator LUGAR and I introduced a similar bill last year, which garnered the support of 10 cosponsors from both sides of the aisle, as well as 39 media organizations, including the Washington Post, The Hearst Corporation, Time Warner, ABC Inc., CBS, CNN, The New York Times Company, and National Public Radio.

There has been a growing consensus that we need to establish a Federal journalists' privilege to protect the integrity of the news gathering process, a process that depends on the free flow of information between journalists and whistleblowers, as well as other confidential sources.

Under my chairmanship, the Judiciary Committee held three separate hearings on this issue at which we heard from 20 witnesses, including prominent journalists like William Safire and Judith Miller, current and former Federal prosecutors, including Deputy Attorney General Paul McNulty, and First Amendment scholars.

These witnesses demonstrated that there are two vital, competing concerns at stake. On one hand, reporters cite the need to maintain confidentiality in order to ensure that sources will speak openly and freely with the news media. The renowned William Safire, former columnist for the New York Times, testified that ''the essence of news gathering is this: if you don't have sources you trust and who trust you, then you don't have a solid story—and the public suffers for it.'' Reporter Matthew Cooper of Time Magazine said this to the Judiciary Committee: ''As someone who relies on confidential sources all the time, I simply could not do my job reporting stories big and small without being able to speak with officials under varying degrees of anonymity.''

On the other hand, the public has a right to effective law enforcement and fair trials. Our judicial system needs access to information in order to prosecute crime and to guarantee fair administration of the law for plaintiffs and defendants alike. As a Justice Department representative told the Committee, prosecutors need to ''maintain the ability, in certain vitally important circumstances, to obtain information identifying a source when a paramount interest is at stake. For example, obtaining source information may be the only available means of preventing a murder, locating a kidnapped child, or identifying a serial arsonist.''

As Federal courts have considered these competing interests, they adopted rules that went in several different directions. Rather than a clear, uniform standard for deciding claims of journalist privilege, the Federal courts currently observe a ''crazy quilt'' of different judicial standards.

The current confusion began 33 years ago, when the Supreme Court decided Branzburg v. Hayes. The Court held that the press's First Amendment right to publish information does not include a right to keep information secret from a grand jury investigating a criminal matter. The Supreme Court also held that the common law did not exempt reporters from the duty of every citizen to provide information to a grand jury.

The Court reasoned that just as newspapers and journalists are subject to the same laws and restrictions as other citizens, they are also subject to the same duty to provide information to a court as other citizens. However, Justice Powell, who joined the 5–4 majority, wrote a separate concurrence in which he explained that the Court's holding was not an invitation for the Government to harass journalists. If a journalist could show that the grand jury investigation was being conducted in bad faith, the journalist could ask the court to quash the subpoena. Justice Powell indicated that courts might assess such claims on a case-by-case basis by balancing the freedom of the press against the obligation to give testimony relevant to criminal conduct.

In attempting to apply Justice Powell's concurring opinion, Federal courts have split on the question of when a journalist is required to testify. In the 33 years since Branzburg, the Federal courts are split in at least three ways in their approaches to Federal criminal and civil cases.

With respect to Federal criminal cases, five circuits—the First, Fourth, Fifth, Sixth, and Seventh Circuits—have applied Branzburg so as to not allow journalists to withhold information absent governmental bad faith. Four other circuits—the Second, Third, Ninth, and Eleventh Circuits—recognize a qualified privilege, which requires courts to balance the freedom of the press against the obligation to provide testimony on a case-by-case basis. The law in the District of Columbia Circuit is unsettled.

With respect to Federal civil cases, nine of the 12 circuits apply a balancing test when deciding whether journalists must disclose confidential sources. One circuit affords journalists no privilege in any context. Two other circuits have yet to decide whether journalists have any privilege in civil cases. Meanwhile, 49 States plus the District of Columbia have recognized a privilege within their own jurisdictions. Thirty-one States plus the District of Columbia have passed some form of reporter's shield statute, and 18 States have recognized a privilege at common law.

There is little wonder that there is a growing consensus concerning the need for a uniform journalists' privilege in Federal courts. This system must be simplified.

Today, we move toward resolving this problem by introducing the Free Flow of Information Act. The purpose of this bill is to guarantee the flow of information to the public through a free and active press, while protecting the public's right to effective law enforcement and individuals' rights to the fair administration of justice.

This bill also provides ample protection to the public's interest in law enforcement and fair trials. The bill provides a qualified privilege for reporters to withhold from Federal courts, prosecutors, and other Federal entities, confidential source information and documents and materials obtained or created under a promise of confidentiality. However, the bill recognizes that, in certain instances, the public's interest in law enforcement and fair trials outweighs a reporter's interest in keeping a source confidential. Therefore, it allows courts to require disclosure where certain criteria are met.

In most criminal investigations and prosecutions, the Federal entity seeking the reporter's source information must show that there are reasonable grounds to believe that a crime has occurred, and that the reporter's information is essential to the prosecution or defense. In criminal investigations and prosecutions of leaks of classified information, the Federal entity seeking disclosure must additionally show that the leak caused significant, clear, and articulable harm to the national security. In noncriminal actions, the Federal entity seeking source information must show that the reporter's information is essential to the resolution of the matter.

In all cases and investigations, the Federal entity must demonstrate that nondisclosure would be contrary to the public interest. In other words, the court must balance the need for the information against the public interest in newsgathering and the free flow of information.

Further, the bill ensures that Federal Government entities do not engage in ''fishing expeditions'' for a reporter's information. The information a reporter reveals must, to the extent possible, be limited to verifying published information and describing the surrounding circumstances. The information must also be narrowly tailored to avoid compelling a reporter to reveal peripheral or speculative information.

Finally, the Free Flow of Information Act adds layers of safeguards for the public. Reporters are not allowed to withhold information if a Federal court concludes that the information is needed for the defense of our Nation's security, as long as it outweighs the public interest in newsgathering and maintains the free flow of information to citizens, or to prevent an act of terrorism. Similarly, journalists may not withhold information reasonably necessary to stop a kidnapping or a crime that could lead to death or physical injury. Also, the bill ensures that both crime victims and criminal defendants will have a fair hearing in court. Under this bill, a journalist who is an eyewitness to a crime or tort or takes part in a crime or tort may not withhold that information. Journalists should not be permitted to hide from the law by writing a story and then claiming a reporter's privilege.

It is time to simplify the patchwork of court decisions and legislation that has grown over the last 3 decades. It is time for Congress to clear up the ambiguities journalists and the Federal judicial system face in balancing the protections journalists need in providing confidential information to the public with the ability of the courts to conduct fair and accurate trials. I urge my colleagues to support this legislation and help create a fair and efficient means to serve journalists and the news media, prosecutors and the courts, and most importantly the public interest on both ends of the spectrum.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 312—HONORING THE SACRIFICE AND COURAGE OF THE 6 MINERS WHO WERE TRAPPED, THE 3 RESCUE WORKERS WHO WERE KILLED, AND THE MANY OTHERS WHO WERE INJURED IN THE CRANDALL CANYON MINE DISASTER IN UTAH, AND RECOGNIZING THE COMMUNITY AND THE RESCUE CREWS FOR THEIR OUTSTANDING EFFORTS IN THE AFTERMATH OF THE TRAGEDIES

Mr. HATCH (for himself and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 312

Whereas, on August 6, 2007, 6 miners, Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, were trapped 1,800 feet below ground in the Crandall Canyon coal mine in Emory County, Utah;

Whereas Federal, State, and local rescue crews have worked relentlessly in an effort to find and rescue the trapped miners;

Whereas, on August 16, 2007, Dale ''Bird'' Black, Gary Jensen, and Brandon Kimber bravely gave their lives and 6 other workers were injured during the rescue efforts;

Whereas Utah is one of the largest coal-producing States in the United States, having produced more than 26,000,000 tons of coal in 2006;

Whereas coal generates more than half of our Nation's electricity, providing millions

of Americans with energy for their homes and businesses;

Whereas coal mining continues to provide economic stability for many communities in Utah and throughout the United States;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation's coal mines; and

Whereas the American people are greatly indebted to coal miners for the difficult and dangerous work they perform: Now, therefore, be it

Resolved, That the Senate—

(1) honors Kerry Allred, Don Erickson, Luis Hernandez, Carlos Payan, Brandon Phillips, and Manuel Sanchez, as well as Dale ''Bird'' Black, Gary Jensen, and Brandon Kimber for their sacrifice in the Crandall Canyon coal mine;

(2) extends the deepest condolences of the Nation to the families of these men;

(3) recognizes the brave work of the many volunteers who participated in the rescue efforts and provided support for the miners' families during rescue operations; and

(4) honors the contribution of coal mines and coal-mining families to America's proud heritage.

SENATE RESOLUTION 313—SUPPORTING THE WE DON'T SERVE TEENS CAMPAIGN

Mr. LOTT (for himself and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 313

Whereas the 2005 National Survey on Drug Use and Health estimates there are 11,000,000 underage alcoholic beverage drinkers in the United States;

Whereas research shows that young people who start drinking alcoholic beverages before the age of 15 are 4 times more likely to develop an alcohol-related disorder later in life;

Whereas surveys show that 17 percent of 8th graders, 33 percent of high school sophomores, and 47 percent of high school seniors report recent drinking;

Whereas, in a 2003 survey of drinkers ages 10 to 18, 65 percent said they got the alcohol from family members or friends—some took alcohol from their own home or a friend's home without permission, and in other cases adults, siblings, or friends provided the alcohol;

Whereas the Surgeon General issued a national Call to Action against underage drinking in March 2007, asking Americans to do more to stop current underage drinkers from using alcohol and to keep other young people from starting;

Whereas the Leadership to Keep Children Alcohol Free initiative is a coalition of Governors' spouses, Federal agencies, and public and private organizations which specifically targets prevention of drinking in the 9- to 15-year-old age group;

Whereas the National Alliance to Prevent Underage Drinking is a coalition of public health, law enforcement, religious, treatment and prevention, and other organizations with the goal of supporting and promoting implementation of a comprehensive strategy to reduce underage drinking;

Whereas the best protections against underage drinking are comprehensive prevention and enforcement strategies that include educating parents and members of the community;

Whereas beverage alcohol is a unique product and is regulated in such a way as to encourage social responsibility;

Whereas parents should be encouraged to talk to their children about the dangers of underage drinking;

Whereas the goal of the We Don't Serve Teens campaign is to educate parents and community leaders about effective ways of reducing underage drinking;

Whereas the We Don't Serve Teens campaign seeks to unite State officials, business leaders, parents, and community leaders in fighting underage drinking;

Whereas the Federal Trade Commission has partnered with other Government entities, members of the beverage alcohol industry, and members of the advocacy community to educate the public on the dangers of underage drinking;

Whereas the Federal Trade Commission has created an Internet website, www.dontserveteens.gov, as a resource for parents, educators, and community leaders concerned with underage drinking;

Whereas Congress has demonstrated its commitment to the prevention of underage drinking by enacting the Sober Truth on Preventing Underage Drinking Act (STOP), which recognizes that the 3-tier system of manufacturer, wholesaler, and retailer and continued State regulation of the sale and distribution of alcohol are critical to preventing access to alcohol by persons under 21 years of age; and

Whereas the We Don't Serve Teens campaign recognizes that all 3 tiers of the beverage alcohol industry play a key role in the prevention of underage drinking, and unites all of those participants in a concerted effort to protect America's youth: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of campaigns working to prevent underage drinking, including the We Don't Serve Teens campaign;

(2) recognizes September 10-15, 2007, as ''National We Don't Serve Teens Week'';

(3) encourages people across the Nation to take advantage of the wealth of information that can be used to combat underage drinking; and

(4) commends the leadership and continuing efforts of all groups working to reduce underage drinking, including State and local officials, the Federal Trade Commission, community groups, public health organizations, law enforcement, and the beverage alcohol industry.

SENATE RESOLUTION 314—DESIGNATING SEPTEMBER 13, 2007, AS ''NATIONAL CELIAC DISEASE AWARENESS DAY''

Mr. INHOFE (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 314

Whereas celiac disease affects approximately 1 in every 130 people in the United States, for a total of 3,000,000 people;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas, when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas these problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas, as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, anti-tissue transglutaminase, and IgA anti-endomysium antibodies;

Whereas celiac disease can only be treated by implementing a diet free of wheat, barley, rye, and oats, often called a ''gluten-free diet'';

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjogren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, ''if the patient can be cured at all, it must be by means of diet'';

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2007, as ''National Celiac Disease Awareness Day'';

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe the date with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, the Celiac Disease Foundation, the Gluten Intolerance Group of North America, and the Oklahoma Celiac Support Group No. 5 of the Celiac Sprue Association.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2790. Mrs. MURRAY (for herself and Mr. BOND) proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

SA 2791. Mrs. MURRAY proposed an amendment to the bill H.R. 3074, supra.

SA 2792. Mrs. MURRAY (for herself, Ms. LANDRIEU, Mr. SCHUMER, Mrs. CLINTON, Mr. LAUTENBERG, Mrs. LINCOLN, Mr. DURBIN, Mr. CARDIN, Mr. ROCKEFELLER, Mr. KERRY, Mr. SALAZAR, and Mr. PRYOR) proposed an

amendment to amendment SA 2791 proposed by Mrs. MURRAY to the bill H.R. 3074, supra.

SA 2793. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2794. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2795. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2796. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra.

SA 2797. Mr. DORGAN (for himself, Mrs. CLINTON, Mr. OBAMA, Mr. BROWN, Mr. SPECTER, Mr. INOUYE, and Ms. LANDRIEU) proposed an amendment to the bill H.R. 3074, supra.

SA 2798. Ms. KLOBUCHAR (for herself and Mr. COLEMAN) submitted an amendment intended to be proposed by her to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2799. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. Reid to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2800. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2801. Mr. CASEY (for himself and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2802. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2803. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2804. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2805. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2806. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3074, supra; which was ordered to lie on the table.

SA 2807. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3074, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2790. Mrs. MURRAY (for herself and Mr. BOND) proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation and Housing and Urban Development, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $95,197,000, of which not to exceed $2,314,274 shall be available for the immediate Office of the Secretary; not to exceed $736,833 shall be available for the immediate Office of the Deputy Secretary; not to exceed $18,719,099 shall be available for the Office of the General Counsel; not to exceed $11,874,050 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $10,416,963 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,384,312 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $24,007,990 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,987,803 shall be available for the Office of Public Affairs; not to exceed $1,534,557 shall be available for the Office of the Executive Secretariat; not to exceed $1,334,596 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $8,299,072 for the Office of Intelligence, Security, and Emergency Response; and not to exceed $11,587,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,140,900.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $14,115,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $128,094,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $370,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $521,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,970,000, to remain available until September 30, 2009: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $60,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the remaining unobligated balances under section 101(a)(2) of Public Law 107–42, $22,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from ''Office of the Secretary, Salaries and expenses'' to ''Minority Business Outreach''.

SEC. 102. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 103. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts

made available by Public Law 108–176, $8,761,783,000, of which $6,400,580,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,964,813,000 shall be available for air traffic organization activities; not to exceed $1,092,103,000 shall be available for aviation safety activities; not to exceed $12,837,437 shall be available for commercial space transportation activities; not to exceed $103,848,661 shall be available for financial services activities; not to exceed $91,214,239 shall be available for human resources program activities; not to exceed $290,872,359 shall be available for region and center operations and regional coordination activities; not to exceed $166,541,633 shall be available for staff offices; and not to exceed $39,552,285 shall be available for information services: *Provided,* That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further,* That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further,* That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further,* That the Secretary utilize not less than $20,000,000 of the funds provided for aviation safety activities to pay for staff increases in the Office of Aviation Flight Standards and the Office of Aircraft Certification: *Provided further,* That none of the funds provided for increases to the staffs of the aviation flight standards and aircraft certification offices shall be used for other purposes: *Provided further,* That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further,* That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further,* That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further,* That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further,* That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further,* That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That of the funds appropriated under this heading, not less than $8,500,000 shall be for the contract tower cost-sharing program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further,* That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further,* That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,516,920,000, of which $2,056,947,000 shall remain available until September 30, 2010, and of which $459,973,000 shall remain available until September 30, 2008: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further,* That upon initial submission to the Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2009 through 2013, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $148,800,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2010: *Provided,* That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $4,399,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided,* That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,514,500,000 in fiscal year 2008, notwithstanding section 47117(g) of title 49, United States Code: *Provided further,* That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further,* That notwithstanding any other provision of law, of funds limited under this heading, not more than $80,676,000 shall be obligated for administration, not less than $10,000,000 shall be available for the airport cooperative research program, not less than $18,712,000 shall be for Airport Technology Research and $10,000,000 shall be available and transferred to the account available to administer the small community air service development program, to remain available until expended.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2007, and prior years under sections 48103 and 48112 of title 49, United States Code, $185,500,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 375 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2008.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided,* That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided,* That during fiscal year 2008, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking

''2006,'' each place it appears and inserting ''2008,''.

(b) Section 44303(b) of such title is amended by striking ''2006,'' and inserting ''2008,''.

(c) Section 44310 of such title is amended by striking ''March 30, 2008'' and inserting ''December 31, 2008''.

SEC. 115. (a) IN GENERAL.—A pilot who has attained 60 years of age may serve as a pilot of an aircraft operated by an air carrier engaged in operations under part 121 of title 14, Code of Federal Regulations, until attaining 65 years of age only if the pilot serves—

(1) as a required pilot in multi-crew aircraft operations; and

(2) with another pilot serving as a required pilot in such multi-crew aircraft operations who has not yet attained 60 years of age.

(b) SUNSET OF AGE-60 RULE.—

(1) IN GENERAL.—Section 121.383(c) of title 14, Code of Federal Regulations shall have no further force or effect.

(2) REGULATIONS.—Not later than 30 days after paragraph (1) takes effect, the Secretary of Transportation shall take such action as may be necessary to implement paragraph (1) and to modify the regulations relating to pilot privileges by reason of age.

(c) APPLICABILITY.—The provisions of subsection (a) shall not provide a basis for a claim of seniority under any labor agreement in effect between a recognized bargaining unit for pilots and an air carrier engaged in operations under part 121 of title 14, Code of Federal Regulations, that is made by a person who was a pilot and who attained 60 years of age before this section takes effect and is seeking a position as a pilot with such air carrier following that person's termination or cessation of employment or promotion or transfer to another position with such air carrier pursuant to section 121.383(c) of title 14, Code of Federal Regulations, as in effect on the day before the effective date of this section.

(d) GAO REPORT AFTER MODIFICATION OF AGE-60 STANDARD.—Not later than 24 months after the effective date described in subsection (e), the Comptroller General of the United States shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure concerning the effect on aviation safety, if any, of the modification of the age standard contained in subsection (a).

(e) EFFECTIVE DATE.—This section shall take effect 30 days after the date of the enactment of this Act.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $377,556,000, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $40,216,051,359 for Federal-aid highways and highway safety construction programs for fiscal year 2008: *Provided*, That within the $40,216,051,359 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2008: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $40,955,051,359 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $2,890,000,000 are rescinded: *Provided*, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109–59; and the first sentence of section 133(d)(3)(A) of such title.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for West Virginia corridor H of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, as amended, $20,000,000, to remain available until expended.

DELTA REGIONAL TRANSPORTATION DEVELOPMENT PROGRAM

For necessary expenses for the Delta Regional Transportation Development Program as authorized under section 1308 of Public Law 109–59, $20,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2008, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; programs funded from the administrative takedown authorized by section 104(a)(1) of title 23, United States Code (as in effect on the date before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users); the highway use tax evasion program; amounts designated under section 124; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation

Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005 through 2008; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

(RESCISSION)

SEC. 122. Of the amounts made available under section 104(a) of title 23, United States Code, $43,358,601 are rescinded.

(RESCISSION)

SEC. 123. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect on the day before the date of enactment of Public Law 109–59, and under section 608(a)(1) of such title, $187,146,000 are rescinded.

