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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. LINCOLN DAVIS of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC, *October 23, 2007.*

I hereby appoint the Honorable LINCOLN DAVIS 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 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

CLEAN WATER ACT

Mr. BLUMENAUER. Mr. Speaker, last week we observed the 35th anniversary of the Clean Water Act, and it was an important observation here on the floor as we dealt with the impact that that new law had, the heightened awareness and the progress that resulted. Back in 1972 when the law was enacted, only one-third of our waterways met water quality standards. Two-thirds did not. In the course of that 35 years, we have reversed that: Now there are only one-third that don't meet the goal. But the fact is that there still is one-third that are not in compliance with our basic water quality standards.

When we look under the ground, the situation is even worse. There are over 72,000 miles of sewer pipe and water main that are over 80 years old. It is one of the reason large sink holes open up and swallow trucks in American streets, why the American Society of Civil Engineers has given our water infrastructure a D-minus grade.

All of this is compounded by the stress from global warming, as we see not just the ice caps shrink but the snow pack being reduced, we watch evaporation being accelerated as a result of the elevated temperatures, and we see that thirsty crops need more water because of the global warming. Agriculture of course is 90 percent of our water commitment.

Now, there is going to be more friction, more problems over time with Water and Agriculture. We have some of our programs that have been enacted that are just plain silly. We continue to grow heavily subsidized cotton with subsidized water in the desert, something that long since should have been phased out. The New York Times Magazine this weekend featured the Southwest United States water problems, especially centered on the Colorado River and the demands that are rising there. But this tremendous problem is not limited to the southwest. On the front page of this morning's paper we see the Georgia delegation in Congress is suggesting that they deal with their severe drought and water supply problems by ignoring the environmental regulations of the Endangered Species Act, upsetting not just environmentalists but their friends downstream. It is a problem we are familiar with in the Pacific Northwest, where we have a severely water stressed Klamath River Basin, where the Federal Government as in most all instances has been part of the problem as we promise more water to more diverse users than nature can deliver.

It is time for us to revisit, not just the celebration of the 35th anniversary of the Clean Water Act, but revisit our commitment that is embodied in that Act and where we are going over the next 35 years.

It is important that we deal with very real problems of environmental quality requirements to save fish and wildlife and protect eco systems and, indeed, human life. We are watching the problems of diminishing supplies as we mine fossilized water in ancient underground aquifers. Global warming of course is going to make all of these problems more complex, more severe, and harder to solve.

Every Member of Congress needs to do more than just celebrate the 35th anniversary of the Clean Water Act. I would hope that, in the months ahead, every one of us does an assessment at home to find out how bad the situation is with our local water supply, storm water, sewage, and drainage. Are we one of the over 1,000 communities with combined sewer overflow problems? How is it going to be paid for? What is the planning that needs to take place? Every one of us should be insisting that we shift to basinwide framework for analyzing and solving water problems, not just looking at isolated instances.

It is time for us to be serious about a funding solution. In 1978, the Federal Government provided 78 percent of the funding for our water quality problems. Today, that is just 3 percent. Even that 3 percent is as uncertain, as it is inadequate. It is time to establish a water trust fund, like the Highway Trust Fund, to help be a partner with State and local communities in meeting water quality needs. Finally, we need to begin addressing the ultimate question of who is going to get the water

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and why, beyond just some historic accident and water rights policy no longer adequate for today's challenges.

I strongly urge my friends in Congress to reflect on the 35th anniversary of the Clean Water Act by getting serious today with our constituents at home about what we are going to do for the next 35 years of clean water.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 6 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 10 a.m.

PRAYER

The Reverend Bobby L. Johnson, First Assembly of God, Van Buren, Arkansas, offered the following prayer:

Almighty God, today we come humbly and thankfully to You. Humbly, for allowing each of us to be in our positions and thankfully, for Your guidance at this time.

None of us knows what this day holds, but we trust You to see us through every decision we make. Help us to realize that it is by Your hand that we are free and well. Grant us wisdom to know the right thing to do in every decision. Give us the strength to follow through with what is right regardless of the consequences.

Within the hands of these public servants rests the destiny of this great Nation. Help this great body to bring peace to our Nation and the world. Give them the wisdom of Solomon, the strength of Samson, the faith of Abraham, and the ability of David to accomplish the challenges we face. In Jesus' name, Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BOOZMAN led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND BOBBY L. JOHNSON

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

Mr. BOOZMAN. Madam Speaker, it is my pleasure to introduce a good friend, a man who ministers to the men and women of western Arkansas, a man of God, our guest chaplain, the Reverend Bobby L. Johnson of Van Buren, Arkansas. He has been pastor of First Assembly of God in Van Buren since June of 1980. Since then, the church has grown from over 200 at Sunday School to over 2,000, placing it among the fastest growing Sunday Schools in Arkansas and the Nation.

His mission is bringing the Word to the people through his extensive outreach, from mobile ministry to television and over the Internet. A graduate of both the University of Central Arkansas and Evangel College in Missouri, Pastor Johnson has taught public high school and pastored three other churches in Arkansas.

It is my honor to welcome Pastor Johnson to the House of Representatives and thank him for his service to his calling and to the people of Arkansas.

SCHIP

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

Mr. KAGEN. Madam Speaker, our Nation's values are reflected in how we spend taxpayers' hard-earned money. Yesterday, rather than encouraging us to invest in the good health of our children here at home, the President asked for permission to spend $200 billion in Iraq. Well, it is okay to ask and it is okay to respond by saying, ''No, thank you.'' The health of our Nation's children is more valuable than making more of a mess in Iraq.

My friends, enough is enough. It is time to spend our tax dollars right here at home. Last week, 44 Republicans joined the Democratic majority in attempting to override the President's veto of the State Children's Health Insurance Program, known as SCHIP. This issue is not going away. We will prevail. It is a matter of how long it will take.

Here are some facts to keep in mind: SCHIP saves tax dollars by sending children in need to the doctor's office, not to the costly emergency room. And over 90 percent of those in SCHIP earn less than $41,000 a year. There is a better way of doing things in America. By working together, we will find it and guarantee access to health care for all those in need.

RUSH LIMBAUGH LETTER RAISES MILLIONS

(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. Madam Speaker, last week, America's number one radio personality, Rush Limbaugh, auctioned off for charity a letter shamefully signed by a group of 41 Democratic Senators. The letter to Limbaugh's employer attacked Rush for comments blatantly distorted by Media Matters regarding persons who had lied about their service in the military.

I am happy to report that the Senate letter of infamy was auctioned for $2.1 million, an amount Rush says he will generously match. That brings the total to $4.2 million.

The money will be donated to the Marine Corps-Law Enforcement Foundation. This charitable organization provides financial assistance to the children of fallen marines and law enforcement officers. I wish to commend Rush for overcoming what was clearly a political ploy to chill his first amendment rights of free speech. Rush took an abusive power by Democratic leadership and turned it into something positive. Between Rush Limbaugh and Senate Democrats, America knows who really supports our troops.

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

DEMOCRATS TRYING TO EASE THE PAIN OF MIDDLE CLASS FAMILIES BY MAKING COLLEGE AFFORDABLE

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

Mr. CLEAVER. Madam Speaker, I am very pleased to have the opportunity to address the House. I am excited to be a Democrat. I always take pleasure in giving reasons for why I am a member of the Democratic Party.

Since taking control of Congress, Democrats have worked to pass legislation that will help families once again live the American Dream. Over the last 6 years, college costs have shot up 40 percent, putting higher education out of reach for most Americans. I have one son in college today, and I can tell you I am excited over the fact that we passed, and the President did, in fact, sign the College Cost Reduction Act of 2007. This law is the single largest increase in college aid since the GI Bill. It strengthens the middle class by cutting interest rates in half and subsidizes student loans over the next 5 years. We are also able, in this bill, to increase the maximum Pell Grant scholarships by $500.

Madam Speaker, I am pleased and I am excited to be a Democrat.

SCHIP

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

Mr. BOUSTANY. Madam Speaker, SCHIP continues to be used as a political game by Washington liberals. Sensible, effective compromise does exist to bring meaningful bipartisan support for this necessary program.

The Kids First bill, of which I am a cosponsor, adds 1.3 million new children to the SCHIP program by 2012. It encourages the States to move children to private coverage. Kids First provides $14 billion in new SCHIP allotments, and it includes $400 million in grants for outreach and enrollment. This is a sensible approach.

I support SCHIP, and I am committed to ensuring that it is a successful program that helps children who need it and the children for whom it was really intended, those who are in poverty. It makes SCHIP a program for those whom it was intended for.

I thank my colleagues, Representatives CAMP and HULSHOF, for their work on this bill. I ask my colleagues on the other side of the aisle to join us in this compromise approach to help put our poor children first.

RECOGNIZING THE U.S. ARMY'S 3RD ARROWHEAD BRIGADE–2ND INFANTRY DIVISION

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

Mr. SMITH of Washington. Madam Speaker, I rise today to pay tribute to a U.S. Army brigade from Fort Lewis, Washington, that has served with distinction in Iraq.

On October 11, the last of the roughly 3,800 men and women of the 3rd Brigade-2nd Infantry Division returned home to Fort Lewis after completing their second deployment to Iraq. The Arrowhead Brigade has been a trailblazer for the Army as the first brigade to be outfitted with the Stryker combat vehicles, the first Stryker Brigade to serve in Iraq, and now the first Stryker Brigade to complete two tours in Iraq.

During their recent deployment, the Arrowhead Brigade supported operations in Mosul, Baghdad, Baqubah, and other critical areas. On several occasions they were asked to secure downed U.S. aircraft and the sites of numerous suicide attacks. In addition, the Arrowhead Brigade constantly remained prepared to mobilize and deploy anywhere in Iraq for any number of contingencies within 24 hours.

In tribute to their brave service, seven members of the brigade were awarded the Silver Star, the United States' third highest award for combat valor. In the course of their deployment, the Arrowhead Brigade lost 48 of their comrades, with another 700 wounded.

I want to express my deep condolences to the 3–2 Brigade and the families of those fallen soldiers. Their contribution and sacrifice will not be forgotten. The men and women of the 3–2 Brigade have done everything their country has asked of them and more. We all should have the utmost respect and admiration for their service and sacrifice.

DOMESTIC VIOLENCE AWARENESS MONTH

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

Mr. SMITH of Nebraska. Madam Speaker, recently Congress passed House Resolution 590, supporting the goals of Domestic Violence Awareness Month while raising awareness of domestic violence throughout our country. I am here to voice my support for everyone impacted by this horrible nightmare. This is an issue which affects millions in urban and rural areas alike. It crosses economic lines, geographic lines and ethnic lines. No segment of our population is immune. One out of five women and one out of 14 men have been domestically assaulted at some point in their lives.

In my home State of Nebraska, there are more than 5,800 protection orders needed for those living in fear of violence. Domestic violence is an issue which too often is swept under the rug or ignored. So as part of the Domestic Violence Awareness Month, I am wearing a purple ribbon to raise awareness about the crime of domestic abuse as we work toward ending this violence.

SCHIP

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

Mr. ISRAEL. Madam Speaker, last week, despite the best efforts of the Democratic majority and about 44 Republicans, we were unable to override the President's veto of health insurance for the children of poor and working families. Now, I listened to the argument that we can't afford providing health care for our children, despite the fact that our SCHIP program was entirely paid for.

Look, Madam Speaker, I believe that a strong Nation can do both. You can be fiscally responsible and you can take care of your children. Good families manage to be fiscally responsible and take care of their children. It is just a matter of priorities. I will say, Madam Speaker, that I was struck by some of the mispriorities that I heard about. The same people who said that we can't afford health insurance for our children increased spending 7 percent a year since 2001 and voted to increase our debt limit 4 out of the past 5 years. The difference is that they spent on the wrong things. No spending? We can't afford health care for children but billions of dollars in tax cuts for the most profitable oil companies on Earth? We can't afford spending for health insurance for our children but billions of dollars in spending in no-bid contracts for Halliburton? We have increased the debt. We are putting it on our kids' shoulders, and now we are telling our kids we can't afford to help them with the x-rays.

FISA

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

Mr. PITTS. Madam Speaker, in the early hours of May 11, seven U.S. soldiers were on lookout near a patrol base in Iraq. Some time before dawn, heavily armed al Qaeda gunmen made coordinated surprise attacks on the soldiers. Four of the soldiers were killed and three others taken hostage. What happened next is a travesty and a failure of our public policy in support of the troops in the field. A search to rescue the men began immediately but was brought to a halt because of our FISA law, by the need for military lawyers to jump through legal hoops in order to gain approval to conduct surveillance of terrorist communications. Ten hours passed before they were granted such permission. The search for a kidnapped U.S. soldier was halted so that lawyers could find grounds to have the Attorney General grant special permission to listen in on the communications between the individuals in Iraq. Our FISA law, as the President has requested, needs reform, not the flawed bill the Democrats are seeking to pass.

□ 1015

SPENDING FOR CHIP VERSUS SPENDING IN IRAQ—IT'S ALL A QUESTION OF PRIORITIES

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

Mr. HODES. Madam Speaker, last week the rubber stamp Republicans in this House once again held true to their name by voting to stand with the President and reject health care coverage for 10 million American children. The spending priorities of the President's Republican allies in the House are simply out of line with the priorities of the American people. In fact, the 86 percent of Americans who support this bipartisan CHIP reauthorization might be interested to know that for the cost of just 37 days in Iraq, we could provide health care coverage to 10 million children. Yet the President's irresponsible, open-ended commitment to the occupation in Iraq continues, while the number of American children without access to health care keeps climbing.

Madam Speaker, yesterday the President asked Congress to borrow another $196 billion to continue his failed blank-check, no-plan policy in Iraq. But he and his Republican friends in

this body apparently feel that spending $35 billion on a highly successful program that provides health care to uninsured children is excessive.

It's time for Republicans to stop blindly following the President and start helping American families.

THE TAXPAYER CHOICE ACT

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

Mrs. BACHMANN. Madam Speaker, I want to bring before the body this morning an issue that needs more attention, not less, and that is the issue of the huge blob that ate the American Dream called the alternative minimum tax. One thing that we are seeing is that the alternative minimum tax, Madam Speaker, is set to rise at a level so unprecedented that the American economy has not experienced anything like this in the last 40 years.

Right now, the tax burden for the average American and to the economy is about 18.5 percent of GDP. If we don't scale back on the alternative minimum tax, we are looking at the tax burden of GDP being almost 24 percent by mid-century. We have never seen this level of taxation in our GDP. This means this money will come out of the pockets of the American taxpayer and will go into the coffers of the Federal Government.

This is a big concern, Madam Speaker, one that I am very concerned about, as I know most of the Members in this Chamber are as well.

In 1969, when the alternative minimum tax came in, it was 155 people. I will close with the fact that this year we are looking at 23 million Americans impacted.

PRESIDENT BUSH ASKS FOR ANOTHER $196 BILLION TO FUND THE WAR IN IRAQ IN 2008

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

Ms. SHEA-PORTER. Madam Speaker, yesterday President Bush asked Congress to rubber-stamp his plan to spend $196 billion next year on the war in Iraq. I have to tell the President: not a nickel more for this war.

Since the beginning of this year, congressional Democrats have been trying to change a war policy from one where our troops will stay there for more than a decade, to one where we have a responsible redeployment and bring the troops home next year. The President believes it's acceptable to spend billions of dollars in Iraq, while important domestic priorities here in our own country go unmet.

While the President was crafting his $196 billion war supplemental, the Democratic House approved appropriations bills that included targeted investments in our priorities here at home: education, health care for veterans, more police on the streets, caring for American families.

Madam Speaker, as Congress begins to examine the President's latest war-funding bill, we will once again demand that the President change course in Iraq and get a responsible plan to bring our troops home within the year.

SUPPORT FOR BELARUS

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to acknowledge the pro-democracy rally that took place in Belarus on October 7. During this event, thousands of protesters flooded the streets of the capital city in support of democracy and to demand free and fair elections. The protesters shouted ''Belarus and Europe,'' and they waved European Union flags to express outrage against Alexander Lukashenko. That is the person the State Department has labeled ''the last dictator of Europe.''

It is time for this dictator, who cheated his way into office by stealing the elections last year, to step aside, step down, and let the people decide who should lead their country through legitimate and clean elections. The world must not tolerate evil dictators, and this one must step aside to allow Belarus to join the modern world rather than suffer under the oppressive and selfish rule of one man.

I applaud, Madam Speaker, the courage of the protesters who took to the streets in Belarus, and I stand with them in their quest for freedom, democracy, and the rule of law.

REAUTHORIZE SCHIP

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

Mr. CARNAHAN. Madam Speaker, President Bush and about 10 House Republicans are all that stand between 10 million children and the health care they need and deserve. I am deeply disappointed in the President's dumbfounding veto of the SCHIP bill. He reneged on his pledge he made when running for re-election in 2004.

The bill to reauthorize SCHIP continues coverage for 6 million kids currently covered and provides incentives for another 4 million kids who have been falling through the cracks of the health care system. The program continues to focus on low- and moderate-income families who earn too much for the Medicaid program, but can't afford private health care.

Madam Speaker, the big momentum behind this historic bill is growing exponentially and will not be stopped. To those blocking the SCHIP reauthorization from becoming law, I say either get on board, get out of the way, or get run over. The children's health care bill is on its way, either with or without you.

SCHIP supporters are even more determined than ever to get this done by the mid-November deadline. Let's all finish this job. For children's health care in America, it's fourth and goal on the 1-yard line. Working together, we can overpower anyone left blocking the way.

THE MEANING OF THE RESTORE ACT

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, as we listen to the comments of our colleagues on the other side of the aisle, it is obvious that what they intend to do is to make this ''SCHIP Week'' and ''SCHIP Month.'' You kind of wonder why they are doing this.

Reflect back on last week when we had a most important vote scheduled for this floor that somehow was removed. It was called the FISA vote. It is the question of how we enable ourselves to protect us and our children and our grandchildren against the attacks of those who are terrorists around the world. We do it in many ways, but absolutely essential is intelligence.

Madam Speaker, the FISA bill, the Foreign Intelligence Surveillance Act, would have been destroyed by the bill placed on the floor last week by the majority, the so-called RESTORE Act. It actually gave greater protection to Osama bin Laden in a telephone conversation than an American citizen in the United States accused of a crime.

RESTORE: What does it mean? Repeal Effective Surveillance Techniques Opposing Real Enemies. Go out to NSA and see what they are doing. Understand what we need to do in this country and then bring a bill back to this floor that restores the ability of the United States to find out about our enemies before they attack.

TRIBUTE TO KENNETH T. WHALUM, SR.

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

Mr. COHEN. Madam Speaker, the City of Memphis, Tennessee, has lost one of its finest citizens, Kenneth Whalum, Sr.

Kenneth Whalum, Sr., passed away last night. He was a pastor, he was a two-time city councilman, he was a father, he was a family man, he was a leader in our community.

For 30 years, he was the pastor of the Olivet Baptist Church and very highly respected in the community and among the clergy. For 8 years, he was a city councilman, one time as a district councilman in a community known as Orange Mound. Then when he saw a higher calling and the need to address a higher subject, he ran against an incumbent city councilman, at the time

unheard of, and was elected at large, one of the first African Americans elected at large to the Memphis City Council.

He was also a postal service employee and had a career there and rose through the ranks to director of personnel. For that reason, this House, and this week with the President's action, the post office at Third Street in Memphis, Tennessee, will be named the Kenneth T. Whalum, Sr., Postal Building. That is a tribute to his work and all postal employees.

He had a family of which the City of Memphis is proud. His son Kenneth, Jr., is a pastor and a member of the school board. His son Kirk Whalum is a world-renowned saxophonist, and his other son Kevin is a musician with a contract and a poet.

There have been many great families in the City of Memphis to get involved in politics, but none greater than the Whalums. The hair of the hypocrite never was upon this family, and the idea of discrimination and bigotry or intolerance never disgraced them either. He was a leader in biracial politics and activities in the City of Memphis. He was a leader in being bipartisan as well.

There have been few people like Kenneth Whalum, Sr., in the City of Memphis. There will be few to come. I share his loss greatly. He was a supporter of mine who, although he had a stroke and had difficulty walking, came down and did a political ad for me when he could hardly get up the stairs, and on television it was like an angel speaking. When JOHN CONYERS came to Memphis in February, he made it up a whole flight of stairs to see JOHN CONYERS, and a happier man I have not seen. He knew the post office was being named for him before he passed. I am happy he knew that and I am happy I knew him. We have lost a great leader.

NEW DIALOGUE NEEDED TO BRING TROOPS HOME

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

Mr. BRALEY of Iowa. Madam Speaker, it is clear that President Bush has no intention of changing the course in Iraq in any way before he leaves office in January 2009. In fact, both the President and the Pentagon have recently said that they expect American combat troops to be in Iraq for another 10 years; and just yesterday the President requested an additional $196 billion to fund the war in Iraq for the upcoming year.

The Democratic Congress rejects the notion that our troops are needed in Iraq for the next decade. If the Iraqi Government knows that we are going to be there for 10 years, they have absolutely no reason to make any of the tough political compromises that they promised they would make when the troop escalation began earlier this year. Instead, we support a responsible redeployment out of Iraq so that the Iraqis can finally take control of their own fate and so that we are no longer sending more than $2 billion there every week.

Madam Speaker, House Democrats are committed to bringing our troops home, but we can't do it alone. I hope this outrageous funding request serves as a wake-up call to my Republican friends and starts a new dialogue to bring our troops home.

DISCLOSE SALARIES OF CERTAIN GOVERNMENT CONTRACTORS

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

Mr. MURPHY of Connecticut. Madam Speaker, when will it end with Blackwater? Probably not soon enough. Just yesterday, the Committee on Oversight and Government Reform released findings that show that Blackwater has potentially misclassified hundreds of workers in Iraq and Afghanistan, evading taxes and costing the taxpayers in the United States at least $30 million. This comes a few weeks after the same committee discovered that Blackwater is raking in potentially $100 million in profit off of their government contracts. We have got to get this situation under control.

That is why I, along with Mr. WELCH and Chairman WAXMAN, have introduced legislation to require that private government contractors receiving more than 80 percent of their revenue from Federal contracts, like Blackwater, must disclose the salaries of their most highly compensated employees.

It just isn't right for executives at Blackwater or anywhere else to make their fortune off of war profiteering. It is our money, and we deserve to know how it is being used.

I urge my colleagues to join me in supporting this commonsense legislation.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Madam Speaker, I offer a privileged resolution (H. Res. 767) and ask for its immediate consideration.

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

The Clerk read as follows:

H. RES. 767

Whereas, United States soldiers and personnel in Iraq are fighting to protect innocent Americans from being attacked by al-Qaeda and radical jihadists who are determined to kill the American people.

Whereas, on October 18, 2007, in debate on H.R. 976, Children's Health Insurance Program Reauthorization Act, the Member from California, Mr. Stark, stated: ''You don't have money to fund the war or children. But you're going to spend it to blow up innocent people if we can get enough kids to grow old enough for you to send to Iraq to get their heads blown off for the President' amusement.''

Whereas, on October 18, 2007, in a press release, Rep. Pete Stark is quoted as saying: ''I respect neither the Commander-in-Chief who keep them in harms way nor the chickenhawks in Congress.''

Whereas, the Member from California, Mr. Stark, engaged in personally abusive language toward the President and Members of the House, including the use of language that impugns their motives.

Whereas, the Member from California, Mr. Stark dishonors not only the Commander-in-Chief, but the thousands of courageous men and women of America's armed forces who believe in their mission and are putting their lives on the line for our freedom and security.

Whereas, the Member from California, Mr. Stark, has failed to retract his statement and apologize to the Members of the House, our Commander-in-Chief, and the families of our soldiers and commanders fighting terror overseas.

Resolved, That the Member from California, Mr. Stark, by his despicable conduct, has dishonored himself and brought discredit to the House and merits the censure of the House for the same.

Resolved, The Member from California, Mr. Stark, is hereby so censured.

□ 1030

The SPEAKER pro tempore (Mrs. TAUSCHER). The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. THOMPSON OF MISSISSIPPI

Mr. THOMPSON of Mississippi. Madam Speaker, I move to lay the resolution on the table.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 196, nays 173, answered ''present'' 8, not voting 55, as follows:

[Roll No. 986]

YEAS—196

Abercrombie	Conyers	Hall (NY)
Ackerman	Cooper	Hare
Allen	Costa	Harman
Andrews	Costello	Hastings (FL)
Arcuri	Courtney	Herseth Sandlin
Baca	Cramer	Higgins
Baird	Crowley	Hinchey
Baldwin	Cuellar	Hirono
Barrow	Davis (AL)	Hodes
Bean	Davis (CA)	Holt
Becerra	Davis (IL)	Honda
Berkley	DeFazio	Hooley
Berman	DeGette	Hoyer
Berry	Delahunt	Inslee
Bishop (GA)	DeLauro	Israel
Bishop (NY)	Dicks	Jackson (IL)
Blumenauer	Dingell	Jackson-Lee (TX)
Boswell	Doggett	Jefferson
Boucher	Doyle	Johnson (GA)
Boyd (FL)	Ellison	Jones (OH)
Brady (PA)	Emanuel	Kagen
Braley (IA)	Eshoo	Kanjorski
Brown, Corrine	Etheridge	Kaptur
Capps	Farr	Kennedy
Capuano	Filner	Kildee
Cardoza	Frank (MA)	Kilpatrick
Carnahan	Giffords	Klein (FL)
Castor	Gillibrand	Kucinich
Chandler	Gonzalez	Lampson
Clarke	Gordon	Langevin
Clay	Green, Al	Lantos
Clyburn	Grijalva	Larsen (WA)
Cohen	Gutierrez	

Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Yarmuth

NAYS—173

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

ANSWERED ''PRESENT''—8

Boren
Cleaver
Davis, Lincoln
Hill
Loebsack
Mahoney (FL)
Melancon
Moore (KS)

NOT VOTING—55

Akin
Bishop (UT)
Bonner
Boyda (KS)
Brady (TX)
Butterfield
Carson
Crenshaw
Cubin
Culberson
Cummings
Edwards
Engel
Everett
Fattah
Feeney
Fossella
Green, Gene
Hastert
Hinojosa
Hoekstra
Holden
Hunter
Jindal
Johnson (IL)
Johnson, E. B.
Kind
King (NY)
LaHood
McHenry
McKeon
Mollohan
Moore (WI)
Moran (VA)
Murtha
Pastor
Paul
Pickering
Platts
Poe
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rothman
Simpson
Snyder
Souder
Waxman
Weldon (FL)
Westmoreland
Whitfield
Wilson (OH)
Wynn
Young (FL)

□ 1101

Mr. LEWIS of California and Mr. TIAHRT changed their vote from ''yea'' to ''nay.''

Messrs. HOLT, SMITH of Washington, and DOGGETT changed their vote from ''nay'' to ''yea.''

Mr. DONNELLY changed his vote from ''present'' to ''nay.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PASTOR. Madam Speaker, on rollcall No. 986, I was at a meeting away from my office and unable to return on time. Had I been present, I would have voted "yea."

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall No. 986, had I been present, I would have voted "yea."

Mr. KIND. Madam Speaker, I was detained in my district and was unable to have my vote recorded on the House floor on Tuesday, October 23, 2007 for H. Res. 767 (Roll No. 986). Had I been present, I would have voted "yea."

Mr. POE. Madam Speaker, on rollcall No. 986, had I been present, I would have voted "nay."

Mr. FOSSELLA. Madam Speaker, on rollcall No. 986, had I been present, I would have voted "nay."

Mrs. BOYDA of Kansas. Madam Speaker, had I been present for rollcall vote 986, I would have voted "nay."

QUESTION OF PERSONAL PRIVILEGE

Mr. STARK. Madam Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore (Ms. DEGETTE). The gentleman has apprised the Chair of media accounts that give rise to a question of personal privilege under rule IX.

The gentleman from California is recognized for 1 hour.

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

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

Mr. STARK. I thank the Speaker.

In a very serious note, and I won't take the hour, I want to apologize to, first of all, my colleagues, many of whom I have offended, to the President, to his family, to the troops that may have found in my remarks, as were suggested in the motion that we just voted on, and I do apologize.

For this reason, I think that we have a serious issue before us, the issue of providing medical care to children, the issue of what we do about a war that we are divided about how to end.

I hope that with this apology, I will become as insignificant as I should be and that we can return to the issues that do divide us, but that we can resolve in a better fashion.

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

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 later today.

VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM PREVENTION ACT OF 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1955) to prevent homegrown terrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1955

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 ''Violent Radicalization and Homegrown Terrorism Prevention Act of 2007''.

SEC. 2. PREVENTION OF VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM.

(a) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by adding at the end the following new subtitle:

"Subtitle J—Prevention of Violent Radicalization and Homegrown Terrorism

"SEC. 899A. DEFINITIONS.

''For purposes of this subtitle:

''(1) COMMISSION.—The term 'Commission' means the National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism established under section 899C.

''(2) VIOLENT RADICALIZATION.—The term 'violent radicalization' means the process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically based violence to advance political, religious, or social change.

''(3) HOMEGROWN TERRORISM.—The term 'homegrown terrorism' means the use, planned use, or threatened use, of force or violence by a group or individual born, raised, or based and operating primarily within the United States or any possession of the

United States to intimidate or coerce the United States government, the civilian population of the United States, or any segment thereof, in furtherance of political or social objectives.