SEC. 124. Notwithstanding any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2008 shall be designated for projects and competitive initiatives as listed in the report accompanying this Act.

SEC. 125. Not less than 15 days prior to waiving, under her statutory authority, any Buy America requirement for Federal-aid highway projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor. The Secretary shall provide an annual report to the Appropriations Committees of the Congress on any waivers granted under the Buy America requirements.

SEC. 126. Notwithstanding section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346; 114 Stat. 1356A–38), amounts made available under that section for a project for construction of and improvements to North Shore Road in Swain County, North Carolina, that remain unobligated and unexpended after issuance of the record of decision for that project may be used to implement the selected alternative included in the record of decision.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred for administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $231,469,553, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $231,469,553, for ''Motor Carrier Safety Operations and Programs'', of which $7,550,000, to remain available for obligation until September 30, 2010, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $300,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $300,000,000, for ''Motor Carrier Safety Grants''; of which $202,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $8,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code: *Provided further*, That of the funds made available for the motor carrier safety assistance program, $29,000,000 shall be available for audits of new entrant motor carriers: *Provided further*, That $11,260,214 in unobligated balances are rescinded.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $32,187,720 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this hearing in prior appropriations Act, $5,212,858 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $124,406,000, of which $26,156,000 shall remain available until September 30, 2010: *Provided,* That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $107,750,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until September 30, 2010: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $4,000,000 for the National Driver Register authorized under such chapter.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $599,250,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $599,250,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $225,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $124,500,000 shall be for ''Safety Belt Performance Grants'' under 23 U.S.C. 406; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $131,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $18,250,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $6,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $6,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: *Provided further,* That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further,* That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: *Provided further,* That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. Of the amounts made available under the heading ''Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $12,197,113.60 in unobligated balances are rescinded.

SEC. 142. Of the amounts made available under the heading ''National Driver Register (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $119,914.61 in unobligated balances are rescinded.

SEC. 143. Of the amounts made available under the heading ''Highway Traffic Safety Grants (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $10,528,958 in unobligated balances are rescinded.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $151,186,000, of which $12,268,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $36,250,000, to remain available until expended.

CAPITAL ASSISTANCE TO STATES—INTERCITY PASSENGER RAIL SERVICE

To enable the Federal Railroad Administrator to make grants to States for the capital costs of improving existing intercity passenger rail service and providing new intercity passenger rail, $100,000,000, to remain available until expended: *Provided,* That grants shall be provided to a State only on a reimbursable basis: *Provided further,* That grants cover no more than 50 percent of the total capital cost of a project selected for funding: *Provided further,* That no later than eight months following enactment of this Act, the Secretary shall establish and publish criteria for project selection, set a deadline for grant applications, and provide a schedule for project selection: *Provided further,* That the provisions of section 24312 of title 49, United States Code, shall apply to grantees assisted under this paragraph: *Provided further,* That to be eligible for this assistance, States must include intercity passenger rail service as an integral part of statewide transportation planning as required under section 135 of title 23, United States Code: *Provided further,* That the specific project must be on the Statewide Transportation Improvement Plan at the time of the application to qualify: *Provided further,* That the Secretary give priority to applications for projects that improve the safety and reliability of intercity passenger trains, involve a commitment by freight railroads to an enforceable on-time performance of passenger trains of 80 percent or greater, involve a commitment by freight railroads of financial resources commensurate with the benefit expected to their operations, improve or extend service on a route that requires little or no Federal assistance for its operations, involve a commitment by States or railroads of financial resources to improve the safety of highway/rail grade crossings over which the passenger service operates.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided,* That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2008.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for operation of intercity passenger rail, $485,000,000 to remain available until expended: *Provided,* That the Secretary of Transportation shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further,* That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying

the Federal support to the Secretary's satisfaction: *Provided further*, That the Corporation is directed to achieve savings through operating efficiencies including, but not limited to, modifications to food and beverage service and first class service: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That not later than 120 days after enactment of this Act, the Corporation shall transmit to the House and Senate Committees on Appropriations the status of its plan to improve the financial performance of food and beverage service and its plan to improve the financial performance of first class service (including sleeping car service): *Provided further*, That the Corporation shall report quarterly to the House and Senate Committees on Appropriations on its progress against the milestones and target dates contained in the plan provided in fiscal year 2007 and quantify savings realized to date on a monthly basis compared to those projected in the plan, identify any changes in the plan or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That not later than 90 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2008 under section 24104(a) of title 49, United States Code: *Provided further*, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: *Provided further*, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: *Provided further*, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That the Corporation's business plan and all subsequent supplemental plans shall be displayed on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That the leases and contracts entered into by the Corporation in any year that the Corporation receives a Federal subsidy after the date of enactment of the Act, regardless of the place the same may be executed, shall be governed by the laws of the District of Columbia: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That none of the funds provided in this Act may be used after March 1, 2006, to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the Corporation, including railroad equipment, rolling stock, legal mandates and other services, $885,000,000, to remain available until expended, of which not to exceed $285,000,000 shall be for debt service obligations: *Provided*, That the Secretary may retain up to one-quarter of one percent of the funds under this heading to fund the oversight by the Federal Railroad Administration of the design and implementation of capital projects funded by grants made under this heading: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2008 business plan: *Provided further*, That $35,000,000 of amounts made available under this heading shall be available until expended for capital improvements if the Corporation demonstrates to the Secretary's satisfaction that the Corporation has achieved operational savings and met ridership and revenue targets as defined in the Corporation's business plan: *Provided further*, That of the funds provided under this section, not less than $5,000,000 shall be expended for the development and implementation of a managerial cost accounting system, which includes average and marginal unit cost capability: *Provided further*, That within 90 days of enactment, the Department of Transportation Inspector General shall review and comment to the Secretary of Transportation and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system being developed by the Corporation and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: *Provided further*, That not later than 180 days after the enactment of this Act, the Secretary, in consultation with the Corporation and the States on the Northeast Corridor, shall establish a common definition of what is determined to be a ''state of good repair'' on the Northeast Corridor and report its findings, including definitional areas of disagreement, to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. Notwithstanding any other provision of this Act, funds provided in this Act for the National Railroad Passenger Corporation shall immediately cease to be available to said Corporation in the event that the Corporation contracts to have services provided at or from any location outside the United States. For purposes of this section, the word ''services'' shall mean any service that was, as of July 1, 2006, performed by a full-time or part-time Amtrak employee whose base of employment is located within the United States.

SEC. 151. Not later than January 1, 2008, the Federal Railroad Administrator shall submit a report, and quarterly reports thereafter, to the House and Senate Committees on Appropriations detailing the Administrator's efforts at improving the on-time performance of Amtrak intercity rail service operating on non-Amtrak owned property. Such reports shall compare the most recent actual on-time performance data to pre-established on-time performance goals that the Administrator shall set for each rail service, identified by route. Such reports shall also include whatever other information and data regarding the on-time performance of Amtrak trains the Administrator deems to be appropriate.

SEC. 152. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

SEC. 153. Hereafter, any lease or contract entered into between the National Railroad Passenger Corporation and the State of Maryland or any department or agency of the State of Maryland, after the date of the enactment of this Act, shall be governed by the laws of the District of Columbia.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $88,795,000: *Provided*, That of the funds available under this heading, not to exceed $910,239 shall be available for the Office of the Administrator; not to exceed $6,353,739 shall be available for the Office of Administration; not to exceed $4,545,039 shall be available for the Office of the Chief Counsel; not to exceed $1,480,289 shall be available for the Office of Communication and Congressional Affairs; not to exceed $8,741,339 shall be available for the Office of Program Management; not to exceed $10,857,698 shall be available for the Office of Budget and Policy; not to exceed $4,943,589 shall be available for the Office of Research, Demonstration and Innovation; not to exceed $3,234,489 shall be available for the Office of Civil Rights; not to exceed $4,458,289 shall be available for the Office of Planning; not to exceed $22,551,290 shall be available for regional offices; and not to exceed $20,719,000 shall be available for the central account: *Provided further*, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: *Provided further*, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: *Provided further*, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That upon submission to the

Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2009.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $6,855,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $7,872,893,000 in fiscal year 2008: *Provided further*, That except as provided in section 3044(b)(1) of Public Law 109–59, funds made available to carry out 49 U.S.C. 5308 shall instead be available to carry out 49 U.S.C. 5309(b)(3): *Provided further*, That $28,660,920 in unobligated balances are rescinded.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,500,000, to remain available until expended: *Provided*, That $9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, and $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $44,900,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,566,000,000, to remain available until expended: *Provided*, That of the funds available under this heading, amounts are to be made available as follows:

For section 5309(m)(6)(B) of title 49, United States Code, $15,000,000.

For section 5309(m)(6)(C) of title 49, United States Code, $5,000,000.

For the following sections of Public Law 109–59:

Section 3043(b)(9), $11,200,000;
Section 3043(d)(35), $18,965,043;
Section 3043(d)(10), $70,000,000;
Section 3043(b)(18), $5,000,000;
Section 3043(b)(1), $13,000,000;
Section 3043(b)(15), $65,000,000;
Section 3043(b)(21), $125,000,000;
Section 3043(b)(23), $20,000,000;
Section 3043(b)(22), $35,000,000;
Section 3043(c)(231), $30,000,000;
Section 3043(a)(19), $90,000,000;
Section 3043(a)(9), $70,000,000;
Section 3043(a)(7), $51,560,484;
Section 3043(a)(5), $36,500,000;
Section 3043(a)(31), $35,000,000;
Section 3043(a)(16), $55,192,995;
Section 3043(b)(20), $200,000,000;
Section 3043(b)(27), $80,000,000;
Section 3043(a)(20), $33,516,444;
Section 3043(b)(5), $86,250,000;
Section 3043(b)(30), $80,000,000;
Section 3043(a)(30), $70,000,000;
Section 3043(c)(134), $35,000,000;
Section 3043(b)(23), $21,200,000;
Section 3043(d)(39), $3,000,000;
Section 3043(b)(14), $500,000;
Section 3043(c)(86), $20,000,000;
Section 3043(c)(43), $5,000,000;
Section 3043(c)(153), $20,000,000; and
Section 3043(c)(258), $5,000,000.

For the Jacksonville Rapid Transit System Phase 1, Florida, $9,870,000;

For North Corridor BRT, Houston and Southeast Corridor BRT, Texas, $15,000,000;

For San Francisco Muni Third Street Light Rail, California, $10,000,000;

For Mid-Jordan Light Rail Extension, $20,000,000; and

For METRA Connects, Illinois, $1,300,000: *Provided further*, That of the funds available under this heading, amounts are to be made available under section 5309(e).

For the following sections of Public Law 109–59:

section 3043(c)(201), $3,000,000;
section 3043(c)(177), $3,000,000;
section 3043(d)(3), $1,500,000;
section 3043(c)(182), $2,500,000;
section 3043(c)(79), $2,000,000;
section 3043(c)(197), $6,000,000;
section 3043(c)(173), $1,000,000; and
section 3043(c)(95), $14,250,000.

For State Avenue Corridor BRT, Wyandotte County, Kansas, $1,500,000; and

For Troost Corridor BRT, Missouri, $6,260,000.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' and bus and bus facilities under ''Federal Transit Administration, Formula and bus grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2010, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2007, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading ''Federal Transit Administration, Capital Investment Grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 164. In regard to the Central Link Initial Segment Project, to the extent that funds remain available within the current budget for the project, the Secretary shall amend the Full Funding Grant Agreement for said project to allow remaining funds to be used to support completion of the Airport Link extension of said project.

SEC. 165. Amounts provided for a high capacity fixed guideway light rail and mass transit project for the City of Albuquerque, New Mexico, in Public Laws 106–49, 106–346 and 107–87 shall be available for bus and bus facilities.

SEC. 166. Any unobligated amounts made available for the Commuter Rail, Albuquerque to Santa Fe, New Mexico under the heading ''Capital Investment Grants'' under the heading ''Federal Transit Administration'' in title I of division A of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2418) shall be made available for public transportation buses, equipment and facilities related to such buses, and intermodal terminal in Albuquerque and Santa Fe, New Mexico, subject to the requirements under section 5309 of title 49, United States Code.

SEC. 167. Notwithstanding any other provision of law, funds made available for the ''Las Vegas Resort Corridor Fixed Guideway Project'', the ''CATRAIL RTC Rail Project'', and the ''Las Vegas, Nevada Monorail Project'' in Nevada in Public Laws 107–87, 108–7, 108–199 and 108–447 may be made available to the Regional Transportation Commission of Southern Nevada for bus or bus facilities projects eligible under section 5307 or section 5309 of title 49, United States Code, and shall remain available until expended.

SEC. 168. The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $17,392,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $156,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $122,890,545, of which $24,720,000 shall remain available until September 30, 2008, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $13,850,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $10,500,000 shall remain available until expended for maintenance and repair of Schoolships at State Maritime Schools.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $18,000,000, to remain available until expended.

ASSISTANCE TO SMALL SHIPYARDS

To make grants for capital improvements and related infrastructure improvements at qualified shipyards that will facilitate the efficiency, cost-effectiveness, and quality of domestic ship construction for commercial and Federal Government use as authorized

under section 3506 of Public Law 109–163, $20,000,000, to remain available until expended: *Provided*, That to be considered for assistance, a qualified shipyard shall submit an application for assistance no later than 60 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $13,408,000, of which $10,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That the Inspector General shall report to the House and Senate Committees on Appropriations by March 30, 2007, on whether the Maritime Administration is in compliance with the recommendations contained in the Inspector General's audit reports on the title XI program: *Provided further*, That not to exceed $3,408,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriation for ''Operations and Training'', Maritime Administration.

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $4,614,545 are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.), or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, $18,130,000, of which $639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $27,003,000, of which $1,761,000 shall remain available until September 30, 2010: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $82,404,000, of which $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2010; of which $63,594,000 shall be derived from the Pipeline Safety Fund, of which $32,967,000 shall remain available until September 30, 2010: *Provided*, That not less than $1,043,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2009: *Provided*, That not more than $28,318,000 shall be made available for obligation in fiscal year 2008 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or her designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $12,000,000, of which $6,036,000 shall remain available until September 30, 2010: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $66,400,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $25,000,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2008, to result in a final appropriation from the general fund estimated at no more than $23,750,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal

Highway Administration including the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 190. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 191. Out of funds appropriated or otherwise made available under this Act to the Surface Transportation Board of the Department of Transportation, when considering cases, matters, or declaratory orders before the Board involving a railroad, or an entity claiming or seeking authority to operate as a railroad, and the transportation of solid waste (as defined in section 1004 of 42 U.S.C. 6903), the Board shall consider any activity involving the receipt, delivery, sorting, handling or transfer in-transit outside of a sealed container, storage other than inside a sealed container, or other processing of solid waste to be an activity over which the Board does not have jurisdiction.

SEC. 192. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 193. Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall—

(1) conduct an investigation of rail service disruptions since 2004 and incidents since 2004 in which rail carriers failed to timely deliver various commodities, such as coal, wheat, ethanol, and lumber; and

(2) submit a report containing legislative and regulatory recommendations designed to reduce such disruptions and incidents and to improve railroad service to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Commerce, Science, and Transportation of the Senate; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

This title may be cited as the ''Department of Transportation Appropriations Act, 2008''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Secretary of Housing and Urban Development, $3,930,000: *Provided*, That not to exceed $25,000 of this amount shall be available for official reception and representation expenses.

EXECUTIVE OPERATIONS

OFFICE OF HEARINGS AND APPEALS

For the necessary salaries and expenses of the Office of Hearings and Appeals, $1,490,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTLILIZATION

For the necessary salaries and expenses of the Office of Small and Disadvantaged Business Utilization, $510,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For the necessary salaries and expenses of the Office of the Chief Financial Officer, $43,750,000.

OFFICE OF THE GENERAL COUNSEL

For the necessary salaries and expenses of the Office of the General Counsel, $86,820,000.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

For the necessary salaries and expenses of the Office of the Chief Procurement Officer, $13,500,000.

CENTER FOR FAITH-BASED AND COMMUNITY INITIATIVES

For necessary salaries and expenses of the Center for Faith-Based and Community Initiatives, $1,860,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional and Intergovernmental Relations, $2,670,000: *Provided*, That the Secretary shall provide the Committee on Appropriations quarterly written notification regarding the status of pending congressional reports.

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AFFAIRS

For necessary salaries and expenses of the Office of the Assistant Secretary for Public Affairs, $2,630,000.

OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

For the necessary salaries and expenses of the Office of Departmental Equal Employment Opportunity, $3,440,000.

ADMINISTRATIVE ACTIVITIES

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $1,480,000.

ADMINISTRATION SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Administration, $252,010,000: *Provided*, That, funds provided under the heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109.

OFFICE OF DEPARTMENTAL OPERATIONS AND COORDINATION

For the necessary salaries and expenses of the Office of Departmental Operations and Coordination, $12,520,000.

OFFICE OF FIELD POLICY AND MANAGEMENT

For the necessary salaries and expenses of the Office of Field Policy and Management, $47,730,000.

PUBLIC AND INDIAN HOUSING

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of the Assistant Secretary for Public and Indian Housing, $1,620,000.

PUBLIC AND INDIAN HOUSING SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Public and Indian Housing, $188,340,000.

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $16,598,694,000, to remain available until expended, of which $12,398,694,000 shall be available on October 1, 2007, and $4,200,000,000 shall be available on October 1, 2008: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $14,936,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2008 funding cycle shall provide renewal funding for each public housing agency based on voucher management system (VMS) leasing and cost data for the most recently completed period of 12 consecutive months for which the Secretary determines the data is verifiable and complete and by applying the 2008 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers or vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act: *Provided further*, That notwithstanding the first proviso, except for applying the 2008 Annual Adjustment Factor and making any other specified

adjustments, public housing agencies specified in category 1 below shall receive funding for calendar year 2008 based on the higher of the amounts the agencies would receive under the first proviso or the amounts the agencies received in calendar year 2007, and public housing agencies specified in categories 2 and 3 below shall receive funding for calendar year 2008 equal to the amounts the agencies received in calendar year 2007, except that public housing agencies specified in categories 1 and 2 below shall receive funding under this proviso only if, and to the extent that, any such public housing agency submits a plan, approved by the Secretary, that demonstrates that the agency can effectively use within 12 months the funding that the agency would receive under this proviso that is in addition to the funding that the agency would receive under the first proviso: (1) public housing agencies that are eligible for assistance under section 901 in Public Law 109–148 (119 Stat. 2781) or are located in the same counties as those eligible under section 901 and operate voucher programs under section 8(o) of the United States Housing Act of 1937 but do not operate public housing under section 9 of such Act, and any public housing agency that otherwise qualifies under this category must demonstrate that they have experienced a loss of rental housing stock as a result of the 2005 hurricanes; (2) public housing agencies that would receive less funding under the first proviso than they would receive under this proviso and that have been placed in receivership within the 24 months preceding the date of enactment of this Act; and (3) public housing agencies that spent more in calendar year 2007 than the total of the amounts of any such public housing agency's allocation amount for calendar year 2007 and the amount of any such public housing agency's available housing assistance payments undesignated funds balance from calendar year 2006 and the amount of any such public housing agency's available administrative fees undesignated funds balance through calendar year 2007: *Provided further*, That up to $100,000,000 shall be available only: (1) to adjust the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs resulting from unforeseen circumstances or from portability under section 8(r) of the Act of tenant-based rental assistance; and (2) for adjustments for public housing agencies that could experience a significant decrease in voucher funding that could result in the risk of loss of voucher units due to the use of VMS data based on a 12-month period: *Provided further*, That none of the funds provided under the first proviso in this section may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following proviso, the entire amount provided under this paragraph shall be obligated to the public housing agencies based on the allocation and pro rata method described above and the Secretary shall notify public housing agencies of their annual budget not later than 90 days after enactment of this Act: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso;

(2) $150,000,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That the Secretary shall provide replacement vouchers for all units that cease to be available as assisted housing due to demolition, disposition, or conversion, subject only to the availability of funds;

(3) $50,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) up to $6,494,000 may be transferred to the Working Capital Fund;

(5) $1,351,000,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $5,000,000 shall be available as an incentive bonus as determined by the Secretary for administrative expenses for PHAs that voluntarily consolidate, and which up to $35,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to $30,000,000 to be for fees associated with section 8 tenant protection rental assistance: *Provided*, That no less than $1,311,000,000 of the amount provided in this paragraph shall be allocated for the calendar year 2008 funding cycle on a basis to public housing agencies as provided in section 8(q) of the Act as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts required by this paragraph, the Secretary may decrease the amounts allocated to agencies by a uniform prorated percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts required under this paragraph, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-based rental assistance'', for fiscal year 2007 and prior years, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(6) $30,000,000 for incremental voucher assistance through the Family Unification Program; and

(7) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 305 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turnover.