''(4) IDEOLOGICALLY BASED VIOLENCE.—The term 'ideologically based violence' means the use, planned use, or threatened use of force or violence by a group or individual to promote the group or individual's political, religious, or social beliefs.

"SEC. 899B. FINDINGS.

''The Congress finds the following:

''(1) The development and implementation of methods and processes that can be utilized to prevent violent radicalization, homegrown terrorism, and ideologically based violence in the United States is critical to combating domestic terrorism.

''(2) The promotion of violent radicalization, homegrown terrorism, and ideologically based violence exists in the United States and poses a threat to homeland security.

''(3) The Internet has aided in facilitating violent radicalization, ideologically based violence, and the homegrown terrorism process in the United States by providing access to broad and constant streams of terrorist-related propaganda to United States citizens.

''(4) While the United States must continue its vigilant efforts to combat international terrorism, it must also strengthen efforts to combat the threat posed by homegrown terrorists based and operating within the United States.

''(5) Understanding the motivational factors that lead to violent radicalization, homegrown terrorism, and ideologically based violence is a vital step toward eradicating these threats in the United States.

''(6) Preventing the potential rise of self radicalized, unaffiliated terrorists domestically cannot be easily accomplished solely through traditional Federal intelligence or law enforcement efforts, and can benefit from the incorporation of State and local efforts.

''(7) Individuals prone to violent radicalization, homegrown terrorism, and ideologically based violence span all races, ethnicities, and religious beliefs, and individuals should not be targeted based solely on race, ethnicity, or religion.

''(8) Any measure taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence and homegrown terrorism in the United States should not violate the constitutional rights, civil rights, or civil liberties of United States citizens or lawful permanent residents.

''(9) Certain governments, including the United Kingdom, Canada, and Australia have significant experience with homegrown terrorism and the United States can benefit from lessons learned by those nations.

"SEC. 899C. NATIONAL COMMISSION ON THE PREVENTION OF VIOLENT RADICALIZATION AND IDEOLOGICALLY BASED VIOLENCE.

''(a) ESTABLISHMENT.—There is established within the legislative branch of the Government the National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism.

''(b) PURPOSE.—The purposes of the Commission are the following:

''(1) Examine and report upon the facts and causes of violent radicalization, homegrown terrorism, and ideologically based violence in the United States, including United States connections to non-United States persons and networks, violent radicalization, homegrown terrorism, and ideologically based violence in prison, individual or 'lone wolf' violent radicalization, homegrown terrorism, and ideologically based violence, and other faces of the phenomena of violent radicalization, homegrown terrorism, and ideologically based violence that the Commission considers important.

''(2) Build upon and bring together the work of other entities and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

''(A) the Center of Excellence established or designated under section 899D, and other academic work, as appropriate;

''(B) Federal, State, local, or tribal studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence; and

''(C) foreign government studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence.

''(c) COMPOSITION OF COMMISSION.—The Commission shall be composed of 10 members appointed for the life of the Commission, of whom—

''(1) one member shall be appointed by the President from among officers or employees of the executive branch and private citizens of the United States;

''(2) one member shall be appointed by the Secretary;

''(3) one member shall be appointed by the majority leader of the Senate;

''(4) one member shall be appointed by the minority leader of the Senate;

''(5) one member shall be appointed by the Speaker of the House of Representatives;

''(6) one member shall be appointed by the minority leader of the House of Representatives;

''(7) one member shall be appointed by the Chairman of the Committee on Homeland Security of the House of Representatives;

''(8) one member shall be appointed by the ranking minority member of the Committee on Homeland Security of the House of Representatives;

''(9) one member shall be appointed by the Chairman of the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(10) one member shall be appointed by the ranking minority member of the Committee on Homeland Security and Governmental Affairs of the Senate.

''(d) CHAIR AND VICE CHAIR.—The Commission shall elect a Chair and a Vice Chair from among its members.

''(e) QUALIFICATIONS.—Individuals shall be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, experience, and expertise in relevant fields, including, but not limited to, behavioral science, constitutional law, corrections, counterterrorism, cultural anthropology, education, information technology, intelligence, juvenile justice, local law enforcement, organized crime, Islam and other world religions, sociology, or terrorism.

''(f) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed no later than 60 days after the date of enactment of this subtitle.

''(g) QUORUM AND MEETINGS.—The Commission shall meet and begin the operations of the Commission not later than 30 days after the date on which all members have been appointed or, if such meeting cannot be mutually agreed upon, on a date designated by the Speaker of the House of Representatives. Each subsequent meeting shall occur upon the call of the Chair or a majority of its members. A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold meetings.

''(h) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

''(i) POWERS OF COMMISSION.—The powers of the Commission shall be as follows:

''(1) IN GENERAL.—

''(A) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers advisable to carry out its duties.

''(B) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

''(2) INFORMATION FROM FEDERAL AGENCIES.—

''(A) IN GENERAL.—The Commission may request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. The head of each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent practicable and authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chair of the Commission, by the chair of any subcommittee created by a majority of the Commission, or by any member designated by a majority of the Commission.

''(B) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—The Committee and its staff shall receive, handle, store, and disseminate information in a manner consistent with the operative statutes, regulations, and Executive orders that govern the handling, storage, and dissemination of such information at the department, bureau, agency, board, commission, office, independent establishment, or instrumentality that responds to the request.

''(j) ASSISTANCE FROM FEDERAL AGENCIES.—

''(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

''(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance required under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, and staff as they may determine advisable and as may be authorized by law.

''(k) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

''(l) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

''(m) PUBLIC MEETINGS.—

''(1) IN GENERAL.—The Commission shall hold public hearings and meetings to the extent appropriate.

''(2) PROTECTION OF INFORMATION.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order including subsection (i)(2)(B).

''(n) STAFF OF COMMISSION.—

''(1) APPOINTMENT AND COMPENSATION.—The Chair of the Commission, in consultation with the Vice Chair and in accordance with

rules adopted by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the maximum rate of pay for GS–15 under the General Schedule.

''(2) STAFF EXPERTISE.—Individuals shall be selected for appointment as staff of the Commission on the basis of their expertise in one or more of the fields referred to in subsection (e).

''(3) PERSONNEL AS FEDERAL EMPLOYEES.—

''(A) IN GENERAL.—The executive director and any employees of the Commission shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

''(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

''(4) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and during such detail shall retain the rights, status, and privileges of his or her regular employment without interruption.

''(5) CONSULTANT SERVICES.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(6) EMPHASIS ON SECURITY CLEARANCES.—The Commission shall make it a priority to hire as employees and retain as contractors and detailees individuals otherwise authorized by this section who have active security clearances.

''(o) COMMISSION PERSONNEL MATTERS.—

''(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an employee of the government shall be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

''(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

''(3) TRAVEL ON ARMED FORCES CONVEYANCES.—Members and personnel of the Commission may travel on aircraft, vehicles, or other conveyances of the Armed Forces of the United States when such travel is necessary in the performance of a duty of the Commission, unless the cost of commercial transportation is less expensive.

''(4) TREATMENT OF SERVICE FOR PURPOSES OF RETIREMENT BENEFITS.—A member of the Commission who is an annuitant otherwise covered by section 8344 or 8468 of title 5, United States Code, by reason of membership on the Commission shall not be subject to the provisions of such section with respect to membership on the Commission.

''(5) VACANCIES.—A vacancy on the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made. The appointment of the replacement member shall be made not later than 60 days after the date on which the vacancy occurs.

''(p) SECURITY CLEARANCES.—The heads of appropriate departments and agencies of the executive branch shall cooperate with the Commission to expeditiously provide Commission members and staff with appropriate security clearances to the extent possible under applicable procedures and requirements.

''(q) REPORTS.—

''(1) FINAL REPORT.—Not later than 18 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a final report of its findings and conclusions, legislative recommendations for immediate and long-term countermeasures to violent radicalization, homegrown terrorism, and ideologically based violence, and measures that can be taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence from developing and spreading within the United States, and any final recommendations for any additional grant programs to support these purposes. The report may also be accompanied by a classified annex.

''(2) INTERIM REPORTS.—The Commission shall submit to the President and Congress—

''(A) by not later than 6 months after the date on which the Commission first meets, a first interim report on—

''(i) its findings and conclusions and legislative recommendations for the purposes described in paragraph (1); and

''(ii) its recommendations on the feasibility of a grant program established and administered by the Secretary for the purpose of preventing, disrupting, and mitigating the effects of violent radicalization, homegrown terrorism, and ideologically based violence and, if such a program is feasible, recommendations on how grant funds should be used and administered; and

''(B) by not later than 6 months after the date on which the Commission submits the interim report under subparagraph (A), a second interim report on such matters.

''(3) INDIVIDUAL OR DISSENTING VIEWS.—Each member of the Commission may include in each report under this subsection the individual additional or dissenting views of the member.

''(4) PUBLIC AVAILABILITY.—The Commission shall release a public version of each report required under this subsection.

''(r) AVAILABILITY OF FUNDING.—Amounts made available to the Commission to carry out this section shall remain available until the earlier of the expenditure of the amounts or the termination of the Commission.

''(s) TERMINATION OF COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits its final report.

''SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM IN THE UNITED STATES.

''(a) ESTABLISHMENT.—The Secretary of Homeland Security shall establish or designate a university-based Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States (hereinafter referred to as 'Center') following the merit-review processes and procedures and other limitations that have been previously established for selecting and supporting University Programs Centers of Excellence. The Center shall assist Federal, State, local and tribal homeland security officials through training, education, and research in preventing violent radicalization and homegrown terrorism in the United States. In carrying out this section, the Secretary may choose to either create a new Center designed exclusively for the purpose stated herein or identify and expand an existing Department of Homeland Security Center of Excellence so that a working group is exclusively designated within the existing Center of Excellence to achieve the purpose set forth in subsection (b).

''(b) PURPOSE.—It shall be the purpose of the Center to study the social, criminal, political, psychological, and economic roots of violent radicalization and homegrown terrorism in the United States and methods that can be utilized by Federal, State, local, and tribal homeland security officials to mitigate violent radicalization and homegrown terrorism.

''(c) ACTIVITIES.—In carrying out this section, the Center shall—

''(1) contribute to the establishment of training, written materials, information, analytical assistance and professional resources to aid in combating violent radicalization and homegrown terrorism;

''(2) utilize theories, methods and data from the social and behavioral sciences to better understand the origins, dynamics, and social and psychological aspects of violent radicalization and homegrown terrorism;

''(3) conduct research on the motivational factors that lead to violent radicalization and homegrown terrorism; and

''(4) coordinate with other academic institutions studying the effects of violent radicalization and homegrown terrorism where appropriate.

''SEC. 899E. PREVENTING VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM THROUGH INTERNATIONAL COOPERATIVE EFFORTS.

''(a) INTERNATIONAL EFFORT.—The Secretary shall, in cooperation with the Department of State, the Attorney General, and other Federal Government entities, as appropriate, conduct a survey of methodologies implemented by foreign nations to prevent violent radicalization and homegrown terrorism in their respective nations.

''(b) IMPLEMENTATION.—To the extent that methodologies are permissible under the Constitution, the Secretary shall use the results of the survey as an aid in developing, in consultation with the Attorney General, a national policy in the United States on addressing radicalization and homegrown terrorism.

''(c) REPORTS TO CONGRESS.—The Secretary shall submit a report to Congress that provides—

''(1) a brief description of the foreign partners participating in the survey; and

''(2) a description of lessons learned from the results of the survey and recommendations implemented through this international outreach.

''SEC. 899F. PROTECTING CIVIL RIGHTS AND CIVIL LIBERTIES WHILE PREVENTING IDEOLOGICALLY BASED VIOLENCE AND HOMEGROWN TERRORISM.

''(a) IN GENERAL.—The Department of Homeland Security's efforts to prevent ideologically based violence and homegrown terrorism as described herein shall not violate the constitutional rights, civil rights, or civil liberties of United States citizens or lawful permanent residents.

''(b) COMMITMENT TO RACIAL NEUTRALITY.—The Secretary shall ensure that the activities and operations of the entities created by this subtitle are in compliance with the Department of Homeland Security's commitment to racial neutrality.

''(c) AUDITING MECHANISM.—The Civil Rights and Civil Liberties Officer of the Department of Homeland Security shall develop and implement an auditing mechanism

to ensure that compliance with this subtitle does not violate the constitutional rights, civil rights, or civil liberties of any racial, ethnic, or religious group, and shall include the results of audits under such mechanism in its annual report to Congress required under section 705.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting at the end of the items relating to title VIII the following:

''Subtitle J—Prevention of Violent Radicalization and Homegrown Terrorism

''Sec. 899A. Definitions.
''Sec. 899B. Findings.
''Sec. 899C. National Commission on the Prevention of Violent Radicalization and Ideologically Based Violence.
''Sec. 899D. Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States.
''Sec. 899E. Preventing violent radicalization and homegrown terrorism through international cooperative efforts.
''Sec. 899F. Protecting civil rights and civil liberties while preventing ideologically based violence and homegrown terrorism.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Washington (Mr. REICHERT) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this bill and include therein any extraneous material.

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

There was no objection.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 1955, the Violent Radicalization of Homegrown Terrorism Prevention Act of 2007.

In May, six men were arrested for allegedly plotting to attack Fort Dix. Three of those men were United States citizens; the other three had been in the United States since they were small children. Then, again, in June, another four men were charged with plotting to attack JFK Airport by blowing up jet fuel tanks. The alleged mastermind of this plot was a United States citizen.

Today, one of the most frequently visited English language Web sites that preaches hate, violence and radicalized views of Islam is operated by a 21-year-old U.S. citizen from the comfort of his parents' home in North Carolina. Some may say these incidents are isolated cases, but I believe that they are indicative of a growing trend of homegrown terrorism in this country.

Homegrown terrorists no longer need to travel to Afghanistan or Pakistan to get support and training. They can simply go on the Internet to find violent propaganda and others who share their violent ideology. H.R. 1955 provides us with a strategy for how to address this very challenging Homeland Security issue. I commend Chairwoman HARMAN for authoring this important legislation and for championing this case.

The centerpiece of this bill is the creation of a national commission. It is a step in the right direction. National commissions have a long and successful history in this country. The Gilmore Commission, of which our chairwoman was a member, which functioned from 1993 to 1998, made 164 recommendations regarding the domestic response to terrorism. Of those 164 recommendations, all have been adopted in whole or in part by the Congress and the Federal Government.

Another commission, the National Commission on Terrorism, which operated in the early 1990s, was on the cutting edge of the terrorism debate. That commission provided the Nation with the blueprint of how to address the threat of terrorism long before the September 11 attacks.

The more recent 9/11 Commission set the tenor of our administrative and legislative response to the September 11 attack. That commission's recommendations were the bedrock of legislation I offered that was enacted into law this summer.

The commission established in H.R. 1955 will help build on the work of past commissions and help our Nation come up with strategies for new threats. The bill also requires our government to reach out to other nations that have experienced home grown terrorism. Learning from other nations about what works and what doesn't will better position us to prevent the spread of violent ideology in our country.

The bill also creates a center of excellence to conduct research that is desperately needed in determining the root cause of violent radicalization.

At the same time, H.R. 1955 also protects simple rights and liberties of U.S. citizens. The bill is mindful of Americans' right to free speech, freedom of association and freedom to worship. H.R. 1955 makes certain that individuals exercising these rights within lawful parameters are not singled out.

I urge my colleagues to support this important Homeland Security bill and ask them to vote in favor of passage of this important legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in strong support of H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007.

As the ranking member on the Homeland Security Subcommittee on Intelligence, I would like to commend, first of all and especially, Chairwoman JANE HARMAN, who has, as the chairman says, Mr. THOMPSON, really done a lot of work in this area and has been at the forefront of our intelligence community in working to protect our Nation.

I also want to thank the full committee chairman, Mr. THOMPSON of Mississippi, for all his hard work, and our ranking member, Mr. KING of New York, who could not be here today.

This truly has been a bipartisan effort. It's one of those issues that all of us in this body recognize as so critical to the protection of our citizens and our country. This legislation is focused on addressing the issue of radicalization and homegrown terrorism. While terrorist recruitment and radicalization is a worldwide problem that must be combated globally, the United States cannot afford to simply focus on eliminating terrorists abroad. It is essential that we fully understand the future and the nature of the threat here in the United States from homegrown radicals.

In the National Intelligence Estimate on the Terrorist Threat to the U.S. Homeland released in July of this year, the Director of National Intelligence and the National Intelligence Council assess, ''The spread of radical Internet sites, increasingly aggressive anti-U.S. rhetoric and actions, and the growing number of radical, self-generating cells in Western countries indicate that the radical and violent segment of the West's Muslim population is expanding, including in the United States. The arrest and prosecution by U.S. law enforcement of a small number of violent Islamic extremists inside the United States—who are becoming more connected ideologically, virtually, and/or in a physical sense to the global extremist movement—points to the possibility that others may become sufficiently radicalized that they will view the use of violence here as legitimate.''

Because of the freedoms of our society, and the interconnected world we live in, radical ideas spread easily. These ideas can come from overseas or from within the United States. They can come from within prisons inside of isolated religious or ethnic enclaves or on the Internet. These ideas reach people in the privacy of their homes, via the Internet, and can be similarly assessed by vulnerable individuals at schools, libraries and universities.

Unfortunately, our freedoms are being abused by individuals whose sole purpose is to destroy our way of life. While we have not seen radicalization to the extent witnessed in other Western countries like the United Kingdom, we have seen homegrown terrorist cells.

Prisoners in Sacramento state prison plotted to attack Jewish and U.S. military targets. Radicalized individuals plotted to destroy fuel tanks at JFK Airport in New York and aimed to create carnage at Fort Dix in New Jersey.

While clearly law enforcement and intelligence efforts are key to intercepting and interdicting these ideas and thoughts and efforts in our country, we need a strategy to ensure that

violent, radical ideologies are contained. Because of the nature of this threat, it is essential that we understand why individuals become radicalized and what we can do to prevent radical ideologies from taking hold and spreading here in the United States.

H.R. 1955 establishes a National Commission on the Prevention of Violent Radicalization and Ideologically Based Violence. The commission incorporates aspects of H.R. 1695, the PREVENT Act, which I introduced earlier this year. The purpose of this national commission would be to proactively get ahead of the radicalization problems so that as a Nation we can combat these radical ideologies before they become widespread within our borders.

In addition, H.R. 1955 includes provisions to help us learn from our international partners on how they are trying to prevent radicalization in their own countries. This issue is not new to many countries throughout the world such as the United Kingdom, and I believe it is critical for us to work with our international partners and learn from their past successes and failures.

□ 1115

Lastly, this legislation includes provisions that ensure privacy and civil rights are protected for all American citizens.

Again, I would like to commend Chairman HARMAN and Chairman THOMPSON for working with me and Mr. KING on this legislation. I urge all my colleagues to support this bill.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield as much time as she may consume to the gentlelady from California (Ms. HARMAN), the chairman of the subcommittee, as well as the author of this legislation under consideration today.

Ms. HARMAN. Madam Speaker, I thank my chairman for yielding to me, and I thank my ranking member, Mr. REICHERT, for his generous remarks.

Madam Speaker, on 9/11 we were attacked by foreigners who had come to this country legally. The next time and, sadly, I believe there will be a next time, my assumption is that many who attack us will already be here, and some will be U.S. citizens. Homegrown terror is a phenomenon many countries are scrambling to understand, including the British, as they are under major threat from it. Theirs is a peculiar kind with a large Pakistani population that is not well assimilated.

But America has a problem too, unique in nature, and we fail to understand it at our peril. Far from being immune to the danger of homegrown terror, think Timothy McVeigh or Theodore Kaczynski, the threat today is infinitely greater and more likely to be influenced by events in the Middle East or by the larger struggle against radical Islam.

What causes an individual or group to, first, coalesce around a set of radical principles or a charismatic leader, activities permitted by our Bill of Rights, but subsequently to embrace a violent agenda intended to inflict maximum pain and disruption on his neighbors, potential treason, is not well understood.

In recent testimony before our Intelligence Subcommittee, some common traits and characteristics emerged. Said RAND Corporation's Bruce Jenkins: ''It is the same age group that is susceptible to being recruited into gangs. These are young men who are going through identity crises, looking to define themselves. If you have a narrative that exalts violence, that attempts to project that violence as a personal obligation, that offers the tantalizing prospect of clandestinity, identity, all of those are appealing to that specific age group.''

Combine that personal adolescent upheaval with the explosion of information technologies and communications tools, tools which American kids are using to broadcast messages from al Qaeda, as Chairman THOMPSON just said, and there is a road map to terror, a retail outlet for anger and warped aspirations. Link that intent with a trained terrorist operative who has actual capability, and a ''Made in the USA'' suicide bomber is born.

Madam Speaker, H.R. 1955 was carefully constructed by DAVE REICHERT and me, as ranking member and chairman of the Homeland Security Intelligence Subcommittee. The bill passed out of subcommittee and full committee unanimously. This bill has strong bipartisan origins. As one who believes that this body's best work is done on a bipartisan basis, I think this bill is a testament. Though not a silver bullet, the legislation will help the Nation develop a better understanding of the forces that lead to homegrown terrorism and the steps we can take to stop it.

Madam Speaker, free speech, espousing even very radical beliefs, is protected by our Constitution. But violent behavior is not. Our plan must be to intervene before a person crosses that line separating radical views from violent behavior, to understand the forces at work on the individual and the community, to create an environment that discourages disillusionment and alienation, that instills in young people a sense of belonging and faith in the future.

The legislation before us today offers that opportunity. It is, I would suggest, the key to prevention. If we fail to prevent, the best we can do is manage consequences. Prevention is better. I urge an ''aye'' vote.

Mr. REICHERT. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN), the ranking member of the Transportation Security and Infrastructure Protection Subcommittee.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, according to the FBI testimony before our House Committee on Homeland Security: ''The European and American experience shows that prisons are venues where extremists have radicalized and recruited among the inmate population.''

Now, this is not just a theoretical concern. We all remember the case of Richard Reid, apprehended while attempting to detonate a bomb on a U.S.-bound commercial flight in December 2001. Well, that same Mr. Reid is believed to have been radicalized by an imam while incarcerated in Britain.

In 2005 we learned of the California prison-based case of the ''Assembly of Authentic Islam.'' These individuals were involved in almost a dozen armed gas station robberies in the Los Angeles area, with the goal of financing terrorist operations. They were indicted by a Federal grand jury for conspiracy to levy war against the U.S. Government through terrorism.

And in April of this year, in a hearing that we held out in Torrance, California, Sergeant Larry Mead of the Gang Intelligence Unit, Los Angeles County Sheriff's Department, testified that ''analysis shows that radicalization and recruitment in U.S. prisons is still an ongoing concern.''

Similarly, in a recent report, the NYPD noted that prisons are ''an excellent breeding ground for radicalization.''

The key to the success of stopping the spread of radicalization is identifying how radicalization begins and eliminating its breeding grounds. We know we have difficulties with this phenomenon in our prisons, but we don't know enough about it. We need to have collaboration between the Federal prison system authorities and the State prison system authorities and within the prison system authorities themselves. We need to bring together the best thinkers on this, the best people who have experience in dealing with this already at the ground level; and, in fact, this bill does that.

Radicalization is not that well understood, and through this bill we will take an in-depth look at how it occurs. The commission provided for in H.R. 1955 would give our government an in-depth, multidisciplinary look at radicalization. And why is that important? Because no one has the single answer on this.

Yes, we have the background of prisons as the general background to look at the radicalization in prisons, but how does it occur? Why does it occur? And why are we seeing a rise in this at this particular time when it is perhaps most dangerous to the American people?

Radical Islam and its advocates around the world are a threat to America, but we have to understand we might develop a threat within the United States, as evidenced already by certain actions that have occurred. And therefore I would suggest that we vote ''yes'' on H.R. 1955 so we can get the facts upon which we can plan for

prevention, not just taking care of the problem after it occurs.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. CARNEY), the chairman of our Management and Oversight Committee.

Mr. CARNEY. Madam Speaker, I would like to thank Chairman THOMPSON and certainly my good friend and colleague, Chairwoman HARMAN, for this legislation, and for our friends across the aisle. As a freshman, it's very instructive to watch what we can do in a bipartisan manner to protect this country. I do appreciate that. A lesson not lost on me, certainly.

This past May, six suspected terrorists were charged with conspiring to attack Fort Dix. Their goal was to bring about significant destruction and mass casualties to that critical military base. These six men lived less than an hour away from my home and trained right in the Pocono Mountains of northeast Pennsylvania.

In June of this year, four men were charged with plotting to attack civil aviation by blowing up jet fuel pipelines that serve JFK. In both cases the accused individuals planned, plotted, and attempted to perpetrate their crimes on American soil. More troubling is that, according to media reports, neither cell received any assistance or had any contact with al Qaeda or any other overseas terrorist group. These two recent events demonstrate the troubling presence of homegrown terrorism in the United States.

Members of such groups are indistinguishable from traditional terrorists in that they are radicalized and sympathize with the al Qaeda cause. However, that said, they undertake their terrorist plots without training or support from a central foreign terrorist group.

Given the civil rights and liberties protections that we enjoy as all Americans, the Federal Government must be creative in its approach to combating homegrown terrorism.

H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007, protects the civil rights and civil liberties of Americans and lawful permanent residents, while providing solutions for preventing future violent radicalization and homegrown terrorism.

The act creates a national commission to examine the cases of violent radicalization and homegrown terrorism. The commission will be tasked with proposing concrete recommendations and legislative strategies for mitigating these types of domestically nurtured threats.

The act also establishes Centers for Excellence for the Prevention of Radicalization that will study the social, criminal, political, psychological, and economic roots of the problem. Additionally, it will provide Homeland Security officials across the government with suggestions for preventing future radicalization and homegrown terrorism. It requires our Homeland Security officials to thoroughly examine the experiences of other nations that have experienced homegrown terrorism so that our government can learn from those experiences. I look forward to the passage of this vital piece of legislation and others that will make this Nation even more safe.

Mr. REICHERT. Madam Speaker, it is my privilege to yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. DENT), the ranking member of the Emergency Communications, Preparedness and Response Subcommittee of the Homeland Security full committee.

Mr. DENT. Madam Speaker, I have to add my two cents' worth, that the same folks who were training up in the Poconos near Congressman CARNEY's home were training about an hour from my home as well, and we all, I think, realize the nature of this homegrown threat.

But I want to rise today to speak in support of H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act.

Recently, U.S. intelligence and law enforcement officials have enjoyed a number of successes in the war against violent extremism. The plot to kill soldiers at Fort Dix, the attempt to disrupt the Kennedy Airport pipeline system, and last year's conspiracy to bring down the U.S./U.K. transatlantic flights, were all disrupted by good intelligence efforts and, as a result, lives were saved.

But we cannot rest on our laurels. After all, it is still al Qaeda's stated goal to kill 4 million Americans, to bring the United States to its knees, and to impose a system of radical violent Islamism upon the Middle East, and in fact the rest of the world. We need to protect ourselves from this threat to do everything we can in order to make sure that there are no future terrorist attacks on the homeland, and the Violent Radicalization and Homegrown Terrorism Prevention Act would help us certainly in this effort.

This bill's effectiveness is enhanced by the fact that it was put together in a spirit of bipartisan, much to the credit of the Chair, Ms. HARMAN. Earlier this year, the ranking member of the Homeland Security Committee's Intelligence, Information Sharing, and Terrorism Risk Assessment Subcommittee, Congressman DAVE REICHERT, introduced legislation, H.R. 1695, that forms the basis for the current bill, H.R. 1955. Chairwoman HARMAN and Ranking Member REICHERT have both actively supported the current bill, which was voted out of the Homeland Security Committee without opposition in August.

Also, this bill was the subject of numerous hearings, excellent hearings, much to the credit of both of them.

□ 1130

This bill can help us to stop the spread of violent radicalization that has helped terrorist groups to grow their rank-and-file membership. It creates a 10-member national commission, modeled after the 9/11 Commission, which will study radicalization and come up with recommendations for defusing its power and preventing its spread. It establishes a university-based center of excellence that will study this phenomenon in depth, and it encourages international cooperation to stop the spread of this violent extremism. It authorizes the Department of Homeland Security to work with nations such as the U.K. and Israel, countries that have had a lot of experience and success in dealing with violent extremism within their borders, to develop a ''best practices'' methodology that can be used to help prevent radicalization and to thwart ideologically based violence.

I hope that Members will join me in supporting this bipartisan legislation aimed at protecting us against violent extremism and at making us safer here in this country.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Madam Speaker, I thank Chairman THOMPSON and I want to thank Ms. HARMAN and Mr. REICHERT for conducting a number of hearings across the country to really focus our attention on what could be a very big problem if we don't get in touch with it right now.

As the global war on terror continues, America dedicates much of its resources to tracking foreign terrorists at home and abroad. But in recent years, we have seen a rise in the number of U.S.-born criminals inspired by, but not necessarily affiliated with, groups like al Qaeda. And we have had, from Ms. HARMAN and Mr. REICHERT and Mr. LUNGREN as well, a list of a number of incidents that we have seen recently.

It is vital that our Nation do what it can to understand the growing threat of homegrown terrorists and what we can do to prevent it. The Homegrown Terrorism and Violent Radicalization Act finally focuses attention on this matter. The bill establishes a national center of excellence to bring in the top minds in the world to explore the causes of radicalization. The legislation also enhances our international cooperation so we may learn from our allies who have extensive experience with homegrown terrorism.

But the centerpiece of this legislation is the establishment of a national commission to report to Congress the causes and preventive measures that we can take. The commission consists of academics, religious experts, counterintelligence officials, prison administrators, and many others with the experience provided for this input.

And I must make it clear this bill has strict oversight of the privacy officers within the Department of Homeland Security to ensure it respects personal and religious freedom.

As Americans, it is very difficult to understand why one of our citizens would want to terrorize his neighbors and countrymen. But it is a question we must face in order to protect our security. This bill tackles this head on, and I would like to thank our chairman and ranking member for bringing this bill forward.

Mr. REICHERT. Madam Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Florida, a member of the full Committee on Homeland Security (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007. This very important bill will play a key role in protecting our homeland.

As events abroad have taught us all too frequently, homegrown extremists and terrorists pose a serious and deadly threat to the general population. The recent attacks in Great Britain, as well as the foiled plot in Germany, prove that we must prevent the spread of violent radicalization within our own borders. They do it there; we certainly need to do more here.

Here at home our intelligence and law enforcement officials have done an exceptional job of keeping America safe from such threats. Over the last 1½ years, we have seen plots against the Sears Tower in Chicago, Ft. Dix in New Jersey, and JFK Airport foiled by our Nation's vigilant network of law enforcement and intelligence personnel.

The bill before us will serve to strengthen those homeland defense efforts by preventing ideologies that promote violence and terrorism from taking root in American soil.

We know that al Qaeda seeks to spread their evil philosophy everywhere, even into the minds of our own U.S. citizens. To combat radical Muslim extremists' ceaseless efforts at expansion, this bipartisan bill will create a commission to study violent radicalization and work with all levels of government both here and abroad to examine strategies to deal with this phenomena. This bill has an estimated cost of approximately $20 million. This number pales in comparison to the cost in human suffering and economic devastation a homegrown terrorist attack might bring.

As Americans, we must never give up fighting the forces of hate and violence espoused by al Qaeda, and I believe this bill is a valuable weapon in that struggle. I commend the chairwoman and Ranking Member REICHERT for their tenacity in bringing this bill to the floor, and I support it.

Mr. THOMPSON of Mississippi. Madam Speaker, at this time I have no further requests for time, and I reserve the balance of my time.

Mr. REICHERT. Madam Speaker, it is my pleasure to yield 3 minutes to the gentleman from Connecticut, who is a member of the full Committee on Homeland Security (Mr. SHAYS).

Mr. SHAYS. Madam Speaker, I thank my colleague for yielding to me.

Madam Speaker, I rise in support of H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act, which I refer to as the Harman-Reichert bill. I appreciate that they have worked so well together on a bipartisan basis.

I like the fact that this legislation creates a 10-member national commission, modeled after the 9/11 Commission, to study violent radicalization and ideologically based terrorism in these United States.

Before September 11 we had the Hart-Rudman Commission, the Bremer Commission, the Gilmore Commission. They all told us the same basic point, that we have a terrorist threat and we need to recognize that threat, that we need a strategy to deal with this threat, and that we need to reorganize our government to implement the strategy.

Then came September 11, and we did wake up somewhat. We reorganized our government and created the Department of Homeland Security. We passed the PATRIOT Act. We reorganized our intelligence agencies and created a Director of Intelligence. And we are reforming the FISA law, but this is still an issue we are working with.

The 9/11 Commission did something very courageous. They didn't say we are confronting terrorism; they said we are confronting Islamist terrorists who would do us harm. I think it is absolutely important we pass this legislation to begin to know the effects of radical terrorism spreading throughout the entire world and working its way into the United States.

I believe with all my heart and soul that we have a level of recognition of the threat that pales in comparison to what the true threat is. I think this legislation will help awaken us a bit and help awaken others within our country that this threat must be dealt with.

We have a lot of issues that are important for our country to deal with, but our homeland security is on the top of the list. I urge passage of this legislation.

Mr. THOMPSON of Mississippi. Madam Speaker, I continue to reserve the balance of my time.

Mr. REICHERT. Madam Speaker, it is indeed my pleasure to yield 3 minutes to the gentleman from Georgia, who is a member of the full Committee on Homeland Security (Mr. BROUN).

Mr. BROUN of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, homegrown terrorism is a very dangerous threat and must not be overlooked. The United States has an obligation and a solemn duty to guard against the violent radicalization of the American population, a radicalization that has far-reaching, devastating implications.

On September 11, 2001, the world saw firsthand the damage that Islamic extremists can do to the American people. As we look within our own population, there are individuals who promote ideologies under the guise of religion, political, and social benefits that are diametrically opposed to the American values and liberties that we hold so dear. Ideologies of any kind, religious or otherwise, that are based on violence, intolerance, and hatred have no place in America.

In the past 18 months, the United States law enforcement and intelligence agencies have stopped numerous individuals and groups that promote radical political, religious, or social beliefs from carrying out terrorist attacks on American soil. I, for one, would like to know how these individuals are operating and how they are funded. Are foreign entities providing the funding for their activities? Are these individuals who promote radical political ideologies registered as foreign agents? Perhaps we need to reexamine the Foreign Agents Registration Act of 1938. We need to be more proactive and strike at the roots of the problem.

The bill that we are discussing today, H.R. 1955, is proactive instead of reactive. Britain, Spain, France, and most recently Germany and Denmark have all suffered the deadly effects of a small radicalized population that often use religion as an excuse to engage in violence and murder. The United States, thanks in large part to its alert citizenry and professional law enforcement agencies, has prevented the successful execution of several recent domestic terror threats in New York, Chicago, Florida, and elsewhere.

Studying the causes of radicalization and ideologically based violence will better inform all of us how we can prevent terrorists from spreading their messages of hate.

The Violent Radicalization and Homegrown Terrorism Prevention Act is the work of a solid bipartisan cooperation at the subcommittee and full committee levels. Such cooperation is readily apparent as the current bill includes major aspects of H.R. 1695, Congressman REICHERT's PREVENT Act, which was designed to establish a National Commission on Radicalization. The nonpartisan commission envisioned by Representatives REICHERT and HARMAN will be dedicated to comprehensively examining the phenomenon of violent radicalization so that we might better understand its root causes within the United States.

I urge my colleagues to support this important timely, bipartisan piece of legislation.

Mr. REICHERT. May I inquire as to how much time I have left.

The SPEAKER pro tempore. The gentleman from Washington has 1½ minutes remaining.

Mr. REICHERT. I have no additional speakers.

Mr. THOMPSON of Mississippi. Madam Speaker, at this time I would

like to yield such time as she may consume to the chairman of the subcommittee, Ms. HARMAN.

Ms. HARMAN. Madam Speaker, how much time remains on this side, may I ask?

The SPEAKER pro tempore. The gentleman from Mississippi has 6 minutes remaining.

Ms. HARMAN. I assure the chairman I will just take a brief amount of time.

I want to note for the body that this has been an excellent debate. We are bipartisan, we are unanimous, everyone understands the problem, and everyone wants to solve the problem. It is extremely refreshing, and I have thoroughly enjoyed this debate.

I want to make two additional points. Number one, our bill was sequentially referred to the Judiciary Committee, and the Judiciary Committee agreed to report it for it to be brought up on the consent calendar. I would especially like to thank Chairman CONYERS for his cooperation and note that our staff, our excellent staff, worked out this agreement.

My second comment is that a companion bill, the identical text, has been introduced in the Senate, and referred to the Government Affairs Committee, which is the committee of jurisdiction there, and I hope that following passage here, should we be able to pass the bill today, there would be prompt action in the other body and we would have a law to send to the President to sign this fall.

In conclusion, this is a good process and I think an excellent result. It will make America more safe.

□ 1145

Mr. REICHERT. Madam Speaker, I just want to reemphasize the words of Chairwoman HARMAN, who just spoke. This really has been a bipartisan effort; we talk a lot about that on the Hill here. And this committee, working with Ms. HARMAN has been, indeed, a pleasure, traveling across the country to various locations, holding hearings on this topic.

It is important for the American people to know and understand and realize there really is truly a threat here within the borders of the United States of America, and how important it is for all of us to work together because Americans working together keep this country safe and protect the freedoms that we have all enjoyed, for me, 57 years of enjoying the freedoms of this blessed country. And I want the same things for my children and my grandchildren. I want them to enjoy the same freedoms that I've had the opportunities to enjoy. In order for us to do that, both sides of the aisle have to work closely together to make sure that we pass the laws, the legislation that will accomplish that great feat.

In reminding the American people what has happened in the past 18 months in this country, the Sears Tower in Chicago in 2006; a New York-New Jersey PATH tunnel in July of 2006; Chicago-area shopping mall, December of 2006; passengers aboard a transatlantic flight from the U.K. to the U.S.; soldiers at Fort Dix in New Jersey; JFK Airport's fueling systems and others, these have been terrorist acts that have been prevented, and we need to continue that effort. Passing this legislation will accomplish that.

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

Mr. THOMPSON of Mississippi. Madam Speaker, in closing, I urge my colleagues to join me in support of H.R. 1955. This vital legislation will put our Nation on the path to addressing an emerging threat, homegrown terrorism.

There is general agreement that the threat of foreign-based terrorist groups is real. We, as a Nation, have dedicated a great deal of resources to global counterterrorism. However, in some corners, there has been a kind of mindset about homeland security that believes we will be safe if we get the terrorists there before they get us here. It's the kind of mindset that ignores the fact that there are some would-be terrorists who are born here, raised and educated here, and only have lived here in the United States. For those of us who love this Nation, it is not the kind of thing that we want to acknowledge, but we must. Enactment of H.R. 1955 will put us on a course to understanding homegrown terrorism and coming up with strategies to reduce this major threat to the homeland.

Madam Speaker, I, also would like to pay tribute to the chairwoman of the committee for ushering this passage, as well as the ranking member of the committee. But I would also like to acknowledge that Ranking Member KING, who had an unfortunate death in his family, is not here. He has been a source of support for this legislation and has helped get us to this point, and I would like to acknowledge that for the record.

Madam Speaker, I urge passage of this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of H.R. 1955, the Violent Radicalization and Homegrown Terrorist Prevention Act of 2007, introduced by my distinguished colleague from California, Representative HARMAN. This important legislation recognizes the threat of homegrown terrorism and seeks to address this burgeoning problem while maintaining the civil rights and liberties of American citizens.

Since May of this year, two separate plots against strategic American targets have been foiled and prevented by American officials. What distinguishes them from previous terrorist plots against the United States is that the potential terrorists here have no contact with nor support from Al-Qaeda or any other overseas terrorist cells. America must be unique in its approach to homegrown terrorism, given the civil rights and civil liberties protections that are unique to America and enjoyed by all American citizens.

As a senior Member of the Committee on Homeland Security and Chair of the Subcommittee on Transportation Security and Infrastructure, I believe we can secure our homeland and remain true to our values simultaneously. The Muslim American community has grown in size and prominence, and is an integral part of the fabric of this Nation. Muslim Americans share the same values and ideals that make this Nation great. Ideals such as discipline, generosity, peace and moderation.

Many years of civil rights jurisprudence and law have been ignored and thrown out the window when the racial profiling, harassment, and discrimination of Muslim and Arab Americans is permitted to occur with impunity. These practices show a reckless and utter disregard for the fundamental values on which our country is founded: namely, due process, the presumption of innocence, nondiscrimination, individualized rather than group suspicion, and equitable application of the law. We cannot allow xenophobia, prejudice, and bigotry to prevail, and eviscerate the Constitution we are bound to protect.

The securing of our homeland and protection of our national security is on the forefront of my agenda. However, using 9/11 as an impetus to engage in racial profiling, harassment, and discrimination of Muslim and Arab Americans is not only deplorable, it undermines our civil liberties and impedes our success in the global war on terror. We must fight our war on terror without compromising our freedoms and liberties.

It is precisely for these reasons that I so strongly support H.R. 1955. This Act calls for the creation of the National Commission to examine the various causes of violent radicalization and homegrown terrorism in order to propose concrete and meaningful recommendations and legislative strategies in order to alleviate these threats. It also establishes a Center of Excellence for the Prevention of Radicalization and Home Grown Terrorism that will study the social, criminal, political, psychological and economic roots of the problem as well as provide homeland security officials across the government with suggestions for preventing radicalization and homegrown terrorism. Furthermore, it requires our homeland security officials to thoroughly examine the experiences of other nations that have experienced homegrown terrorism so that our government might learn from those experiences. As such, H.R. 1955 does more than merely address the current situation with regard to homegrown terrorism but also works to identify the causes behind the problem and address them as well.

I strongly urge my colleagues to join me in supporting this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 1955, as amended.

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

Mr. THOMPSON of Mississippi. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this question will be postponed.

SECURE HANDLING OF AMMONIUM NITRATE ACT OF 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1680) to authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1680

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 ''Secure Handling of Ammonium Nitrate Act of 2007''.

SEC. 2. SECURE HANDLING OF AMMONIUM NITRATE.

(a) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by adding at the end the following new subtitle:

"Subtitle J—Secure Handling of Ammonium Nitrate

"SEC. 899A. DEFINITIONS.

''In this subtitle, the following definitions apply:

''(1) The term 'ammonium nitrate' means—

''(A) solid ammonium nitrate that is chiefly the ammonium salt of nitric acid and contains not less than 33 percent nitrogen by weight; and

''(B) any mixture containing a percentage of ammonium nitrate that is equal to or greater than the percentage determined by the Secretary under section 899B(b).

''(2) The term 'ammonium nitrate facility' means any entity that produces, sells, or otherwise transfers ownership of, or provides application services for, ammonium nitrate.

''(3) The term 'ammonium nitrate purchaser' means any person who buys and takes possession of ammonium nitrate from an ammonium nitrate facility.

"SEC. 899B. REGULATION OF THE SALE AND TRANSFER OF AMMONIUM NITRATE.

''(a) IN GENERAL.—The Secretary shall regulate the sale and transfer of ammonium nitrate by an ammonium nitrate facility in accordance with this subtitle to prevent the misappropriation or use of ammonium nitrate in an act of terrorism.

''(b) AMMONIUM NITRATE MIXTURES.—The Secretary, in consultation with the heads of appropriate Federal departments and agencies, including the Secretary of Agriculture, shall, through notice and comment and by no later than 90 days after the date of the enactment of this subtitle, establish a threshold percentage for ammonium nitrate in a substance. If a substance contains a percentage of ammonium nitrate that is equal to or greater than the percentage established by the Secretary, the substance shall be treated as ammonium nitrate for the purposes of this subtitle.

''(c) REGISTRATION OF OWNERS OF AMMONIUM NITRATE FACILITIES.—

''(1) REGISTRATION.—The Secretary shall establish a process by which—

''(A) any person who is the owner of an ammonium nitrate facility is required to register with the Department; and

''(B) upon such registration, such person is issued a registration number for purposes of this subtitle.

''(2) REGISTRATION INFORMATION.—The Secretary shall require that each applicant for registration as the owner of an ammonium nitrate facility must submit to the Secretary—

''(A) the name, address, and telephone number of each ammonium nitrate facility owned by the applicant;

''(B) the name of the person designated by the owner of the ammonium nitrate facility as the point of contact of such facility, for purposes of this subtitle;

''(C) for each such facility, the amount of ammonium nitrate that is sold or transferred during each year; and

''(D) such other information as the Secretary may determine is appropriate.

''(d) REGISTRATION OF AMMONIUM NITRATE PURCHASERS.—

''(1) REGISTRATION.—The Secretary shall establish a process by which—

''(A) any person who seeks to be an ammonium nitrate purchaser is required to register with the Department; and

''(B) upon such registration, such person is issued a registration number for purposes of this subtitle.

''(2) REGISTRATION INFORMATION.—The Secretary shall require that each applicant for registration under this subsection as a prospective ammonium nitrate purchaser must submit to the Secretary the name, address, and telephone number of the applicant and the intended use of ammonium nitrate to be purchased by the applicant.

''(e) RECORDS.—

''(1) MAINTENANCE OF RECORDS.—The Secretary shall require the owner of an ammonium nitrate facility engaged in selling or transferring ammonium nitrate to—

''(A) maintain a record of each sale or transfer of ammonium nitrate, during the two-year period beginning on the date of such sale or transfer; and

''(B) include in such record the information described in paragraph (2).

''(2) SPECIFIC INFORMATION REQUIRED.—For each such sale or transfer, the Secretary shall require the owner of an ammonium nitrate facility to—

''(A) record the name, address, telephone number, and registration number issued under subsection (c) or (d) of each person that takes possession of ammonium nitrate from the owner of an ammonium nitrate facility, in a manner prescribed by the Secretary;

''(B) if applicable, record the name, address, and telephone number of each individual who takes possession of the ammonium nitrate on behalf of the person referred to in subparagraph (A), at the point of sale;

''(C) record the date and quantity of ammonium nitrate sold or transferred; and

''(D) verify the identity of the persons referred to in subparagraphs (A) and (B), as applicable, in accordance with a procedure established by the Secretary.

''(3) PROTECTION OF INFORMATION.—In maintaining records in accordance with paragraph (1), the owner of an ammonium nitrate facility shall take reasonable actions to ensure the protection of the information included in such records.

''(f) EXEMPTION FOR EXPLOSIVE PURPOSES.—The Secretary may exempt from this subtitle a person producing, selling, or purchasing ammonium nitrate exclusively for use as an explosive material under a license issued under chapter 40 of title 18, United States Code.

''(g) CONSULTATION.—In carrying out this section, the Secretary shall consult with the Secretary of Agriculture, States, and appropriate private sector entities, to ensure that the access of agricultural producers to ammonium nitrate is not unduly burdened.

''(h) DATA CONFIDENTIALITY.—

''(1) IN GENERAL.—Notwithstanding section 552 of title 5, United States Code, or the USA PATRIOT ACT (Public Law 107–56; 115 Stat. 272), and except as provided in paragraph (2), the Secretary may not disclose to any person any information obtained under this subtitle.

''(2) EXCEPTION.—The Secretary may disclose any information obtained by the Secretary under this subtitle to an officer or employee of the United States, or a person that has entered into a contract with the United States, who has a need to know the information to perform the duties of the officer, employee, or person, or to a State agency pursuant to section 899D, under appropriate arrangements to ensure the protection of the information.

''(i) REGISTRATION PROCEDURES AND CHECK OF TERRORIST WATCH LIST.—

''(1) REGISTRATION PROCEDURES.—

''(A) GENERALLY.—The Secretary shall establish procedures to efficiently receive applications for registration numbers under this subtitle, conduct the checks required under paragraph (2), and promptly issue or deny a registration number.

''(B) INITIAL SIX-MONTH REGISTRATION PERIOD.—The Secretary shall take steps to maximize the number of registration applications that are submitted and processed during the six-month period provided for in section 899F(e).

''(2) CHECK OF TERRORIST WATCH LIST.—

''(A) CHECK REQUIRED.—The Secretary shall conduct a check of appropriate identifying information of any person seeking to register with the Department under subsection (c) or (d) against identifying information that appears on the terrorist watch list.

''(B) AUTHORITY TO DENY REGISTRATION NUMBER.—If the person's identifying information appears on the terrorist watch list and the Secretary determines such person may pose a threat to national security, the Secretary may deny issuance of a registration number under this subtitle.

''(3) EXPEDITED REVIEW OF APPLICATIONS.—

''(A) IN GENERAL.—Following the six-month period provided for in section 899F(e), the Secretary shall, to the extent practicable, issue or deny registration numbers under this subtitle not later than 72 hours after the time the Secretary receives a complete registration application, unless the Secretary determines, in the interest of national security, that additional time is necessary to review an application.

''(B) NOTICE OF APPLICATION STATUS.—In all cases, the Secretary shall notify persons of the status of their application not later than 72 hours after the time the Secretary receives a complete registration application.

''(4) EXPEDITED APPEALS PROCESS.—

''(A) REQUIREMENT.—

''(i) APPEALS PROCESS.—The Secretary shall establish an expedited appeals process for persons denied a registration number under this subtitle.

''(ii) TIME PERIOD FOR RESOLUTION.—The Secretary shall, to the extent practicable, resolve appeals not later than 72 hours after receiving a complete request for appeal unless the Secretary determines, in the interest of national security, that additional time is necessary to resolve an appeal.

''(B) CONSULTATION.—The Secretary, in developing the appeals process under subparagraph (A), shall consult with appropriate stakeholders.

''(C) GUIDANCE.—The Secretary shall provide guidance regarding the procedures and information required for an appeal under subparagraph (A) to persons denied registration numbers under this subtitle.

''(5) RESTRICTIONS ON USE AND MAINTENANCE OF INFORMATION.—

''(A) IN GENERAL.—Information obtained by the Secretary under this section may not be made available to the public.

''(B) USE OF CERTAIN INFORMATION.—Any information constituting grounds for denial of a registration number under this section shall be maintained confidentially by the Secretary and may be used only for making determinations under this section. Notwithstanding any other provision of this subtitle, the Secretary may share any such information with Federal, State, local, and tribal law enforcement agencies, as appropriate.

''(6) REGISTRATION INFORMATION.—

''(A) AUTHORITY TO REQUIRE INFORMATION.—The Secretary may require a person applying for a registration number under this subtitle to submit such information as may be necessary to carry out the requirements of this section.

''(B) REQUIREMENT TO UPDATE INFORMATION.—The Secretary may require persons issued a registration under this subtitle to update registration information submitted to the Secretary under this subtitle, as appropriate.

''(7) RE-CHECKS AGAINST TERRORIST WATCH LIST.—

''(A) RE-CHECKS.—The Secretary shall, as appropriate, re-check persons provided a registration number pursuant to this subtitle against the terrorist watch list, and may revoke such registration number if the Secretary determines such person may pose a threat to national security.

''(B) NOTICE OF REVOCATION.—The Secretary shall, as appropriate, provide prior notice to a person whose registration number is revoked under this section and such person shall have an opportunity to appeal, as provided in paragraph (4).

''SEC. 899C. INSPECTION AND AUDITING OF RECORDS.

''The Secretary shall establish a process for the periodic inspection and auditing of the records maintained by owners of ammonium nitrate facilities for the purpose of monitoring compliance with such section or for the purpose of deterring or preventing the misappropriation or use of ammonium nitrate in an act of terrorism.

''SEC. 899D. ADMINISTRATIVE PROVISIONS.

''(a) COOPERATIVE AGREEMENTS.—The Secretary—

''(1) may enter into a cooperative agreement with the Secretary of Agriculture, or the head of any State department of agriculture or its designee involved in agricultural regulation, in consultation with the State agency responsible for homeland security, to carry out the provisions of this subtitle; and

''(2) wherever possible, shall seek to cooperate with State agencies or their designees that oversee ammonium nitrate facility operations when seeking cooperative agreements to implement the registration and enforcement provisions of this subtitle.

''(b) DELEGATION.—

''(1) AUTHORITY.—The Secretary may delegate to a State the authority to assist the Secretary in the administration and enforcement of this subtitle.

''(2) DELEGATION REQUIRED.—At the request of a Governor of a State, the Secretary shall delegate to the State the authority to carry out functions under sections 899B and 899C, if the Secretary determines that the State is capable of satisfactorily carrying out such functions.

''(3) FUNDING.—Subject to the availability of appropriations, if the Secretary enters into an agreement with a State under this subsection to delegate functions to the State, the Secretary shall provide to the State sufficient funds to carry out the delegated functions.

''(c) PROVISION OF GUIDANCE AND NOTIFICATION MATERIALS TO AMMONIUM NITRATE FACILITIES.—

''(1) GUIDANCE.—The Secretary shall make available to each owner of an ammonium nitrate facility registered under section 899B(c)(1) guidance on—

''(A) the identification of suspicious ammonium nitrate purchases or transfers or attempted purchases or transfers;

''(B) the appropriate course of action to be taken by the ammonium nitrate facility owner with respect to such a purchase or transfer or attempted purchase or transfer, including—

''(i) exercising the right of the owner of the ammonium nitrate facility to decline sale of ammonium nitrate; and

''(ii) notifying appropriate law enforcement entities; and

''(C) any such additional subjects as the Secretary determines are appropriate to prevent the misappropriation or use of ammonium nitrate in an act of terrorism.

''(2) USE OF MATERIALS AND PROGRAMS.—In providing guidance under this subsection, the Secretary shall, to the extent practicable, leverage any relevant materials and programs.

''(3) NOTIFICATION MATERIALS.—

''(A) IN GENERAL.—The Secretary shall make available materials suitable for posting at ammonium nitrate facilities where ammonium nitrate is sold.

''(B) DESIGN OF MATERIALS.—Such materials shall be designed to notify prospective ammonium nitrate purchasers of—

''(i) the record-keeping requirements under section 899B; and

''(ii) the penalties for violating such requirements.

''SEC. 899E. THEFT REPORTING REQUIREMENT.

''Any person who is required to comply with section 899B(e) who has knowledge of the theft or unexplained loss of ammonium nitrate shall report such theft or loss to the appropriate Federal law enforcement authorities within one calendar day of the date on which the person becomes aware of such theft or loss. Upon receipt of such report, the relevant Federal authorities shall inform State, local, and tribal law enforcement entities as appropriate.

''SEC. 899F. PROHIBITIONS AND PENALTY.

''(a) PROHIBITIONS.—

''(1) TAKING POSSESSION.—No person shall take possession of ammonium nitrate from an ammonium nitrate facility unless such person is registered under subsection (c) or (d) of section 899B, or is an agent of a person registered under subsection (c) or (d) of that section.

''(2) TRANSFERRING POSSESSION.—An owner of an ammonium nitrate facility shall not transfer possession of ammonium nitrate from the ammonium nitrate facility to any person who is not registered under subsection (c) or (d) of section 899B, unless such person is an agent of a person registered under subsection (c) or (d) of that section.

''(3) OTHER PROHIBITIONS.—No person shall—

''(A) buy and take possession of ammonium nitrate without a registration number required under subsection (c) or (d) of section 899B;

''(B) own or operate an ammonium nitrate facility without a registration number required under section 899B(c); or

''(C) fail to comply with any requirement or violate any other prohibition under this subtitle.

''(b) PROHIBITIONS.—No person shall—

''(1) buy and take possession of ammonium nitrate without a registration number required under subsection (c) or (d) of section 899B;

''(2) own or operate an ammonium nitrate facility without a registration number required under section 899B(c); or

''(3) fail to comply with any requirement or violate any other prohibition under this subtitle.

''(c) CIVIL PENALTY.—A person that violates this subtitle may be assessed a civil penalty by the Secretary of not more than $50,000 per violation.

''(d) PENALTY CONSIDERATIONS.—In determining the amount of a civil penalty under this section, the Secretary shall consider—

''(1) the nature and circumstances of the violation;

''(2) with respect to the person who commits the violation, any history of prior violations, the ability to pay the penalty, and any effect the penalty is likely to have on the ability of such person to do business; and

''(3) any other matter that the Secretary determines that justice requires.

''(e) NOTICE AND OPPORTUNITY FOR A HEARING.—No civil penalty may be assessed under this subtitle unless the person liable for the penalty has been given notice and an opportunity for a hearing on the violation for which the penalty is to be assessed in the county, parish, or incorporated city of residence of that person.

''(f) DELAY IN APPLICATION OF PROHIBITION.—Paragraphs (1) and (2) of subsection (a) shall apply beginning 6 months after the issuance by the Secretary of a final rule implementing this subtitle.

''SEC. 899G. PROTECTION FROM CIVIL LIABILITY.

''(a) IN GENERAL.—Notwithstanding any other provision of law, an owner of an ammonium nitrate facility who in good faith refuses to sell or transfer ammonium nitrate to any person, or who in good faith discloses to the Department or to appropriate law enforcement authorities an actual or attempted purchase or transfer, based upon a reasonable belief that the person seeking purchase or transfer of ammonium nitrate may use the ammonium nitrate to create an explosive device to be employed in an act of terrorism (as defined in section 3077 of title 18, United States Code), or to use ammonium nitrate for any other unlawful purpose, shall be immune from civil liability arising from that refusal to sell ammonium nitrate or from making that disclosure.

''(b) LIMITATION.—Subsection (a) shall not be construed to apply with respect to any refusal to sell or disclosure—

''(1) that violates—

''(A) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq); or

''(B) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); or

''(2) made on the basis that the person seeking purchase or transfer of ammonium nitrate is a veteran or member of the armed forces of the United States.

''SEC. 899H. PREEMPTION OF OTHER LAWS.

''(a) OTHER FEDERAL REGULATIONS.—Except as provided in section 899G, nothing in this subtitle affects any regulation issued by any agency other than an agency of the Department.

''(b) STATE LAW.—Subject to section 899G, this subtitle preempts the laws of any State to the extent that such laws are inconsistent with this subtitle, except that this subtitle shall not preempt any State law that provides additional protection against the acquisition of ammonium nitrate by terrorists or the use of ammonium nitrate in explosives in acts of terrorism or for other illicit purposes, as determined by the Secretary.

''SEC. 899I. DEADLINES FOR REGULATIONS.

''The Secretary—

''(1) shall issue a proposed rule implementing this subtitle within six months after the date of the enactment of this subtitle; and

''(2) issue a final rule implementing this subtitle within one year after such date of enactment.