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual contributions for assisted housing'', the heading ''Tenant-based rental assistance'', and the heading ''Project-based rental assistance'', for fiscal year 2007 and prior years, $1,100,000,000 are rescinded, to be effected by the Secretary no later than September 30, 2008: *Provided*, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: *Provided further*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $5,813,000,000, to remain available until expended: *Provided*, That the amounts made available under this heading are provided as follows:

(1) up to $5,522,810,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) not to exceed $286,230,000 for performance-based contract administrators for section 8 project-based assistance: *Provided,* That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q–1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) not to exceed $3,960,000 may be transferred to the Working Capital Fund; and

(4) amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the ''Act'') $2,500,000,000, to remain available until September 30, 2011: *Provided,* That notwithstanding any other provision of law or regulation, during fiscal year 2008, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further,* That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further,* That of the total amount provided under this heading, up to $14,890,000 shall be for carrying out activities under section 9(h) of such Act; not to exceed $16,847,000 may be transferred to the Working Capital Fund; and up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC): *Provided further,* That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further,* That of the total amount provided under this heading, not to exceed $20,000,000 may be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal year 2008: *Provided further,* That of the total amount provided under this heading, $40,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further,* That of the total amount provided under this heading up to $8,820,000 is to support the costs of administrative and judicial receiverships.

PUBLIC HOUSING OPERATING FUND

For 2008 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $4,200,000,000; of which $5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided,* That, in fiscal year 2008 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further,* That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $100,000,000, to remain available until September 30, 2008, of which not to exceed $1,980,000 may be used for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided,* That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $630,000,000, to remain available until expended: *Provided,* That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further,* That of the amounts made available under this heading, $2,000,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; and $4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further,* That of the amount provided under this heading, $1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further,* That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $9,000,000, to remain available until expended, of which $300,000 shall be for training and technical assistance activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,450,000, to remain available until expended: *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $367,000,000.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,044,000, to remain available until expended: *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $41,504,255.

COMMUNITY PLANNING AND DEVELOPMENT

OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Community Planning and Development, $1,520,000.

COMMUNITY PLANNING AND DEVELOPMENT SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Community Planning and Development mission area, $93,770,000.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $300,100,000, to remain available until September 30, 2009, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2010: *Provided,* That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further,* That the Secretary may use not to exceed $1,485,000 of the funds under this heading for training, oversight, and technical assistance activities; and not to exceed $1,485,000 may be transferred to the Working Capital Fund.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $17,000,000, to remain available until expended, which

amount shall be competitively awarded by September 1, 2008, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,060,000,000, to remain available until September 30, 2010, unless otherwise specified: *Provided,* That of the amount provided, $3,705,430,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further,* That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further,* That not to exceed $1,570,000 may be transferred to the Working Capital Fund: *Provided further,* That $3,000,000 is for technical assistance as authorized by section 107(b)(4) of such Act: *Provided further,* That $62,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $248,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments: *Provided,* That none of the funds provided under this paragraph may be used for program operations: *Provided further,* That, for fiscal years 2006, 2007, and 2008, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, $40,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $6,000,000, to remain available until September 30, 2009, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $10,000,000, to remain available until September 30, 2009.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,970,000,000, to remain available until September 30, 2010, of which not to exceed $3,465,000 may be transferred to the Working Capital Fund: *Provided,* That up to $15,000,000 shall be available for technical assistance: *Provided further,* That of the total amount provided in this paragraph, up to $150,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $70,000,000, to remain available until September 30, 2010: *Provided,* That of the total amount provided under this heading, $26,500,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further,* That $33,500,000 shall be made available for the first four capacity building activities authorized under section 4(b)(3) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997 and of which up to $5,000,000 may be made available for rural capacity building activities: *Provided further,* That of the total amount made available under this heading; $3,000,000 shall be made available to the Housing Assistance Council; $2,000,000 shall be made available to the National American Indian Housing Council; $3,000,000 shall be made available as a grant to the Raza Development Fund of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $2,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; and $2,000,000 shall be made available as a grant to the Housing Partnership Network for operating expenses and a program of affordable housing acquisition and rehabilitation.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,585,990,000, of which $1,580,990,000 shall remain available until September 30, 2010, and of which $5,000,000 shall remain available until expended for rehabilitation projects with ten-year grant terms: *Provided,* That of the amounts provided, $25,000,000 shall be set aside to conduct a demonstration program for the rapid re-housing of homeless families: *Provided further,* That of amounts made available in the preceding proviso, not to exceed $3,000,000 may be used to conduct an evaluation of this demonstration program: *Provided further,* That funding made available for this demonstration program shall be used by the Secretary, expressly for the purposes of providing housing and services to homeless families in order to evaluate the effectiveness of the rapid re-housing approach in addressing the needs of homeless families: *Provided further,* That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing for individuals and families: *Provided further,* That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further,* That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further,* That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further,* That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further,* That not to exceed $2,475,000 of the funds appropriated under this heading may be transferred to the Working Capital Fund: *Provided further,* That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

HOUSING PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR HOUSING, FEDERAL HOUSING COMMISSIONER

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Housing, Federal Housing Commissioner, $3,420,000.

HOUSING SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Housing, $351,560,000: *Provided,* That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area.

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $735,000,000, to remain available until September 30, 2011, of which up to $603,900,000 shall be for capital advance and project-based rental assistance awards: *Provided,* That, of the amount provided under this heading, up to $60,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to $24,750,000 shall be for grants

under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided further,* That of the amount made available under this heading, $20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Provided further,* That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further,* That not to exceed $1,400,000 of the total amount made available under this heading may be transferred to the Working Capital Fund: *Provided further,* That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $237,000,000, to remain available until September 30, 2011: *Provided*, That not to exceed $600,000 may be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading $74,745,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further,* That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center Inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $27,600,000, to remain available until expended.

(RESCISSION)

Of the amounts made available under the heading ''Rent Supplement'' in Public Law 98–63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $27,600,000 are rescinded.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2007, and any collections made during fiscal year 2008 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $16,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided,* That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2008 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further,* That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2008, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2008, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: *Provided,* That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative contract expenses, $77,400,000, of which not to exceed $25,550,000 may be transferred to the Working Capital Fund, and of which up to $5,000,000 shall be for education and outreach of FHA single family loan products: *Provided,* That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2008, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $8,600,000, to remain available until expended: *Provided,* That commitments to guarantee loans shall not exceed $45,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

For administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $78,111,000, of which not to exceed $15,692,000 may be transferred to the Working Capital Fund: *Provided,* That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2008, an additional $1,980 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

For discount sales of multifamily real property under sections 207(1) or 246 of the National Housing Act (12 U.S.C. 1713(1), 1715z–11), section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), or section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z–11a), and for discount loan sales under section 207(k) of the National Housing Act (12 U.S.C. 1713(k)), section 203(k) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11(k)), or section 204(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Act, 1997 (12 U.S.C. 1715z–11a(a)), $5,000,000, to remain available until September 30, 2009.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

OFFICE OF THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of the Government National Mortgage Association, $9,530,000.

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2009.

POLICY DEVELOPMENT AND RESEARCH

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY DEVELOPMENT AND RESEARCH

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Policy Development and Research, $1,570,000.

POLICY DEVELOPMENT AND RESEARCH SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Policy Development and Research, $19,310,000.

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $59,040,000, to remain available until September 30, 2009: *Provided,* That of the total amount provided under this heading, $5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further,* That of the funds made available under this heading, $20,600,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended, as follows: $3,000,000 to support Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act, as amended; $2,600,000 for tribal colleges and universities to build, expand, renovate, and equip their facilities and to expand the role of the colleges into the community through the provision of needed services such as health programs, job training and economic development activities; $9,000,000 for the Historically Black Colleges and Universities program, of which up to $2,000,000 may be used for technical assistance; and $6,000,000 for the Hispanic Serving Institutions Program.

FAIR HOUSING AND EQUAL OPPORTUNITY

OFFICE OF THE ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL OPPORTUNITY

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Fair Housing and Equal Opportunity, $1,490,000.

FAIR HOUSING AND EQUAL OPPORTUNITY SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,390,000.

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $52,000,000, to remain available until September 30, 2009, of which $25,000,000 shall be to carry out activities pursuant to such section 561: *Provided,* That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further,* That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Healthy Homes and Lead Hazard Control, $6,140,000.

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $151,000,000, to remain available until September 30, 2009, of which $8,800,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided,* That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further,* That of the total amount made available under this heading, $48,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further,* That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability: *Provided further,* That of the total amount made available under this heading, $2,000,000 shall be available for the Big Buy Program to be managed by the Office of Healthy Homes and Lead Hazard Control.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation *and maintenance* of both Department-wide and program-specific information systems, and for program-related development activities, $175,000,000, to remain available until September 30, 2009: *Provided,* That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further,* That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $112,000,000: *Provided,* That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $66,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided,* That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2008: *Provided further,* That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under Subtitle B of such Act: *Provided further,* That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further,* That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2008 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2008 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2008 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2008 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2008, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New

York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York-Newark-Edison, NY–NJ–PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2008 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2008, HUD shall transmit this information to the Committees by March 15, 2008 for 30 days of review.

SEC. 209. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 210. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 211. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2008 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 212. The Department of Housing and Urban Development shall submit the Department's fiscal year 2009 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 213. Incremental vouchers previously made available under the heading ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance,'' for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 214. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 215. (a) Notwithstanding any other provision of law, subject to the conditions listed in subsection (b), for fiscal years 2008 and 2009, the Secretary may authorize the transfer of some or all project-based assistance, debt and statutorily required low-income and very low-income use restrictions, associated with one or more multifamily housing project to another multifamily housing project or projects.

(b) The transfer authorized in subsection (a) is subject to the following conditions:

(1) the number of low-income and very low-income units and the net dollar amount of Federal assistance provided by the transferring project shall remain the same in the receiving project or projects;

(2) the transferring project shall, as determined by the Secretary, be either physically obsolete or economically non-viable;

(3) the receiving project or projects shall meet or exceed applicable physical standards established by the Secretary;

(4) the owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials;

(5) the tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects

shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy;

(6) the Secretary determines that this transfer is in the best interest of the tenants;

(7) if either the transferring project or the receiving project or projects meets the condition specified in subsection (c)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary;

(8) if the transferring project meets the requirements of subsection (c)(2)(E), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions;

(9) any financial risk to the FHA General and Special Risk Insurance Fund, as determined by the Secretary, would be reduced as a result of a transfer completed under this section; and

(10) the Secretary determines that Federal liability with regard to this project will not be increased.

(c) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act; or

(E) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act; and,

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which the project-based assistance, debt, and statutorily required use low-income and very low-income restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring the project-based assistance, debt and the statutorily required low-income and very low-income use restrictions to the receiving project; and,

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

SEC. 216. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 217. Incremental vouchers made available under this Act and previously made available under the heading, ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance'', for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 218. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 219. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 220. Notwithstanding any other provision of law, in fiscal year 2008, in managing and disposing of any multifamily property that is owned or held by the Secretary of Housing and Urban Development, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, based on consideration of the costs of maintaining such payments for that property or other factors, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

SEC. 221. The National Housing Act is amended—

(1) in sections 207(c)(3), 213(b)(2)(B)(i), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715l(d)(3)(ii)(II), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B), and 1715y(e)(3)(B))—

(A) by striking ''140 percent'' each place such term appears and inserting ''170 percent''; and

(B) by striking ''170 percent in high cost areas'' each place such term appears and inserting ''215 percent in high cost areas''; and

(2) in section 220(d)(3)(B)(iii)(III) (12 U.S.C. 1715k(d)(3)(B)(iii)(III)) by striking ''206A'' and all that follows through ''project-by-project basis'' and inserting the following: ''206A of this Act) by not to exceed 170 percent in any geographical area where the Secretary finds that cost levels so require and by not to exceed 170 percent, or 215 percent in high cost areas, where the Secretary determines it necessary on a project-by-project basis''.

SEC. 222. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''2003'' and inserting ''2008''; and

(2) in subsection (o), by striking ''September 30, 2007'' and inserting ''September 30, 2008''.

SEC. 223. Public housing agencies that own and operate 500 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided,* That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 224. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1),(2)).

SEC. 225. The Secretary of Housing and Urban Development shall report quarterly to the House of Representatives and Senate Committees on Appropriations on the status of all section 8 project-based housing, including the number of all project-based units by region as well as an analysis of all federally subsidized housing being refinanced under the Mark-to-Market program. The Secretary shall in the report identify all existing units maintained by region as section 8 project-based units and all project-based units that have opted out of section 8 or have otherwise been eliminated as section 8 project-based units. The Secretary shall identify in detail and by project all the efforts made by the Department to preserve all section 8 project-based housing units and all the reasons for any units which opted out or otherwise were lost as section 8 project-based units. Such analysis shall include a review of the impact of the loss any subsidized units in that housing marketplace, such as the impact of cost and the loss of available subsidized, low-income housing in areas with scare housing resources for low-income families.

SEC. 226. The Secretary of Housing and Urban Development shall report quarterly to the House of Representatives and Senate

Committees on Appropriations on HUD's use of all sole source contracts, including terms of the contracts, cost and a substantive rationale for using a sole source contract.

SEC. 227. Section 9(e)(2)(C) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)(2)(C)) is amended by adding at the end of the following:

''(iv) EXISTING CONTRACTS.—The term of a contract described in clause (i) that, as of the date of enactment of this clause, is in repayment and has a term of not more than 12 years, may be extended to a term of not more than 20 years to permit additional energy conservation improvements without requiring the reprocurement of energy performance contractors.''.

SEC. 228. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) by making the Alaska Public Housing Agency a Moving-to-Work Agency under such section 204.

SEC. 229. (a) The referenced statement of managers under the heading ''Community Development Fund'' in title II of Public Law 108–447 is deemed to be amended with respect to item number 203 by striking ''equipment'' and inserting ''renovation and construction''.

(b) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 696 by striking ''a Small Business Development Center'' and inserting ''for revitalization costs at the College of Agriculture Biotechnology and Natural Resources''.

(c) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 460 by striking ''Maine-Mawoshen One Country, Two Worlds Project'' and inserting ''Sharing Maine's Maritime Heritage Project—Construction and access to exhibits''.

(d) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 914 by striking ''the Pastime Theatre in Bristol, Rhode Island for building improvements'' and inserting ''the Institute for the Study and Practice of Nonviolence in Providence, Rhode Island for building renovations''.

(e) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 918 by striking ''South Kingstown'' and inserting ''Washington County''.

(f) The referenced statement of managers under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 624 by striking ''for the construction of a new technology building'' and inserting ''for renovations to the Wheeling Community Center''.

SEC. 230. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2008, insure and enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z–20).

SEC. 231. Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may not rescind or take any adverse action with respect to the Moving-to-Work program designation for the Housing Authority of Baltimore City based on any alleged administrative or procedural errors in making such designation.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2008''.

TITLE III

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $6,150,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $22,322,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $84,500,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments due in fiscal year 2008 only, on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $119,800,000, of which $5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,300,000.

Title II of the McKinney-Vento Homeless Assistance Act, as amended, is amended in section 209 by striking ''2007'' and inserting ''2008''.

TITLE IV

GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 401. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 402. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 403. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 404. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations made available for salaries and expenses for fiscal year 2008 in this Act, shall

remain available through September 30, 2009, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 407. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole source contracts by no later than July 31, 2008. Such report shall include the contractor, the amount of the contract and the rationale for using a sole source contract.

SEC. 408. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 409. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain: *Provided further*, That the Government Accountability Office, in consultation with the National Academy of Public Administration, organizations representing State and local governments, and property rights organizations, shall conduct a study to be submitted to the Congress within 12 months of the enactment of this Act on the nationwide use of eminent domain, including the procedures used and the results accomplished on a State-by-State basis as well as the impact on individual property owners and on the affected communities.

SEC. 410. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 411. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 412. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 413. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008''.

SA 2791. Mrs. MURRAY proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 129, strike section 218 and insert the following:

''SEC. 218. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars as a result of third party liability for such damages.''

SA 2792. Mrs. MURRAY (for herself, Ms. LANDRIEU, Mr. SCHUMER, Mrs. CLINTON, Mr. LAUTENBERG, Mrs. LINCOLN, Mr. DURBIN, Mr. CARDIN, Mr. ROCKEFELLER, Mr. KERRY, Mr. SALAZAR, and Mr. PRYOR) proposed an amendment SA 2791 proposed by Mrs. MURRAY to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, as follows:

In lieu of the matter proposed to be inserted, inset the following:

''SEC. 218(a). The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third party liability for such damages, and any amounts collected under this subsection shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

ADDITIONAL OBLIGATION LIMITATION

HIGHWAY TRUST FUND

(b) For an additional amount of obligation limitation to be distributed for the purpose of section 144(e) of title 23, United States Code, $1,000,000,000; *Provided*, That such obligation limitation shall be used only for a purpose eligible for obligation with funds apportioned under such section and shall be distributed in accordance with the formula in such section; *Provided further*, That in distributing obligation authority under this paragraph, the Secretary shall ensure that such obligation limitation shall supplement and not supplant each State's planned obligations for such purposes.''

SA 2793. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 109, line 23, strike ''$2,600,000'' and insert ''$5,000,000''.

On page 113, line 1, strike ''$175,000,000'' and insert ''$172,600,000''.

SA 2794. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, line 13, strike ''106–49'' and insert ''106–69''.

SA 2795. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, between lines 18 and 19, insert the following:

PERMANENT SUPPORTIVE HOUSING

For the provision of 3,000 units of permanent supportive housing as required under the Road Home Program of the Louisiana Recovery Authority and approved by the Secretary of Housing and Urban Development, $70,000,000, of which $20,000,000 shall be for project-based vouchers under section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)), and $50,000,000 shall be for grants under the Shelter Plus Care Program as authorized under subtitle F of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11403 et seq.): *Provided, That* the Secretary of Housing and Urban Development shall, upon request, make funds available under this paragraph to the State of Louisiana or its designee or designees: *Provided further, That* notwithstanding any other provision of law, for the purpose of administering the amounts provided under this paragraph, the State of Louisiana or its designee or designees may act in all respects as a public housing agency as defined in section 3(b)(6) of the United States

Housing Act of 1937 (42 U.S.C. 1437a(b)(6)): *Provided further, That* subparagraphs (B) and (D) of section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) shall not apply with respect to vouchers made available under this paragraph: *Provided further, That* the amounts provided by this paragraph are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution of the budget for fiscal year 2008.

SA 2796. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Administrator of the Federal Aviation Administration to transfer the design and development functions of the FAA Academy or to implement the Air Traffic Control Optimum Training Solution proposed by the Administrator .

SA 2797. Mr. DORGAN (for himself, Mrs. CLINTON, Mr. OBAMA, Mr. BROWN, Mr. SPECTER, Mr. INOUYE, and Ms. LANDRIEU) proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available under this Act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico.

SA 2798. Ms. KLOBUCHAR (for herself and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 20, between lines 13 and 14, insert the following:

I–35W BRIDGE REPAIR AND RECONSTRUCTION

For necessary expenses to carry out the project for repair and reconstruction of the Interstate I–35W bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, as authorized under section 1(c) of Public Law 110–56 (121 Stat. 558), $195,000,000, to remain available until expended, *Provided*, That that amount is designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SA 2799. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

SA 2800. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 137, between lines 17 and 18, insert the following:

SEC. 232. Paragraph (4) of section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) is amended by adding at the end the following new sentence: ''Notwithstanding any other provision of this paragraph, with respect to any fiscal year beginning after the date of the enactment of this sentence, the cities of Alton and Granite City, Illinois, shall be considered metropolitan cities for purposes of this title.''.

SA 2801. Mr. CASEY (for himself and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 137, between lines 17 and 18, insert the following:

SEC. 232. (a) EXTENSION.—For fiscal year 2008, the Secretary of Housing and Urban Development shall extend the term of the Moving to Work Demonstration Agreement entered into between a public housing agency and the Secretary under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996; Public Law 104-134) if—

(1) the public housing agency requests such extension in writing;

(2) the public housing agency is not at the time of such request for extension in default under its Moving to Work Demonstration Agreement; and

(3) the Moving to Work Demonstration Agreement to be extended would otherwise expire on or before September 30, 2008.

(b) TERMS.—Unless otherwise proposed by the public housing agency and agreed to by the Secretary of Housing and Urban Development, the extension under subsection (a) shall be upon the identical terms and conditions set forth in the existing Moving to Work Demonstration Agreement of the public housing agency seeking such extension, except that for each public housing agency that has been or will be granted an extension to its original Moving to Work Agreement, the Secretary shall require that appropriate data be collected so that the effect of any policy changes to the Moving to Work Demonstration on residents can be measured.

(c) EXTENSION PERIOD.—The extension under subsection (a) shall be for such period as is requested by the public housing agency, not to exceed 3 years from the date of expiration of the extending agency's existing Moving to Work Demonstration Agreement.

(d) BREACH OF AGREEMENT.—Nothing in this section shall be construed to limit the authority of the Secretary of Housing and Urban Development to terminate any Moving to Work Demonstration Agreement of a public housing agency if the public housing agency is in breach of the provisions of such agreement.

SA 2802. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a report detailing how the Federal Aviation Administration plans to alleviate air congestion and flight delays in the New York/New Jersey/Philadelphia Airspace.

SA 2803. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, strike lines 5 through 20, and insert the following:

SEC. 220. Notwithstanding any other provision of law, in fiscal year 2008, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such

a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SA 2804. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, after line 11, insert the following:

TITLE V—PUBLIC HOUSING EQUAL TREATMENT ACT

SEC. 501. SHORT TITLE.

This title may be cited as the ''Public Housing Equal Treatment Act of 2007''.

SEC. 502. TREATMENT OF CERTAIN PREVIOUSLY ASSISTED PUBLIC HOUSING.

(a) IN GENERAL.—Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended by adding at the end the following new subsection:

''(o) ENSURING CORRECT ASSISTANCE.—Notwithstanding any other provision of law, in determining the allocations for each public housing agency from the Operating and Capital Funds pursuant to this section, the Secretary shall include as dwelling units eligible for such assistance all public housing dwelling units that—

''(1) are owned by the public housing agency at the time of such determination; and

''(2) before the date of the enactment of the Public Housing Equal Treatment Act of 2007 have received development, operating, capital, or modernization assistance pursuant to the terms of any agreement with Department of Housing and Urban Development authorizing the agency to expend such funds on behalf of such units.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to assistance under section 9 of the United States Housing Act of 1937 for fiscal year 2008 and each fiscal year thereafter.

SA 2805. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, line 23, after ''receivership'' insert '', including public housing agencies that are under a Memorandum of Agreement, Corrective Action Plan, or other arrangement with the Secretary of Housing and Urban Development to facilitate improvement of their voucher program and that are not in default of such an agreement, plan, or arrangement,''.

SA 2806. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to Congress that describes the average marginal production cost of making any new passenger automobile with a gross vehicle weight under 10,000 pounds sold in the United States capable of using a flexible fuel mixture.

(b) In this section, the term ''flexible fuel mixture'' means—

(1) any mixture of gasoline and ethanol that is up to 85 percent ethanol;

(2) any mixture of gasoline and methanol that is up to 85 percent methanol; or

(3) any mixture of diesel and biodiesel that is 85 percent biodiesel, as measured by volume.

SA 2807. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the sections under the heading ''GENERAL PROVISIONS'' at the end of title I, add the following:

SEC. 1____. (a) Notwithstanding sections 109, 111, 131, and 402 of title 23, United States Code (including regulations promulgated to carry out those sections), none of the funds made available by this Act may be used by the Secretary of Transportation to withhold funds provided by this Act from any State for the implementation of any program under which a State, or any of the agents, designees, or lessees of the State, acknowledges roadside maintenance by a non-State entity through living plant materials that are arranged to identify the name or logo of the non-State entity providing the maintenance.

(b) Any funds paid to a State under a program described in subsection (a) shall be—

(1) considered to be State funds (as defined in section 101(a) of title 23, United States Code); and

(2) made available for expenditure under the direct control of the applicable State transportation department (as defined in section 101(a) of title 23, United States Code).

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, September 27, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on hard-rock mining on Federal lands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to gina_weinstock@energy.senate.gov.

For further information, please contact Patty Beneke at 202–224–5451 or Gina Weinstock at (202) 224–5684.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, September 12, 2007, at 9:30 a.m., to conduct a hearing on the Nomination of Robert C. Tapella of Virginia, to be Public Printer, Government Printing Office.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee, 224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, September 10, 2007, at 9:30 a.m. in order to conduct a hearing entitled ''Confronting the Terrorist Threat to the Homeland: Six Years After 9/11.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Jacqueline Beatty-Smith, Smith a fellow in Senator REID's office, be accorded the privileges of the floor during consideration of H.R. 3074, the Transportation appropriations bill and any votes therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION APPROPRIATIONS

Mr. REID. Mr. President, we haven't made as much progress on the Transportation bill as I had wished, but we

are making progress. This is what happens with these complicated bills on occasion. Tomorrow night people should expect votes into the night. It will not be an early evening tomorrow. We have a lot to do on this bill. I have spoken to the distinguished Republican leader. Senator MCCONNELL said they will have an alternative to the Mexican truck measure offered by Senator DORGAN. Hopefully, sometime in the morning we can get those teed up for a vote. We also have been told by Senator COBURN that he has a number of amendments he wishes to offer. He said he would be here at 10:30 in the morning to begin offering those amendments. I have found Senator COBURN in the past doesn't need to talk very long, doesn't want to talk very long. I am sure that will be the case with this bill. I am glad he is coming over in the morning at 10:30. If others have amendments to offer, they should do so. It is my understanding Senator COBURN has a number of amendments. If that is the case and we can't stack these votes, what we will do is, the first vote could come as early as 11 o'clock or thereabouts tomorrow.

We have a lot to do. The fiscal year is coming to a close, and we have a number of must-do issues. We will work on those. I have spoken today, as I indicated, to the distinguished Republican leader about how we would proceed next week on Iraq matters. I think we are making progress on how we should proceed. These are very hotly contested issues, very important. We want to make sure people have the opportunity to speak on this without delaying things for an extended period of time.

Tomorrow morning I am going to ask consent to go to conference on H.R. 1538, which is the Wounded Warrior/military pay raise bill. There was a Republican objection to that request the last time. I hope this time the result will be different so we can send this important bill, which means so much to our men in uniform, to conference. We need to send that to conference. So we will proceed to that unanimous consent request tomorrow morning. I will not do that tonight.

PANCREATIC CANCER AWARENESS MONTH

Mr. REID. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of and the Senate proceed to S. Res. 222.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 222) supporting the goals and ideals of Pancreatic Cancer Awareness Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 222

Whereas over 37,170 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas pancreatic cancer is the 4th most common cause of cancer death in the United States;

Whereas 75 percent of pancreatic cancer patients die within the first year of their diagnosis and only 5 percent survive more than 5 years, making pancreatic cancer the deadliest of any cancer;

Whereas there has been no significant improvement in survival rates in the last 25 years and pancreatic cancer research is still in the earliest scientific stages;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastasis of the disease is only 3 to 6 months;

Whereas the incidence rate of pancreatic cancer is 40 to 50 percent higher in African Americans than in other ethnic groups; and

Whereas it would be appropriate to observe November as Pancreatic Cancer Awareness Month to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and treatment programs: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of Pancreatic Cancer Awareness Month.

NATIONAL CELIAC DISEASE AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 314.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 314) designating September 13, 2007, as ''National Celiac Disease Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 314) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 314

Whereas celiac disease affects approximately 1 in every 130 people in the United States, for a total of 3,000,000 people;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas, when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas these problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas, as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, anti-tissue transglutaminase, and IgA anti-endomysium antibodies;

Whereas celiac disease can only be treated by implementing a diet free of wheat, barley, rye, and oats, often called a ''gluten-free diet'';

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjogren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, ''if the patient can be cured at all, it must be by means of diet'';

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2007, as ''National Celiac Disease Awareness Day'';

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe the date with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, the Celiac Disease Foundation, the Gluten Intolerance Group of North America, and the Oklahoma Celiac Support Group No. 5 of the Celiac Sprue Association.

MEASURE READ THE FIRST TIME—H.R. 1908

Mr. REID. Mr. President, I understand that H.R. 1908 is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 1908) to amend title 35, United States Code, to provide for patent reform.

Mr. REID. Mr. President, I ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

PROGRAM

Mr. REID. Mr. President, in short, we are going to be in late tomorrow. We hope to finish this bill Wednesday by the time we recess for the Jewish holiday. We tried to clear a few nominations tonight, but there were some objections on the Republican side. We hope to get those cleared for the President tomorrow.

ORDERS FOR TUESDAY, SEPTEMBER 11, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow morning, September 11; that on tomorrow, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that the Senate then resume consideration of H.R. 3074, the Transportation Appropriations Act; that the Senate stand in recess from 12:30 to 2:15 p.m. to accommodate the respective party conferences; further, that on Tuesday, in commemoration of the sixth anniversary of the September 11 attack, the Senate observe a moment of silence at 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that we now stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Tuesday, September 11, 2007, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Monday, September 10, 2007:

THE JUDICIARY

WILLIAM LINDSAY OSTEEN, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

MARTIN KARL REIDINGER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA.

JANIS LYNN SAMMARTINO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

EXTENSIONS OF REMARKS

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

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 4, 2007

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Con. Res. 196, which authorizes the use of the Rotunda grounds of the Capitol for a ceremony to award the Congressional Gold Medal to Tenzin Gyatso, the Fourteenth Dalai Lama. I would like to thank Congressman Brady for introducing this bill to honor such an inspirational and charismatic person who has touched the lives of millions around the world.

The Congressional Gold Medal is the highest expression of national appreciation for exceptional service and for lifetime contributions. The medal has been awarded to individuals from all walks of life. Dr. Martin Luther King, Jr. and Coretta Scott King, Pope John Paul II, the Navajo Code Talkers, Rosa Parks, Frank Sinatra, and Elie Wiesel are among those who have been honored. The Dalai Lama is well qualified to join the list of individuals who have received this most distinguished of honors.

Tenzin Gyatso, the Fourteenth Dalai Lama, is recognized in the United States and throughout the world as a leading figure of moral and religious authority. He is the unrivaled spiritual and cultural leader of the Tibetan people, and has used his leadership to promote democracy, freedom, and peace for the Tibetan people through a negotiated settlement of the Tibet issue, based on autonomy within the People's Republic of China.

This Dalai Lama has led the effort to preserve the rich cultural, religious, and linguistic heritage of the Tibetan people and to promote the safeguarding of other endangered cultures throughout the world.

For his efforts on behalf of humanity, this Dalai Lama was awarded the Nobel Peace Prize in 1989. His efforts to promote peace and non-violence around the globe, and to find democratic reconciliation for the Tibetan people through his "Middle Way" approach, has won him world-wide acclaim.

This Dalai Lama has significantly advanced the goal of greater understanding, tolerance, harmony, and respect among the different religious faiths of the world through interfaith dialogue and outreach to other religious leaders and, perhaps most important, he has used his moral authority to promote the concept of universal responsibility as a guiding tenet for how human beings should treat one another and the planet we share.

For these reasons, I strongly support H. Con. Res. 196 and urge my colleagues to join me in voting to authorize the use of the Rotunda grounds of the Capitol for a ceremony to award the Congressional Gold Medal to Tenzin Gyatso, the Fourteenth Dalai Lama.

HONORING SHARON K. HAHS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. EMANUEL. Madam Speaker, I rise today to congratulate Sharon K. Hahs on her installation as President of Northeastern Illinois University.

Dr. Hahs has displayed a lifelong commitment to education and academics, and is well suited for her new role. Prior to her service at Northeastern Illinois University, she was Dean of the School of Humanities and Sciences at the University of South Carolina at Spartanburg, Dean of the College of Arts and Sciences at Southern Illinois University-Edwardsville, Provost and Vice Chancellor for Academic Affairs at Southern Illinois University-Edwardsville, and Professor of Chemistry at Metropolitan State College in Denver, Colorado.

For over 140 years, Northeastern Illinois University has been providing excellent educational opportunities to students from Chicago and around the country. As one of the most diverse student bodies in America, the University provides a rich melting pot of experience and interaction. With a curriculum of over eighty undergraduate and graduate majors, Northeastern Illinois University offers a wide tapestry of academic opportunity. And with a historical emphasis on teacher education, the University produces a significant number of Chicago's vital public school teachers.

Undoubtedly, Dr. Hahs will not only contribute to Northeastern Illinois University's proud legacy of academics, but also expand the University's ability to educate young minds and shape Chicagoans into spirited and productive members of society.

Madam Speaker, on behalf of the Fifth Congressional District of Illinois, I congratulate Sharon Hahs on her lengthy and influential career, her recent selection as President of NEIU, and her many outstanding contributions to education. I wish Mrs. Hahs and NEIU continued success as they work to enhance the University's already sterling reputation.

CONGRATULATING MR. JACKSON CAIN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Jackson Cain of Littleton, Colorado, who will attend a People to People World Leadership Forum in 2008. His outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young man.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that "people can make a difference where governments cannot." This unique interaction and exposure will enable Mr. Cain to gain a greater understanding and insider's perspective of Washington, DC.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Mr. Cain and wishing him the best in his future endeavors.

RECOGNIZING MR. ERIC LANGHORST FOR THE 2007–2008 MISSOURI TEACHER OF THE YEAR AWARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mr. Eric Langhorst, of Liberty, Missouri. Mr. Eric Langhorst is the recipient of the 2007–2008 Missouri Teacher of the Year Award.

Mr. Eric Langhorst has been an educator for fourteen years. For the past seven years, he has taught history at South Valley Junior High School In order to effectively communicate with his students, Mr. Langhorst incorporates technology, debate, and guest speakers into the curriculum.

Mr. Eric Langhorst currently serves as the social studies department chairperson for South Valley Junior High School as well as being on the district's technology team. In addition, he also serves on the Clay County Board of Directors.

Madam Speaker, I proudly ask you to join me in honoring Mr. Eric Langhorst, whose dedication and service to the people of Liberty has been truly exceptional.

RECOGNITION OF THE RAMADAN CELEBRATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. ROSKAM. Madam Speaker, I rise today to recognize the commencement of Ramadan, the Muslim holy month of introspection, fasting and spiritual renewal.

Throughout the entire ninth month of the Islamic calendar year, Muslims demonstrate their devotion to God by fasting from sunrise until sunset. The holy month of Ramadan is also an important time for Muslim families and communities as they join together in expression of their devotion.

Many Muslims take the month of September to seek physical and spiritual renewal. In fact, more than 25,000 Muslims in my Congressional District observe this celebration to mark their steadfast commitments to faith, peace, family and heritage.

Madam Speaker and distinguished colleagues, please join me in honoring the celebration of the month of Ramadan and wishing Muslims a peaceful and blessed holiday.

TAIWAN

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. CULBERSON. Madam Speaker, I rise today in support of Taiwan's decision to apply for admittance to the United Nations. I urge the Administration and the Secretary General to reconsider their positions and accept Taiwan, a sovereign and democratically elected government, as a peer in the international community.

For over 50 years, Taiwan has been a flourishing, independent and sovereign government in the developing world and Southeast Asia. Taiwan has developed a world-class democracy, serving as a model for countries in the region. The people of Taiwan inspire others in Southeast Asia and around the world who desire freedom and prosperity. America should stand with our friends who engage in peaceful democracy and Taiwan deserves our support.

Taiwan has all the qualifications for a sovereign state as laid out in the ''Montevideo Convention on the Rights and Duties of States.'' Taiwan has a permanent population, a recognized and defined territory, government, and the capacity to enter relations with other states, including 23 members of the UN. Under Article 4 of the UN Charter, Taiwan clearly has the right to apply for membership. The Secretary General should allow Taiwan to present its case to the General Assembly and allow a vote to proceed.

Taiwan plays an important role in the international community because of its democratic and economic success. Other nations are benefiting from Taiwan's access to markets and technology. It defies logic and the principle of fairness that the Taiwanese people and government are not given the same voice as everyone else throughout the world.

In petitioning the UN for membership under the name Taiwan, President Chen Shui-bian is dutifully responding to the sentiments of his people, of which three-quarters support applying for UN membership under the name of Taiwan. This is a responsible decision by the government and not a new initiative. The government in Taipei has been petitioning for UN membership since 1993.

In closing, Madam Speaker, I urge this body to stand with our friends and allies in Taiwan. I hope you will join me in supporting strong democracy in the world by supporting Taiwan's bid for membership to the United Nations.

HONORING WOODROW SKAFF

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. KILDEE. Madam Speaker, I rise today to honor Woodrow ''Woody'' Skaff on his 90th birthday. Woodrow turned 90 on August 26th. A celebration hosted by the University of Michigan-Flint is being held on September 12th in my hometown of Flint, Michigan.

Woody's father came to the United States in 1906. He settled in Flint and married Martha VanDemark. They started a carpet business and had five children. Woody began working in the family business during the 1930s, After World War II, his two brothers, Don and Jack, joined Woody and the three sons expanded their father's business to include furniture. The brothers continued to grow the business and operated 6 different stores. By the 1970s the third generation became involved when Woody's oldest son, George, became involved. The business continues today to be a vibrant family run enterprise built on the cornerstone of respect and service to the customer and community.

Even after retirement, Woody Skaff still maintains this respect for the community. He is involved in numerous organizations including Big Brothers Big Sisters of Greater Flint, Young Life—Christian Camp, Crossroads, the YWCA, the Community Foundation of Greater Flint, First Presbyterian Church, the Flint Institute of Music, the Flint Institute of Art and the Cultural Center. Woody has funded a scholarship program at the University of Michigan-Flint and over 30 students have benefited from his generosity.

Madam Speaker please join me in congratulating Woodrow Skaff for 90 years of living his Christian faith by loving, caring and helping others. He has made a significant contribution to the Flint community through his generosity and his example. I wish him the best in the coming year and many, many more.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE PAUL E. GILLMOR, A REPRESENTATIVE OF THE STATE OF OHIO

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2007

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to pay tribute to a great American and a member of this House. PAUL E. GILLMOR was a veteran, lawyer, businessman, and Member of Congress from Ohio.

Congressman GILLMOR, who died on Wednesday, September 5, 2007, was a respected member of this body and respected by all who knew him. He was actually a legislator's legislator. He was known often to put aside partisan politics and reach across the aisle to legislate in a bipartisan manner for the best interests of the American people.