''SEC. 899J. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this subtitle for fiscal years 2007 through 2011.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title VIII the following new items:

''Subtitle J—Secure Handling of Ammonium Nitrate

''Sec. 899A. Definitions.
''Sec. 899B. Regulation of the sale and transfer of ammonium nitrate.
''Sec. 899C. Inspection and auditing of records.
''Sec. 899D. Administrative provisions.
''Sec. 899E. Theft reporting requirement.
''Sec. 899F. Prohibitions and penalty.
''Sec. 899G. Protection from civil liability.
''Sec. 899H. Preemption of other laws.
''Sec. 899I. Deadlines for regulations.
''Sec. 899J. Authorization of appropriations.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this bill and include therein any extraneous material.

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

There was no objection.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 1680, the Secure Handling of Ammonium Nitrate Act of 2007.

The committee has worked vigilantly to get this bill to where it is today. In fact, we've been working on this bill in a bipartisan way for two Congresses now.

We all know the devastating impact that fertilizer bombs can have. Over 12 years ago, domestic terrorists used an ammonium nitrate-based bomb to blow up the Murrah Federal Building in Oklahoma City. That blast had a force equal to that of 4,000 pounds of TNT. It killed 168 people.

Since that time, ammonium nitrate-based bombs have repeatedly been used throughout the world. In 2002, a group linked to al Qaeda detonated a bomb outside a night club in Bali, Indonesia, killing 202 people. In 2003, an al Qaeda cell in Istanbul killed 57 people in two separate explosions. Last year, Canadian authorities arrested 17 people in Toronto for plotting to attack targets with ammonium nitrate-based bombs.

This threat is real, Madam Speaker. To do nothing about it is unacceptable. However, I have always believed that we must act in a thoughtful manner that recognizes the importance of ammonium nitrate in our agricultural sector.

I am proud of the work that the Committee on Homeland Security has done. The committee has worked hard to ensure that H.R. 1680 strikes the right balance between ensuring access to ammonium nitrate for farmers and making it difficult for terrorists to obtain.

Specifically, this bill directs DHS, in consultation with State agricultural authorities, to create a registry of facilities that manufacture and sell ammonium nitrate. H.R. 1680 requires the sales of ammonium nitrate to be limited to purchasers who register in advance and that the name, address, telephone number and registration number of the purchaser be recorded.

The tracking and registration functions are not new phenomena. The agriculture and fertilizer industry and some States have been engaged in voluntary programs to monitor sale of ammonium nitrate for some time. In fact, Madam Speaker, a handful of States, including New York, California, New Jersey, Nevada, Oklahoma, Missouri, South Carolina, Maryland, Michigan, and Iowa have enacted laws regulating the sale of ammonium nitrate-based fertilizer.

The time has come to put Federal rules in place to ensure that terrorists cannot cross State lines to buy ammonium nitrate without being registered or checked against the terrorist watch list.

Madam Speaker, I am proud to say that our committee has worked collaboratively with industry stakeholders in the agriculture industry on this legislation. We consulted State and local farm bureaus, fertilizer manufacturers and retail outlets, and mining and explosive makers. It is reassuring to know that we can all come together to come up with a reasonable approach to regulating ammonium nitrate.

I have somewhat of a vested interest in getting this right, Madam Speaker. There is an ammonium nitrate plant in my district. The Terra Yazoo City plant has been in operation for more than 50 years. The Terra plant is a major economic engine in our local economy, providing good-paying jobs and stable jobs for the community.

The Terra facility and many others like it across the country are committed to safeguarding ammonium nitrate, but they cannot do it alone. The Federal Government needs to show some leadership here. That is why H.R. 1680 directs DHS to take the lead in coming up with an approach to registering ammonium nitrate purchases.

I am pleased that through this bipartisan effort we've been able to come up with an approach to tighten control of ammonium nitrate, yet allow it to remain accessible for crop nutrition purposes.

This legislation is another of our ongoing homeland security efforts at preventing a future terrorist attack on our Nation.

I would like to thank subcommittee Chairman LANGEVIN, Ranking Member KING, and others, for their leadership on this critical issue. Each has put their mark on the bill through the committee process. Their efforts, without question, made this a better bill.

I urge my colleagues to join me in supporting H.R. 1680.

Madam Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, a vote on this legislation is long overdue. The need to regulate ammonium nitrate has been evident since the bombing of the Alfred Murrah building in 1995. This legislation is needed to protect Americans from those who seek to utilize this dangerous chemical in terrorist attacks. But as the chairman said, we must balance this threat to our Nation's security with the need for ammonium nitrate to remain accessible because it is a highly effective agricultural fertilizer and has other legitimate uses in industries like mining.

The legislation before us creates a system of regulation so that ammonium nitrate is available for legitimate use, but does not fall into terrorist hands; a system that keeps us safe, but does not burden farmers. I believe this legislation strikes that balance.

We originally took up this legislation in the 109th Congress and we approved it in the Committee on Homeland Security. But the 109th Congress ended before this legislation could be considered on the House floor, so I'm happy to see this legislation before us again in the 110th Congress. And I thank the chairman for bringing it to us at this time.

H.R. 1680 is a bipartisan bill. We worked with our colleagues across the aisle to strengthen the prevention of terrorism component of this bill by insisting on a registration requirement for those who purchase ammonium nitrate rather than just those who sell it.

We were happy to see the committee accept three Republican amendments to this bill. I introduced an amendment which requires the Department of Homeland Security to check the name of applicants for ammonium nitrate registration numbers against terrorist watch lists. This will prevent suspected terrorists from acquiring this deadly material and will alert law enforcement authorities of potential plots under way.

Other Republican amendments provide civil liability protection for the sellers of ammonium nitrate in the event they refuse to sell ammonium nitrate to suspect purchasers or make reports to law enforcement about suspect purchasers. No seller of ammonium nitrate should be afraid to deny sale of this dangerous material out of fear of legal action.

Ammonium nitrate is a legitimate chemical used to fertilize our crops; but its availability, accessibility, ease of bomb-making, cost, and history of prior use make it an obvious material for large explosives that could be employed in terrorist attacks.

We need only to look back in recent history to understand that ammonium nitrate can be the terrorist tool of choice: the al Qaeda bombings of U.S. embassies in Kenya and Tanzania in 1998; in November 2003 scores of individuals killed when terrorists detonated ammonium nitrate bombs in Istanbul; in March 2005 British anti-terror police seized a half ton of ammonium nitrate from suspects accused of being affiliated with Islamic terrorists; later that month, over 3,000 pounds of ammonium nitrate was stolen by armed terrorists in Thailand; the arrests last summer, June 2006, of 17 people in Canada on charges that they were planning on using ammonium nitrate to make an extremely powerful bomb.

□ 1200

Al Qaeda has an Internet hit on how to make ammonium nitrate bombs. An ABC News team last fall demonstrated

how easy it might be to acquire ammonium nitrate. With just $300, ABC interns managed to purchase 1,000 pounds of ammonium nitrate in 2 days in farm supply stores from North Carolina to the District of Columbia. No one questioned why they needed ammonium nitrate. No one asked for their identification. That ammonium nitrate was stored in a public storage facility just a few miles from where we stand today.

These events have demonstrated vulnerabilities that put us in the crosshairs of terrorist sights right where we live, work and travel. Here in the U.S., a few of our States, including California, have already begun to implement laws to secure the handling of ammonium nitrate. The chemical and farming industry developed important protections in their respective industries to keep this substance out of the hands of terrorists.

These are important efforts, but it creates a patchwork where all a terrorist has to do to build a ammonium nitrate bomb is to travel from New York to Pennsylvania to acquire it. Congress needs to step in to set a national policy. This legislation does just that. It sets a floor across the Nation so that ammonium nitrate is used as intended, that is, to grow our Nation's crops, not to create the next Oklahoma City bombing. We believe fair and proportionate regulations will allow ammonium nitrate to continue to be available to legitimate users who are not a security concern while at the same time preventing and deterring its acquisition by those who wish to do us harm.

By supporting H.R. 1680, we will take another step in upholding our responsibility to protect the lives and livelihood of our American citizenry.

And with that, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER), a distinguished member of our committee.

Mr. PERLMUTTER. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in strong support of House bill 1680, the Secure Handling of Ammonium Nitrate Act. On many of the 728 farms in my district and those throughout the country, hardworking farmers rely on ammonium nitrate as a trusted fertilizer that can produce more nutrients than natural fertilizers, but by its very chemical nature, ammonium nitrate is also a substance that, if mixed with certain fuels, can be used as a powerful explosive. The Oklahoma City bombing of 1995 is perhaps the most notable and frightening example of ammonium nitrate's potential. Therefore, we must do all we can to prevent criminals and murderers from obtaining this legal substance while maintaining easy access for our Nation's farmers.

The Secure Handling of Ammonium Nitrate Act creates a national registry to monitor the purchase and sale of ammonium nitrate. It further matches the names of applying farmers against the terrorist screening database so we can keep ammonium nitrate out of terrorists' hands. In particular, I am pleased to have worked with Mr. LUNGREN and with others throughout the committee to craft an expedited appeals process for farmers who have been adversely affected by the name check process. The Department of Homeland Security must either approve or deny an application within 3 days. If someone is denied a registration number under the program, they may appeal and get a resolution from the government within 3 days. The provision ensures that farmers who are misidentified do not jeopardize their livelihoods due to a governmental mistake. This is a commonsense bill that guaranties that ammonium nitrate in our country is being used for legitimate agricultural purposes and not for harm.

Mr. Speaker, I urge my colleagues to adopt this bill.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. DENT), a member of the Homeland Security Committee.

Mr. DENT. Mr. Speaker, if there is an example of how legislation should be crafted, the Secure Handling of Ammonium Nitrate Act of 2007 is it. This is a great bill that will help to improve our homeland security. And if it should succeed on the floor today, its passage will be a tribute to the spirit of bipartisanship that is alive and well in the Homeland Security Committee and that has been carefully cultivated under the leadership of that committee's chairman, the gentleman from Mississippi (Mr. THOMPSON), its ranking member (Mr. KING), and certainly Mr. LUNGREN, to my immediate left, who have all worked very hard to work in that bipartisan environment on the committee.

The bill started out in the 109th Congress where it was introduced by former Congressman Curt Weldon of Pennsylvania. Unfortunately, while it passed in the Homeland Security Committee, it was never addressed in the full House. Fortunately, in 2007, Chairman THOMPSON recognized the importance of this legislation and helped revive the bill in the new Congress. Both sides worked together to make sure that the bill accomplished its objective, to keep ammonium nitrate out of the hands of Timothy McVeighs and other would-be terrorists of the world while making sure that legitimate end users of the substance in agricultural production were not inconvenienced. An en bloc amendment offered by Chairman THOMPSON, for example, removed the requirement that farmers and others register with the Department of Homeland Security so long as they never come into possession of the ammonium nitrate.

In addition to protecting the rights of legitimate end users, the chairman also helped make sure that the final legislative product had input from both sides of the aisle. Three key Republican amendments were added to the bill during committee markup as a result. First, offered by my colleague from California (Mr. LUNGREN), directed applications by those seeking to distribute or utilize ammonium nitrate be checked against a terror watch list with an expedited appeals process to handle any cases of mistaken hits. Ranking Member KING also offered an amendment that would protect legitimate distributors of ammonium nitrate if they act in good faith when they refuse to sell to a suspicious purchaser or if they notify the department of that would-be purchaser's suspicious behavior. Finally, Congresswoman BROWN-WAITE offered an amendment that would help to streamline record-keeping requirements for agricultural retail outlets. These amendments have all served to strengthen the bill.

The need for this legislation is clear. Ammonium nitrate has been the explosive material of choice in a number of acts and attempted acts of terrorism, including the 1995 bombing of the Murrah Federal Building in Oklahoma City which killed 168 innocent men, women and children. The 1998 attacks on the U.S. Embassies in Kenya and Tanzania, the Toronto-based bomb plot thwarted by the Royal Canadian Mounted Police in June 2006, of course, most recently, the attempts by a terrorist group in London to detonate explosive charges throughout the United Kingdom.

I hope the House will see fit to join me in supporting this effective legislation. It is a very bipartisan piece of legislation. Again, I would like to thank my colleague from California for yielding me this time and thank him for his leadership on this issue.

Mr. THOMPSON of Mississippi. Mr. Speaker, at this time, I do not have any additional requests for speakers, and I am prepared to close.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, let me just use the balance of my time to say that I thank the chairman for the work he has done on bringing this to the floor at this time so we can complete action with the Senate and get it to the President's desk to be signed. I would also like to mention the ranking member of the full committee (Mr. KING) who could not be here because he is still returning from the funeral for his mother who passed away this past week. Mr. KING has done tremendous work on this, particularly the amendment for liability protection for the sellers of ammonium nitrate if they act in good faith to protect the American people. Mr. KING has done yeoman work in this regard to this and other bills. I hope that we would recognize that at this time.

Again, Mr. Speaker, this is an example of a bipartisan approach to an issue that affects all Americans, Democrat, Republican, independent, whatever. It

is of the utmost importance. And once again, I thank all the members, Democrat and Republican, who worked on this, and I thank my chairman for bringing this to the floor and allowing us to vote on this time. I would ask for Members to have full support for this bill.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, as DHS Secretary Michael Chertoff recently said, improvised explosive devices are the weapon of choice for terrorists. And when it comes to making an improvised bomb, regrettably, ammonium nitrate seems to be an easy access to use. That is why I authored the Secure Handling of Ammonium Nitrate Act. It will put safeguards in place to keep ammonium nitrate out of the hands of terrorists while ensuring that farmers can still access it. Ammonium nitrate fertilizer is a popular fertilizer because it is relatively inexpensive and highly effective.

In 2005 alone, 1.4 million short tons of ammonium nitrate fertilizer was used to direct application to farmers' fields. Passage of H.R. 1680 will ensure that ammonium nitrate will remain available to those who need to access it for proper purposes. At the same time, passage of this bill is an important step toward ensuring that our Nation is more secure against the threat of improvised explosive devices.

I, too, would like to acknowledge the work of the minority committee as well as Colleen O'Keefe, who will be leaving the committee today. Karis Gutter on this side, has worked on the majority side on the committee, and I would like to acknowledge both of them. At an earlier comment, I referred to Ranking Member KING's unfortunate tragedy in his family and why he was not here. So I would like to join with the comments of Mr. LUNGREN in that respect.

Mr. Speaker, I urge my colleagues to join me in passing this critical homeland security legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 1680, legislation critical to securing our nation against further acts of terrorism. I am proud to co-sponsor this legislation, which I believe effectively balances necessary measures to provide additional security with the need to protect our agricultural industry .

On September 11th, 2001, our enemies demonstrated their ability to use everyday objects as deadly weapons. Ammonium nitrate is a product of great use to our nation's agricultural sectors, but, in the hands of terrorists, could cause America great harm. Like the airplanes flown into buildings, fertilizer bombs have been used to deadly effect, beginning infamously with the 1995 Oklahoma City bombing. We need to balance these very real security concerns against the vital value of ammonium nitrate fertilizer to the U.S. plant food industry, its many local retail agribusiness outlets, and the farmers and livestock producers they serve.

Ammonium nitrate fertilizes our nation's crops, and it helps the American economy grow. It provides a relatively inexpensive source of the nitrogen required to grow crops, and it has economic, agronomic, and environmental benefits to the entire society. It can also, however, be used to create explosive devices, as demonstrated by the Oklahoma City bombing as well as by subsequent terrorist plots in 2000, 2002, 2003, and 2004.

According to a 1998 National Research Council report, "Containing the Threat From Illegal Bombings," short of a method of neutralizing the explosive properties of ammonium nitrate, which we do not yet have, commercial controls and regulatory action "offer the best means of reducing the threat from illegal bombings."

H.R. 1680 will require the creation of these controls and regulations. This bill will provide the Department of Homeland Security with the authority to develop a nationally consistent, effective, and integrated approach to control access to ammonium nitrate, and it will require the Department to develop a regulatory system aimed at keeping these fertilizers away from those who would use it to threaten our nation. Under the provisions of this legislation, the Department of Homeland Security will register all producers, sellers, and purchasers of ammonium nitrate, and those who purchase and take custody of this product will be required to provide their names, addresses, and telephone numbers to the Department. All of these individuals will be accountable for any ammonium nitrate they take possession of.

In addition, this legislation will require producers and sellers to maintain records of all sales and transfers for at least three years. Sellers will have the right to refuse sale to prevent misappropriation of this potentially dangerous substance, and they will be provided with guidance on identifying suspicious activity, as well as how to alert law enforcement officials to such behavior. Additionally, producers and sellers will be required to report any loss or theft to law enforcement within 24 hours.

This legislation also provides further means for enforcement, establishing a process for the Department to track, monitor, and audit the ammonium nitrate records. Under the provisions of this bill, enforcement may be delegated to States where cooperative agreements and sufficient funding exist. To punish violations, the Department may levy civil fines of up to $50,000. This legislation does not preempt or alter any State statute providing additional protection against ammonium nitrate falling into the hands of terrorists.

Yet in our counterterrorism efforts we should not lose sight of the need to protect the American farmer, especially small farmers struggling to make ends meet on the family farm. Ammonium nitrate is an essential tool they use to sustain themselves and their families and those essential needs should not be overlooked. Our counter-terrorism efforts should not be detrimental to the continued availability of ammonium nitrate fertilizer to U.S. farmers, endangering their way of life and threatening their livelihoods.

H.R. 1680 offers an opportunity to strengthen our defenses against the threat of terrorism without placing an extraordinary burden on industry. This legislation has the support of The Fertilizer Institute, an industry group representing most fertilizer producers.

Mr. Speaker, as our nation's leaders, it is our responsibility to be proactive, and to make every effort to remain several steps ahead of any who might attack our country. This bill is an opportunity to do just that, to not wait for another devastating attack to address what we already recognize to be a serious security threat. I strongly support this legislation, and I urge my colleagues to do likewise.

The SPEAKER pro tempore (Mr. CAPUANO). The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 1680, 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 authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists, and for other purposes.".

A motion to reconsider was laid on the table.

TO ELIMINATE THE EXEMPTION FROM STATE REGULATION FOR CERTAIN SECURITIES DESIGNATED BY NATIONAL SECURITIES EXCHANGES

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2868) to eliminate the exemption from State regulation for certain securities designated by national securities exchanges, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2868

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

SECTION 1. SCOPE OF EXEMPTION FROM STATE SECURITIES REGULATION.

Section 18(b)(1) of the Securities Act of 1933 (15 U.S.C. 77r(b)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking "or the American Stock Exchange, or listed, or authorized for listing, on the National Market System of the Nasdaq Stock Market (or any successor to such entities)" and inserting ", the American Stock Exchange, or the Nasdaq Stock Market (or any successor to such entities)"; and

(B) by inserting before the semicolon the following: ", except that a security listed, or authorized for listing, on the New York Stock Exchange, the American Stock Exchange, or the Nasdaq Stock Market (or any successor to such entities) shall not be a covered security if the exchange adopts listing standards pursuant to section 19(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78s(b)) that designates a tier or segment of such securities as securities that are not covered securities for purposes of this section and such security is listed, or authorized for listing, on such tier or segment"; and

(2) in subparagraph (B), by inserting "covered" after "applicable to".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from New York (Mr. FOSSELLA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have been a major advocate of making sure that America maintains its global competitive edge whether it is in business or human development. America must stay at the forefront of innovation, productivity and expertise. No matter how economically, militarily or culturally strong a Nation has become, it will certainly begin its decline when it rests on the laurels of its past accomplishments and ceases to stay ahead of the competition.

H.R. 2868 was introduced by me and my good friend and colleague from New York, VITO FOSSELLA, toward the goal of maintaining America's competitive business advantage. Although Mr. FOSSELLA and I may be on opposite sides of the aisle, we stand in the same space when it comes to our support for American businesses and American markets.

Recently, Mayor Michael Bloomberg of New York City and Senator CHARLES SCHUMER commissioned a study on ''Sustaining New York's and the U.S.'s Global Financial Services Leadership.'' In the executive summary of that study, it states, ''The U.S. financial markets, with New York at the center, are still the world's largest and are among the most important by many measures.''

The United States is home to more of the world's top financial services institutions than any other country. Six of the top 10 financial institutions by market capitalization are based in the New York area, and U.S.-based firms still head the global investment banking revenue rankings.

In terms of global financial stock, the United States remains the largest market, well ahead of Europe, Japan and the rest of Asia, although the financial stock in other regions is now growing faster than it is here in the United States. The United States generates more revenues from financial services than any other region. But once again, the rest of the world is challenging that leadership in a hotly contested investment banking and sales and trading markets.

□ 1215

To sum up that paragraph with a phrase that Satchel Paige is known for: ''Don't look back. Someone might be gaining on you.''

To further quote the study, the study says: ''The choice of venue for IPOs offers the most dramatic illustration of the interplay between these factors. The world's corporations no longer turn primarily to stock exchanges in the United States, such as the New York Stock Exchange or NASDAQ, to raise capital internationally.'' It continues to say: ''The IPO market offers other examples of jurisdictional arbitrage working against the United States, with very small-cap companies in the United States increasingly favoring London's Alternative Investment Market over NASDAQ,'' and I add here the American Stock Exchange. ''American private equity firms are choosing to list on European exchanges.''

Mr. Speaker, in this study, leading financial services executives who were interviewed indicated that ''the legal environment and regulatory framework in particular were critical to potential issuers considering whether to enter the U.S. markets.'' The implementation of Sarbanes-Oxley was part of the United States regulatory framework that was cited as a concern for issuers in considering the markets in which they would list.

This is why earlier this year I introduced H.R. 1508, the COMPETE Act of 2007, to improve the implementation of section 404 of Sarbanes-Oxley. My office has worked closely with the PCAOB and the SEC to review and discuss the regulatory reforms of SOX. We hope it will improve the implementation of the law.

Toward continuing my efforts to improve our regulatory environment, H.R. 2868 will make a technical change to the 1996 National Securities Market Improvement Act that would allow the American Stock Exchange and NASDAQ to offer a tier 2 level listing if they so choose. This would allow these exchanges to compete more directly with the London Alternative Investment Market and the Toronto Stock Exchange. It will help us keep our competitive advantage and lead.

Mr. Speaker, I would also like to thank Chairman FRANK for moving this bill through the committee. I would also like to give special thanks to my cosponsor, Mr. FOSSELLA, for the work of his office, particularly Ryan McKee. I also want to thank Lawranne Stewart and Deborah Silberman of Mr. FRANK's staff, and of course Mr. Jameel Johnson, my chief of staff.

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

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

Mr. Speaker, let me at the outset thank my colleague from New York (Mr. MEEKS) without whom this legislation would not be possible. As he has mentioned, while we are on opposite sides of the aisle, we share the common goal of ensuring that the U.S. remain the envy of the world when it comes not just to capital markets but also the place where people can come, investors can come, entrepreneurs can exist and find capital and make this country even better and stronger.

Of course, we share the common purpose of representing the greatest city in the world, New York, which has always been and shall continue to be the financial capital of the world. I would also like to thank the chairman of the committee, Mr. FRANK, and especially the ranking member, Mr. BACHUS, for bringing this bill to the floor, again, without whom this would not be possible.

Over the past year or more there has been a new and rightly placed focus on the competitiveness of the United States capital markets. As emerging international markets continue to grow, the natural and historical attraction to the U.S. capital markets has given way to the considerations of a broader scale. In short, the U.S. is no longer the only game in town.

Over the past several years, as my good friend Mr. MEEKS has indicated, several reports have been published that argue the regulatory and legal environment in the U.S. serve as negative considerations when market participants choose where to raise capital or headquarter a global business. With new markets popping up across the globe, investors and businesses now have more options, and increasingly we are seeing them choose alternatives to the U.S., such as Hong Kong, Singapore, and London.

We have seen an increasing number of U.S. companies, in particular small companies, raise capital on foreign exchanges, in particular, London's Alternative Investment Market, or, as known commonly, AIM. Clearly, the United States remains the global financial leader. Overall, I believe we can be optimistic about the future growth and success of the American capital markets. However, in a constantly evolving and ever-innovative global marketplace, we cannot take our leadership for granted, nor ignore indicators that the U.S. competitive edge is diminishing. As lawmakers, we have a critical responsibility to ensure the U.S. remains at the forefront of the financial markets.

Strong capital markets are not a success realized by Wall Street and investment bankers exclusively. Strong markets mean jobs, economic growth and retirement security for people across the United States. We cannot control the evolution of overseas markets or their ability to compete in a global marketplace, nor should we want to. What we can control, however, is our ability to respond and to adapt to changing circumstances with innovation and flexibility that will allow our markets and market-makers to maintain their competitive edge.

This bill, the Small Cap Competitive Listing Act, is an important and reasonable step toward achieving that goal. In order to compete in an increasingly global and highly competitive marketplace, exchanges both domestic and international have developed additional listing tiers, with lower listing standards to expand opportunities for

smaller companies. Particularly for small cap companies, an opportunity to list on a developmental tier is an important component to their ability to raise the capital necessary to grow their business and to continue to innovate.

Mr. Speaker, in 1996, Congress passed the National Securities Market Improvement Act in an effort to streamline the regulatory process and eliminate duplication. Common sense. This act included an important provision that granted preemption from State security regulation to the national exchanges: the New York Stock Exchange, NASDAQ, and the American Stock Exchange. Because these listings were national in scope on the major U.S. exchanges, Congress deferred regulation to the Securities and Exchange Commission. However, as the markets have evolved, that legislation has created a legislative barrier to the establishment of developmental tiers on national exchanges.

Because developmental tiers have less stringent listing standards, securities offered on those exchanges should in fact be subject to State regulatory oversight in addition to the SEC oversight. The legislation provides the national exchanges a legislative pathway that currently exists for regional domestic exchanges and foreign exchanges to offer a marketplace for small cap companies. By allowing the national exchange to establish this new tier, it will grant small cap companies a new alternative to London's AIM market and to other marketplaces that may be less regulated and less transparent.

This legislation represents sound policy. It puts all of our domestic exchanges on equal footing and removes a roadblock to progress. In addition, the bill represents an important approach to addressing American competitiveness. It grants the flexibility to develop new offerings without creating a regulatory race to the bottom. These new tiers would be subject to State security regulations, and any proposed new listing will be subject to oversight and approval from the SEC. Additionally, investor protections are upheld. As public companies, small cap companies seeking to list on a developmental tier will be required to fully comply with U.S. securities laws.

Let me just say in closing, Mr. Speaker, I want to thank Mr. MEEKS. We here in Congress, regardless of our party affiliation or where we are from, know that this country is the engine of the world, and we want to keep it such. We understand that financial markets, in particular the securities industry, is a vital component of our national economy.

And it is not just about Wall Street. As mentioned, many of us, whether you are from Queens, Brooklyn or Staten Island, many of our constituents benefit from a vibrant financial service industry. Much of that tax revenue disproportionately in New York City goes to fund schools and parks and roads. This is just a small way in which we can maintain that competitive edge, give entrepreneurs and small companies the opportunity to access our capital markets, put us on equal footing to compete with London's AIM and other emerging market exchanges across the world, and understand that the American people, the American businessman and woman, can compete with anyone if given the tools and the barriers are diminished.

Mr. Speaker, I have no speakers. Mr. MEEKS, thank you very much. As well, I would like to add my thanks to his staff and that of Mr. FRANK, Mr. BACHUS, and on my staff, Ryan McKee, and urge my colleagues to adopt the underlying legislation.

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

Mr. MEEKS of New York. Mr. Speaker, again, I would like to thank Mr. FOSSELLA for all of his hard work, because that is what we are talking about. We are talking about basically the backbone of America has always been its small businesses. So when we have these firms, we want them to invest and grow their businesses right here in the United States of America.

It makes great sense, because as they are investing and expanding their businesses, it creates jobs for Americans. When you look at the services, the financial services in particular, that is where the jobs are being created, that is where we are the most competitive, and that is where we have got to stay and keep our competitive edge. It makes great sense for us to make sure that tomorrow continues to be the great day for our financial services industry, because it is the key to the economic security, as well as to the jobs of tomorrow for many of our young people.

Mr. Speaker, I urge all of my colleagues to vote for this bill. It makes great sense, and it helps us maintain the competitive edge and helps us maintain being the financial capital of the world.

Mrs. MALONEY of New York. Mr. Speaker, I rise today in support of H.R. 2868, bipartisan legislation that would enhance the competitiveness of U.S. capital markets by allowing exchanges to establish developmental tiers to expand listing opportunities in the U.S. for smaller companies.

H.R. 2868 would remove the barrier to creating developmental listing tiers on several of the major exchanges in the U.S. by amending Section 18 of the National Securities Markets Improvement Act (NSMIA). Under the bill, all securities listed on a developmental tier would be subject to Securities and Exchange Commission (SEC) oversight and state blue-sky regulations in an effort to uphold investor protections.

Right now, the inability to develop an additional, developmental tier can be a significant impediment to an exchange's ability to compete in the global marketplace. These barriers make our markets less competitive for small cap listings and can drive companies to list outside the United States.

London's Alternative Investment Market (AIM) for example, is attracting capital worldwide and recruiting U.S. IPO's. According to a recent International Herald Tribune report, companies listed on London's AIM raised $30 billion in capital in 2006. The exchange has tripled its number of listed companies to 1,640 since 2000, with about one-third of them international. A total of 63 companies worth about $11 billion are from the United States—the highest representation on AIM.

The U.S. must take the necessary steps to maintain our capital markets as the premiere choice for companies large and small, within our country and throughout the world. The New York Stock Exchange (NYSE) previously offered a developmental tier through Arca, but is currently in the process of getting out of that business, while the AMEX has expressed an interest in developing a second tier.

I am proud to co-sponsor H.R. 2868, which was introduced by my esteemed colleagues from New York, Congressman MEEKS and Congressman FOSELLA. I urge all of my colleagues to support this important legislation, level the playing field, and ensure our domestic exchanges can compete in the global marketplace.

Mr. MEEKS of New York. 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 New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 2868, as amended.

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

A motion to reconsider was laid on the table.

JOSHUA OMVIG VETERANS SUICIDE PREVENTION ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 327) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Joshua Omvig Veterans Suicide Prevention Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) suicide among veterans suffering from post-traumatic stress disorder (in this section referred to as ''PTSD'') is a serious problem; and

(2) the Secretary of Veterans Affairs should take into consideration the special needs of veterans suffering from PTSD and the special needs of elderly veterans who are at high risk for depression and experience high rates of suicide in developing and implementing the comprehensive program under this Act.

SEC. 3. COMPREHENSIVE PROGRAM FOR SUICIDE PREVENTION AMONG VETERANS.

(a) IN GENERAL.—

(1) COMPREHENSIVE PROGRAM FOR SUICIDE PREVENTION AMONG VETERANS.—Chapter 17 of

title 38, United States Code, is amended by adding at the end the following new section:

"§ 1720F. Comprehensive program for suicide prevention among veterans

''(a) ESTABLISHMENT.—The Secretary shall develop and carry out a comprehensive program designed to reduce the incidence of suicide among veterans incorporating the components described in this section.

''(b) STAFF EDUCATION.—In carrying out the comprehensive program under this section, the Secretary shall provide for mandatory training for appropriate staff and contractors (including all medical personnel) of the Department who interact with veterans. This training shall cover information appropriate to the duties being performed by such staff and contractors. The training shall include information on—

''(1) recognizing risk factors for suicide;

''(2) proper protocols for responding to crisis situations involving veterans who may be at high risk for suicide; and

''(3) best practices for suicide prevention.

''(c) HEALTH ASSESSMENTS OF VETERANS.—In carrying out the comprehensive program, the Secretary shall direct that medical staff offer mental health in their overall health assessment when veterans seek medical care at a Department medical facility (including a center established under section 1712A of this title) and make referrals, at the request of the veteran concerned, to appropriate counseling and treatment programs for veterans who show signs or symptoms of mental health problems.

''(d) DESIGNATION OF SUICIDE PREVENTION COUNSELORS.—In carrying out the comprehensive program, the Secretary shall designate a suicide prevention counselor at each Department medical facility other than centers established under section 1712A of this title. Each counselor shall work with local emergency rooms, police departments, mental health organizations, and veterans service organizations to engage in outreach to veterans and improve the coordination of mental health care to veterans.

''(e) BEST PRACTICES RESEARCH.—In carrying out the comprehensive program, the Secretary shall provide for research on best practices for suicide prevention among veterans. Research shall be conducted under this subsection in consultation with the heads of the following entities:

''(1) The Department of Health and Human Services.

''(2) The National Institute of Mental Health.

''(3) The Substance Abuse and Mental Health Services Administration.

''(4) The Centers for Disease Control and Prevention.

''(f) SEXUAL TRAUMA RESEARCH.—In carrying out the comprehensive program, the Secretary shall provide for research on mental health care for veterans who have experienced sexual trauma while in military service. The research design shall include consideration of veterans of a reserve component.

''(g) 24-HOUR MENTAL HEALTH CARE.—In carrying out the comprehensive program, the Secretary shall provide for mental health care availability to veterans on a 24-hour basis.

''(h) HOTLINE.—In carrying out the comprehensive program, the Secretary may provide for a toll-free hotline for veterans to be staffed by appropriately trained mental health personnel and available at all times.

''(i) OUTREACH AND EDUCATION FOR VETERANS AND FAMILIES.—In carrying out the comprehensive program, the Secretary shall provide for outreach to and education for veterans and the families of veterans, with special emphasis on providing information to veterans of Operation Iraqi Freedom and Operation Enduring Freedom and the families of such veterans. Education to promote mental health shall include information designed to—

''(1) remove the stigma associated with mental illness;

''(2) encourage veterans to seek treatment and assistance for mental illness;

''(3) promote skills for coping with mental illness; and

''(4) help families of veterans with—

''(A) understanding issues arising from the readjustment of veterans to civilian life;

''(B) identifying signs and symptoms of mental illness; and

''(C) encouraging veterans to seek assistance for mental illness.

''(j) PEER SUPPORT COUNSELING PROGRAM.—(1) In carrying out the comprehensive program, the Secretary may establish and carry out a peer support counseling program, under which veterans shall be permitted to volunteer as peer counselors—

''(A) to assist other veterans with issues related to mental health and readjustment; and

''(B) to conduct outreach to veterans and the families of veterans.

''(2) In carrying out the peer support counseling program under this subsection, the Secretary shall provide adequate training for peer counselors.

''(k) OTHER COMPONENTS.—In carrying out the comprehensive program, the Secretary may provide for other actions to reduce the incidence of suicide among veterans that the Secretary considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1720F. Comprehensive program for suicide prevention among veterans.''.

(b) REPORT TO CONGRESS.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the comprehensive program under section 1720F of title 38, United States Code, as added by subsection (a).

(2) CONTENTS OF REPORT.—The report shall contain the following:

(A) Information on the status of the implementation of such program.

(B) Information on the time line and costs for complete implementation of the program within two years.

(C) A plan for additional programs and activities designed to reduce the occurrence of suicide among veterans.

(D) Recommendations for further legislation or administrative action that the Secretary considers appropriate to improve suicide prevention programs within the Department of Veterans Affairs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, before I introduce the author of the legislation, I just want to say in introduction, unfortunately, suicide prevention has become a major part of our responsibilities to both active duty and our veterans.

It is a terrible statistic, Mr. Speaker, but as many Vietnam veterans have now committed suicide as died in the original war. That is over 58,000. We have to do as a Nation a better job. The Army just announced recently that the suicide rate among active duty and recently discharged has now reached Vietnam proportions. So we have to do a far better job and we intend to do that.

The author of the original legislation, Mr. BOSWELL from Iowa, saw this very clearly and introduced this bill.

Mr. Speaker, one of the top priorities of the Committee on Veterans' Affairs in this Congress is to address the needs of our returning servicemembers. The House passed H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act, on March 21st of this year. I'm pleased the Senate also made it a priority to act on this important legislation. I believe the bill shows a clear compromise in our efforts to provide help to those in need.

One of the most pressing issues facing our men and women is mental health care. I believe that if we send our men and women off to war, we must, as a nation, do all we can to address their health care needs when they return. We cannot ask them to fight and then forget them when they return from battle. Veterans suffer a higher risk of suicide than the general population. The stress of combat, combined with the stigma that exists for servicemembers and veterans seeking mental health care services can have disastrous consequences.

We must do everything possible to improve the VA's mental health services, and its ability to detect, and help, those veterans most at risk. H.R. 327 will provide the important tools to assist the VA in strengthening suicide prevention, education, and awareness programs within the VA by mandating a comprehensive program for suicide prevention among veterans.

I thank my colleague Mr. BOSWELL for introducing this bill, and I thank my colleagues for their support.

Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. I thank the chairman for yielding.

Mr. Speaker, this is a very important moment for our veterans as we think of their service to our country. Of course, we all wouldn't be here, I believe, I think we would agree with that, if it wasn't for our veterans, who have been willing to put it on the line.

Mr. Speaker, as Chairman FILNER has spoken here, this legislation came up after a very tragic thing. Joshua Omvig, returning after an 11-month tour, a good young fellow, a member of the Grundy Center Volunteer Fire Department, the Grundy Center Police Reserves, he was concerned about the safety of others, but because of the situation, he took his life.

I can't help but be thoughtful of Ellen, his mother.

□ 1230

She would like to have had more training. She knew there was a problem, and so did his dad. She was with Josh when he went out to his pickup truck that day to go to work to try to talk to him, to try to help. And he took his life right in her presence.

Well, they could have just kind of backed off in their great grief and sorrow and done nothing, but we reached out to them and they reached back. They want to participate in doing something for others. And so out of that came what is now known as H.R. 327. It is pretty simple: Improve early detection for incidence of suicide among veterans, provide those veterans

with the assistance they need, which was not there for Joshua.

This bill also requires the Veterans Administration to develop a comprehensive program to address the rate of suicide among veterans. And it also underscores the importance for further research, peer counseling, family education and involvement, and education for all staff at the Veterans Administration. There is an urgent need for this bill to pass.

You have heard the report that Mr. FILNER gave us. The statistics are astounding. Stress disorder has jumped like 70 percent.

Also, I want to thank our two Iowa Senators, Senator HARKIN and Senator GRASSLEY, for their support; and I especially want to thank Randy and Ellen Omvig, the mom and dad of Joshua. They have suffered a lot over this, as we all would. But at the same time, they found the courage and strength to want to help others and want to reach out. They want to do anything they can possibly do to prevent this from happening to another individual and another family.

It is almost with relief for me, Mr. Speaker, that we are passing this today and moving it on because we know there are hundreds of other veterans out there who need help, and this ought to set that in motion. There is no doubt there is more we can do, but this is a good beginning. With that, I would like to yield back and let other Members speak to this very important piece of legislation.

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

Mr. Speaker, I rise in support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act as amended by the Senate. I also want to thank Mr. BOSWELL for his hard work in bringing this forward.

H.R. 327 was originally passed by the House unanimously in March. The legislation was slightly modified by the Senate to ensure that referrals for mental health counseling and treatment considered the request of the veteran concerned.

Preventing suicide among our veterans is a top priority of this Congress and the Nation. The Veterans Health Administration estimates there are 1,000 suicides per year among veterans receiving VA health care, and as many as 5,000 per year among all living veterans. These are alarming statistics.

H.R. 327, as amended, establishes requirements for a multifaceted VA suicide prevention plan that strengthens early detection measures, staff education initiatives, and counseling and treatment assistance to reach out and help at-risk veterans to prevent suicides among those who have so bravely served our Nation.

VA has already begun to implement a national suicide prevention lifeline as required by this legislation. The hotline became operational in July of this year. Veterans experiencing thoughts of suicide can call 1–800–273–TALK (8255) for help. The first call, according to the VA, was received on July 25. Since that time and through September 1, as a result of calls to the suicide prevention hotline, 346 callers were referred to a VA suicide prevention coordinator, and there were 56 rescues.

Mr. Speaker, H.R. 327, as amended, is important legislation that responds to the need to strengthen suicide prevention, education and awareness programs within the VA. I urge my colleagues to support H.R. 327, as amended.

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

Mr. FILNER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, I rise today in strong support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act.

I would like to express my heartfelt appreciation to the family of Joshua, both for their tireless efforts to pass this legislation and for their son's brave service to our Nation.

Too many soldiers are returning from the battlefield with hidden injuries. According to the Department of Defense, 60,000 troops have been diagnosed with posttraumatic stress disorder or traumatic brain injuries. Sadly, only a small number of our veterans receive or seek the help that they need.

H.R. 327 strengthens cooperation between the Departments of Defense and Veterans Affairs, it creates a comprehensive program to screen veterans for mental health and suicide risk factors, and increases training for suicide prevention.

This bill is the first step in ensuring that we treat the psychological wounds of our troops by improving mental health coordination and our outreach to veterans. I urge all of my colleagues to join me in voting for H.R. 327.

Mr. BOOZMAN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to express my overwhelming support for H.R. 327. This bill addresses a glaring need for mental health support at the Department of Veterans Affairs.

Medical personnel easily identify and treat physical injuries related to combat. However, more difficult to identify are those brave men and women that bear the mental scars of war. Posttraumatic stress disorder is a very real and potentially deadly condition if not properly treated.

The reality is we as a Nation ask a great deal of the men and women who serve in our Armed Forces. They deal with extreme conditions, heavy body armor and separation from their families. In addition, these soldiers are constantly looking over their shoulders not knowing when or where the next attack or IED will come from. Many times, they witness firsthand the deaths of those they serve beside.

Under these extreme conditions, it is no wonder that those who have served so bravely come home and find it very difficult to put these experiences behind them. PTSD is gaining more attention, and rightly so.

As a member of the House Veterans Affairs' Committee, we are seeing more servicemembers returning home with these types of stress disorders. If not properly treated, those suffering from PTSD may turn to drugs or alcohol to cope. Some may even take their life.

That is why the Joshua Omvig Suicide Prevention Act is such an important piece of legislation. It ensures when a veteran is having trouble with any mental illness they have a place to turn. It ensures that at each VA medical facility there is a designated suicide prevention counselor who will engage in community outreach to veterans and improve the coordination of mental health services.

The bill also makes available mental health care 24 hours a day, 7 days a week. There is also a toll-free hotline for veterans staffed by appropriate mental health personnel.

In conclusion, Mr. Speaker, H.R. 327 provides a necessary service to our Nation's veterans, and I would urge all of my colleagues to support this measure.

Mr. FILNER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the chairman of the VA Committee for yielding me this time.

I rise in strong support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. I listened to what Mr. BOSWELL had to say. He is the prime sponsor of the bill. I heard him in committee and I heard him again on the floor, and I appreciate so much the fact that he has brought this to Congress' attention. And a special thank you to Joshua's family and his parents. I am not sure if my child had committed suicide after his service in Iraq that I would have the strength to not only go on as they have, but to try to bring PTSD to the attention of the American people and actually do something about it.

I want to share why this is important to me and why I am supporting this bill. More than 1,600 Nevada veterans have returned from serving in Iraq and Afghanistan. Many of these brave men and women suffer from PTSD. Nationally, one in five veterans returning from Iraq and Afghanistan are suffering from PTSD; 35 percent have been diagnosed with some sort of mental disorder. It is vital that our veterans receive the help they need to deal with this condition.

A few years ago a constituent of mine, Lance Corporal Justin Bailey, returned from Iraq with some physical injuries as well as a diagnosis of PTSD. He struggled with addiction to legal prescription and illegal drugs. After consultation with his parents, he checked himself into the West L.A. VA facility where he was given five additional prescription drugs, including

methadone, without proper oversight. The next day, the man was dead.

I can't understand, it is incomprehensible to me why a facility would give anyone with a substance abuse problem a 30-day supply of medication unsupervised under a self-medication policy. This devastating loss of life could have been and should have been prevented. This is a systemic problem in our VA system, and that's why this issue needs immediate attention.

One other quick story, if you can call it a story. About a month ago I called a grandmother in Pahrump, Nevada. It is a small town outside of Las Vegas. Her grandson lived with her. He came home from his first tour of duty in Iraq, and he was messed up mentally. He was suffering from PTSD. It was apparent to anybody who spoke to him. He didn't want to go back. He felt he couldn't handle it. He was emotionally and physically drained, and he begged not to go back.

So the military's response was they gave him Prozac because he was depressed and they sent him back to the front lines in Iraq. The day he got back to Iraq, he blew his brains out. That is a very difficult thing to come to grips with if you are the grandmother of a grandson who begged you not to let him go back to Iraq.

We have problems with PTSD. It is imperative that we provide adequate mental health services for those who have and are currently sacrificing for our great Nation. This bill takes a step in the right direction in providing our veterans with the health care they have earned.

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

Mr. FILNER. Mr. Speaker, I yield 2 minutes to Mr. WALZ of Minnesota.

Mr. WALZ of Minnesota. Mr. Speaker, I thank Chairman FILNER for his strong support of this piece of legislation and to all members of the committee. Mr. BOOZMAN has been a strong supporter of our veterans, and I appreciate the support for this piece of legislation.

Mr. BOSWELL so clearly illustrated the need for this piece of legislation. I urge my colleagues to stand in support of this compromise that has come back from the Senate, and thank Senator HARKIN for moving it towards us.

As I spoke on this piece of legislation in March, the numbers show that veterans' suicide and mental health issues are urgent issues that require Congress' immediate attention. Although veterans make up 10 percent of our population, one in five people who commits suicide in the United States is a veteran.

A full 35 percent of our veterans returning from Iraq are seeking counseling for mental health issues within the first year. PTSD is fast becoming a signature injury of the wars in Iraq and Afghanistan, and the Veterans' Affairs Committee has seen in countless hearings that the need to expand care is there.

H.R. 327 will meet this need. By directing the Department of Veterans Affairs to offer mental health screening to veterans, providing education to VA staff, contractors and medical personnel, and making available 24-hour mental health care for veterans who are at risk, we will alleviate some of these hardships.

I urge my colleagues to support this legislation because of the critical service it will provide. Although we often have bitter debates in this House and are deeply divided over issues like the war in Iraq, there is one issue that we all agree on and has the potential to unite us and this Nation, and that is the care for our veterans. No one in this body questions the incredible sacrifice each of the veterans has made on behalf of the United States. And no one questions the responsibility that we have in Congress to provide them with the resources and the help necessary to live healthy and prosperous lives.

With this legislation, the 110th Congress will again demonstrate its commitment on behalf of our veterans.

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

Mr. FILNER. Other Members from the State of Iowa want to express support for the Iowa family that helped inspire this legislation. I would yield 2 minutes to the gentleman from Iowa (Mr. BRALEY).

(Mr. BRALEY of Iowa asked and was given permission to revise and extend his remarks.)

□ 1245

Mr. BRALEY of Iowa. Mr. Speaker, I thank the gentleman for the opportunity to address this very important issue, and I want to congratulate and thank my colleague and friend, Congressman BOSWELL, for his persistence in seeing this bill to its conclusion and, again, thank the ranking member for the bipartisan support for this bill.

One of the most moving experiences I've had in this body is standing on the floor when we first spoke about this bill and heard overwhelming support and great personal testimony from people on both sides of the aisle.

I want to put a human face on the bill we are talking about. This is Joshua Omvig, and these are his parents, Randy and Ellen Omvig. I've known Randy and Ellen for almost 20 years. They're warm, caring, decent Iowans who loved their son and who are with us here in spirit as this bill makes its final journey through Congress on its way to the White House.

Joshua was a brave young man who served in a military police unit in Davenport, Iowa, which is in the First District that I happen to represent, and Joshua's face has become a national face for the issue and the crisis that brings us here today.

People who deal with post-traumatic stress disorder, especially PTSD involving veterans, will tell you this is the hidden combat wound. When these veterans return with PTSD, they can be walking on the streets of your city, your town, your community; and you will not know that they are suffering because of the nature of the disease.

What's even more significant is that people suffering from PTSD are frequently the last people to know they've got a problem, and that's why this bill is so important, so that people coming back and veterans who are suffering from PTSD get the resources, the early screening and the early prevention and intervention necessary to make a difference in their lives and to save the next Joshua Omvig who faces this struggle without the necessary resources and support.

I'm proud to be part of this overwhelming bipartisan effort in the House of Representatives to take care of our wounded veterans, our aging veterans, and our new veterans coming back from Iraq and Afghanistan. You've heard the statistics about the overwhelming nature of this problem among current combat veterans. That's why this bill is so important, and I ask my colleagues to join me today.

I rise to speak in support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. I am proud to be an original cosponsor of this crucial legislation, introduced by my friend and colleague from Iowa, Congressman BOSWELL, and I am very pleased that the Senate has acted and that the House is again passing this bill today.

Named in honor of 22–year-old Joshua Omvig, an Army Reservist from Iowa who tragically took his own life after serving an 11–month tour of duty in Iraq, this legislation is an essential and overdue step in ensuring adequate mental health care for our troops who return home from serving in combat zones. The need for this legislation could not be more urgent, as more and more soldiers are returning home from Iraq and Afghanistan suffering from PTSD, TBI, and other combat-related mental health problems.

This bill is very near to my heart, as I know Joshua's parents, Randy and Ellen Omvig, very well. It is my hope that the passage of this bill in the House today means that the tragic death of their son will not be in vain.

I would like to thank Congressman BOSWELL for his leadership on this bill, and the Omvigs for their tremendous advocacy and commitment. I urge all of my colleagues to vote in favor of this bill today, and I urge President Bush to swiftly sign this bill into law so that we can give all of our returning veterans—who have sacrificed so much for our country—the mental health care and treatment that they deserve.

Mr. FILNER. Mr. Speaker, I would like to yield 2 minutes to another gentleman from Iowa (Mr. LOEBSACK) to add his support.

Mr. LOEBSACK. Thank you, Chairman FILNER, and thank you, Congressman BOSWELL, Congressman BRALEY, and Congressman BOOZMAN, for your bipartisan support on this bill.

I rise today in strong support of H.R. 327, the Joshua Omvig Suicide Prevention Act.

This bill was one of the very first bills that I cosponsored as a new Member of Congress, and I did so because I

believe we have a moral obligation to care for those who have worn our country's uniform. Indeed, just yesterday, early yesterday, I visited the mental health unit at our military hospital in Landstuhl, Germany.

The incidence of suicide among our Nation's veterans is indeed staggering. In fact, it has reached the highest rate in 28 years, and we've already heard about Joshua Omvig, himself one of Iowa's own.

By directing the VA to implement screening, counseling, and other mental health services for returning veterans, this legislation will reach those who are most in need of our help.

I urge the passage of this legislation, and I urge the President to quickly sign it into law so that these vital mental health services can reach our Nation's veterans.

Mr. FILNER. We have no further speakers except my closing, if the gentleman would like to close.

Mr. BOOZMAN. Mr. Speaker, again, I want to thank Congressman BOSWELL for his hard work in bringing this forward, Chairman FILNER, Ranking Member BUYER, Mr. MICHAUD, Mr. MILLER, all of them for reaching a compromise with the Senate as we go forward on this.

I think this is a great example that out of a terrible tragedy something good can happen, and we've heard the story of this young guy, and because of his tragedy, because of that family's tragedy, hopefully in putting programs like this in place we will help other families, other individuals, other service men not go through this and prevent future tragedies.

So, again, I urge my colleagues to vote ''yes'' and urge the President to sign this so that we can go forward completely.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 327, as amended.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I want to thank Mr. BOSWELL for his ongoing support.

As a Nation, in the name of Joshua Omvig and for his family and for all the families who have suffered from suicide, we have got to do a better job as a Nation. We have just got to do a better job. We know what will happen if we fail.

Vietnam veterans have paid a heavy price for our refusal to look at mental health as important as physical health, for our refusal to look into the souls of our young veterans and recognize that they are crying out for help.

So we have to get this right, and this is a good step in doing it.

Again, I thank Mr. BOSWELL and all the Iowa Representatives for taking a tragedy that befell Joshua Omvig and his family and turning it into a positive that will help all of us in America achieve better health care for our veterans.

I urge my colleagues to support H.R. 327.

Mr. LATHAM. Mr. Speaker, I rise in strong support of the Joshua Omvig Veterans Suicide Prevention Act. I first want to thank my friend and colleague LEONARD BOSWELL for his service to our Nation, and his efforts to bring this legislation forward on behalf of Iowa veterans. I was pleased to be an original cosponsor of this legislation when it was introduced.

The bill contains many important provisions to ensure that the VA health system is better equipped to identify soldiers at risk for suicide and respond with appropriate counseling and care. The bill also mobilizes federal government agencies to pool their expertise on this issue in order to identify the best strategies for suicide prevention.

The bill is named in honor of SPC Joshua Omvig, who served his country as part of the Army Reserve 339th Military Police Company from Davenport, IA. A little over a year after his return from a tour in Iraq, Joshua Omvig took his own life on December 22, 2005. While his death was tragic, we are grateful for his service to our Nation.

Our soldiers encounter enormous stress and mental health challenges in the course of their duties. We have a crucial obligation to do all we can to ensure that our veterans are given proper care and to prevent such tragedies from occurring.

No one has done more to secure our Nation's freedom than our veterans and military personnel. Their sacrifice and service must be matched with greater commitment to them on our part. With that, I urge my colleagues to support H.R. 327.

Mr. EMANUEL. Mr. Speaker, today I rise in strong support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. As our soldiers continue to defend our country's freedom overseas, it is imperative that we at home continue to recognize their sacrifice by providing them with the support and services that they have earned.

H.R. 327 is named after an Iraq veteran Joshua Omvig, a 22-year-old Army Reservist who served honorably in Iraq, but returned home unable to cope with his memories of the war. Only months after his return from Iraq, he committed suicide.

The story of Joshua Omvig is not an isolated occurrence. In 2004, a study conducted by the New England Study of Medicine concluded that over 15 percent of veterans returning from a year in Iraq met screening criteria for major depression, generalized anxiety, or post traumatic stress disorder. Today, our soldiers are serving much longer than a single year and are returning from combat with severe psychological trauma.

H.R. 327 implements a comprehensive program that takes into consideration the special needs of veterans who are at high risk of depression and experience high rates of suicide. By directing and training the staff of Veterans Affairs in the proper screening, monitoring, and tracking of veterans, this legislation will lead to earlier diagnosis for those who may be prone to suicide.

Mr. Speaker, we have a responsibility to support our Nation's veterans. I stand in strong support of H.R. 327, and I encourage my colleagues to join me in voting for the Joshua Omvig Suicide Prevention Act.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act.

Mr. Speaker, the measures in this bill are designed to reduce the alarming incidence of suicides among our vets. According to a recent study conducted by Portland State University, male U.S. military veterans are twice as likely to commit suicide as men who haven't served in the armed forces. The report is a painful reminder of why we must adopt the measures outlined in this bill to assist our military personnel returning from Afghanistan and Iraq.

The Portland State study followed 320,000 men over age 18 for 12 years collecting data on those who participated in the National Health Interview Survey. The researchers found that men who had served in the military at some time between 1917 and 1994 were twice as likely to die from suicide than men in the general population. In addition, veterans who committed suicide were more likely to be older, white, better educated, and married. But the report offered few clear indicators for the high suicide rates. That in part is the purpose of this legislation—to locate the root cause of the high suicide rates and to reverse the situation.

There are approximately 25 million veterans in the United States, and 5 million veterans who receive care within the Veteran's Health Administration (VHA). Based on CDC data, VHA mental health officials estimate 1000 suicides per year among veterans receiving care with VHA and as many as 5000 per year among all living veterans.

Representative BOSWELL'S bill is a bipartisan effort to get at the root of this troubling trend and to find solutions.

This bill requires the Veterans Administration to consider the special needs of veterans who suffer from post traumatic stress disorder and mandates the development and implementation of a comprehensive program to reduce the incidence of suicide among all veterans.

The bill accomplishes this by requiring that appropriate Veterans Administration staff are able to recognize risk factors for suicide and are aware of the proper protocols and best practices for responding to crisis situations involving veterans who may be at high risk.

The legislation also requires the designation of a suicide prevention counselor at each department medical facility and authorizes the availability of 24-hour mental health care; a hotline, staffed with trained mental health personnel; and expanded outreach and education services for veterans and their families.

We must put an end to this tragedy affecting the many vulnerable men and women who have worn our country's uniform and who serve this country proudly today. I believe this legislation is an important step in that direction, and I am happy to support it.

Mr. SHULER. Mr. Speaker, I rise today in support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act, which will expand suicide-prevention services to our nation's veterans.

Joshua Omvig was an Army Reservist who committed suicide in 2005 after serving his

Nation in Iraq. My thoughts and prayers are with the family of this fallen hero, who have responded to this tragedy by championing efforts to improve mental health care for returning war veterans.

It is widely understood that suicide among veterans suffering from post-traumatic stress disorder (PTSD) is a serious and pressing problem facing our veterans' community. Our Nation's men and women returning from service abroad deserve the highest quality care that this Nation can provide, including access to top quality mental health programs.

H.R. 327 directs the Secretary of Veterans Affairs to take a comprehensive approach to combating the negative long-term effects of PTSD.

Specifically, this Act requires the Secretary of Veterans Affairs to develop a program that includes screening for suicide risk factors for veterans receiving medical care at all Department facilities, referral services for at-risk veterans for counseling and treatment, designation of a suicide prevention counselor at each Department facility, a 24-hour veterans' mental health care availability, peer support counseling, and mental health counseling program for veterans who have experienced sexual trauma while in military service.

I ask my colleagues to join me in supporting this measure to improve suicide-prevention programs through the Department of Veterans Affairs. I commend the House and Senate Veterans' Affairs Committee for their hard work on this bill.

Mr. FILNER. 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 California (Mr. FILNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 327.

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. FILNER. 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.

CHARLIE NORWOOD DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1808) to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the ''Charlie Norwood Department of Veterans Affairs Medical Center''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1808

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Charlie Norwood volunteered for service in the United States Army Dental Corps in a time of war, providing dental and medical services in the Republic of Vietnam in 1968, earning the Combat Medical Badge and two awards of the Bronze Star.

(2) Captain Norwood, under combat conditions, helped develop the Dental Corps operating procedures, that are now standard, of delivering dentists to forward-fire bases, and providing dental treatment for military service dogs.

(3) Captain Norwood provided dental, emergency medical, and surgical care for United States personnel, Vietnamese civilians, and prisoners-of-war.

(4) Dr. Norwood provided military dental care at Fort Gordon, Georgia, following his service in Vietnam, then provided private-practice dental care for the next 25 years for patients in the greater Augusta, Georgia, area, including care for military personnel, retirees, and dependents under Department of Defense programs and for low-income patients under Georgia Medicaid.