In 1961 he received a bachelor of arts degree from Ohio Wesleyan University. Although he was a lifelong Buckeye, PAUL GILLMOR received a law degree from the University of Michigan Law School. From 1965 to 1996, he served his country in the U.S. Air Force as a judge advocate, attaining the rank of captain. He married Karen Lako, who also served in the Ohio Senate, in 1983. He had five children: daughters Linda and Julie and sons Paul and twins Adam and Connor.

Before he came to Capitol Hill in 1988, he spent 22 years in the Ohio statehouse where he became the senate president for three terms. He got to know the people, because half of this work is getting to know the people. His presence will be greatly missed and we all mourn his loss and extend our sincerest condolences to his family and friends.

More interested in policy than in seeking the limelight, PAUL GILLMOR focused his time here in the House squarely on the needs of his constituents. On the Energy and Commerce Committee, he was deeply involved in consumer issues, including protecting consumers from unfair credit report practices. He also worked to preserve our history by supporting and improving sites honoring our Nation's Presidents.

PAUL GILLMOR was unanimously elected in 2006 by representatives of the 26 NATO countries to serve as Vice President of the NATO Parliamentary Assembly. As vice president of the NATO Parliamentary Assembly, Congressman GILLMOR was the highest ranking American in this highly esteemed international organization.

Most recently, Ohio has been plagued by scandals arising from predatory lending, and Representative GILLMOR was a leader in trying to help families and communities that had been subject to predatory lending, pulling together the Ohio delegation to identify ways we can impact our neighborhoods and support laws that could impact families that had been subject to predatory lending.

Mr. Speaker, a dear colleague has fallen but he will not be forgotten. We are all saddened by our loss but we are happy to have served with him. Our prayers and condolences go out to his widow Karen, his five children, and to thousands of his friends around the Nation. He touched so many lives during his career in politics, and he will truly be missed by me and the American people.

CELEBRATING THE INSTALLATION OF DR. SHARON K. HAHS AS PRESIDENT OF NORTHEASTERN ILLINOIS UNIVERSITY

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. EMANUEL. Madam Speaker, I rise today to congratulate Dr. Sharon K. Hahs on her official installation as President of Northeastern Illinois University.

Located in Illinois' 5th Congressional District, Northeastern Illinois University serves over 12,000 students from the Chicago metropolitan area, providing students with an affordable, high-quality academic experience. NEIU has a population that is richly diverse in ethnicity, culture, age and language. The institution today offers over 80 undergraduate and graduate majors, and has the largest teacher

education program of the public universities in Chicago and is one of the top producers of education degrees in the state.

Dr. Hahs is the perfect choice to lead this fine school, as demonstrated by her career which has been devoted to post-secondary education. Prior to assuming the role of president, Dr. Hahs served as Provost and Vice Chancellor for Academic Affairs and Director of Special Projects at Southern Illinois University Edwardsville.

Dr. Hahs has more than 30 years of experience in higher education, beginning with a 10-year term as a member of the chemistry department at Metropolitan State College in Denver. She served as Dean of the School of Humanities and Sciences at the University of South Carolina at Spartanburg from 1984 to 1994. She then became the first-ever Dean of the newly formed College of Arts and Sciences at SIUE, and served in that role from 1995 to 2000. On July 1, 2000, Dr. Hahs was appointed Provost and Vice Chancellor for Academic Affairs at SIUE.

A native of Washington, Indiana, Dr. Hahs earned a B.A. in chemistry from Illinois Wesleyan University, and an M.S. and Ph.D. in inorganic chemistry from the University of New Mexico. She and her husband of 38 years have two daughters and a grandson.

Madam Speaker, on behalf of the citizens of the 5th Congressional District, I again wish to congratulate Dr. Sharon K. Hahs on her installation as President of Northeastern Illinois University. Her experiences as both a teacher and an administrator make her a valuable leader at Northeastern Illinois and for the State of Illinois. I wish her continued success as the President of NEIU and beyond.

CONGRATULATING MS. MAGGIE CARTER

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Maggie Carter of Greenwood Village, Colorado, who will attend a People to People World Leadership Forum in 2008. Her outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young woman.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that ''people can make a difference where governments cannot.'' This unique interaction and exposure will enable Ms. Carter to gain a greater understanding and insider's perspective of Washington, D.C.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Ms. Carter and wishing her the best in her future endeavors.

RECOGNIZING SETH KRAUSE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Seth Krause, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 100, and in earning the most prestigious award of Eagle Scout.

Seth has been very active with his troop, participating in many Scout activities. Seth's Eagle Scout project was to arrange for the purchase and installation of a 25 foot flag pole outside the local community gymnasium. Over the years Seth has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Seth Krause for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2669, COLLEGE COST REDUCTION AND ACCESS ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise in strong support of the conference report for the College Cost Reduction and Access Act (H.R. 2669) and congratulate Speaker PELOSI and Chairman MILLER on keeping a key promise of the new Democratic Majority—increasing access to higher education for all Americans.

The College Cost Reduction and Access Act is the largest investment in higher education since the G.I. bill and at no new cost to the taxpayer. This legislation makes a commonsense choice by cutting excessive subsidies to lenders and investing those dollars in our students.

H.R. 2669 will make a real difference in the lives of students, families and new graduates. We know that too many students are making the choice to delay home ownership or marriage because of student loan debt. This bill cuts the interest rates on student loans in half and ensures that borrowers have manageable re-payment requirements. In real terms, over 7 million students will save $4,400 over the life of their loans.

By increasing the purchasing power of the Pell Grant and expanding access to this critical resource, we will help to ensure that qualified students do not delay or refuse college based solely on ability to pay.

In addition, too many student interested in public service careers cannot pursue them because of the debt to salary ratio after graduation. With the passage of H.R. 2669, upfront tuition assistance is available for students who commit to teachers in high-poverty school districts, and loan repayment will be available for military service members, first responders, nurses, early childhood educators and others.

Education is a top priority for the 110th Congress. It is an issue that is important to students, families and communities. It is also a critical part of ensuring our global competitiveness and economic stability. I urge my colleagues to support, and the President to sign, this critical bill.

INTRODUCTORY FLOOR STATEMENT FOR A BILL TO RATIFY A CONVEYANCE OF THE JICARILLA APACHE RESERVATION TO RIO ARRIBA COUNTY, STATE OF NEW MEXICO, PURSUANT TO THE SETTLEMENT OF LITIGATION BETWEEN THE JICARILLA APACHE NATION AND RIO ARRIBA COUNTY, STATE OF NEW MEXICO, TO AUTHORIZE ISSUANCE OF A PATENT FOR SAID LANDS, AND TO CHANGE THE EXTERIOR BOUNDARY OF THE JICARILLA APACHE RESERVATION ACCORDINGLY, AND FOR OTHER PURPOSES

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. UDALL of New Mexico. Madam Speaker, I rise to introduce a bill to ratify a conveyance of a portion of the Jicarilla Apache reservation to the county of Rio Arriba, New Mexico. This legislation will bring resolution to a long-standing dispute between the Jicarilla Apache Nation and Rio Arriba County. In the 109th Congress, H.R. 4876, a nearly identical bill, passed the House under suspension of the rules.

The dispute, which has been ongoing for nearly two decades, is over the ownership of a road on a parcel of land formerly referred to as Theis Ranch. The Jicarilla Nation purchased Theis Ranch in 1985 and, in March 1988, the Nation subsequently conveyed a trust deed for Theis Ranch to the United States. The Theis Ranch property then, by proclamation of the Secretary of the Interior, became part of the Jicarilla Reservation in September 1988.

A lawsuit was filed in October 1987 and the District Court was asked to determine the ownership status of the disputed road. In the original lawsuit, Rio Arriba County sought to establish that the county acquired the disputed road by prescription and, therefore, the county was the road's rightful owner. However, the Jicarilla Nation contended that the Nation owned the road because the road was, and continues to be, within the boundaries of the expanded 1988 Jicarilla reservation. On December 10, 2001, the District Court found in favor of the Jicarilla and determined that the disputed road traversed the Jicarilla Reservation in several locations. Rio Arriba County appealed the December 2001 District Court decision; the appeal is currently pending before the Court of Appeals of the State of New Mexico. In a separate yet relevant matter, Rio Arriba County appealed a February 2003 decision by the Southwest Bureau of the United States Department of the Interior to acquire a

tract of land referred to as the Boyd Ranch in trust for the Jicarilla Nation. Rio Arriba's appeal of this determination is currently pending before the Interior Board of Indian Appeals.

In an effort to settle the road dispute, the Jicarilla Nation and Rio Arriba County entered into mediation. The parties successfully reached a settlement that was subsequently executed by the Jicarilla Nation on May 3, 2003, and Rio Arriba County on May 15, 2003. Representatives of the Secretary of the Interior approved the settlement on June 18, 2003. The settlement agreement, which would be implemented by this legislation, provided that the Jicarilla Nation would transfer approximately 70.5 acres of land located with the expanded 1988 Jicarilla reservation to Rio Arriba County. In exchange for the Jicarilla Nation's land conveyance, Rio Arriba County agreed to permanently abandon any and all claims to the disputed road. The settlement also provides that the terms of the agreement do not take effect until all parties complete their respective promises in the agreement and the United States, pursuant to federal law, approves of the conveyance of this particular Jicarilla trust land to Rio Arriba County.

Both parties and the Secretary of the Interior have fully performed the terms agreed to within the settlement agreement. All that stands between the parties to this dispute and long overdue resolution is Congressional approval. Consequently, the legislation will adjust the Jicarilla Reservation border in order to account for the transfer. At the same time, this legislation upholds Congress' trust responsibility to the Jicarilla Nation by placing restrictive covenants on the trust land transferred to the County. In other words, this legislation recognizes that the transferred land is immediately adjacent to the remainder of the Jicarilla Nation. As a result of the transferred land's proximity to the reservation, certain uses of the transferred land would have a detrimental effect on the remaining reservation. Therefore, this legislation allows the County to use the land only for governmental purposes but specifically prohibits the County from using the land for prisons, jails, or other facility for incarcerating persons.

Madam Speaker, I urge my colleagues to expedite passage of this legislation. Both the Nation and the County have waited years for this agreement to be implemented. Congress must now do their part to provide long overdue resolution.

HONORING THE LIFE AND SERVICE OF MAJOR HENRY SAN NICOLAS OFECIAR, U.S. ARMY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. BORDALLO. Madam Speaker, I rise today to pay grateful tribute to the life of MAJ Henry San Nicolas Ofeciar who recently made the ultimate sacrifice in Afghanistan for our Nation. MAJ Henry Ofeciar, 37, lost his life in the cause of freedom in Jalalabad, Afghanistan, as a result of an attack on August 27, 2007. The people of Guam suffer the loss of outstanding soldiers like Major Ofeciar with profound sadness. But it is Henry's loved ones and friends who bear the greatest burden and for whom we send our messages of support and gratitude.

MAJ Henry Ofeciar graduated from John F. Kennedy High School in 1988. He joined the University of Guam Reserve Officers Training Corps, ROTC, where he excelled as a leader and as a soldier. Henry Ofeciar graduated from the University of Guam in 1993, and received his commission as a second lieutenant in the United States Army in 1994, beginning a distinguished career of service to our country. He earned a master of arts degree in business administration and public administration from Syracuse University in 2005, continuing his development as a professional soldier.

MAJ Henry Ofeciar was assigned to the 1st Brigade, 1st Infantry Division, Fort Riley, KS. Major Ofeciar, like the many sons of Guam who served before him and gave their lives in defense of our country, served with honor and distinction. He lost his life answering the call to duty of our Nation, fighting in Afghanistan in order to help make the United States more secure. For his sacrifice on our behalf, we will always be eternally grateful.

We offer our thoughts and prayers to Henry's wife Angali, who he married in January 2007. We offer our deepest sympathies to his parents, Agnes S.N. and Leonard Rillera of Talofofo, Guam, and Pedro and Lougene Ofeciar of El Paso, TX. We also extend our sympathies to his sisters and brothers, Orlene Ofeciar Arriola, Pete, Doreen, Chris, April, and Patrick San Nicolas Ofeciar. On behalf of a grateful country and the people of Guam, we share their loss and we offer our prayers for their comfort.

Henry Ofeciar had a favorite quote from the Greek philosopher Epictetus, which epitomizes his personal commitment to duty, ''First say to yourself what you would be; and then do what you have to do.'' Today we honor MAJ Henry Ofeciar, a hero who did what he set out to do, and for whom we will be forever in his debt. His family, his people, and his fellow soldiers take pride in knowing that we will all remember him for many years for what he did for us. God bless MAJ Henry Ofeciar, God bless Guam, and God bless the United States of America.

CONGRATULATING MS. BRENNAN DIVITA

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Brennan Divita of Littleton, Colorado, who will attend a People to People World Leadership Forum in 2008. Her outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young woman.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that ''people can make a difference where governments cannot.'' This unique interaction and exposure will enable Ms. Divita to gain a greater understanding and insider's perspective of Washington, DC.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Ms. Divita and wishing her the best in her future endeavors.

RECOGNIZING SPENCER FRAZIER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Spencer Frazier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many Scout activities. Previously, he volunteered his time to work with the Second Harvest Food Bank where he organized an effort to make 35 quilts for the Backpack Buddies program, Over the years Spencer has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Spencer Frazier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SUDDEN CARDIAC ARREST AWARENESS DAY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. ISSA. Madam Speaker, today I rise to remember those who have died as a result of sudden cardiac arrest, and to introduce a House Resolution in support of the goals and ideals of Sudden Cardiac Arrest Awareness Day.

Sudden cardiac arrest, SCA, is a condition in which the heart suddenly and unexpectedly stops beating, causing blood to stop flowing to the brain and other vital organs. SCA usually causes death if not treated in minutes.

Annually, 250,000 to 450,000 Americans have sudden cardiac arrest, and 95 percent of these people die within minutes. But SCA does not have to take this many lives. Rapid treatment of SCA with a defibrillator, a device that sends an electrical shock to the heart, can be lifesaving. According to the Department of Health and Human Services' National Heart, Blood and Lung Institute, automated external defibrillators, AEDs, which are often found in public places like airports and office buildings, can be used to save the lives of people having SCAs.

On May 20, 2005, 14-year-old Travis Roy was at school in Murrieta, CA, when he suffered SCA. His school, like most schools, did

not have an AED, and tragically, Travis died because treatment could not be administered fast enough.

Since Travis's death, his family has campaigned to raise awareness of SCA and to get AEDs placed in schools. To date, several schools in the southern California area have implemented AED programs, including the Murrieta Valley Unified School District, Temecula Valley Unified School District, San Jacinto Unified School District and Point Loma Nazarene University in San Diego.

California has proclaimed September 12 as Sudden Cardiac Arrest Awareness Day, to honor those who died as a result of sudden cardiac arrest. Awareness about sudden cardiac arrest and ensuring defibrillators are available in schools and other public buildings can save lives. Raising awareness of sudden cardiac arrest is a task worthy of Congress's attention.

COMMENDING THE WORK OF SAMARITAN HOUSE ON ITS 20TH ANNIVERSARY

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. JORDAN of Ohio. Madam Speaker, I take tremendous pride in recognizing the staff and volunteers of Samaritan House, a shelter for homeless and abused women in Lima, OH.

The seeds of Samaritan House were sown more than two decades ago, when Pastor Doneta Warren opened her home to an abused woman and her children. Word of this selfless Christian act spread quickly to others in need, who came to Pastor Warren to see if she might also have room for them. Recognizing that the area lacked a permanent place where those in abusive relationships could seek help, Pastor Warren worked with the Catholic Diocese of Toledo to found Samaritan House on the site of a former convent.

Since its founding, Samaritan House has assisted more than 10,000 women and children in times of need, providing food and shelter, job training services, recovery support programs, and other needed help. A staff of nine dedicated professionals works round the clock to provide this assistance, working with a 15-member board of directors to ensure that the House's mission and outreach activities are best carried out.

Madam Speaker, Samaritan House is marking its 20th anniversary with a fundraising dinner and silent auction this Wednesday. On behalf of the Fourth Congressional District of Ohio, I congratulate everyone who has worked and volunteered to make Samaritan House successful through the years. The people of Allen County and the entire region can take great pride in this life-changing facility.

HONORING PALM BEACH COUNTY NULITES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to recognize the NULITES of the Urban League of Palm Beach County. NULITES is the National Urban League Incentive To Excel and Succeed. These fine young people focus on academic achievement and are actively involved in improving their communities. The Palm Beach County chapter has been awarded NULITES Chapter of the Year for the third time. Having been chosen from among NULITES chapters across the country, this is a very impressive accomplishment of which we can all be very proud.

Fadley Charles, a Florida State University student who is president of the chapter, stressed that, as Chapter of the Year, Palm Beach County NULITES have a "responsibility to strive for better, respect all others, celebrate achievement, create a better future, care for each other and promote an empowering environment like no other." With three individual winners of scholarships in addition to Chapter of the Year honors, obviously, Palm Beach County NULITES are fulfilling their promise. It is my very great pleasure to recognize them today, and I know we will be hearing more good things about them in the future.

CONGRATULATING MR. REMY DUFRESNE

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Remy Dufresne of Highlands Ranch, Colorado, who will attend a People to People World Leadership Forum in 2008. His outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young man.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that "people can make a difference where governments cannot." This unique interaction and exposure will enable Mr. Dufresne to gain a greater understanding and insider's perspective of Washington, DC.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Mr. Dufresne and wishing him the best in his future endeavors.

RECOGNIZING MICHAEL THORNTON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Michael Thornton, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Michael's interest in working with community and veteran affairs inspired him to clean and preserve over 200 headstones of fallen soldiers at Ashland Memorial Cemetery. Over the years Michael has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Michael Thornton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. ROSS. Madam Speaker, on Wednesday, September 6, 2007, I was not present for rollcall vote 857.

Had I been present for rollcall 857, on agreeing to the King amendment to H.R. 2786, the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007, I would have voted "aye."

On Wednesday, July 25, 2007, I was not present for rollcall vote 728.

Had I been present for rollcall 728, on agreeing to the Etheridge amendment to the FY08 Commerce, Justice, Science appropriations bill, I would have voted "aye."

INTRODUCTION OF UNITED STATES COMMISSION ON AN OPEN SOCIETY WITH SECURITY ACT OF 2007

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. NORTON. Madam Speaker, today, I introduce the United States Commission on an Open Society and Security Act; expressing an idea I began working on when the first signs of the closing of parts of our open society appeared after the Oklahoma City bombing tragedy, well before 9/11. I introduce this bill on the sixth anniversary of 9/11 because the bill grows more urgent as increasing varieties of security throughout the country proliferate without any thought about their effect on common freedoms and ordinary access, and without any guidance from the government or elsewhere. The bill I introduce today would begin a systematic investigation that takes full account of the importance of maintaining our democratic traditions while responding adequately to the real and substantial threats terrorism poses.

To be useful in accomplishing its difficult mission, the Commission would be composed not only of military and security experts, but for the first time, they would be at the same table with experts from such fields as business, architecture, technology, law, city planning, art, engineering, philosophy, history, sociology, and psychology. To date, questions of security most often have been left almost exclusively to security and military experts. They

are indispensable participants, but these experts cannot alone resolve all the new and unprecedented issues raised by terrorism in an open society. In order to strike the balance required by our democratic traditions, a cross-cutting group needs to be working together at the same table.

For years before our eyes, parts of our open society have gradually been closed down because of terrorism and fear of terrorism—whether checkpoints on streets near the Capitol even when there were no alerts, or applications of technology without regard to their effects on privacy. We have also seen heightened controversy, litigation, hearings, legislation and court decisions because of the use of technology that intercepts terrorist communications but also covers communications among Americans.