(5) Congressman Norwood, upon being sworn into the United States House of Representatives in 1995, pursued the advancement of health and dental care for active duty and retired military personnel and dependents, and for veterans, through his public advocacy for strengthened Federal support for military and veterans' health care programs and facilities.

(6) Congressman Norwood co-authored and helped pass into law the Keep our Promises to America's Military Retirees Act, which restored lifetime healthcare benefits to veterans who are military retirees through the creation of the Department of Defense TRICARE for Life Program.

(7) Congressman Norwood supported and helped pass into law the Retired Pay Restoration Act providing relief from the concurrent receipt rule penalizing disabled veterans who were also military retirees.

(8) Throughout his congressional service from 1995 to 2007, Congressman Norwood repeatedly defeated attempts to reduce Federal support for the Department of Veterans Affairs Medical Center in Augusta, Georgia, and succeeded in maintaining and increasing Federal funding for the center.

(9) Congressman Norwood maintained a life membership in the American Legion, the Veterans of Foreign Wars, and the Military Order of the World Wars.

(10) Congressman Norwood's role in protecting and improving military and veteran's health care was recognized by the Association of the United States Army through the presentation of the Cocklin Award in 1998, and through his induction into the Association's Audie Murphy Society in 1999.

SEC. 2. DESIGNATION OF CHARLIE NORWOOD DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) DESIGNATION.—The Department of Veterans Affairs Medical Center located at 1 Freedom Way in Augusta, Georgia, shall after the date of the enactment of this Act be known and designated as the ''Charlie Norwood Department of Veterans Affairs Medical Center''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Charlie Norwood Department of Veterans Affairs Medical Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

I'm going to allow the author of the legislation, Mr. KINGSTON, to go into the career of our good friend Charlie Norwood.

I just want to say that we all loved him as a Member. I didn't know he had this incredible career in the United States Army in the dental corps, and I will let you go through that, but it was a very incredible story of his devotion to our Nation.

We saw his heart and soul here. He always wanted to take care of veterans, and I'm pleased to support your motion to name the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the Charlie Norwood Department of Veterans Affairs Medical Center.

Mr. FILNER. Mr. Speaker, I rise today to offer my support of H.R. 1808, a bill to name the VA Medical Center in Augusta, Georgia, after our former colleague, Charlie Norwood.

Charlie Norwood served as a Captain in the United States Army from 1967 to 1969, beginning with an assignment to the U.S. Army Dental Corps at Sandia Army Base in Albuquerque, New Mexico. In 1968 he was transferred to the Medical Battalion of the 173rd Airborne Brigade in Vietnam and served a combat tour at Quin Yon, An Khe, and LZ English at Bon Son.

During his tour, he participated in experimental military dental practices that are now standard procedure for the armed forces. Captain Norwood was one of the first participants in the Army's outreach program that delivered dentists to forward fire bases in lieu of transferring patients to rear treatment areas. He provided some of the first field-based dental treatment of military guard dogs, and assisted in non-dental trauma care in Mobile Army Surgical Hospitals.

In recognition of his service under combat conditions, he was awarded the Combat Medical Badge and two Bronze Stars. After Vietnam, Captain Norwood was assigned to the Dental Corps at Fort Gordon, Georgia, where he served until his discharge in 1969.

He remained a member of The American Legion, the Veterans of Foreign Wars, and the Military Order of the World Wars until his death. H.R. 1808 would name the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the ''Charlie Norwood Department of Veterans Affairs Medical Center''.

Naming a VA facility after this hero and strong veterans advocate is a proper honor for an honorable soldier.

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

Mr. BOOZMAN. Mr. Speaker, H.R. 1808, a bill to designate the VA Medical Center in Augusta, Georgia, as the ''Charlie Norwood Department of Veterans Affairs Medical Center,'' would honor one of our colleagues who was taken from us all too soon.

Charles ''Charlie'' Whitlow Norwood, Jr., was born on July 27, 1941. A Georgia native, Charlie Norwood attended Georgia Southern University in Statesboro, Georgia, and Georgetown University in Washington, and was a dentist prior to serving in the House of Representatives.

Charlie Norwood served as a captain in the United States Army from 1967 to

1969, beginning with an assignment in the U.S. Army Dental Corps at Sandia Army Base in Albuquerque, New Mexico.

In 1968, he was transferred to the medical battalion of the 173rd Airborne Brigade in Vietnam, and served a combat tour at Quin Yon, An Khe, and LZ English at Bon Son. During his tour, he participated in experimental military dental practices that are now standard procedure for the Armed Forces. In recognition of his service under combat conditions, Norwood was awarded the Combat Medical Badge and two Bronze Stars.

After his discharge in 1969, he remained a member of the American Legion, Veterans of Foreign Wars, and the Military Order of the World Wars until his death.

Mr. Speaker, Charlie Norwood served with us as a Member of Congress from January 4, 1995, until his untimely death on February 13, 2007. During his congressional career, Norwood worked to pass a patients' bill of rights aimed at giving people better access to health care and greater ability to sue insurers, and spent his life supporting the overall well-being of veterans.

He was quick to protect TRICARE benefits, and he cosponsored legislation to address military survivor benefit plan inequities and to improve military pay raises. He was a tireless advocate for our men and women in uniform and for our Nation's veterans.

This legislation has the support of the State veteran service organizations, as well as the entire Georgia delegation. In the Senate, a companion bill has been introduced, S. 1026, which has the cosponsorship of both of the Georgia U.S. Senators.

Mr. Speaker, I support honoring this distinguished American by naming the VA facility in Augusta, Georgia, the Charlie Norwood Department of Veterans Affairs Medical Center. To honor our deceased friend and colleague in this manner is a tribute to his love of Nation and his contributions to our military and veteran community and as a Member of Congress.

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

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

Mr. BOOZMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman from Arkansas. I thank the gentleman from California for your support of this legislation and your kind words about Charlie Norwood.

This bill, Charlie would really approve of it because it has three things that Charlie loved dearly. He loved veterans; he loved Augusta, Georgia; and he loved medicine and doctors giving medicine and taking care of patients. Probably the only things he loved more were his Lord and Savior, Jesus Christ; his wife, Gloria, and their family; and, indeed, the United States of America.

Charlie was a happy warrior. We all know Charlie. And whether you agreed with him or disagreed with him, he always smiled, and he always expected you to push back. He never would resent your opposition to any philosophical point whatsoever, and that was a double-edged sword. He was a Republican's Republican at times; but I can say this, if it meant doing something he believed in, he would oppose the Republican Party.

We all remember the Norwood-Dingell bill which Charlie championed that was part of the patients' bill of rights, and that was a bill which was largely not supported by the Republican Party. And yet Charlie just charged away and said we're going to do this because it's the right thing. And he earned the respect of both sides of the aisle by handling this.

I remember him relating a story to me when the President of the United States called him and said, Charlie, what can I do to get you to back off this bill a little bit and give us some flexibility? And I believe he said, Mr. President, not a thing. But if you know Charlie and you know the President, that conversation probably has been cleaned up a little bit. But the whole time you could see both of them kidding back and forth because that was the nature of Charlie Norwood.

I remember one time I used to represent Emanuel County, and because of reapportionment, Charlie became the Representative. I said, Charlie, now, you're from Augusta. These folks are rural. I need to go up and introduce you. They're not going to take to you easily. We were going to meet about 7:30 in the morning in a local restaurant, a little diner, the epitome of what you always see on TV. And I got there just a few minutes late, and I thought, oh, man, Charlie has been surrounded by these farmers for a while now and I've embarrassed him by coming late and they're looking at this Augusta city slicker whom they've never met before.

I walked in and it was like interrupting somebody else's family reunion. Charlie was sitting at a table surrounded by farmers, surrounded by rural folks, while Charlie spun one yarn after another about what was wrong in Washington, DC. They loved him, and I hardly even got a place at the table, sort of nodded my head and said, Charlie, you take it from here and said to my former constituents, ''You guys are in very, very good hands.''

I remember one commercial that Charlie had, and I had been elected the term before Charlie. So I had a little bit to say here and there and Charlie had actually never been in elected office. Many of us had served in the Georgia General Assembly together, and Charlie ran an ad that said, I'm going to do what I can for you. I'm going to try to do my best, but I'll tell you this, if you're from the 10th District of Georgia, I don't care who you are, I'm going to do anything I can to help you.

□ 1300

I said in my sage way, Charlie, now, look, if somebody has broken the law, you don't want to make that statement out there that you are going to help anybody for anything. He said, No, I will, and that's the way I feel.

People understood that about Charlie Norwood, that he was a fighter for them, he was a fighter for the cause, and he literally did mean it. If I can help you, I am going to do what I can for you.

I see we are about out of time on my half of the program here, but I want to state some facts for the RECORD about Charlie. Mr. BOOZMAN has outlined a lot of the specifics of his military career, but it is substantial. He was a fighter over and over again for the veterans. Again, he would be with the Republican Party or with the Democrat Party if it was in the best interests of the veterans. That's why it's so good to have such strong bipartisan support for this legislation today.

We want to say, Charlie, we love you. Gloria, and all the family, we certainly love you as well and support you. It's going to be a proud day when we get this building renamed.

As a soldier, Charlie earned both the Combat Medical badge and two Bronze stars while he served in Vietnam. He helped develop the Dental Corps standard operating procedures of delivering dentists to forward-fire bases. He dutifully served and provided dental, emergency medical and surgical care for both U.S. personnel as well as Vietnamese civilians and prisoners-of-war. As a Congressman, he coauthored and helped pass into law the Keep our Promises to America's Military Retirees Act and was also a key Member in passing the Retired Pay Restoration Act. Year after year, he defeated attempts to reduce Federal support for the Augusta VA Center and helped maintain and increase funding for the center. He received the Cocklin Award from the Association of the U.S. Army in 1998.

Over the past few months, we have received letters from several veterans organizations in support of this legislation. Here is a sample of what some of them had to say:

''We support this bill as Congressman Norwood spent his life supporting the overall well being of veterans''—Georgia Department of Veterans

''He was a member of the Augusta MOAA chapter and he would attend meetings unannounced to make sure he stayed in touch with Georgia veterans. He was always quick to protect TRICARE benefits, and he co-sponsored legislation to fix the military Survivor Benefit plan inequities, and improving military pay raises''—Georgia Military Officers Association of America

''Designating the Augusta VA after Charlie Norwood is the most appropriate act for a great Congressman and a grateful community''—The American Legion, Department of Georgia (Note: He was a life member of the Georgia chapter)

''Renaming the Department of VA in memory of Congressman Norwood would be very fitting and greatly appreciated''—Veterans of Foreign Wars, Department of Georgia

''Speaking with the veterans in Augusta, you can tell that most of them do not want to forget the great things that he has done for all

veterans. As a native of Augusta, Congressman Norwood would always be remembered by renaming the VAMC located there."—AmVets, Department of Georgia

Former Congressman Charles Taylor: "I know the many Veterans who received care through Charlie's many efforts would like to say thank you. He often reminded us, 'we are in fact defending our nation's future' by showing young people the 'level of importance we place on military service'".

Former Congressman Bob Beauprez: "Charlie epitomized the phrase 'servant leader'. He went about his work daily without thought of himself, building a legacy, or attracting notoriety. Headlines he did not seek, and even in his battle with the disease that finally took him from us, sympathy was never his objective. He could make a decision and he could argue passionately for a cause, but he also was one of the most caring, forgiving, decent, humble Christian men I ever met."

President Bush: "Charlie was a good friend and a strong, spirited legislator who always stuck to his principles, remembering that his duty was to represent the best interests of the citizens of his district."

From the New York Times obituaries: "A feisty conservative who railed against government bureaucracy, Mr. Norwood was part of the Republican wave that took control of Congress in 1994. Mr. Norwood prided himself on serving his northeast Georgia district, promoting his success in cutting through federal regulations a decade ago to allow a constituent to bring home a stuffed polar bear the man had killed on a hunting trip in Canada."

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

Mr. BOOZMAN, if you need more time, we will be happy to yield to you.

Mr. BOOZMAN. Thank you, Mr. Chairman.

Mr. Speaker, I yield 3 minutes to the gentleman Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding.

I thank Chairman FILNER and Ranking Member BUYER, and certainly my colleague, the author of the bill, Congressman KINGSTON from Savannah.

I want to tell the Congressman that there are no city slickers in Augusta, Georgia. I am an Augusta native. There are probably not any in Savannah either. Maybe they are all in the Atlanta area.

Mr. Speaker, I do rise today in strong support of H.R. 1808 to designate Department of Veterans Affairs Medical Center in Augusta, Georgia, my hometown, as the Charlie Norwood Department of Veterans Affairs Medical Center.

I am proud to stand here today as an original cosponsor of the bill, not just because Charlie Norwood was a great American who loved his country and found any way he could to serve, but also because I had the honor and privilege to serve with him, to personally know Charlie and to count him as one of my close friends.

Charlie, as has already been said, I am just proud to repeat a lot of this, but Charlie was a native son of Georgia, growing up in Valdosta. He graduated from Georgia Southern University in Statesboro. After earning his doctorate in dentistry from Georgetown University, Charlie went on to serve as a captain in the United States Army from 1967 to 1969. During this time he served in Vietnam.

He practiced experimental military dental practice that's now standard operating military procedure for the Armed Forces. He was one of the first dentists to operate in the active combat zone in Vietnam.

In recognition for his service in Vietnam, Charlie was awarded the Combat Medical Badge and two Bronze Stars. After Vietnam, Charlie was assigned to the dental corps at Fort Gordon, the Army base just outside of Augusta, and from then on, Charlie, Gloria and his family made their home in Augusta, Georgia.

In 1994, Charlie became the first Republican to represent Georgia's 10th Congressional District since reconstruction. This landmark election gave us a leader who tirelessly fought for immigration reform, including the Clear Act to eliminate sanctuary cities, and the patients' bill of rights. I will never forget that. I was practicing medicine in Marietta, Georgia, when Charlie brought forth that bill about 10 years ago and did such a great job with reining in managed care. He is always for smaller, fiscally conservative government.

During this time, Charlie never forgot his fellow veterans. He remained an active member of the American Legion, the Veterans of Foreign Wars and the Military Order of the World Wars. And throughout the BRAC process, Charlie's constituents in Augusta could rest easy knowing that Charlie was there fighting for Fort Gordon and the Augusta area Veterans Affairs Medical Center.

Charlie Norwood was a strong American who spent his life fighting for his country, both at home and abroad. For this reason I can think of no one more fitting after which to name the Department of Veterans Affairs Medical Center in Augusta.

I urge all my colleagues to remember the selfless sacrifice of Charlie Norwood to America, his deep love for our Nation, by voting in favor of H.R. 1808.

Mr. BOOZMAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. Mr. Speaker, I rise in strong support of H.R. 1808. I am proud to be the first non-Georgian sponsor of the bill after the entire Georgia delegation.

I knew Congressman Norwood very well. He was one of my very best friends in the House. I can think of no better tribute than to name the Veterans Affairs Center at One Freedom Way in Augusta the Charlie Norwood Medical Center.

Congressman Norwood was a strong advocate for veterans. He was a veteran himself. He was very active in health care issues and veterans health care issues on the House floor. This is a fitting tribute to his service in the Congress and his service to the country when he was in the military and served so nobly and ably in Vietnam.

I rise in strong support and hope we get unanimous support for this bill at the appropriate time.

I have had the pleasure of working with many great men and women in my 22 years in the House, and I can say with all honesty that Charlie Norwood was one of the best. I knew Charlie well, both as an outspoken member of the Energy and Commerce Committee and a good friend. His devotion to people of the Tenth District of Georgia was undeniable, as was his passion for improving this country's healthcare and the lives of its veterans.

Charlie Norwood's service to his country began long before his election to the House of Representatives. Charlie volunteered to serve in the United States Dental Corp during the Vietnam War. Captain Norwood provided dental, emergency medical, and surgical care for United States personnel, Vietnamese civilians, and prisoners-of-war. The Dental Corp operating procedures that he helped develop while in combat conditions have now become standard.

Upon returning stateside, Charlie settled in the Augusta area and set up a private dental practice serving local residents as well as providing care for military personnel, retirees, and dependents under Department of Defense programs and for low-income patients under Georgia Medicaid. His work on behalf of veterans and military personnel continued throughout his twelve years in the House of Representatives.

Throughout his congressional service from 1995 to 2007, Congressman Norwood repeatedly defeated attempts to reduce Federal support for the Department of Veterans Affairs Medical Center in Augusta, Georgia. I think it only appropriate that we gather here today to honor the memory of this great man by placing his name on the institution that he fought so hard for. I cannot think of a more fitting tribute to Congressman Charlie Norwood.

Mr. BOOZMAN. Mr. Speaker, how much time do we have?

The SPEAKER pro tempore (Mr. CAPUANO). The gentleman from Arkansas has 8½ minutes, and the gentleman from California has 19 minutes.

Mr. BOOZMAN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. PRICE).

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. I thank my colleague for yielding. I am so pleased to join my colleagues in support of this resolution.

Mr. Speaker, Charlie Norwood, Congressman Norwood, was a dear friend to me, and he was a friend to this body. It's wonderful that we have this opportunity to recognize and honor him here today and forever with the commemoration and renaming of this veterans facility.

Congressman Norwood spent his entire life helping others. After serving

valiantly in defense of our Nation in Vietnam, he returned home to serve his community in Augusta, Georgia, as a dentist. For 12 years he was a faithful servant to the people of Georgia as a Member of Congress, and all of this service, with his wife, Gloria, close by his side, indispensably.

In Congress, Charlie Norwood was a passionate supporter of our military and our veterans, and he never forgot for whom he was to work in Washington, his constituents. His leadership on veterans issues and a broader conservative vision for America are deeply missed. Anyone who knew Charlie knew that he was as tough as they come, and he always stood on principle.

His legacy in the House of Representatives will be one of integrity, vigor and loyalty. It's fitting that we memorialize his life with this tribute today.

Thank you, Charlie.

Mr. BOOZMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, Congressman Charlie Norwood was a man of integrity and conviction who made immeasurable contributions to this Nation.

I knew Charlie when he was first elected to Congress in 1994. He was a tireless advocate for veterans, for this district, and for the entire State of Georgia. Charlie and I shared the love of hunting and fishing. When I was an active member of the safari club, I used to come to Washington to lobby for hunters' rights and gun owners' rights. Charlie was always very supportive and very helpful.

I have enormous respect for his unwavering commitment to his principles. Throughout Charlie's illness, I prayed that God would heal him. His passing was a great loss to us all. I hope that dedicating this facility will be a comfort to the Norwood family and for all that they have been through.

I have tremendous appreciation for Charlie's wife, Gloria, for the unwavering support that she gave to Charlie. Without her help he could not have accomplished so many wonderful things and touched so many people's lives.

Charlie gave a lifetime of public service to the people of this Nation. After giving so much to his country, it is only fitting that we honor Charlie today by naming this medical center after him.

Mr. Speaker, I rise today to join my fellow colleagues in strong support of H.R. 1808, To designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans" Affairs Medical Center."

Congressman Charlie Norwood was a man of integrity and conviction, who made immeasurable contributions to this nation, and I can't think of anything more appropriate than to name the Augusta VA Medical Center after Charlie.

Before serving in the House of Representatives, Charlie volunteered for the Army, serving in the Army Dental Corps. In Vietnam, he served bravely as an Army captain under combat conditions, providing dental and emergency care to American soldiers, civilians, and prisoners of war. For his distinguished service, he was awarded the Combat Medical Badge and two Bronze Stars. After returning from Vietnam, Charlie continued to serve in the Army Dental Corps at Fort Gordon in Augusta, GA. When he was discharged in 1969, he began his dental practice in Augusta.

I have enormous respect for Charlie Norwood. I knew Charlie when he was first elected to Congress in 1994. Throughout his 12 years in Congress, he was a tireless advocate for veterans, for the district, and for the entire State of Georgia. He championed the Patients' Bill of Rights, worked to reform health care for veterans, and fought to secure our borders.

Charlie and I shared the love of outdoors, of hunting, and fishing. When I was an active member of the Safari club, I used to come to Washington to lobby for hunters' rights and gun owners' rights, and Charlie was always very supportive and helpful. I've always admired his unwavering commitment to his principles. Throughout Charlie's illness, I prayed that God would heal him. However, it seems that God had a different plan. His passing was a great loss to us all.

I hope that dedicating this facility will be a comfort to the Norwood family for all that they have been through. I have tremendous appreciation for Charlie's wife, Gloria, for the unwavering support that she gave to Charlie. Without her help, he could not have accomplished so many wonderful things and touched so many people's lives.

Charlie truly cared about people. He gave a lifetime of public service to the people of this nation. After giving so much to his country, it is only fitting that we honor Charlie today by naming the VA Medical Center in Augusta after him.

Mr. BOOZMAN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Speaker, I thank the gentleman for yielding. You have already heard the accolades about Charlie's service as a decorated dentist in the Vietnam era and in Vietnam, in country.

I didn't know Charlie until he came to Congress, but he and I became very close friends. We worked together on the Energy and Commerce Committee. He was always dedicated to the things that he thought was for the best, especially for our veterans, for those who serve their country and who had sacrificed for our country.

He was always somebody that you knew exactly where he stood, and he wasn't always partisan in where he stood. He simply took positions based on what he thought was right. In the words of Charlie Norwood, I would thank the gentleman who introduced this resolution, and, as Charlie would say, ''you done good.''

Mr. BOOZMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. I thank the gentleman for yielding.

Mr. Speaker, I was a friend of Charlie's for over 30 years. We met in the early 1970s when he was the president of the Georgia Dental Association and I was a practicing dentist and a young State legislator.

Charlie never ever was in neutral, and he rarely ever backed up. It was full go ahead. The great story about him in the Army was he changed the way they were doing business, moving dentists to forward-fire bases. His commander called him and said, I want a daily report of what you are doing there that is out of the ordinary. Charlie said to him, Well, I have got a chair here. You come down here and set your own butt on it and write your own report. I just don't have time. The colonel did come down, and they changed the entire way the Army did business because of Charlie's ideas.

When he got involved shortly thereafter in the Georgia Dental Association, he did the same thing. He just took charge and became president. He traveled all over the State of Georgia fighting for important things for patients' welfare. His campaign in 1994 was a joy to watch, just a joy to watch, yard signs everywhere and him moving as fast as he could from one house to the next, from one hand to the next. He was just a remarkably good campaigner.

Then he came here and he introduced a very important bill. I didn't agree with him on the bill, but he didn't slow down at all.

The fact that the House and the Senate did not sign the patients' bill of rights did not mean it wasn't important. The changes it brought in the relationships between HMOs and patients are there today because of the pressure of that legislation and will be there forever. Charlie was a remarkable human being and one whom I have loved for a very long time and will miss.

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

Mr. WESTMORELAND. I want to thank the gentleman for yielding.

Mr. Speaker, it is a great honor that I stand up and ask for the support on the renaming of this veterans center in Augusta for Congressman Charlie Norwood.

I told Charlie one time, I said, Charlie, you are my foxhole buddy. And he said, What do you mean by that? I said, Well, I know that you are going to keep my back covered and that you are going to be with me if you tell me that you are with me until I get out of the foxhole or until they drag our dead bodies out.

That's the kind of guy he was. If he told you that he was with you, then he was with you. That's the type of thing that he exerted towards the veterans of this country is that he was with the veterans. I don't think there could be any greater honor on that veterans building in Augusta than Charlie Norwood's name, to let the veterans know and understand that he has always been with them, that he went through

many adversities with his health, a long time of trying to get over an illness.

They may be up for some of the things, but Charlie Norwood was always there for them. I just think it's a great honor that this body has voted, and I hope will continue to vote, to make that the Charlie Norwood Veterans Administration Medical Center.

Mr. BOOZMAN. Mr. Speaker, in closing, again, we have all heard what a great asset Charlie Norwood was to this body, not only in helping us as Members, but in the many, many ways that he served his country.

He and his wife, Gloria, also served us in the way of helping junior Members' wives as they came on board, my wife, in particular. Again, we are very, very grateful to his service. I can't think of a more fitting honor than the honor of naming this building.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1808.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I just heard from Charlie, and he said, in his typical way, I wish all those guys saying such nice things about me would have voted for my patients' bill of rights.

But naming a VA facility after this hero and a strong veterans advocate is certainly a proper honor for an honorable soldier and for a Congressman we all loved.

Mrs. BLACKBURN. Mr. Speaker, I rise in strong support of H.R. 1808, legislation to VA Medical Center in Augusta, GA as the "Charlie Norwood Department of Veterans Affairs Medical Center."

Simply put, there is no more fitting vehicle to pay tribute and honor our friend and former colleague, Representative Charlie Norwood.

As many of my colleagues have so eloquently noted, Dr. Norwood was first and foremost a friend of the American veteran. Having served in wartime conditions in the Republic of Vietnam in 1968, Captain Norwood helped develop the Army Dental Corps operating procedures that is now the standard for delivering dentists to forward-fire bases.

In so doing, Captain Norwood provided quality dental care to his fellow combat servicemen, and established standard practice that continued to benefit servicemen long after he left the Army.

That is an appropriate metaphor for Charlie's career in the U.S. House. As a Member who served his constituents passionately during more than 12 years of service, he dedicated his government service to ensuring access to quality healthcare for every American, and for guaranteeing veterans the benefits and respect that they deserve.

We all miss Charlie. But even though he is no longer with us, the good doctor's passion and dedication to American veterans is not forgotten. This legislation is a true memorial to his service, and I urge my colleagues to support it.

Mr. BUYER. Mr. Speaker, I rise today in support of H.R. 1808, a bill to designate the VA Medical Center in Augusta, Georgia as the "Charlie Norwood Department of Veterans Affairs Medical Center" which would honor one of our colleagues and one of my close friends who passed away this Congress.

Charlie Norwood was born on July 27, 1941 and attended both Georgia Southern University in Statesboro, Georgia and Georgetown University in Washington, DC. I have a close affinity to Charlie who was a dentist, like many in my family, prior to serving in the House of Representatives.

Charlie Norwood served as a Captain in the United States Army from 1967 to 1969. He began his Army career with an assignment to the U.S. Army Dental Corps at Sandia Army Base in Albuquerque, New Mexico, and in 1968, was transferred to the Medical Battalion of the 173rd Airborne Brigade in Vietnam. He served a combat tour at Quin Yon, An Khe, and LZ English at Bon Son. During his tour of duty, he participated in experimental military dental practices that are now standard procedure for the Armed Forces. In recognition of his service under combat conditions, Norwood was awarded the Combat Medical Badge and two Bronze Stars. After his discharge in 1969, he remained a member of the American Legion, the Veterans of Foreign Wars, and the Military Order of the World Wars until his death.

Mr. Speaker, Charlie Norwood served with us as a Member of Congress from January 4, 1995 until his untimely death on February 13, 2007. During his Congressional career, as a Member of the Energy and Commerce Committee, Charlie Norwood worked to pass a patients' bill of rights, aimed at giving people better access to health care, and spent his life supporting the overall well-being of veterans. Serving as a Member of the National Guard and Reserve Caucus, which I co-chair, he was a tireless guardian of our military and worked hard to protect TRICARE benefits, co-sponsored legislation to address military Survivor Benefit Plan inequities, and worked to get pay raises for our military members.

Mr. Speaker, honoring his hard work, and dedication to the military and our nation's veterans, as well as his love of nation by naming the VA Medical Center in Augusta, Georgia the "Charlie Norwood Department of Veterans Affairs Medical Center" is a fitting tribute to our late colleague and friend.

Mr. Speaker, I urge the full support of my colleagues on this legislation.

Mr. BARTON of Texas. Mr. Speaker, I have had the pleasure of working with many great men and women in my 22 years in the House, and I can say with all honesty that Charlie Norwood was one of the best. I knew Charlie well, both as an outspoken member of the Energy and Commerce Committee and a good friend. His devotion to people of the Tenth District of Georgia was undeniable, as was his passion for improving this country's healthcare and the lives of its veterans.

Charlie Norwood's service to his country began long before his election to the House of Representatives. Charlie volunteered to serve in the United States Dental Corps during the Vietnam War. Captain Norwood provided dental, emergency medical, and surgical care for United States personnel, Vietnamese civilians, and prisoners-of-war. The Dental Corps operating procedures that he helped develop while in combat conditions have now become standard.

Upon returning stateside, Charlie settled in the Augusta area and set up a private dental practice serving local residents as well as providing care for military personnel, retirees, and dependents under Department of Defense programs and for low-income patients under Georgia Medicaid. His work on behalf of veterans and military personnel continued throughout his twelve years in the House of Representatives.

Throughout his congressional service from 1995 to 2007, Congressman Norwood repeatedly defeated attempts to reduce Federal support for the Department of Veterans Affairs Medical Center in Augusta, Georgia. I think it only appropriate that we gather here today to honor the memory of this great man by placing his name on the institution that he fought so hard for. I cannot think of a more fitting tribute to Congressman Charlie Norwood.

Mr. WILSON of South Carolina. Mr. Speaker, I wish to take this opportunity to remember a friend and colleague; Charlie Norwood, and to support H.R. 1808, a bill to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the "Charlie Norwood Department of Veterans Affairs Medical Center".