Following the unprecedented terrorist attack on our country, Americans expected additional and increased security adequate to protect citizens against this frightening threat. However, in our country, people also expect government to be committed and smart enough to undertake this awesome new responsibility without depriving them of their personal liberty. These years in our history will long be remembered by the rise of terrorism in the world and in this country and the unprecedented challenges it has brought. We must provide ever-higher levels of security for our people and public spaces while maintaining a free and open democratic society for as long as is necessary. Yet, this is no ordinary war that we expect to be over in a matter of years. The end point could be generations from now. The indeterminate nature of the threat adds to the necessity of putting aside ad hoc approaches to security developed in isolation from the goal of maintaining an open society.

When we have faced unprecedented and perplexing issues in the past, we have had the good sense to investigate them deeply and to move to resolve them. Examples include the National Commission on Terrorist Attacks Upon the United States (also known as the 9/11 Commission), the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (also known as the Silberman-Robb Commission) and the Kerner Commission that investigate the riotous uprisings that swept American cities in the 1960s and 1970s. The important difference in the Commission proposed in this bill is that it seeks to act before a crisis-level erosion of basic freedoms takes hold and becomes entrenched. Because global terrorism is likely to be long lasting, we cannot afford to allow the proliferation of security that neither requires nor is subject to advance civilian oversight or analysis of alternatives or repercussions on freedom and commerce.

With no vehicles for leadership on issues of security and openness, we have been left to muddle through, using blunt 19th century approaches, such as crude blockades, unsightly barriers around beautiful monuments and other signals that the society is closing down, or anti-privacy applications, without appropriate exploration of possible alternatives. The threat of terrorism to an open society is too serious to be left to ad hoc problem-solving. Such approaches are often as inadequate as they are menacing.

We can do better, but only if we recognize and then come to grips with the complexities associated with maintaining a society of free and open access in a world characterized by unprecedented terrorism. The place to begin is with a high-level presidential commission of experts in a broad spectrum of disciplines who can help chart the new course that will be required to protect our people and our precious democratic institutions and traditions.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. BARRETT of South Carolina. Madam Speaker, due to a family obligation, I unfortunately missed recorded votes on the House floor in the afternoon of Friday, September 7, 2007.

Had I been present, I would have voted ''no'' on rollcall vote No. 862 (on agreeing to the Conyers amendment to H.R. 1908), ''no'' on rollcall vote No. 863 (on passage of H.R. 1908), and ''no'' on rollcall vote No. 864 (on passage of the conference report H. Rept. 110–317 to H.R. 2669).

CONGRATULATING MS. EVANGELINE EDWARDS

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Evangeline Edwards of Morrison, Colorado, who will attend a People to People World Leadership Forum in 2008. Her outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young woman.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that ''people can make a difference where governments cannot.'' This unique interaction and exposure will enable Ms. Edwards to gain a greater understanding and insider's perspective of Washington, DC.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Ms. Edwards and wishing her the best in her future endeavors.

RECOGNIZING BRYCE FRAZIER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Bryce Frazier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Bryce has been very active with his troop, participating in many Scout activities. Over the many years Bryce has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Bryce Frazier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE 65TH ANNIVERSARY OF THE 101ST AIRBORNE DIVISION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. ALEXANDER. Madam Speaker, I rise today to commemorate Louisiana State University at Alexandria's celebration of the 65th anniversary of the founding of the 101st Airborne Division at Camp Claiborne, La., which was held on August 7, 2007.

Since its activation on August 16, 1942, this unit has answered the call of duty during many of our Nation's most dire military conflicts, fulfilling the prophecy of MG William C. Lee, who promised the first recruits the unit had a ''rendezvous with destiny.''

Perhaps the truth of this prediction was first realized during World War II, when the 101st Airborne Division led the way on D–Day in the night drop prior to the invasion. Later, during the Siege of Bastogne, BG Anthony McAuliffe and the Screaming Eagles fought on until the siege was lifted. For their heroic efforts in these missions and others during the Second World War, the division was awarded four campaign streamers and two Presidential Unit Citations.

The 101st triumphant role in our Nation's military history did not end there. In the mid-1960s, the 1st Brigade and support troops were deployed to the Republic of Vietnam, followed by the rest of the division in late 1967. In almost 7 years of combat in Vietnam, elements of the 101st participated in as many as 15 campaigns, further solidifying its reputation for military professionalism.

The 101st Airborne Division again brushed with destiny in January 1991, this time in Iraq. During the deepest combat air assault into enemy territory in world history, the 101st emerged from 100 hours of fighting with no casualties, while also capturing thousands of enemy prisoners of wars.

In 1948, the 101st Airborne Division was reactivated as a training unit at Camp Breckinridge, Ky., and again in 1950. It was reactivated in 1954 at Fort Jackson, S.C. Two years later, in March 1956, the 101st was transferred to Fort Campbell, Ky., to be reorganized as a combat division.

In addition to its impressive history in combat, Fort Campbell soldiers have supported humanitarian relief efforts in Rwanda and Somalia as well as supplying peacekeepers to Haiti and Bosnia.

Today, the 101st Airborne Division stands as the Army's and the world's only air assault

division with unequaled strategic and tactical mobility.

Madam Speaker, I ask my colleagues to join me in honoring the 101st Airborne Division, currently based in Fort Campbell, Ky., as it continues its mission to support training, mobilization, and deployment of mission-ready forces who stand ready to defend and protect our Nation.

CELEBRATING THE 60TH ANNIVERSARY OF THE POINT MOUILLEE WATERFOWL FESTIVAL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. DINGELL. Madam Speaker, I rise today to acknowledge, honor, and celebrate an event taking place in ''the world's largest freshwater marsh restoration project.'' Ever more popular each year, the Pointe Mouillee Waterfowl Festival is celebrating its 60th year of bringing together all manner of wilderness enthusiasts and outdoorsmen for an exciting weekend of appreciation, competitions, and games.

The Pointe Mouillee Waterfowl Festival is a unique event open to all wildlife lovers of every age, and it is free of charge to the public. This event is made possible through the hard work of the organizers of the Festival, sponsor businesses, conservation groups, and the hundreds of visitors who travel with their families for the annual event. Of course, one must also remember the many diverse species of waterfowl whose presence at Pointe Mouillee highlights the work of those who spend their precious time working to restore and maintain the marsh. The whole festival is a wonderful opportunity to see all the benefits of conservation come together in one remarkable weekend for everyone to enjoy.

Pointe Mouillee, aptly named ''wet point'' in French, began its role as a haven for sportsmen in the late 19th century when it was owned by an upper-class group of only eight men. It endured as such—only adding two new membership slots—for seventy years. In 1945, however, the aristocratic ownership of the 2,608 acres of marshland ended when it was sold to the Michigan Department of Conservation. At that point, the beautiful channels and lands were opened to the happy public. Ten thousand outdoorsmen, one thousand times the previous restricted membership, flocked to enjoy Pointe Mouillee that season alone.

Over time, however, as construction began on dams and the natural flow of the Huron River was shifted, the important balance of the habitat began to shift as well. As this trend was exacerbated in the 1960s and 1970s the damage only worsened. Nonetheless, despite the many obstacles, the Festival continues to work to preserve the marshland and bring even greater attention to the beauty and utility of those 2,608 acres.

Madam Speaker, I ask that all of my colleagues join me in saluting the Pointe Mouillee Waterfowl Festival as it celebrates its 60th anniversary. I have every hope, and every confidence, that this great festival will carry on its proud tradition of appreciation toward the natural beauty of the Pointe Mouillee and other such sites throughout Michigan and the entire region.

TRIBUTE TO CHARLES T. HEINLEIN, UNITED STATES ARMY, PRIVATE FIRST CLASS

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. CAMP of Michigan. Madam Speaker, our Nation is sustained by men and women who so willingly risk their lives to defend our liberty and our way of life. Private First Class Charles T. Heinlein was one such soldier, and he gave the last full measure in service to his country and to his fellow citizens.

Today, I want to recognize on the floor of the United States House of Representatives the life of Charles T. Heinlein. In saluting heroes like Charlie, we remember him with undying gratitude. And we resolve, though we cannot repay the debt we owe him or his family, to live our lives in such a way as to be worthy of their sacrifice.

Charlie joined the United States Army to become ''a better person,'' but it is his heroism in battling back tyranny and terror halfway around the globe that has helped build a better America and a better world. His actions on the field of duty will forever stand as a reminder that America remains the land of the free and the home of the brave.

May God keep Charlie; may God watch and comfort his family; and, may God continue to grant this Nation with the courage to defend life and liberty.

CONGRATULATING MS. SOFIA EVANGELISTA

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Sophia Evangelista of Aurora, Colorado, who will attend a People to People World Leadership Forum in 2008. Her outstanding academic merits and communal involvement have laid a solid foundation of individual integrity and dedication: both characteristics of a qualified leader. I am honored to represent such a promising young woman.

Created in 1956, the People to People Program is an educational travel program dedicated to fostering leadership potential in youth worldwide. People to People has helped more than 200,000 students and professionals develop their leadership skills based upon Dwight D. Eisenhower's belief that ''people can make a difference where governments cannot.'' This unique interaction and exposure will enable Ms. Evangelista to gain a greater understanding and insider's perspective of Washington, DC.

Madam Speaker, it is my distinct pleasure to acknowledge one of Colorado's own. Please join me in congratulating Ms. Evangelista and wishing her the best in her future endeavors.

RECOGNIZING JASON McCOLLUM FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jason McCollum, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Jason has been very active with his troop, participating in many scout activities. Over the many years Jason has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community,

Madam Speaker, I proudly ask you to join me in commending Jason McCollum for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING CHAUNCEY BAILEY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary life of Chauncey Bailey of Oakland, California. His tragic and unexpected death has been a shock to our community. The loss of this dedicated friend, mentor, professional journalist, and steward of Oakland will be deeply felt.

Of all of the significant endeavors Mr. Chauncey Bailey was involved with, his role as a loving father was most important to him, and it is in this capacity which he will be most missed. My sincerest condolences go out to his family, friends, colleagues, and especially his fiancée, Ms. Deborah Oduwa. Fifty-seven years old at the time of his death, Chauncey was a vibrant journalist, editor, and community member, full of energy and vigor.

Chauncey Bailey grew up in Oakland, and ultimately dedicated his career to reporting on Oakland's community, with special attention and dedication to news most affecting our African American populations. After receiving his education, Chauncey became a staff writer and columnist for The Detroit News. After 12 years working for The News, Mr. Bailey returned home to Oakland and began writing for the Oakland Tribune.

Mr. Bailey diligently worked his way up in the news media profession, working with several of our local media outlets. He was a fixture in our papers, on our radios, and on our television sets. Two months ago, Mr. Bailey joined the Oakland Post as an editor.

As an internationally renowned journalist, Chauncey, through his travels abroad, brought a keen understanding of the world beyond our borders to Oakland, California. We benefited tremendously from his experiences and his knowledge of global affairs and for that we are deeply grateful.

Chauncey contributed immeasurably to the fabric of our community. Although Chauncey's

death was an untimely travesty, it is my hope that through his legacy our community will be brought together. By remembering this man and his dedication to Oakland, we can come together and strengthen our collective hand in rooting out this type of violence.

Our thoughts and prayers are with Chauncey's family and friends, as well as the community he served and the people whose lives he most contributed to. We extend our deepest condolences to Mr. Bailey's family, and our deepest gratitude to them for sharing this dedicated man and impassioned writer with us. May his soul rest in peace.

RECOGNIZING MICAH R. COOMES FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Micah R. Coomes, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 447, and in earning the most prestigious award of Eagle Scout.

Micah has been very active with his troop, participating in many Scout activities. Over the many years Micah has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Micah R. Coomes for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PAYING TRIBUTE TO UNIVERSITY OF NEVADA, LAS VEGAS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. PORTER. Madam Speaker, I rise today to honor The University of Nevada, Las Vegas.

The University of Nevada, Las Vegas will be celebrating its 50th anniversary this year. Founded in 1957, UNLV has become Nevada's largest doctoral-granting research institution, offering more than 220 degree programs, enrolling more than 28,000 students, and employing more than 3,000 faculty and staff. The Carnegie Foundation for the Advancement of Teaching has placed UNLV in the prestigious category of Research Universities with High Research Activity.

Rising from its humble beginnings, offering college classes on an extension basis out of a spare room at Las Vegas High School, UNLV has become one of the Nation's top 45 public doctoral universities in terms of overall enrollment and is the home to nationally recognized programs in hotel management, business, economics, engineering, and computer sciences. It also reserves the distinct privilege of being Nevada's only accredited law school.

The university is connected in varied and significant ways to the community it serves, with branch campuses throughout the Las Vegas Valley that specialize in biotechnology, dental medicine, and research and technology. UNLV also opened its first international campus in Singapore in 2006, offering bachelor's degree programs in hotel administration and hospitality management.

Madam Speaker, I am proud to honor the University of Nevada, Las Vegas. I congratulate the university on its successful 50 years and wish them success as they continue to grow and strive in our community and country.

IN RECOGNITION OF LECH WALESA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of President Lech Walesa of Poland, and to celebrate his 64th birthday. As I, along with millions of celebrating Poles, recognize one of the great leaders of our time, we should look back at the contributions this man has made to his native Poland and to the world.

As the first elected leader of a democratic Poland, President Walesa laid the foundation for a Poland that remain both strong and free to this day. He worked with leaders from all around the world to promote the welfare of the poor and downtrodden. As the leader of the opposition movement, he helped his country gain independence through nonviolent means.

As a champion of labor, he led several worker strikes, risking both his livelihood and his life in the process. He fought for the rights of workers and his struggle gained worldwide recognition. His efforts won him, among other accolades, the Nobel Peace Prize in 1983. Even today, he remains a shining example of freedom and democracy in action.

Madam Speaker and colleagues, please join me in honoring President Lech Walesa for his service to his country and to the world. Thanks to his efforts, Poland has thrived and has become a strong voice in the international community. May future democracies be inspired by his actions and his spirit.

ABSENCE FROM THE HOUSE OF REPRESENTATIVES

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. CRENSHAW. Madam Speaker, on August 3, 2007, I underwent surgery to relieve the condition of spinal stenosis before any permanent nerve damage occurred. Due to this surgery, I was absent from the House of Representatives from 7 p.m. Wednesday, August 1st until Sunday, August 5th.

Had I been present, I would have voted: ''aye'' on rollcall No. 786 on motion to recommit with instructions on H.R. 3162; ''no'' on rollcall No. 787 on passage of H.R. 3162; ''aye'' on rollcall No. 788 on motion to change the convening time; ''aye'' on rollcall No. 789 on motion to suspend the rules and pass H.R. 3248; ''aye'' on rollcall No. 790 on agreeing to the conference report on H.R. 1495; ''no'' on rollcall No. 791 on ordering the previous question on H. Res 602; ''no'' on rollcall No. 792 on agreeing to the resolution on H. Res. 602; ''no'' on rollcall No. 793 on ordering the previous question on H. Res. 601; ''no'' on rollcall No. 794 on agreeing to the resolution on H. Res. 601; ''aye'' on rollcall No. 795 on motion to recommit with instructions on H.R. 3159.

''No'' on rollcall No. 796 on passage of H.R. 3159; ''no'' on rollcall No. 797 on approving the journal; ''aye'' on rollcall No. 798 on motion to adjourn; ''no'' on rollcall No. 799 on ordering the previous question on H. Res. 599; ''no'' on rollcall No. 800 on agreeing to the resolution on H. Res. 599; ''aye'' on rollcall No. 801 on motion to recommit conference report with instructions on H.R. 2272; ''aye'' on rollcall No. 802 on agreeing to the conference report on H.R. 2272; ''aye'' on rollcall No. 803 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 804 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 805 on agreeing to the amendment on H.R. 3161.

''Aye'' on rollcall No. 806 on agreeing to the amendment on H.R. 3161; ''aye'' on rollcall No. 807 on agreeing to the amendment on H.R. 3161; ''aye'' on rollcall No. 808 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 809 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 810 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 811 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 812 on agreeing to the amendment on H.R. 3161; ''no'' on rollcall No. 813 on agreeing to the amendment on H.R. 3161; ''aye'' on rollcall No. 814 on motion to recommit with instructions on H.R. 3161; ''present'' on rollcall No. 815 on motion to reconsider on H.R. 3161.

''Present'' on rollcall No. 816 on passage on H.R. 3161; ''aye'' on rollcall No. 817 on motion to adjourn; ''no'' on rollcall No. 818 on agreeing to the resolution on H. Res. 600; ''aye'' on rollcall No. 819 on motion to suspend the rules and pass H.R. 3311; ''no'' on rollcall No. 820 on approving the journal; ''no'' on rollcall No. 821 on motion to suspend the rules and pass H.R. 3356; ''no'' on rollcall No. 822 on motion to table H. Res. 612; ''aye'' on rollcall No. 823 on motion to adjourn; ''aye'' on rollcall No. 824 on motion to adjourn; ''aye'' on rollcall No. 836 on passage of S. 1927.

''No'' on rollcall No. 837 on approving the journal; ''no'' on rollcall No. 838 on agreeing to the amendment to H.R. 3222; ''no'' on rollcall No. 839 on agreeing to the amendment to H.R. 3222; ''aye'' on rollcall No. 840 on agreeing to the amendment to H.R. 3222; ''aye'' on rollcall No. 841 on agreeing to the amendment to H.R. 3222; ''no'' on rollcall No. 842 on agreeing to the amendment to H.R. 3222; ''no'' on rollcall No. 843 on agreeing to the amendment to H.R. 3222; ''no'' on rollcall No. 844 on agreeing to the amendment to H.R. 3222; ''no'' on rollcall No. 845 on agreeing to the amendment to H.R. 3222; ''aye'' on rollcall No. 846 on passage of H.R. 3222.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. McDERMOTT. Madam Speaker, I was unable to vote on passage of the conference report on H.R. 2669. Were I able to, I would have voted ''aye'' on this important bill.

Furthermore, I was also unable to vote for final passage of H.R. 1908. Were I able, I would have voted ''aye'' on this legislation, noting that while the bill is not perfect, the Congress must continue to consider legislation to reform our patent laws. I look forward to considering a more refined product when this bill is next before the House.

PROGRESS IN IRAQ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. POE. Madam Speaker, the chief politicai expert and chief military expert for the U.S. before us in the FA committee. Despite the cynics, critics, and defeatists, who want there to be bad news, General Petraeus informed Congress that military progress is being made.

Our job is not over in Iraq. It is in the best interest of America to finish our mission. War is hard, but retreat and a unilateral withdrawal is a plan for another Vietnam failure. Abandonment is what our enemy wants but not what we will give them.

General Petraeus testified that substantial progress has been made by our forces and the Iraqi counterparts since the surge began in mid-June. According to the General, the security situation in Iraq is improving, while the Iraqi government continues to assume more responsibility in the political reconciliation of the country.

Despite the progress being made, nay-sayers continue to undermine the momentum that is building in Iraq for a peaceful reconciliation. Of course there is more work to be done before we can see real success in Iraq. In fact, that is exactly why we can't walk away from this war. Iraq has become the most foremost front in the war against radical Islam. The strategy of Islamic militants assumes an American withdrawal. They believe we will grow weary of fighting for liberty and freedom abroad and that we will walk away from our commitments in Iraq. If success in Iraq is the goal, nay-sayers have to understand that giving up is simply not an option. Withdrawal will only embolden our enemies. We've got to fight them where they are and show them that we mean business. This is the time for America to stand strong and stay focused on our mission. The whole world is watching us.

And that's just the way it is.

TRIBUTE TO DR. ROBERT C. MESSINA, JR.

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. SAXTON. Madam Speaker, I rise today in recognition of an extraordinary gentleman whom I have known personally for two decades. On September 15, 2007, Dr. Robert Messina, Jr. will be celebrated for his 20 years of Visionary Leadership at the Burlington County Community College in Mount Laurel, NJ.

Dr. Messina has been instrumental in the expansion of the Burlington County College community. While upgrading and constructing new buildings at the main campus in Pemberton, Dr. Messina saw an opportunity to truly push the College to the next level. He was steadfast in obtaining land for a brand-new, state-of-the-art second campus, located in Mount Laurel. The College and local community has enjoyed the use of six permanent buildings, including a corporate training facility and conference center, known as The Enterprise Center.

The College has expanded not only physically, but academically, as well. Dr. Messina implemented stimulating new programs that keep trend with today's industry demands. This new curriculum boasts Digital Media and Graphic Design, Biotechnology, Human Services, and several information technology certification programs that firmly cement Burlington County College as a leader in higher education for the twenty-first century.

To further reach out and benefit the surrounding Southern New Jersey community, Dr. Messina devotes his free time to the betterment of his neighbors. In the past, he has served on the national, regional, and local levels. He currently sits on the boards for the Deborah Heart & Lung Center, the Virtua Hospital Audit/Corporate Compliance Committee, and is a member of the Virtua Ambulatory Board. Nationally, Dr. Messina served two terms as the President of COMBASE, a Cooperative for the Advancement of Community-Based Postsecondary Education, and is a former board member of the American Association of Community Colleges.

Madam Speaker, Dr. Messina's infectious enthusiasm and abiding loyalty to his students is only surpassed by his genuine desire to embrace and enhance the community around him. As he celebrates 20 years of Visionary Leadership at Burlington County College, I would like to extend my sincere gratitude for his leadership, commitment, and service.

RECOGNIZING THE 75TH ANNIVERSARY OF THE CITY OF BLOOMFIELD HILLS, MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. KNOLLENBERG. Madam Speaker, I want to recognize the City of Bloomfield Hills, in Oakland County, Michigan which is celebrating its 75th anniversary on September 16, 2007. This city's rolling hills and beautiful gardens show why it continues to rank among Michigan's loveliest communities.

Bloomfield Hills celebrates its 75th anniversary simultaneously with the 200th anniversary of Woodward Avenue, the nation's oldest byway. The two are inextricably linked because as Woodward developed, city dwellers were able to travel north of Detroit to enjoy fresh air and relaxed country living.

Originally a densely wooded wilderness inhabited by Native Americas, the Village of Bloomfield Hills grew from pastoral farms and orchards into the Estate Era, where men of vision and high ideals like, George Booth, bought huge parcels of land for summer retreats. Known by many names, including Bagley's Corners, Circle City, and Bloomfield Centre, the Village of Bloomfield Hills officially became a city in 1932 upon adoption of its City Charter.

George Booth envisioned elaborate plans for the acreage he acquired in 1904, designing a church and school for the benefit of the community. The jewel of his imagination, the Cranbrook Educational Community, a nationally acclaimed educational, scientific, and artistic complex, is on of Bloomfield Hills' most notable and unique treasures. Thousands visit the historical campus each year, enjoying the Cranbrook Academy of Art and the Cranbrook Institute of Science.

Madam Speaker, today Bloomfield Hills is a vibrant community in Oakland County that is home to over 4,000 residents, a preeminent graduate school of art, and Michigan's largest natural history museum. I congratulate them on their 75th anniversary and wish the residents many more years of prosperity.

A TRIBUTE TO DIANE BEEDLE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. SCHAKOWSKY. Madam Speaker, I rise today to bid farewell to one of the most creative, competent, caring and clever Hill staffers, my Legislative Director, Diane Beedle. For four years, Diane has moved a legislative agenda that addresses issues as diverse as the safety of children's products, outsourcing of American jobs, immigrant rights, data security and identity theft, new telecommunications technologies, private military contracts, ending horse slaughter, auto safety, energy independence, expanding health care, preventing cancer, and ending the war in Iraq. She prepared me for all of the many hearings in the Energy and Commerce Committee including, of course, the priority sporting hearings—boxing, steroids, and college bowl games, and far more.

As if that weren't enough, Diane was responsible for identifying and securing funding for projects important to the 9th Congressional District of Illinois. There is less flooding, better law enforcement, improved transportation, and better services for vulnerable people because of Diane's work. How does she do it all? As Kim, our office manager and executive assistant/scheduler said, ''She rose to the challenges and opportunities that the LD position offered, and she is very organized and methodical as well as being a very positive and nurturing presence in the office.''

Diane has a gift for negotiating. I have watched her push my position as far as she could and then a little further, her demeanor always pleasant, her counter proposals always workable, her objections irrefutable. She won the respect and friendship of staff across party and ideological lines. I will truly miss her bargaining skills.

Diane is able to translate complicated issues into language comprehensible to her boss and to constituents. I receive many kudos for letters Diane has written that are clear and directly responsive to the concerns of individual district residents, and not just ''thank you for your interest'' letters and she has prepared me for meetings on issues that would otherwise be too ''high tech'' for me.

On top of all that, Diane has been a leader in the office, providing help to her co-workers in the office in many different ways. Kevin (though officially one of the beautiful people on Capitol Hill and quite slim) has an astonishing capacity for food. Diane affectionately calls him the ''human garbage disposal'' (in a good way), yet still treats him and the rest of the office with her wonderful baked goods, lemon bars being a specialty.

Our chief of staff especially appreciated Diane's magic with naming bills. Her favorite: the Stop Attempted Fraud against Everyone's Cell and Land Line—a bill title that is instantly forgettable until you realize the acronym is the SAFE CALL ACT.

Megan described what Diane has meant not only to her but to other staff members. ''Diane has always been an excellent mentor to me, teaching me how to make the most of contacts and pointing me toward good legislative ideas.'' She also mentioned what we all know: Diane is an excellent punster.

Diane is leaving us now, soon to be embracing a new role in her life—that of Mom. Hearing the good news, everyone in the office wanted to help Diane and her husband Adrian by suggesting some really great baby names. Peter, a new father himself and Diane's ''work husband,'' brought in baby naming books. We had a Name the Baby list put up with interesting ideas such as Noble Eagle, Sparky and Porterhouse, and some more suitable boy names including Mason, Lucas, Oliver, Cooper, Oscar, Lucca, Gideon and Felix. Disregarding our suggestions in total, they chose Franklin.

We all look forward to many visits from Diane, Adrian, Baby Franklin and Suki the dog, who we will also miss very much. All of us love Diane very much, thank her for her service and wish her and her growing family the best of everything.

RECOGNIZING 100TH ANNIVERSARY OF NEIMAN MARCUS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, today I rise to recognize Neiman Marcus as it celebrates its 100-year anniversary.

The founders—Herbert Marcus, his sister, Carrie Marcus Neiman, and her husband, A.L. Neiman—were all under age 30 when they created the luxury retailer. They opened its flagship store in downtown Dallas, TX, on this day in 1907.

Over the last century, Neiman Marcus has not only left an indelible mark on the Dallas culture and society, but continues to play a vital role in the business community.

For over 19 years, Neiman Marcus has hosted the annual Neiman Marcus Adolphus Children's Parade benefiting the Child Life Program at Children's Medical Center, Dallas. This event raises money for its specialized programs including music therapy, support groups, medical camps and bedside activities. It draws crowds of over 300,000 and it brings hope and happiness to families across the country during the holiday season.

With a long history of supporting the arts, Neiman Marcus continues this tradition by sustaining the Dallas Center for the Performing Arts and the Dallas Arts District, helping to establish Dallas as a renowned center for performing and visual arts.

Expanding from its original store in historic downtown Dallas, Neiman Marcus now operates nationwide with total store operations of over 5 million gross square feet, providing economic growth and secure jobs across the country and for the north Texas region.

With a true sense of philanthropy and generosity, Neiman Marcus has become more than a retail company; its company culture reflects the true spirit of community. On behalf of the 30th Congressional District of Texas, please join me in congratulating Neiman Marcus Group on the occasion of its 100th year anniversary.

OUR STRONG ALLY AUSTRALIA

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. WILSON of South Carolina. Madam Speaker, I rise today to thank Australia for their continued commitment to the global war on terrorism and to recognize our long and proud history of working together to promote democracy and freedom around the world. Australia is the only country to have fought beside us in every major conflict of the 20th and 21st centuries.

President Bush and Prime Minister John Howard reaffirmed our friendship last week by signing a defense trade cooperation treaty. As a partner in the fight against terrorism, Australia has committed troops and resources to assist our Armed Forces around the world. They have deployed 1,500 troops in Iraq and 970 in Afghanistan.

While our friendship and partnership extends well beyond defense, it is comforting and reassuring to have such a dedicated ally who understands that we must stop our enemies in Iraq and Afghanistan to protect American and Australian families and all those who share the values of freedom and democracy around the world.

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

MINORITY SERVING INSTITUTION DIGITAL AND WIRELESS TECHNOLOGY OPPORTUNITY ACT OF 2007

SPEECH OF

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 4, 2007

Mr. FORBES. Mr. Speaker, today I rise in support of H.R. 694, the Minority Serving Institution Digital and Wireless Technology Opportunity Act of 2007, and I would start by thanking House Science Committee Chairman BART GORDON and Ranking Member RALPH HALL for their work to pass this bill. Additionally, Representative ED TOWNS has been a tireless advocate in moving this bill forward and it has been a pleasure working with him to pass this legislation.

This bill would establish a new grant program to provide funding of specific technologies to help ensure institutions like historically Black colleges and universities, Hispanic-serving institutions, and tribal colleges have the tools necessary to prepare their students to engage and participate in the increasingly global and competitive economy.

Now, more than ever, we are seeing other countries become increasingly competitive with the United States, with science and math scores equaling or exceeding average scores for American students.

Additionally, another example of the nature of the problem we face globally can be seen in the engineering field. By 2008, India is expected to increase to a little over 700,000 young engineering professionals and China is expected to increase to 2.1 million. Conversely, the U.S. is predicated to stay stagnate at 700,000 engineering young professionals by 2008 and other fields like life sciences are declining. This is a trend that cannot be allowed to continue if the United States wants to maintain its leadership role in the future global economy and graduate students that have the capacity to be this world's best and brightest.

One of the realities that we need to address in order to ensure this happens is to make sure all populations in this country have access to basic technologies, something that is currently not the case for all segments of the American population. Although 55 percent of the U.S. population has internet access at home overall, only 36 percent of African-American and Hispanic households do, according to a U.S. Census report issued in October 2005.

This bill would work to eliminate this ''digital divide'' by establishing a new grant program within the Department of Commerce to strengthen the ability of minority-serving institutions to purchase infrastructure and provide technology education services, providing students with the same access to technology as their peers at other colleges and universities.

This legislation is about even more than just equality in education; it is about economic advancement and ensuring that America retains its edge in the math, science and technology fields—a critically important requirement in today's global economy.

MONTCLAIR STATE UNIVERSITY 100TH ANNIVERSARY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. PASCRELL. Madam Speaker, I rise today to offer my congratulations in honor of the 100th Anniversary of Montclair State University. MSU has grown from its humble beginnings as a normal school into one of the premier educational institutions in my home State of New Jersey with over 16,000 students and 465 full-time faculty members.

Building on its proud heritage by continuing to train the Nation's finest teachers, MSU has stayed true to its original mission while developing a comprehensive range of first-class undergraduate, graduate, and doctoral programs. Montclair State University's remarkable growth into the second largest and fastest growing university in New Jersey is a direct result of the university's commitment to providing an exceptional educational experience to a diverse student body reflective of the population of New Jersey.

For 100 years, Montclair State University has remained dedicated to maintaining an outstanding faculty, exceptional teaching, and quality of scholarship. The university is led by a dedicated and talented team that is focused on helping meet many of the pressing educational challenges confronting our Nation. While providing the individual attention of a small college, MSU offers a vast array of majors and concentrations, including the Nation's only doctorate in pedagogy, and New Jersey's only doctorate in audiology.

I applaud the university for maintaining an active role in the local community and greater New Jersey, engaging their students, faculty and staff through such programs as the Center for Community-Based Learning, which bridges the classroom experience with local neighborhoods by addressing community needs and fostering students' community service and professional development.

Madam Speaker, I am proud of Montclair State University's commitment to educating the students of New Jersey, conducting research, and serving local and wider communities, and I applaud the university on its first 100 years of success. I am sure this is only an indication of continued growth and success for many more years to come.

PAYING TRIBUTE TO DAVID ASHLEY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. PORTER. Madam Speaker, I rise today to honor David Ashley, President of the University of Nevada, Las Vegas.

The University of Nevada, Las Vegas will be celebrating its 50th anniversary this year, and I would like to take this time to recognize the esteemed President of the University. David B. Ashley became the eighth president of UNLV, in July 2006. Prior to his time at UNLV, Dr. Ashley served as executive vice chancellor and provost at the University of California, Merced. He has also served as dean of engineering at The Ohio State University and has held civil engineering faculty positions at the University of California, Berkeley, the University of Texas at Austin, and the Massachusetts Institute of Technology.

His work as an engineer has brought him recognition as a National Science Foundation Presidential Young Investigator. The American Society of Civil Engineers has honored him with the 2004 Peurifoy Construction Research Award and the 1992 Construction Management Award. In 2000, he received an honorary doctorate from the Chalmers University in Sweden for his academic contributions. Dr. Ashley has worked in many major projects around the world, including expansion of the Panama Canal and the San Francisco-Oakland Bay Bridge.

Madam Speaker, I am proud to honor Dr. David B. Ashley, eighth President of UNLV. I congratulate him on his accomplishments and I am certain that he will have continued success leading UNLV. In honor of the 50th anniversary of the school, I thank Dr. Ashley for his dedication to education.

IN REMEMBRANCE OF LUCIANO PAVAROTTI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. KUCINICH. Madam Speaker, I rise today to recognize the notable career of one of the Three Tenors, Luciano Pavarotti, who passed away September 6.

Pavarotti was able to bring diverse audiences together like no one else could. His voice was captivating. Pavarotti's renowned career, which spanned four decades, touched more than 1.5 billion people and his charming performances came to represent what the opera is all about.

But Pavarotti wasn't just a remarkable tenor. He was also well-known for his dedication and extraordinary efforts spent raising money for refugees and the Red Cross. He used his astounding voice to raise funds for the International Red Cross and Red Crescent movement. In 2005, Pavarotti received the Freedom of the City of London and a Red Cross Award for Services to Humanity.

Pavarotti's humanitarian efforts didn't end there. He joined forces with Diana, Princess of Wales, to raise money for the elimination of land mines and performed benefit concerts to raise money for victims of tragedies. In 1998, Pavarotti was appointed the United Nation's Messenger of Peace. He used his prominence to raise awareness of the Millennium Development Goals, HIV/AIDS, child rights, urban slums and poverty.

Madam Speaker and colleagues, Pavarotti's strong and harmonious voice will be greatly missed but the charitable work he did will be remembered always.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. WELLER of Illinois. Madam Speaker, on legislative days September 4 through September 7, I was absent caring for my one-year-old daughter.

If I were present I would have voted ''aye'' on rollcall vote 847, ''aye'' on rollcall vote 848, ''aye'' on rollcall vote 849, ''aye'' on rollcall vote 850, ''aye'' on rollcall vote 851, ''aye'' on rollcall vote 852, ''aye'' on rollcall vote 853, ''nay'' on rollcall vote 854, ''nay'' on rollcall vote 855, ''nay'' on rollcall vote 856, ''aye'' on rollcall vote 857, ''aye'' on rollcall vote 858, ''aye'' on rollcall vote 859, ''nay'' on rollcall vote 860, ''nay'' on rollcall vote 861, ''nay'' on rollcall vote 862, ''nay'' on rollcall vote 863, ''aye'' on rollcall vote 864.

RECOGNIZING 3RD ANNUAL UNITY DAY USA

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. I rise today to commend the Foundation for Pluralism on the 3rd Annual Unity Day USA.

Unity Day USA has taken the initiative to remember one of the greatest tragedies in the history of our nation by brining about a positive response to the tragedy of 9/11. This day honors thousands of Americans who sacrificed their lives by committing to make this day pledged to the peace, prosperity, unity and security of our nation.

It is vital that we look at the human and economic cost of war to realize the urgency to actively pursue peace. The burden of peacemaking, peacekeeping and peace building cannot be left to one institution, gender, or political party. It must be a shared responsibility that encompasses all, regardless of race, class, gender or religion.

Each year Unity Day USA is celebrated on the Sunday before September 11th. On this day, Americans of every faith, race, ethnicity, culture and background, gather to pray for the peace, unity and security of our nation and the world.

The theme the 3rd Annual Unity Day USA will be One Nation under God. Leaders will seek guidance and wisdom from their respective faiths. Civil servants and community leaders will echo the same sentiment and suggest ways in which we as individuals can work toward cohesive and thriving local communities.

On behalf of the 30th Congressional District of Texas, I am honored to commend the Foundation of Pluralism on celebrating the 3rd Annual Unity Day USA.

CONFERENCE REPORT ON H.R. 2669, COLLEGE COST REDUCTION AND ACCESS ACT

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I would also like to acknowledge the contributions of the Education and Labor Committee staff: Tom Kiley, Danielle Lee, and Daniel Weiss.

HONORING ATRIA SENIOR LIVING GROUP

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. ENGEL. Madam Speaker, the Atria Senior Living Group received the Platinum Community award from the National Assisted Living Nurses Association for 100 percent quality compliance in state surveys at 22 communities throughout the country.

With the number of elderly and disabled Americans dramatically increasing, I am proud to say that an Atria Assisted Living facility is located next to my office in Riverdale, where it is helping to care for this influx of elderly. I have visited many times since it opened.

I was proud to again visit the Atria Assisted Living Facility, this weekend as part of National Assisted Living Week which has the theme of ''Legacies of Love'' and highlights the value of passing on the legacies of our elders to the coming generations.

I urge everyone to visit friends and loved ones who may be at an assisted living facility to share in their love, care, and knowledge. Sadly, I recently lost my mother and value every moment I had with her.

We, all of us, should make every effort to learn more about these facilities and the people in them. Atria's Platinum Award demonstrates its determination to give quality care to these most valued citizens, care they have earned and deserve. I congratulate them for what they have done.

HONORING CHRIST UNITED METHODIST CHURCH UPON ITS 50TH-YEAR ANNIVERSARY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. MARCHANT. Madam Speaker, I rise today to recognize Christ United Methodist Church on its 50th Anniversary for providing a place to worship, learn, assist those in need and gather in Christ's name.

On January 7, 2007 a JUBILEE Worship Service was conducted on the 50th anniversary of the establishment of Christ United Methodist Church of Farmers Branch, Texas. The service was attended and conducted by twenty Charter Members, 500 congregants, a United Methodist Bishop, and eight robed ministers, gratefully celebrating the anniversary.

The City of Farmers Branch is the oldest settlement in north Dallas County, but in 1956 it was rapidly expanding with new construction of homes. The desire for a new Methodist church in the area prompted a small group of Christians to petition the United Methodist Bishop William C. Martin for the extension of the church. Upon approval by the Bishop, the Reverend Bourdon Smith was appointed church pastor. The first worship service was held at Valwood Elementary School on January 6, 1957. The name Christ United Methodist Church was voted upon, and 44 members united with the church. Charter membership closed on Easter, 1957 with 135 members registered.

Groundbreaking ceremonies for the first phase of future church facilities were held in January, 1959 with 300 members in joyful attendance. Over the years a uniquely oval shaped sanctuary was constructed, accommodating 500 people for praise and worship. The current campus contains 51,000 sq ft of education and office space, a gym, and a commercial kitchen—all of it used on a weekly basis.

Dr. Victor Casad, Senior Pastor and Rev. Bob Spencer continue the message of those who served before them, and that is to live the mission statement, ''To Share the love of Christ''. Christ UMC provides ESL classes to the community, and financial aid to foreign missions. Child Development and Mother's Day Out programs provide a Christian learning experience. Three distinctively different worship services each Sunday morning welcome members and visitors. All ages are offered a variety of Sunday school classes and study groups each Sunday, and Bible Study groups throughout the week. Youth and Adult work teams tackle local assistance services, and travel far and wide to assist the Appalachia Service Project to make homes warmer, dryer, and safer. Men's Work Teams aid people impacted by disasters in Texas.