Charlie dedicated his life to medicine and public service—as a captain in the Army assigned to the Army Dental Corps during Vietnam, a dentist in private practice, and as a Member of Congress. During his 12 years in the House of Representatives, Charlie fought hard for conservative values, the military and our veterans, and remained dedicated to seeing a patients' bill of rights passed into law. Although this dream of his has not yet become a reality, it is all too fitting that we name the VA Medical Center in Augusta, Georgia, after one of that state's favorite sons.

Our military veterans had no stronger advocate in Congress than Charlie, and with the passage of this bill, we will be honoring that legacy. Additionally, I want to thank his wife Gloria for her loving support and her service as First Lady of Georgia's Tenth Congressional District.

As an original co-sponsor of H.R. 1808, a fellow veteran, a friend, and an admirer of Charlie Norwood, I want to thank Representative JACK KINGSTON for introducing this legislation, and I look forward to its passage.

Mr. STEARNS. Mr. Speaker, I rise today to support H.R. 1808, to name the VA Medical Center in Augusta, Georgia after my good friend and colleague, Charlie Norwood. I served with Representative Norwood for 12 years here in Congress, and was honored to work alongside him. This principled man did not hesitate to stand up for his conservative principles, even if it meant criticizing his party.

Charlie was an intelligent and respected man, both in this House and in his hometown that he ably served. He was an amiable man full of a love for life and with a wisdom that he had earned through experience. I was never surprised when in Committee he would comment on an issue with particular insight and concern for the complexities involved.

It is fitting that a VA Medical Center be named after this courageous man, especially since he himself had served our country with

distinction in the Armed Forces. Representative Norwood served as a Captain in the United States Army from 1967 to 1969, beginning with an assignment to the U.S. Army Dental Corps at Sandia Army Base in Albuquerque, New Mexico. In 1968, he was transferred to the Medical Battalion of the 173rd Airborne Brigade in Vietnam, and served a combat tour at Quin Yon, An Khe, and LZ English at Bon Son. During his tour, he participated in experimental military dental practices that are now standard procedure for the armed forces. Charlie Norwood was one of the first participants in the Army's outreach program that delivered dentists to forward firebases, instead of the previous practice of transferring patients to rear treatment areas. Interestingly, he also provided some of the first field-based dental treatment of military guard dogs, and assisted in non-dental trauma care in Mobile Army Surgical Hospitals.

In recognition of his service under combat conditions, Representative Norwood was awarded the Combat Medical Badge and two Bronze Stars. After Vietnam, Charlie was assigned to the Dental Corps at Fort Gordon, Georgia, where he served until his discharge in 1969. He remained a member of the American Legion, the Veterans of Foreign Wars, and the Military Order of the World Wars until his recent tragic death.

I was honored to serve with this effective Representative from the 10th district of Georgia, was strengthened to draw from this intelligent individual's wealth of knowledge and insight, and have been blessed to know this vibrant and caring man, Charlie Norwood, as a friend. I support honoring his memory by this designation, and urge my colleagues to join me in support of this bill.

Mr. FILNER. Mr. Speaker, I have no future 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 California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1808.

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. FILNER. 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.

□ 1315

MILO C. HUEMPFNER DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2408) to designate the Department of Veterans Affairs outpatient clinic in Green Bay, Wisconsin, as the ''Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2408

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

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, GREEN BAY, WISCONSIN.

The Department of Veterans Affairs outpatient clinic in Green Bay, Wisconsin, shall after the date of the enactment of this Act be known and designated as the ''Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic''. Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield to my distinguished colleague from Wisconsin (Mr. KAGEN) to speak about the bill which he has authored to name the outpatient clinic in Green Bay, Wisconsin, after this great hero.

Mr. KAGEN. Mr. Speaker, thank you for this opportunity to speak in support of H.R. 2408, a bill to name the Department of Veterans Affairs community-based outpatient clinic in Green Bay for Milo C. Huempfner, Brown County, Wisconsin's most highly decorated veteran of World War II, recipient of the Distinguished Service Cross, second only to the Medal of Honor, the Bronze Star, and numerous other commendations.

Having cared for thousands of veterans as their physician, and now as their elected Representative, I would also like to thank the members of the leadership and the members of the Veterans' Affairs Committee who worked hard to bring this legislation to the floor today, especially Chairman FILNER. Thank you. And thank you as well to Ambassador Mark Green for beginning this good work.

We need to remember Milo C. Huempfner. He was a hero. His bravery, his dedication to others and his selflessness to serve is a beacon to guide all of us today.

Milo served in one of the best trained units in the U.S. Army, the elite 551st Parachute Infantry Battalion. It was a unit where courage was common. Yet even in this company, Milo distinguished himself.

Milo Huempfner was literally a one-man army. For 2 days in December of 1944, Milo Huempfner was literally a one-man army. He singlehandedly waged war against a German tank column in Belgium during the Battle of the Bulge.

In that chaotic battle, Milo and a colleague were separated from their convoy with a truckload of ammunition. They were near the Belgian town of Leignon when their truck slid off the road into a ditch. Milo was left behind to guard the truck until a tow truck could return. He had instructions to destroy it if the Germans arrived. He turned down opportunities to leave. When he heard an armed column of Panzer tanks approaching, he burned the truck and retreated into the local city. Over the course of the next 2 days and 2 nights, Milo waged a one-man battle, a one-man guerrilla war against the town's Nazi occupiers. He destroyed tanks; he destroyed trucks. He stormed the machine gun positions and engaged in hand-to-hand fighting with enemy troops.

When he was not protecting townspeople of Leignon, Milo would sneak out of town to warn approaching troops, allied troops, that the enemy was nearby. He saved many American soldiers' lives.

One evening, a freezing evening, the townspeople came to him and asked if he would go to church and protect them. The people wanted to go to church and he could not understand why. Well, it happened to be Christmas Eve, they reminded him. And he stood outside armed only with a pistol to protect them on Christmas Eve. As the people of Leignon celebrated, he stood guard as he stands guard now. On Christmas morning, Milo received his present when allied forces began their counterattack and surrounded the town. Milo didn't stop. He sprang into action against a German artillery hidden in a barn, and 18 Nazis surrendered to him. When Milo finally met the allied troops, they almost mistook him for a German spy. They couldn't believe that a single soldier could hold them off from this town and couldn't understand how a single American soldier could bring so many enemy troops into being captives.

For these deeds, Private Huempfner was awarded the Distinguished Service Cross. The after-action report on Private Huempfner's deeds ends with these words, and I quote: ''His gallantry, intrepidity and extraordinary heroism while operating within the very limits of the German units, without being ordered to do so, and when withdrawal could have been accomplished with honor and safety, reflect the highest standards and ideal of the military service and favorably demonstrated to the citizens of Leignon the courage and daring of the American soldier.''

After the war, Milo Huempfner preferred not to talk about his experiences. This was common for many soldiers in World War II. His own children did not know any of what I just spoke about until his funeral, when Milo's comrades stepped forward to speak of their cherished comrade.

Despite his silence, Milo remained a committed patriot and dedicated to the men he served. Over the years between the war and his passing in 1985, Milo attended the funerals of over 900 veterans in Brown County, Wisconsin. He used his dress uniform so frequently that he wore it out. As a mark of respect and thanks, local veterans organizations paid to have it restored.

By naming this temporary community outpatient clinic building in Green Bay after Milo Huempfner, we are paying respect to one of Wisconsin's great heroes.

I would like to thank Milo Huempfner's children, Jackie, Wayne, Geri and Milo, for their help and also his friend, Bernard Depry of Green Bay, who brought this request to my attention and worked tirelessly over the years to make this a reality.

I encourage my colleagues to support H.R. 2408. We are recognizing the deeds of a brave and noble man.

Mr. BOOZMAN. Mr. Speaker, H.R. 2408, a bill to designate the VA outpatient clinic in Green Bay, Wisconsin as the Milo Huempfner Department of Veterans Affairs Outpatient Clinic would honor an individual whose demeanor during combat in World War II exemplifies the concept of the army of one.

In 1944, Private First Class Huempfner was stranded in the small Belgian village of Leignon after his truck was separated from its convoy and slid off the road. While in hiding in Leignon, Private First Class Huempfner found that the village had been overrun by German troops. He proceeded, over the next 4 days and nights, to singlehandedly wage war against an entire German armored column consisting of tanks, numerous heavy gun emplacements, and hundreds of soldiers. During this period of time, Private First Class Huempfner warned off numerous American and British troops from Leignon, who otherwise would have been slaughtered by the Germans occupying the town. He repeatedly refused to be evacuated on these occasions, staying to destroy additional German equipment, killing German soldiers in direct combat, and protecting the citizens of the occupied town.

Mr. Speaker, on Christmas Eve, British forces dislodged German forces using information collected by Private First Class Huempfner. After over 72 hours on his feet, under constant threat and harassment from enemy forces, Private First Class Huempfner retired to a household he had earlier defended.

For all of these accomplishments he was awarded the Distinguished Service Cross in 1973. After the war, Private First Class Huempfner attended the funerals of as many veteran comrades as possible. Reports indicate that he participated in the burial of some 900 fellow comrades in arms over the years since World War II, attending in full dress uniform, honoring their service and repeatedly demonstrating his love for our Nation by showing the brave veterans of Brown County the dignity and respect that they had earned. He continued attending these funerals until a week before his death in October 1985.

Mr. Speaker, I support honoring this brave American veteran by naming this facility the Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic. It is a fine tribute to a true patriot and true hero.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I again ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2408.

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

There was no objection.

Mr. FILNER. I want to thank Mr. KAGEN for bringing this story and history of a brave American and a great hero for Wisconsin. I wish your guys from Green Bay, whether they be quarterbacks or heroes, would have names we could pronounce. But we thank you for telling us the story of Milo Huempfner, and we look forward to the naming of the facility in Green Bay after him.

Mr. Speaker, the Distinguished Service Cross (DSC) was established in 1918 by President Woodrow Wilson. It is the second highest military decoration of the United States Army and surpassed only by the Medal of Honor in order of precedence.

The DSC is awarded for extreme gallantry and risk of life and this extraordinary heroism must take place while the individual is engaged in an action against an enemy of the United States. The act of heroism must be so notable and involve risk of life so extraordinary as to set the individual apart from his comrades.

It is an honor for me to stand before you today to talk about one such individual—Milo C. Huempfner.

Mr. Huempfner was the most decorated serviceman in Brown County during World War II. In 1944, PFC Huempfner committed acts of extraordinary bravery and heroism during the final European campaign of World War II.

On December 20, 1944, in Belgium, PFC Huempfner was driving a truck loaded with ammunition that went off the road. Sending his only comrade back to seek help and safety, Huempfner proceeded over the next 4 days and nights to wage war, single-handedly, against an entire German armored column.

During this time, he warned off numerous American and British troops from the area who otherwise would have been slaughtered by the Germans occupying the area.

After his military service he remained heavily involved in veterans activities.

H.R. 2408 would name the Department of Veterans Affairs Outpatient Clinic in Green Bay, Wisconsin, as the "Milo C. Huempfner Department of Veterans Affairs Outpatient Clinic".

Given his unselfish service to his country, it is only fitting that we name a Veterans Affairs Outpatient Clinic in his honor.

Mr. Speaker, I thank my colleague of Wisconsin, STEVE KAGEN, for introducing this bill and I urge the support of my colleagues.

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 California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 2408.

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.

CONDEMNING THE ACTIONS OF SEPTEMBER 7, 2007, RESULTING IN DAMAGE TO THE VIETNAM VETERANS WAR MEMORIAL

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 680) condemning the actions of September 7, 2007, resulting in damage to the Vietnam Veterans War Memorial.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 680

Whereas the Vietnam Veterans Memorial serves as a memorial to the 2,700,000 men and women in the United States Armed Forces who served in the designated war zone during the Vietnam Era;

Whereas 58,256 men and women died while serving in South East Asia or as a result of their wounds or a service-connected disability;

Whereas on Friday evening, September 7, 2007, the United States Park Police reported being notified of a light, oily, and unidentified substance that was spilled over portions of some of the names, panels, and paving stones of the Vietnam Veterans Memorial;

Whereas at least 14 of the 140 inscribed panels of the Memorial Wall were damaged; and

Whereas the National Park Service has determined that the damage was the result of an act of vandalism: Now, therefore, be it

Resolved, That the House of Representatives condemns all attacks upon the memory of veterans and their service to the United States, as exemplified by the incident of vandalism of September 7, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself as much time as I might consume.

I rise in strong support of this bill which condemns the action that resulted in damage to our Vietnam Veterans Memorial. We all know that this memorial recognizes and honors the men and women who are veterans of our Nation who served in one of America's most divisive wars. The memorial grew out of a need to try to heal the Nation's wounds as America struggled to reconcile its different moral and political points of view on this war. In fact, the memorial was conceived and designed to make no political statement about the war. It was designed to bring us together. It was designed as a place where everyone, regardless of their opinion of the war, could come together, remember and honor those who served and those who made the ultimate sacrifice in service of their country. I think all of us, wherever we were during that terribly divisive time,

feels at peace and feels a relationship to those people who served our Nation.

The memorial, as I said, has paved the way towards reconciliation and healing, a process that still continues. That's why, Mr. Speaker, I think we were all so disturbed when we heard about the senseless act of vandalism that happened earlier this year. Someone walked along that memorial with some type of oil applying it secretly on the wall as they walked by. The unknown oil has done real damage to the polished granite surface. But it did more than damage the wall, Mr. Speaker. It damaged the respect we have for our Nation's veterans and their sacrifice, damaging the healing process; and it takes us, as a Nation, back to a time when we did not honor or take care of our returning Vietnam veterans.

It takes us back to a time when many people in this country confused the war and the warrior. If you did not like the war, you said to heck with the warrior. That was a deep mistake on our part, Mr. Speaker, a tragic mistake, and one, as a Nation, we still suffer from today.

We did not provide these veterans the care they needed. We didn't welcome them back with honor and dignity and respect, and we're paying a price today. More than half of the homeless on the streets throughout America tonight, are Vietnam vets, over 200,000. Others still suffer from post-traumatic stress disorder, substance abuse, other ailments. And as I said earlier, as many Vietnam veterans have now committed suicide as died in the original war. We, as a Nation, have to rectify this wrong. We have to take care and provide the health care, the treatment and the support that our Vietnam veterans deserve and need. We have to say that we are sorry for the treatment that they received when they came home, and honor these courageous men and women for their sacrifice to this Nation.

Anything that subtracts from this healing process is an outrage to the honor and memory of these brave veterans who fought and died for our country. And that is exactly what the senseless, needless act of vandalism that was perpetrated on the Vietnam Veterans Memorial does. It rubs salt into the wounds of our veterans that are still healing, and dishonors those that deserve nothing less than our Nation's honor and gratitude.

□ 1330

So, Mr. Speaker, through this resolution we condemn this act. We condemn those who are responsible. The oil is not just a stain on a piece of granite; it is a stain on the fabric of our Nation, a Nation still healing from a divisive war but a Nation that honors the sacrifices of its soldiers and veterans.

Maya Ying Lin, who designed the Memorial, said, '' . . . this Memorial is for all those who have died, and for us to remember them.''

Mr. Speaker, let us remember their patriotism and valor and let us condemn the discordant acts of those who seek to tarnish them.

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

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

Mr. Speaker, I rise today in strong support of H. Res. 680, which condemns the actions of September 7, 2007, resulting in damage to the Vietnam Veterans War Memorial.

Mr. Speaker, the Vietnam Veterans War Memorial, commonly referred to as ''The Wall,'' serves as a memorial to the 2.7 million men and women in the United States Armed Forces who served in Vietnam. It is a memorial that has many different meanings to those who lived through that era and serves as an especially poignant reminder of the cost of that war and the ultimate sacrifice made in any conflict.

Americans come from all across the country each year to reflect on the sacrifices of the 58,256 names inscribed on the 140 panels of black granite. Whether it is a family member looking for the name of a loved one or a comrade in arms honoring a foxhole buddy or a young child searching for the name of a relative they never knew, every American who visits the wall leaves a changed person. It is fitting that the Memorial for our most divisive war has become a place of solace and coming together.

Mr. Speaker, regardless of who is responsible for the recent attack on the Vietnam Wall, that cowardly act was an affront to every American. In an apparent act of vandalism, 14 panels were defaced with a light, oily substance that damaged names, panels, and paving stones of the Vietnam Veterans Memorial.

While I am thankful that it appears that the substance was removed and the Memorial has been restored to its pristine condition, I believe it is important for us in Congress to show Congress's support for one of our Nation's most sacred sites.

Mr. Speaker, I also urge my colleagues to join me between November 7 through November 10 to read some of the 58,256 names on the Vietnam Veterans Memorial. This will only be the fourth time that this reading has occurred here in Washington, and it coincides with the 25th anniversary of the Vietnam Veterans Memorial.

I thank my colleague Representative CARTER for introducing this resolution and Chairman FILNER and Ranking Member BUYER for bringing it to the floor today.

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

Mr. FILNER. Mr. Speaker, I yield such time as he may consume to another hero of the Vietnam War, a man who served two tours in Vietnam, the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I thank Chairman FILNER for yielding and what he is doing here for veterans.

I have to thank JOHN CARTER for his attention to this issue. Vandalism is never acceptable. Never. When I learned about the vandalism that took place at the Vietnam Memorial, I was outraged. Outraged.

As a Vietnam veteran, as many of you are in this Chamber, many of our colleagues, for me 20 years plus, I know firsthand, a lot of us do, the sacrifices that servicemembers and their families make.

This memorial does more than just honor the brave men and women who gave their lives for this great Nation. It also serves as a reminder to all Americans the price of freedom.

The Vietnam Veterans Memorial serves as a resting place for our brethren who were unable to come home. And I will bet some of the rest of you, as I, have wondered how come our name wasn't on that wall. We know it could have been. And for somebody to desecrate that is just unacceptable. I hope the park service will be able to find these criminals and swiftly bring them to justice.

I would like to give special thanks to all of our troops and all those of them who have given the ultimate sacrifice. We cannot forget them.

With the passage of this legislation today, it is one more example of what Congress has done to fulfill our Nation's obligation to servicemembers, their families, and all veterans.

I am proud to stand here as a cosponsor of this bill, and I encourage the House to pass H. Res. 680 today.

Mr. BOOZMAN. Mr. Speaker, I yield 3 minutes to the sponsor of the legislation, the gentleman from Texas (Mr. CARTER).

Mr. CARTER. I thank the gentleman for yielding. And I would also like to thank Ranking Member BUYER and Chairman FILNER for bringing this forward today. I think this is an important resolution.

When I heard about the fact that someone had defaced the Vietnam Memorial, I just didn't really know what to think about it. It wasn't a front page item; it was a back page item. But to me it was just a shock. So I went down to the park to take a look at it.

And as I walked along there, and I know some others have done this too, you could see where this substance had cast what looked like a shadow across the names that were printed on portions of this wall. And it brought back to me a memory of the time when the traveling wall came to the town I am from in Round Rock, Texas, and was put up out in the park, and I went out there with one of my good friends and one of the lawyers who worked in my court who was a true Vietnam veteran and a hero, and we walked up to approach that wall. And it was sitting up on a hill in our park, and he got about 75 or 50 yards from the wall and he just stopped. And I said, Mike, are you going up there? And he said, Not right now. And then he stood there and stared at that wall and cried. And it

took him a long time before he approached that wall because, as he said, there were too many names on that wall that he missed and loved.

That wall means that kind of thing to our Vietnam veterans. And for someone to go out and deface the honor of these fallen heroes whose names were carved on that wall is intolerable. I too hope the Park Service finds these people and prosecutes them to the full extent of the law because this is a shame. It's not only a shame to our national monument, which is against the law, but it is a shame to our national honor that this happened. And that is why I brought this bill forward.

I want to note that there are others who feel the same way, and many of them are here today and I am thankful for them. The Gathering of Eagles and the AMVETS posted a $5,000 reward to try to find out who did this defacing of the wall. That's how much it means to them.

This act of vandalism cannot be tolerated, should not be tolerated. And by passing this resolution, we will reaffirm to our veterans who fought the war in Vietnam that they did it with honor, they did it with principle, and we respect them as our warriors who did their job and should have been treated accordingly with honor when they came home. We need to continue to honor our Vietnam vets. That's why I feel this resolution is so important. And I hope it will be passed unanimously by this House.

The Vietnam Veterans Memorial serves as a memorial to the 2,700,000 men and women in the United States Armed Forces who served in the designated war zone during the Vietnam Era.

While serving in Southeast Asia or as a result of their wounds or a service-connected disability, 58,256 men and women died.

On Friday evening, September 7, 2007, the United States Park Police reported being notified of a light, oily, and unidentified substance that was spilled over portions of some of the names, panels, and paving stones of the Vietnam Veterans Memorial.

At least 14 of the 140 inscribed panels of the Memorial Wall were damaged.

The National Park Service has determined that the damage was the result of an act of vandalism.

Thank the Gathering of Eagles organization and AMVETS for bringing attention to this crime through the $5,000 reward they are offering and by spreading the word to their members.

Mr. FILNER. Mr. Speaker, I look forward to hearing the words of our great Vietnam hero, Mr. JOHNSON, who was, of course, a POW in Vietnam for many, many years. But I will let Mr. BOOZMAN introduce him.

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

Mr. BOOZMAN. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a true American hero who certainly can speak with authority on this subject.

Mr. SAM JOHNSON of Texas. Thank you, Mr. BOOZMAN, and thank you, Chairman FILNER. I appreciate your bringing this to the floor. It's an important piece of legislation. And I think what everyone has said is absolutely true.

Mr. Speaker, as a former POW in Vietnam for nearly 7 years, and I was there for two tours too, Mr. BOSWELL and I both, I find this vandalism unconscionable and un-American. Why on Earth would someone want to reignite the pains of the past?

Defacing the wall was the ultimate act of cowardice. Why anyone would want to destroy a sacred monument in Washington, DC. is beyond me.

Even though I did two tours in Vietnam, I spent most of my time in captivity. I didn't get to know a lot of the brave men and women who died in action, those who have their names etched into the shiny, marble dark wall.

But I did get to know a great American very well. His name is Ron Storz, a lieutenant colonel in the Air Force and a fellow fighter pilot.

Originally from New York, Ron was shot down on April 28, 1965. I was shot down barely a year later, on April 16, 1966.

Because our captors tried to blame a handful of us for overthrowing the Vietnamese Government, they labeled us diehards. They threw 11 of us in solitary confinement in adjacent cells. Of the 11 of us, only 10 came home. Our captors killed Ron Storz after he went on a hunger strike.

It breaks my heart to think that someone would senselessly harm and deface the names, the honors, the legacies of great patriots like Ron.

You can find Ron's name on panel 1 of the east wall.

I deeply hope and pray the loved ones of those men and women memorialized on the wall know we remember their selfless family members and thank them for their dedicated service and ultimate sacrifice. These men and women listed on the wall all demonstrate why America is the land of the free and the home of the brave. These valiant warriors fought to protect and defend this great Nation, and we should not allow someone to tarnish their good names, and we must condemn this vandalism.

I thank you both.

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

Mr. BOOZMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota, Colonel KLINE.

Mr. KLINE of Minnesota. I thank the gentleman for yielding.

I, like my colleagues, have come here today to condemn in the strongest possible terms the actions which damaged the Vietnam Veterans Memorial.

And as always when I am in the same room with my colleague Mr. JOHNSON from Texas, I am humbled to be in the presence of a real hero of the Vietnam War. And I don't know that I can add to the passion and to the caring that he has already conveyed for us, but I just have to say that I can't remember being so outraged by such a cowardly act.

Visitors from around the world who come to visit the Memorial are moved by the simple but powerful image of the etched granite wall. For those of us who served in Vietnam, however, the names on the wall hold an even stronger significance. Those names bolster our sometimes failing memories of the friends and comrades who didn't return with us.

It is with these memories in minds that I express my complete, my total, utter outrage at this recent desecration. The person or persons who did this have violated a sacred trust, and I consider their actions deplorable. Their cowardice, yes, their cowardice, stands in sharp contrast to the bravery and valor of those for whom this memorial was erected, and we as a country will simply not tolerate such behavior. Just as we honor and pay tribute to those who served and sacrificed so much, so too must we condemn, we as a Congress, we as a people, we as a Nation, those who would denigrate that sacrifice through such cowardly actions.

If there are those who applaud or somehow justify this desecration, I would only remind them of the hypocrisy of their beliefs and their actions. Our freedom was won and maintained by brave men and women such as those honored on this wall, and we should all hold them reverently in our hearts.

Mr. Speaker, I want to thank my colleague Mr. CARTER for bringing this important resolution to the floor, to the chairman and ranking member of the committee for bringing it to the floor.

I encourage my colleagues to support this bill. Let's support it unanimously.

Mr. BOOZMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise to join my colleagues today to condemn in the harshest terms possible the vandalism that scarred the Vietnam Veterans Memorial a few weeks ago.

My district in Florida is home to the second most veterans of any Member of this body, with more than 105,000 veterans and their dependents residing there.

□ 1345

I also serve on the House Veterans' Affairs Committee. So many brave soldiers, marines, Navy men, airmen who fought with bravery over in the Southeast to stop the spread of communism and to protect American interests live in my district. For those brave troops throughout our great Nation who perished in the line of fire, their names are forever marked on the Vietnam Veterans War Memorial here in Washington, DC. That anyone would deface the wall and desecrate the memory of these fine soldiers is beyond anyone's comprehension.

As someone who grew up in the Vietnam era and someone whose brother

and cousin and other family members served honorably and, thankfully, came home safely, I know firsthand the sacrifices these soldiers made, physically and emotionally, during their periods of service.

While thousands of our troops perished in the jungles of Vietnam and had their names inscribed on the wall, tens of thousands more came home to their families and loved ones. These are the people who deserve to be the most outraged by the vandalism that took place, the families, friends and fellow soldiers of the deceased, who make pilgrimages to the wall to pay respects and honor those who gave the ultimate sacrifice for our great Nation.

I commend Judge CARTER for bringing this resolution to the floor today. And I thank him for doing his part to honor the memory of those who fought and died in Vietnam.

We all hope that the individuals who perpetrated this crime will be caught and prosecuted to the full extent of the law and that, clearly, something like this would never happen again.

Mr. BOOZMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. POE).

Mr. POE. I thank the gentleman for yielding.

General Westmoreland said: ''I do not believe that the men who served in uniform in Vietnam have been given the credit they rightfully deserve. It was a difficult war against an unorthodox enemy.'' I agree with General Westmoreland, especially in light of those events when, last month, Vietnam veterans were dishonored when outlaw vandals desecrated the memorial.

I want to thank my colleague, Judge CARTER, for introducing this resolution that deplores this despicable act. I'm glad to be a cosponsor of it.

It has also been said that in this war, Vietnam War, ''all gave some, and some gave all.'' And the Vietnam Veterans War Memorial lists the names of over 58,000 Americans who gave all for their country. And of course the men and women who sacrificed their lives in Vietnam deserve better than what happened to the memorial that honors them.

The thugs who desecrated the wall ought to be tracked down and be brought to justice because justice is the one thing we should always find. I certainly know what I would do to them if I were still on the bench, and I'm sure Judge CARTER would like to do the same if he caught them. Be that as it may, they should be brought before the bar of justice.

Many of the friends that I grew up with in Texas served in Vietnam, and there are five of their names on that wall. We can honor them today by passing this resolution and demanding justice.

It has been said that in the Vietnam War it cost our troops everything, and it cost the American public almost nothing. It's time for the American public, by standing up for this resolution, to stand up for our troops and honor their memory in Vietnam.

Mr. BOOZMAN. Mr. Speaker, I know that all of us look forward to passing this very important resolution. I want to thank Judge CARTER for bringing it forward. And then also a special thanks to Mr. FILNER, chairman of the Veterans' Affairs Committee, and Ranking Member BUYER, in expediting it and getting it on the floor.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 680.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I thank Mr. CARTER. I thank all the Members who spoke on this legislation. It is an important bill. But I must say, we ought to go further than this resolution.

Mr. POE said voting for this resolution means we're standing up for our troops. Well, I just spoke recently to the Annual Convention of the Vietnam Veterans of America. I'll tell you what they define as standing up for our troops—and there will be legislation embodying all of this soon. It would mean that we would look at the 200,000 Vietnam vets who are on the street homeless tonight and solve that moral blot on our record.

Most of us go to Stand-Downs every year, where the whole community comes around for 3 days and provides security and comfort, medical attention, dental health, legal assistance, clothes for the homeless vets in that community. The community comes together and has a holistic approach of drug and alcohol abuse and job counseling. So we know what to do for those 3 days. But the last five or eight Stand-Downs that I've addressed I said, I'm tired of coming to Stand-Downs. We should have Stand-Downs 365 days a year. That's what the Veterans Administration ought to do. With a $100 billion budget, you would think we could take care of the Vietnam vets who are homeless. That would be standing up for the troops.

In addition, many of them have been fighting for decades to get compensation for an agent orange disability. And the law, while we have extended the areas to which presumption applies and give these brave veterans health care and disability compensation, there is still too many areas that are not awarded a claim.

At this stage (I would like to talk to Mr. JOHNSON later about this), I would say all these agent orange claims, if they have medical backing and help by a veteran service officer, are presumptive, and have them stop fighting after all these decades and get the care and attention that they need.