Those early dreams of Bishop Martin and the Charter Members have been met; however, the goal of today's 1455 members is equally as forward-reaching as theirs were. As the trumpets blasted to proclaim the year of JUBILEE at Christ United Methodist Church in January, the sanctuary was filled to capacity, and the spirit and energy was contagious. It was a day of genuine joy and appreciation for what has been accomplished and what lies ahead for each member of Christ United Methodist Church in Farmers Branch, Texas.

In honor of this special anniversary, Christ UMC is culminating its celebration with weekend events beginning on October 13, 2007. There will be a pancake dinner on Saturday and a parade begins the Sunday celebration. Following a special church service where former CUMC ministers and Charter Members will also be present, an all-church barbeque dinner will be enjoyed. An afternoon concert in the sanctuary will close the activities.

I am privileged to have had this time to honor the 50th Anniversary of Christ United Methodist Church of Farmers Branch, Texas.

IN HONOR OF THE 25TH ANNIVERSARY CELEBRATION OF TELECT, INC.

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to honor Telect, Inc. as they celebrate 25 years of business in the communications industry. Telect, Inc. has become a global leader in the development, manufacturing and service of connectivity and power products.

Bill and Judi Williams founded the company in September of 1982 with their then 18-year-old son, Wayne. Today, with headquarters in Liberty Lake and additional facilities in Texas, Latin America and Europe, they support a worldwide network of customers. In addition to providing quality service to their customers, the Williams' have also emphasized the importance of community involvement.

Together, their résumé of volunteer and community commitments is extensive. Bill has been active in the Boy Scouts of America's Northwest Council, and served on the National Association of Manufacturers' Board of Directors. Judi worked on several physician and hospital boards, was on the DSHS State Advisory Committee and served on the Whitworth College Board of Trustees. She also earned Working Woman Magazine's ''Top 500 Woman Owned Business'' award in 1998.

Telect continues to be known throughout the region as a model of how far a business can go when it is built on faith, integrity, and hard work. Their core values, which have been a part of the company since day one, still shape their business today. Now, as Bill and Judi have taken on the role as active members of the Board of Directors, their son Wayne is carrying the legacy of this great company into a new generation.

Madam Speaker, I rise today to commend Bill and Judi Williams for their outstanding accomplishments as founders of Telect, Inc., and congratulate them on 25 years of quality service in the communications industry. I invite my colleagues to join me in honoring Bill and Judi Williams, and the employees of Telect, Inc. as they celebrate 25 great years together.

FREEDOM FOR ARTURO SUÁREZ RAMOS

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to speak about Arturo Suárez Ramos, a long suffering and heroic prisoner of conscience in totalitarian Cuba.

Mr. Suárez Ramos is a member of the Cuban Pro-Human Rights Committee and a leader of the pro-democracy movement in totalitarian Cuba. Because he believes that freedom is the birthright of every person, he has steadfastly demanded freedom, democracy and human rights for the Cuban people. He has bravely denounced the cruel policies of the dictatorship, its apartheid-style discrimination against Cubans, and its constant indoctrination campaign, and demanded that the

Cuban people be allowed to exercise their inalienable rights. Unfortunately, because the dictatorship forcefully represses those who bravely support freedom, he has repeatedly been a target of the regime's henchmen.

Mr. Suárez Ramos rejected the regime's mandated lies and propaganda early in his life and was therefore denied by the dictatorship the opportunity to pursue a higher education. Knowing full well that in a totalitarian Cuba there was no future, only dire consequences, for those who voiced dissent, he refused to allow his cries for freedom to be silenced. In 1985 Mr. Suárez Ramos was arrested by state security thugs and in a sham trial ''sentenced'' to 18 months in the totalitarian gulag for being a ''menace to society'' by attempting to leave the country without ''proper permission''.

Although Mr. Suárez Ramos was eventually released, his time outside the infernal totalitarian gulag was brief. On October 3, 1987, Mr. Suárez Ramos was again arrested, this time on charges of ''piracy'' and ''illegal exit'' from the country. Although he was initially sentenced to death by firing squad for attempting to divert a plane to the United States, the dictator decided to ''commute'' his sentence to thirty years in his dungeons.

Mr. Suárez Ramos has participated in several hunger strikes demanding his release and to draw attention to the abhorrent conditions in which political prisoners are kept. Currently, Mr. Suárez Ramos, among Cuba's longest serving political prisoners, suffers from migraines, loss of vision, severe back pains, chronic stomach pains, diarrhea and various other ailments. These maladies are brought on and compounded by the depraved, subhuman conditions to which he is subjected. Mr. Suárez Ramos has never relinquished his dream of freedom for the Cuban people. He continues to advocate for freedom and justice while locked in the hellish squalor of the dictatorship's dungeons and courageously endures countless attacks at the hands of his brutal jailers.

No matter how intense the repression, no matter how horrifically brutal the consequences of a dignified struggle for liberty, the totalitarian gulags are full of men and women who represent the best of the Cuban nation. Madam Speaker, it is as inconceivable as it is unacceptable that Mr. Suárez Ramos continues to be systematically tortured because of his belief in freedom, democracy, human rights and the rule of law. My Colleagues, we must demand the immediate and unconditional release of Arturo Suárez Ramos and every political prisoner in totalitarian Cuba.

RECOGNIZING THE CONTRIBUTIONS OF ELEONOR VELASQUEZ

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Ms. SOLIS. Madam Speaker, today I rise to recognize Eleonor Velasquez, an intelligent and hard-working woman who has been on my staff from June 2003 until August 2007. During her tenure in my office, Eleonor was an asset to me and the constituents of the 32nd District of California. Eleonor's hard work, dedication, and skills are the reasons why I promoted her twice during her time in the office: from staff assistant to legislative correspondent in 2004 and from legislative correspondent to legislative assistant in March 2005.

Eleonor immigrated to the United States from Peru when she was just 13 years old. Her experience as a young woman assimilating to the United States provided her an invaluable perspective on issues such as immigration, education, trade, and Latino issues. Eleonor's fluency in Spanish has been of great service to my office since over half of my constituents do not speak English as their first language at home.

Eleonor has demonstrated a keen grasp of the complex issues involved in the ongoing immigration debate in the House of Representatives. Eleonor coordinated a number of sign-on letters and drafted Dear Colleague letters about immigration, trade, and education. Recently, Eleonor drafted a letter to President Bush expressing deep disappointment regarding the U.S. Citizenship and Immigration Services' (USCIS) increased fee structure for naturalization and asking him to work with Congress to create a fairer system.

During her time in my office, Eleonor spearheaded two pieces of legislation: H. Res. 721 (109th Congress), a resolution supporting the goals and ideals of a Salvadoran-American Day (El Dia del Salvadoreno); and H.R. 5161 (109th Congress), a bill to establish a commission to study the removal of Mexican-Americans to Mexico during 1929–1941. H. Res. 721 recognized all Salvadoran-Americans for their hard work, dedication, and contribution to the stability and well-being of the United States, and was co-sponsored by 55 Members of Congress. The resolution was passed by the House of Representatives on July 18, 2006. H.R. 5161 was not considered in the 109th Congress, but its introduction was very important to the families of the 2 million individuals of Mexican ancestry who were forcibly removed to Mexico during the Depression, as many as 1.2 million of whom were United States citizens.

As the liaison in my office to the Congressional Hispanic Caucus (CHC), Eleonor has gained a wealth of institutional knowledge about issues important to the Caucus over the past 4 years. Eleonor began her tenure on Capitol Hill as a Congressional Hispanic Caucus Institute (CHCI) fellow in the office of Congressman JOSÉ SERRANO. She has been an active member of the CHCI alumni association and mentored other Latino young men and women who came through the program to work on Capitol Hill and in the private sector on public policy issues.

While I am sad to see Eleonor leave, I am confident that the future will bring her much success. I wish Eleonor and her family good health and best wishes. I join my staff in my Washington, DC, El Monte, and East Los Angeles offices in wishing Eleonor the best of luck in all of her future endeavors. Buena suerte, Eleonor!

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 11, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

9:30 a.m.

Commerce, Science, and Transportation

Interstate Commerce, Trade, and Tourism Subcommittee

To hold hearings to examine the Federal Trade Commission Reauthorization.

SR–253

Rules and Administration

To hold a hearing to examine the nomination of Robert Charles Tapella, of Virginia, to be Public Printer for the Government Printing Office.

SR–301

10 a.m.

Appropriations

Business meeting to mark up H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008.

SD–106

Energy and Natural Resources

To hold hearings to examine S. 2017, to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps.

SD–366

Finance

Business meeting to consider an original bill entitled, ''The Medicare, Medicaid and SCHIP Indian Health Care Improvement Act of 2007, H. J.Res. 43, increasing the statutory limit on the public debt, and revising subcommittee assignments for the 110th Congress.

SD–215

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security.

SD–342

11 a.m.

Appropriations

Financial Services and General Government Subcommittee

To hold hearings to examine enhancing the safety of toy's relating to lead paint, the Consumer Product Safety Commission, and toy safety standards.

SD–192

Judiciary

To hold hearings to examine regulatory preemption relating to federal agencies usurping congressional and state authority.

SD–226

SEPTEMBER 18

10 a.m.

Commerce, Science, and Transportation

To hold an oversight hearing on the National Football League retirement system.

SR–253

SEPTEMBER 19

9:30 a.m.

Veterans' Affairs

To hold oversight hearings to examine information technology.

SD–562

SEPTEMBER 20

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation by the American Legion.

345, Cannon Building

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska, S. 1608 and H.R. 815, bills to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1803, to authorize the exchange of certain land located in the State of Idaho, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, and S. 1940, to reauthorize the Rio Puerco Watershed Management Program.

SD–366

SEPTEMBER 25

9:30 a.m.

Veterans' Affairs

To hold oversight hearings to examine Persian Gulf War research.

SD–562

10 a.m.

Energy and Natural Resources

To hold hearings to examine S. 1756, to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States.

SD–366

SEPTEMBER 27

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine hard-rock mining on federal lands.

SD–366

Veterans' Affairs

To hold hearings to examine the nomination of Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.

SD–562

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11283–S11353

Measures Introduced: Three bills and three resolutions were introduced, as follows: S. 2034–2036, and S. Res. 312–314. **Page S11326**

Measures Passed:

Crandall Canyon Mine Disaster: Senate agreed to S. Res. 312, honoring the sacrifice and courage of the 6 miners who were trapped, the 3 rescue workers who were killed, and the many others who were injured in the Crandall Canyon mine disaster in Utah, and recognizing the community and the rescue crews for their outstanding efforts in the aftermath of the tragedies. **Page S11302**

Pancreatic Cancer Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 222, supporting the goals and ideals of Pancreatic Cancer Awareness Month, and the resolution was then agreed to. **Page S11352**

National Celiac Disease Awareness Day: Senate agreed to S. Res. 314, designating September 13, 2007, as ''National Celiac Disease Awareness Day''. **Page S11352**

Measures Considered:

Transportation, Housing and Urban Development Appropriations Act: Senate began consideration of H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, taking action on the following amendments proposed thereto: **Pages S11292–97, S11304–13**

Adopted:

Murray/Bond Amendment No. 2790, in the nature of a substitute. (By unanimous consent, the amendment will be considered as original text for the purpose of further amendment.) **Page S11292**

By 60 yeas and 33 nays (Vote No. 329), Murray/Landrieu Amendment No. 2792 (to Amendment No. 2791), to expand the extension of authority of the Secretary of Transportation and provide additional obligation authority for the highway bridge program. **Pages S11294–97, S11304–05**

Murray Amendment No. 2791, to strike a provision of the bill and insert authority for the Secretary of Transportation. **Page S11294**

Pending:

Dorgan Amendment No. 2797, to prohibit the establishment of a program that allows Mexican truck drivers to operate beyond the commercial zones near the Mexican border. **Pages S11305–12**

Inhofe Amendment No. 2796, to prohibit the use of funds to implement the proposed Air Traffic Control Optimum Training Solution of the Federal Aviation Administration. **Pages S11312–13**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m., on Tuesday, September 11, 2007. **Page S11353**

State Department Appropriations Act—Vote Change: A unanimous-consent request was granted permitting Senator Casey to change his yea vote to a nay vote on Vote No. 320 changing the outcome of the vote to 40 yeas to 54 nays relative to Brownback Amendment No. 2708, rejected on September 6, 2007, to H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008. **Page S11289**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 86 yeas (Vote No. Ex. 327), William Lindsay Osteen, Jr., of North Carolina, to be United States District Judge for the Middle District of North Carolina. **Pages S11285–89, S11353**

By a unanimous vote of 90 yeas (Vote No. Ex. 328), Janis Lynn Sammartino, of California, to be United States District Judge for the Southern District of California. **Pages S11285–89, S11353**

Martin Karl Reidinger, of North Carolina, to be United States District Judge for the Western District of North Carolina. **Pages S11285, S11353**

Messages from the House: **Page S11323**

Measures Referred: **Page S11323**

Measures Read the First Time: Pages S11323, S11352–53

Enrolled Bills Presented: Page S11323

Executive Communications: Pages S11323–26

Additional Cosponsors: Pages S11326–28

Statements on Introduced Bills/Resolutions: Pages S11328–31

Additional Statements: Pages S11321–23

Amendments Submitted: Pages S11331–51

Notices of Hearings/Meetings: Page S11351

Authorities for Committees to Meet: Page S11351

Privileges of the Floor: Page S11351

Record Votes: Three record votes were taken today. (Total—329) Pages S11288, S11289, S11305

Adjournment: Senate convened at 10 a.m. and adjourned at 6:49 p.m., until 10 a.m. on Tuesday, September 11, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11353.)

Committee Meetings

(Committees not listed did not meet)

SIX YEARS AFTER 9/11

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine confronting the terrorist threat to the homeland, six years after 9/11, after receiving testimony from Michael Chertoff, Secretary of Homeland Security; J. Michael McConnell, Director, and John Scott Redd, Vice Admiral, USN (Ret.), Director, National Counterterrorism Center, both of the Office of the Director of National Intelligence; and Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 3508–3522; and 7 resolutions, H. Con. Res. 208; and H. Res. 643–648, were introduced. Page H10362

Additional Cosponsors: Pages H10363–64

Report Filed: A report was filed today as follows:

H.R. 2775, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize funding for emergency management performance grants, with an amendment (H. Rept. 110–322). Page H10362

Speaker: Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker Pro Tempore for today. Page H10323

Recess: The House recessed at 10:47 a.m. and reconvened at 12:00 noon. Page H10325

Suspensions: The House agreed to suspend the rules and pass the following measures:

Frank J. Guarini Post Office Building Designation Act: H.R. 2467, to designate the facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, as the "Frank J. Guarini Post Office Building"; Pages H10326–27

Kenneth T. Whalum, Sr. Post Office Designation Act: H.R. 2587, amended, to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the "Kenneth T. Whalum, Sr. Post Office"; Pages H10327–29

Agreed to amend the title so as to read: "To designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the 'Kenneth T. Whalum, Sr. Post Office Building'.". Page H10329

Eleanor McGovern Post Office Building Designation Act: H.R. 2654, to designate the facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, as the "Eleanor McGovern Post Office Building"; Pages H10329–31

Robert Merrill Postal Station Designation Act: H.R. 2778, to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the "Robert Merrill Postal Station"; Pages H10331–32

Owen Lovejoy Princeton Post Office Building Designation Act: H.R. 2825, to designate the facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, as the "Owen Lovejoy Princeton Post Office Building"; Pages H10332–33

Supporting the goals and ideals of Pancreatic Cancer Awareness Month: H. Res. 257, amended, to support the goals and ideals of Pancreatic Cancer Awareness Month, by a ⅔ yea-and-nay vote of 330 yeas with none voting "nay", Roll No. 865; and

Pages H10333–35, H10344–45

Recognizing September 11 as a day of remembrance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges: H. Res. 643, to recognize September 11 as a day of remembrance, to extend sympathies to those who lost their lives on September 11, 2001, and their families, to honor the heroic actions of our nation's first responders and Armed Forces, and to reaffirm the commitment to defending the people of the United States against any and all future challenges, by a ⅔ yea-and-nay vote of 334 yeas to 1 nay, Roll No. 866. **Pages H10335–45**

Recess: The House recessed at 1:11 p.m. and reconvened at 5:25 p.m. **Page H10335**

Recess: The House recessed at 6:20 p.m. and reconvened at 6:30 p.m. **Page H10344**

Quorum Calls——Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H10344–45 and H10345. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 9:35 p.m.

Committee Meetings

IRAQ PROGRESS REPORT

Committee on Armed Services: and the Committee on Foreign Affairs held a joint hearing on the status of the war and political developments in Iraq. Testimony was heard from GEN David Petraeus, USA, Commander, Multi-National Forces—Iraq, Department of Defense; and Ambassador Ryan Crocker, U.S. Ambassador to Iraq, Department of State.

ELEMENTARY AND SECONDARY EDUCATION REAUTHORIZATION

Committee on Education and Labor: Held a hearing on proposals to reauthorize the Elementary and Secondary Education Act. Testimony was heard from Billy Cannaday, Superintendent of Public Instruction, State of Virginia; Frances Bryant Bradburn, Director, Instructional Technologies, Department of Public Instruction, State of North Carolina; David Brewer, Superintendent of Schools, Unified School District, Los Angeles, California; and public witnesses.

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 11, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, business meeting to markup H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, 10 a.m., SD–192.

Committee on Armed Services: to hold hearings to examine the situation in Iraq, focusing on the progress made by the Government of Iraq in meeting benchmarks, 2 p.m., SH–216.

Committee on the Budget: to hold hearings to examine health care and the federal budget, focusing on options for achieving universal health coverage, 10 a.m., SD–608.

Committee on Energy and Natural Resources: Subcommittee on National Parks, business meeting to consider S. 127, to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge, S. 327 and H.R. 359, bills to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, S. 1051, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia at Constitution Gardens previously approved to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 1184 and H.R. 1021, bills to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, S. 1247, to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, S. 1304, to amend the National Trails System Act to designate the Arizona National Scenic Trail, S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, H.R. 807, to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System, and H.R. 759, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library", 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the United States-Peru Trade Promotion Agreement, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine Iraq, focusing on the Crocker-Petraeus report, 9:30 a.m., SH–216.

Full Committee, business meeting to consider S. 968, to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, S. 805, to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, S. 1839, to require periodic reports on claims related to acts of terrorism against Americans perpetrated or supported by the Government of Libya, S. 2020, to reauthorize the Tropical Forest Coral Conservation Reauthorization Act of 2007, H.R. 1678, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, patent Law Treaty and Regulations Under the Patent Law Treaty (the ''Treaty''), done at Geneva on June 1, 2000, between the Governments of 53 countries including the United States of America (Treaty Doc.109–12), the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (the ''Agreement''), adopted in Geneva on July 2, 1999, and signed by the United States on July 6, 1999 (Treaty Doc.109–21), the Singapore Treaty on the Law of Trademarks (Treaty Doc.110–2), Protocol to the 1951 Treaty of Friendship, Commerce, and Navigation between the United States and Denmark (Treaty Doc. 108–8), and the nominations of Henrietta Holsman Fore, of Nevada, to be Administrator of the United States Agency for International Development, Harry K. Thomas, Jr., of New York, to be Director General of the Foreign Service, Nancy Goodman Brinker, of Florida, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service, and Ned L. Siegel, of Florida, to be Ambassador to the Commonwealth of The Bahamas, 2:15 p.m., S–116, Capitol.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Readiness in the Post-Katrina and Post-9/11 World: An Evaluation of the New National Response Framework, 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

10 a.m., Tuesday, September 11

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 3074, Transportation, Housing and Urban Development Appropriations Act. Also, Senate will observe a moment of silence at 12 noon in remembrance of the sixth anniversary of the 9/11 attacks on the United States.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, September 11

House Chamber

Program for Tuesday: To be announced.

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