I will tell you, I have just got a list of 500 veterans from one State, Vietnam vets, who got Parkinson's disease in their early fifties. That's way earlier than the average age of on set for the general population. So it's obviously Vietnam that was the cause. Yet the law says there is no proof that agent orange caused Parkinson's or Lou Gehrig's disease, and so they're shut out. That's a shame. They served us; we should serve them. Let's grant all these agent orange claims.

And we ought to, according to the representatives at the convention, give the status of ''mandatory'' or ''assured funding'' to the health care for our veterans. Right now, health care in our budget is called ''discretionary.'' We fight over it every year, Democrats, Republican, House, Senate, VA Committee versus everybody. We should not play politics with veterans health care, and we should have a guaranteed mandatory budget.

Those are the things that would really tell our Vietnam vets that we care about them. So let's pass this resolution. The wall is, as we've heard today, so important to our memories, to our healing, to those brave men who fought for us. But let's go further and really give the Vietnam vets a thank you and pass legislation that will not only end homelessness and grant the agent orange claims, but give mandatory funding for the VA health care budget.

Mr. BUYER. Mr. Speaker, I rise today in strong support of H. Res. 680 condemning the act of vandalism on the Vietnam Veterans Memorial last month. On the evening of September 7th vandals dumped an oily substance, which damaged 14 of the 140 black granite panels commemorating the lives of more than 58,000 men and women killed or missing during the war. The substance has been cleaned up, however I believe it is important for the American people to know what happened to this sacred shrine.

Mr. Speaker, while no one has yet been connected with the vandalism, anti-war protesters earlier this year defaced other Washington landmarks. In January, protesters spray painted a Capitol terrace. Protesters later defiled the Lone Sailor statue at the United States Navy Memorial. This pattern of attacks is a national disgrace.

When I stand before the Wall and look on those names, I feel great humility in the presence of what this memorial represents. These men and women died so that our very way of freedom might endure. I call upon the coward or cowards who defiled this shrine to come forward and accept responsibility, or go back under the rock from which they came. It is an obscene perversion that others would creep out in the dark of night to deface the memory of heroes. The memory of these patriots endures in our hearts, whatever hateful attacks vandals may attempt.

I would like to thank my colleague Representative JOHN CARTER of Texas for introducing this important legislation, and I thank the House leadership for bringing it to the floor.

Mr. FILNER. 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 California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 680.

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

Mr. CARTER. 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.

SUPPORTING AND ENCOURAGING GREATER SUPPORT FOR VETERANS DAY EACH YEAR

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 237) supporting and encouraging greater support for Veterans Day each year.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 237

Whereas veterans of service in the United States Armed Forces have served the Nation with honor and at great personal sacrifice;

Whereas the American people owe the security of the Nation to those who have defended it;

Whereas on Memorial Day each year, the Nation honors those who lost their lives in service to the Nation;

Whereas on Veterans Day each year, the Nation honors those who have defended democracy by serving in the Armed Forces;

Whereas the observance of Memorial Day and Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust;

Whereas section 116(a) of title 36, United States Code, provides that ''The last Monday in May is Memorial Day'' and section 116(b) of that title requests the President to issue a proclamation each year calling on the people of the United States to observe Memorial Day by praying, according to their individual religious faith, for permanent peace, designating a period of time on Memorial Day during which the people may unite in prayer for a permanent peace, calling on the people of the United States to unite in prayer at that time, and calling on the media to join in observing Memorial Day and the period of prayer;

Whereas section 4 of the National Moment of Remembrance Act (Public Law 106–579) provides, ''The minute beginning at 3:00 p.m. (local time) on Memorial Day each year is designated as the 'National Moment of Remembrance' ''; and

Whereas Section 6103(a) of title 5, United States Code, provides that ''Memorial Day, the last Monday in May'' and ''Veteran's Day, November 11'' are legal public holidays: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages Americans to demonstrate their support for veterans on Veterans Day each year by treating that day as a special day of reflection;

(2) encourages schools and teachers to educate students on the great contributions veterans have made to the country and its history, both while serving as members of the United States Armed Forces and after completing their service; and

(3) requests that the President issue a proclamation each year in connection with the observance of Veterans Day calling on the people of the United States to observe that day with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I would yield for as much time as he may consume to the author of this legislation, an Army veteran of the Vietnam era, the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise in support of H. Res. 237.

I want to thank Representative FILNER for his commitment to this resolution in support of our veterans. And I say ''the support of our veterans.'' As a veteran myself who served in both the 101st and 82nd Airborne Division, I am proud to stand with our brave men and women.

Today, there are over 23 million veterans living in the United States; 165,000 in Iraq and Afghanistan. In my district, we have over 32,000 veterans. There are also many veterans who serve in Congress, and I want to thank those Members who have served this country. And I salute each and every one of the Members who have served our country.

To my fellow veterans, I commend you for your service. When our troops commit to serve our country, they make a promise to serve and to protect this country.

We also have a moral responsibility to protect the returning veterans and their families. Veterans returning from Iraq and Afghanistan must receive the best treatment. Sadly, for the last few years, I don't believe that our government has held its end of the bargain. The conditions at Walter Reed show us that in many cases our veterans are not receiving the care they deserve. This resolution reminds us that Veterans Day is not just a day off from school or work. This is a special day of reflection to honor those who have defended our country.

I visited Israel a few years ago. There I learned how truly they respect and honor veterans in that country. Israel calls for 1 minute of silence across the whole country. The country's emergency siren goes off at 10 a.m., and all TV and radio stations are also interrupted and programs sounding the alert. Everyone then stops whatever they are doing, working, driving, anything else, and stands in silence for those heroes who have served their country. That's paying respect.

My resolution also encourages schools to educate our young people about the contributions of our veterans to this country because they ultimately have made the sacrifice for the freedoms that they have to be in school and to be all that they want to be.

This year, as Chair of the Congressional Hispanic Caucus, I have worked closely with Hispanic veterans and the Medal of Honor veteran winners from World War II until today. The stories of courage and sacrifices I've heard from them were nothing short of amazing. They deserve to be recognized and thanked, as well as every veteran who has served our country.

I also believe a special thanks is necessary to the veterans and military families that are left behind. Too often we forget about the families and veterans who are left behind. They have sacrificed so much for their loved ones and for America, for America that we stand up with, America that we have always been with. You are the support system and the backbone for all of these veterans.

On November 11, on Veterans Day, do not forget those who are the true heroes of this country. Reflect on the true meaning of Veterans Day, and remember the sacrifices made by so many proud American sons and daughters that we will honor on that day.

I urge my colleagues to support this resolution. Veterans Day is about our heroes.

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

Mr. Speaker, I take great pleasure in urging my colleagues to support House Resolution 237, urging all of America to make a special effort to honor America's veterans on November 11, introduced by a veteran of the Vietnam War, the Honorable JOE BACA.

This resolution reminds each of us of the debt we owe to those whose sacrifices have made America the beacon of freedom throughout the world. America's holidays remind us of important events and persons in our Nation's history. It is significant that veterans are honored with two holidays that recognize the important role of those who wear the uniform.

□ 1400

Veterans have assaulted heavily defended beaches, jumped from aircraft under heavy fire, shivered in frozen foxholes, slogged through malaria-ridden jungles, and endured horrible abuses as prisoners of war. Veterans have survived incredible hardships, they have suffered wounds, and far too many have paid the ultimate price of freedom. They have often experienced long separations from families, and they serve in the outposts of freedom while their fellow citizens enjoy the fruits of everyday life in America. Each of them, from the Army or Marine infantrymen on patrol, to the sailor deep in the bowels of an aircraft carrier, to the airmen miles above the ground sets an example for the rest of us.

Mr. Speaker, I think it is important to recall how Veterans Day came to be. In 1921, an unknown World War I American soldier was buried in Arlington

National Cemetery. This site on a hillside overlooking the Potomac River and the City of Washington became the focal point of reverence for America's veterans. Similar ceremonies occurred earlier in England and France where an unknown soldier was buried in each of the nation's highest place of honor, in England West Minster Abby, in France the Arc de Triomphe.

These memorial gestures all took place on November 11, giving universal recognition to the celebrated ending of World War I fighting at 11 a.m., November 11, 1918, the 11th hour of the 11th day of the 11th month. The day became known as Armistice Day. The first celebration using the term ''Veterans Day'' occurred in Birmingham, Alabama, in 1947.

Raymond Weeks, a World War II veteran, organized National Veterans Day, which included a parade and other festivities to honor all veterans. The event was held on November 11, then designated Armistice Day. Later, U.S. Representative Edward Rees of Kansas proposed a bill that would change Armistice Day to Veterans Day. In 1954, Congress passed the bill that President Eisenhower signed proclaiming November 11 as Veterans Day. Raymond Weeks received the Presidential Citizens Medal from President Reagan in November 1982. Weeks' local parade and ceremonies are now an annual event celebrated nationwide.

Mr. Speaker, I again suggest this most fitting of resolutions is worthy of unanimous support for my colleagues. As Mr. FILNER said in the previous bill, we need to go further.

Mr. Speaker, there is no better way to honor our veterans on Veterans Day than to ensure funding for their medical care and other benefits. That is why I call on my friends on the other side of the aisle to appoint conferees for the Military Construction and VA appropriations bill.

We are almost a month into the new fiscal year and there is no practical reason that this bill cannot pass and become law. It won't be long before this apparent political ploy will begin to affect the care our Nation's warriors receive. Let's appoint conferees and ensure that the VA can continue to give our veterans the excellent care that they deserve.

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

Mr. FILNER. Mr. Speaker, I would yield such time as he may consume to our Vietnam aviator, Mr. BOSWELL of Iowa.

Mr. BOSWELL. Thank you, Chairman FILNER, and all of you who have worked on veterans events this day and these last several months. We appreciate it very much.

Mr. Speaker, as veterans we know the sacrifice that our servicemembers pay each day. Whether currently deployed in Iraq, Afghanistan, Korea, or wherever they might be around the world, serving on active duty or serving in the Army Reserves or on the National Guard, our men and women in uniform sacrifice for our freedom.

Oftentimes when we speak of our key military assets we are referring to the carriers and the stealth bombers and the tanks or the fighter planes. Well, while those are all impressive, none are more impressive than our brave men and women in uniform. I think, in fact, I know, they are our greatest military asset. The men and women who serve our Nation are the best educated, trained and equipped fighting force in the world. Because of this, I am proud to stand with my colleague (Mr. BACA) and all the rest of you to encourage communities and schools around the country to recognize the contributions veterans have made to our country and to our history.

It is often said, but we will say it again, a grateful Nation will always remember those who sacrifice so much in preserving our freedom. If we are to continue to have the very best of our Nation serve, we must continue to give them assurances that their service will not be forgotten. By granting all veterans who served before them the recognition, care and respect promised, tomorrow's veterans will have the reassurance in knowing their future needs will be addressed.

I am very proud to stand here to cosponsor this bill today and encourage the House to pass H. Res. 237. Honor Veterans Day. It's something we have a privilege to do.

Mr. BOOZMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in strong support of the resolution offered by Representative BACA of California. I applaud him for bringing this resolution to the floor today and I am very proud to support his efforts.

With a district with so many veterans, I can honestly stand here today and tell you that Veterans Day in my district is on par with the love of God, mom and apple pie. Almost every town and municipality in the eight counties that make up my congressional district goes out of their way to hold a public event celebrating the accomplishments of our Nation's veterans.

Traveling around my district, I have met literally thousands of men and some women who recount their stories of military service with pride and with joy. They tell of the bravery of their comrades, of the sacrifices to protect the innocent and the weak and the memories of those killed in action.

The resolution before us, House Resolution 237, is a good sense of the House that encourages the celebration of Veterans Day. Veterans Day is not just another day to go to the mall or look for Veterans Day sales but, rather, to honor those who have served our country.

These brave soldiers fought for our freedoms and the liberties of our Nation around the world, including France, England, Poland, Vietnam, Korea, Kuwait, Iraq and Afghanistan. The actions of the American military throughout the history of our Nation have helped advance the cause of freedom around the globe and protect citizens from attack from foreign powers, and today from attacks from terrorists.

Mr. Speaker, I encourage every American to adopt the spirit of this resolution in celebrating Veterans Day and show our veterans how much we appreciate their sacrifice and the time served. May God bless our soldiers and our veterans.

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

Mr. BOOZMAN. Mr. Speaker, in closing, again, I encourage everyone, certainly we are all anxiously awaiting to get to vote ''yes'' on this very, very important resolution. I want to thank Mr. BACA for bringing this to our attention and doing the work that it took to get it on the floor. A special thanks to Chairman FILNER, Mr. BUYER, again, for working together and getting all of the bills that we have done today on the floor. I think it represents a tremendous amount of work. As always, I want to thank the staffs on both sides who worked so hard in preparing these things and actually getting it to fruition.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 237.

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

There was no objection.

Mr. FILNER. Mr. Speaker, this is an important resolution, and we have heard the many reasons why, and I thank Mr. BACA for bringing this resolution to the floor. But after we give our speeches on Veterans Day, after we have given all the tributes, let's come back and do some real work that we have to do to really honor our veterans.

I agree with the gentleman from Arkansas. Let's pass that appropriations bill. If you add the money that is in the appropriations bill for 2008 with the continuing resolution we did earlier this year and the supplemental resolution we did earlier, we have added more than $13 billion for the health care of our veterans for this year over last year. That is a 30 percent increase. That is unprecedented in the history of the VA and will put in place all the programs that many of us want and know that they are needed, deserved and earned.

But let's go further than that. Let's pass together a GI Bill for the 21st century, a bill that not only increases the benefits to a realistic fashion for education and home loans, but brings in

the Guard and Reserve units to be eligible for the GI Bill's benefits. They are doing half the fighting in Iraq and yet do not have full benefits when they return home. So let us include the Guard and Reserve.

Let us include an absolute right to mental health treatment. We cannot neglect mental health, PTSD (post traumatic stress disorder), and other mental conditions. While we can deal with the visible wounds a lot easier, we cannot forget the invisible ones.

Let us work together to end that atrocious claims backlog. Over 600,000 claims for disability compensation are pending at the VA. People have died while waiting for their claim to be adjudicated. Others have lost their home because they didn't have the income. We can cut through that bureaucracy, not just add, as the budget has, 1,000 more people, but really look at a whole new way, a nonadversarial way of dealing with the claims for disability. We can do that.

For too many people, VA means ''veterans adversary.'' VA should mean ''veterans advocate''. We can do that. Let us make sure that every young man and woman that comes back from Iraq and Afghanistan is diagnosed for both traumatic brain injury and PTSD, post traumatic stress disorder. We are going to let tens of thousands of young men and women out of the service without adequately understanding these wounds, some of whose symptoms are invisible for some time. They are ticking time bombs that, coming back to society, will create enormous problems for our social structure. So let's diagnose it. Let's treat it early. Let's bring the family in. Let's make sure that we have treated the mental illness that is so prominent in a war like this that we are unfortunately pursuing.

Let us end homelessness for our veterans in America. We can do this. This is not rocket science. We know what it takes. We have all, as I said earlier, been to Stand-Downs. We know how to bring the community together to give homeless veterans the support they need to reintegrate. And I tell you, we are already seeing the problems that we saw in Vietnam. We have suicide rates of our current vets that are the highest rates since Vietnam. We have homeless Iraqi vets on the street. So let us not make the same mistake again that we did in Vietnam, but let us remember we have both new veterans and older veterans. We have to serve both. This Nation can do it, we should do it, and working together, we will do it.

Each year on Veterans Day, Americans come together to honor our Nation's heroes: the 25 million veterans that have served our country.

House Resolution 237 encourages Americans to demonstrate their support for veterans. It is important to let these heroes know that this grateful Nation honors their service to our country.

On this 88th Veterans Day, I urge all Americans to take the time to show appreciation to those who have answered the call to duty.

Although, we can never adequately thank them for their service and sacrifice to our Nation, today, on Veterans Day and everyday, we can humbly salute our brave veterans and soldiers.

Our nation has a proud legacy of supporting the men and women who have worn the uniform in defense of this country.

As a nation, we have a sacred pact with all those who served in uniform and we owe them a debt of gratitude.

Our country is founded on the principles of democracy, American values and faith that those who fight for freedom will defeat those whose cause is unjust.

I know I speak for the Nation when I say that we stand united behind our courageous men and women in uniform.

We must be united in seeing that every soldier, sailor, airman and marine is welcomed back with all the care and compassion this grateful Nation can bestow.

No other group of Americans has stood stronger and braver for our democracy than our troops and veterans.

Veterans Day should not be observed just once a year—our Nation's heroes must be celebrated, honored and remembered for their service to our Nation—the whole year through.

Veterans have kept their promise to serve our Nation—and we, as a free and democratic country, must keep our promises to our veterans.

As Chairman of the Veterans' Affairs Committee, it is my honor to serve the veterans of this Nation and I encourage my fellow Americans to do the same.

I encourage all Americans to reach out to veterans. Thank them and their families for their amazing sacrifice. Learn more about their great contributions to our country and gain the wisdom of their personal stories of our nation's history.

Americans have learned, again, the truth behind the inscription on the Korean War Memorial—''Freedom is not free.'' And no one has paid a higher price and sacrifice for our freedom than our veterans.

Pause to remember the noble service and high sacrifices of those who have worn this Nation's uniform.

On Veterans Day and the whole year through, join me and take the time to show your gratitude to those who have answered the call to duty.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings or any audible conversation is in violation of the rules of the House.

The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 237.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1415

THIRD HIGHER EDUCATION EXTENSION ACT OF 2007

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3927) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3927

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 ''Third Higher Education Extension Act of 2007''.

SEC. 2. EXTENSION OF PROGRAMS.

Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109–81; 20 U.S.C. 1001 note) is amended by striking ''October 31, 2007'' and inserting ''April 30, 2008''.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) and the College Cost Reduction and Access Act of 2007 (P.L. 110–84) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 3927, a bill to extend the Higher Education Act through April 30, 2008. This bill is very straightforward. It simply extends the current programs authorized under the Higher Education Act until April 30, 2008, giving us the time to fully consider and complete the reauthorization.

Mr. Speaker, we are making progress. With bipartisan support and the President's signature, we are making a historic investment in student financial aid in the College Cost Reduction and Access Act. We have also laid the groundwork to reauthorize the other core higher education programs, including teacher preparation, developing and strengthening institutions, college readiness and outreach programs, international education programs, graduate education, and many others.

The Higher Education Act was due to be reauthorized during the 108th Congress. It was not completed. The 109th Congress also failed to reauthorize this act. Given the length of time that has elapsed between when the Higher Education Act should have been reauthorized and today, we believed that it was critical that the 110th Congress and the stakeholders in the higher education community take a fresh look at the law and the recommendations to improve it.

We have held a series of congressional hearings covering the core issues of access, affordability, college preparation, teacher preparation, and institutional capacity. We put out a call for recommendations and received over 85 responses from individuals and organizations from across the Nation. I am looking forward to working with all my colleagues to produce a strong reauthorization that will earn broad support.

Mr. Speaker, I would also like to thank Congressman MCKEON, the ranking member of the full committee. I would like to thank Congressman RIC KELLER, the ranking member of the Subcommittee on Higher Education, Lifelong Learning and Competitiveness. Also, I wish to thank Chairman GEORGE MILLER for working together with all of us to expedite this extension. I urge all my colleagues to support this legislation, H.R. 3927.

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

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

Mr. Speaker, I rise in support of H.R. 3927, a measure to extend programs under the Higher Education Act, which are set to expire at the end of this month, for an additional 6 months. This is a clean extension. This will simply change the date required to reauthorize this law from October 31, 2007, until April 30, 2008. I thank my committee colleagues, Chairman MILLER, Chairman HINOJOSA, and Ranking Member MCKEON, for their work on this bill, as well as their consistent efforts on behalf of our Nation's college students and their families.

Mr. Speaker, while I support the extension of the Higher Education Act, I also believe that we need to get on with it at this point and reauthorize this important law. The last time this law was authorized was when President Bill Clinton was in office back in 1998, and it expired in 2004.

We need to work in a bipartisan way to finally reauthorize the Higher Education Act. Republicans on the House Education Committee recently took a positive step in this direction by introducing H.R. 3746, The College Access and Opportunity Act of 2007. This bill is an updated version of H.R. 609, the Higher Education reauthorization bill that passed the House last Congress but was not taken up by the Senate. H.R. 3746 would strengthen the Pell Grant program by providing for year-round Pell Grants, and it would address college affordability by providing transparency in college costs, among other things.

I hope that we will move forward with the Higher Education Act reauthorization in a bipartisan and thoughtful manner. I look forward to working with Ranking Member MCKEON and Chairmen MILLER and HINOJOSA and all of my colleagues on the Education and Labor Committee in completing our work in the coming months. In the meantime, however, I urge my colleagues to join with me in supporting this extension.

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

Mr. HINOJOSA. Mr. Speaker, as my colleague RIC KELLER pointed out, the last reauthorization took place back in 1998. If we are able to get it done this year, it will have been almost 10 since that reauthorization. For me, having served 11 years in Congress, I have had quite a learning curve. I have learned the importance by listening to presidents and chancellors of many of the institutions of higher learning and realize the importance of us getting this job done this session.

Mr. Speaker, it is extremely important because we are trying to raise the number of students who will be college ready. We must have programs that are going to fill the need that we have in our country for teachers, for scientists, for mathematicians, for all of the different fields that are necessary for our country to enjoy its prosperity.

I am working hard with my colleague RIC KELLER so that the Higher Education Act is completed on a timely basis, and one that is going to serve us for the next 6 years.

With that, I reserve the balance of my time and would like to ask the gentleman from Florida if he has some other speakers.

Mr. KELLER of Florida. Mr. Speaker, I have no other speakers and I am prepared to close at this time.

Mr. Speaker, I just want to urge all of my colleagues to vote ''yes'' on H.R. 3927. We believe that a college education opportunity is the passport out of poverty for so many worthy young people. I urge my colleagues to support this extension and then later to work together in a bipartisan manner to reauthorize the Higher Education Act.

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

Mr. HINOJOSA. 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 Texas (Mr. HINOJOSA) that the House suspend the rules and pass the bill, H.R. 3927.

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.

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:

Concurring in the Senate amendment to H.R. 327, by the yeas and nays;

H.R. 1808, by the yeas and nays;

H. Res. 680, by the yeas and nays.

The vote on H.R. 1955 will be taken later today.

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

JOSHUA OMVIG VETERANS SUICIDE PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill, H.R. 327, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 327.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 987]

YEAS—417

Abercrombie	Brown (SC)	Davis (IL)
Ackerman	Brown, Corrine	Davis (KY)
Aderholt	Brown-Waite, Ginny	Davis, David
Akin	Buchanan	Davis, Lincoln
Alexander	Burgess	Davis, Tom
Allen	Burton (IN)	Deal (GA)
Altmire	Butterfield	DeFazio
Andrews	Buyer	DeGette
Arcuri	Calvert	Delahunt
Baca	Camp (MI)	DeLauro
Bachmann	Campbell (CA)	Dent
Bachus	Cannon	Diaz-Balart, L.
Baird	Cantor	Diaz-Balart, M.
Baker	Capito	Dicks
Baldwin	Capps	Dingell
Barrett (SC)	Capuano	Doggett
Barrow	Cardoza	Donnelly
Bartlett (MD)	Carnahan	Doolittle
Barton (TX)	Carney	Doyle
Bean	Carter	Drake
Becerra	Castle	Dreier
Berkley	Castor	Duncan
Berman	Chabot	Edwards
Berry	Chandler	Ehlers
Biggert	Clarke	Ellison
Bilbray	Clay	Ellsworth
Bilirakis	Cleaver	Emanuel
Bishop (GA)	Clyburn	Emerson
Bishop (NY)	Coble	Engel
Blackburn	Cohen	English (PA)
Blumenauer	Cole (OK)	Eshoo
Blunt	Conaway	Etheridge
Boehner	Conyers	Everett
Bonner	Cooper	Fallin
Bono	Costa	Farr
Boozman	Costello	Fattah
Boren	Courtney	Ferguson
Boswell	Cramer	Filner
Boucher	Crenshaw	Flake
Boustany	Crowley	Forbes
Boyd (FL)	Cuellar	Fortenberry
Boyda (KS)	Culberson	Fossella
Brady (PA)	Cummings	Foxx
Brady (TX)	Davis (AL)	Frank (MA)
Braley (IA)	Davis (CA)	Franks (AZ)
Broun (GA)		Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—15

Bishop (UT)
Carson
Cubin
Feeney
Hastert
Hunter
Jindal
Johnson, E. B.
McKeon
Paul
Reyes
Rothman
Snyder
Wilson (OH)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1449

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

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHARLIE NORWOOD DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1808, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1808.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 988]

YEAS—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—15

Bishop (UT)
Carson
Cubin
Feeney
Gutierrez
Herger
Hunter
Jindal
Johnson, E. B.

McKeon
Paul
Reyes
Snyder
Wilson (OH)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1458

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING THE ACTIONS OF SEPTEMBER 7, 2007, RESULTING IN DAMAGE TO THE VIETNAM VETERANS WAR MEMORIAL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 680, 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 California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 680.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 14, as follows:

[Roll No. 989]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—14

Bishop (UT)
Bonner
Carson
Cubin
Feeney
Hunter
Jindal
Johnson, E. B.
McKeon
Paul
Reyes
Snyder
Wilson (OH)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1505

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:

Mr. BONNER. Mr. Speaker, due to an error, I failed to cast a vote on rollcall 939. Had I cast a vote, I would have voted "yea" on rollcall 989.

PROVIDING FOR CONSIDERATION OF H.R. 1011, VIRGINIA RIDGE AND VALLEY ACT OF 2007

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 763 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 763

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1011) to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; (2) the amendment printed in the report of the Committee on Rules, if offered by Representative Goodlatte of Virginia or his designee, which shall be in order without intervention of any point of order (except those arising under clause 9 or 10 of rule XXI) or demand for division of the question, shall be considered as read, and shall be separately debatable for ten minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 1011 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

Mr. CARDOZA. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas, my friend, Mr. SESSIONS.

All time yielded during the consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 763.

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

There was no objection.

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

House Resolution 763 provides for consideration of H.R. 1011, the Virginia Ridge and Valley Act of 2007, under a structured rule. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Natural Resources.

The rule makes in order the substitute reported by the Committee on Natural Resources and makes in order the amendment from the gentleman from Virginia (Mr. GOODLATTE), the only amendment which was submitted to the Committee on Rules for consideration on this rule.

The rule waives all points of order against consideration of the bill, except for clause 9 and 10 of rule XXI. Finally, the rule provides one motion to recommit with or without instructions.

The bill before us today, H.R. 1011, designates 43,000 acres as wilderness and nearly 12,000 acres as national scenic areas in the Jefferson National Forest in southwestern Virginia. The areas in the Jefferson National Forest that are protected by this bill are some of the most beautiful areas of the country. The areas offer numerous recreational activities, including fishing, hunting, hiking, camping, canoeing, horseback riding and skiing. These areas are virtually priceless and provide much-needed opportunities for visitors and families to spend time in the great outdoors and enjoying America's natural beauty.

H.R. 1011 ensures that critical habitat for bears, song birds, wild turkeys, brook trout, and other species, in addition to preserving countless stands of old growth, a 45-foot cascading waterfall, and breathtaking scenic views that encompass wide areas. Preserving this habitat is also critical for the economy, as tourism is the fattest growing industry in the region.

Each of these areas contained in H.R. 1011 were either recommended as part of the Jefferson National Forest plan or have been endorsed by the relevant county boards of supervisors in the local areas. The bill has broad bipartisan support from five other Representatives from Virginia, both Virginia Senators, Governor Tim Kaine and four county boards of supervisors. Local businesses and State organizations, faith groups, the International Mountain Bicycling Association and local bear hunters also support this bill.

Finally, I would like to thank Chairman RAHALL and Mr. BOUCHER for their dedication and hard work in bringing this legislation to the floor today so that we can ensure that America's most treasured resources are protected once again for future generations.

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

Mr. SESSIONS. I thank the gentleman from California for yielding me time.

Mr. Speaker, I rise in opposition to this structured rule and to a number of provisions included in the underlying provision in its current form. I oppose this legislation because it substitutes the deliberate and long-studied recommendation of well-trained Forest Service professionals with a purely political congressional action by designating 27,000 additional acres, which are land in the Forest Service today, as wilderness, beyond the Forest Service recommendation of 16,000 acres in southwestern Virginia's Jefferson National Forest.

This means that despite having spent millions of congressionally appropriated tax dollars and investing tens of thousands in on-the-ground Federal employee hours on studying this issue, the Democrat leadership will simply override the Forest Service's well-reasoned decision to force this additional acreage into wilderness status. This also, despite the fact that many of the areas proposed in this legislation do not meet the standards of the 1964 Wilderness Act, including roads, utility corridors, mountain biking areas, and a Federal Aviation Administration tower. These should not be considered within wilderness area, and yet, today, that's exactly what is happening.

Today's bill makes private landowners to the area vulnerable to the Jefferson National Forest Plan ultimate goal of obtaining all private lands within these expanded wilderness boundaries, including 722 total acres of outstanding privately held mineral rights.

What is even worse is that thousands of acres in this proposed wilderness area are at high risk for wildfire and require mechanical thinning for proper fire risk mitigation. Many of these areas are next to the small communities that will be placed at even greater risk of catastrophic wild fires if this land is not managed properly.

□ 1515

So even as the threat posed by wildfires to American communities all across this country is fresh on our minds, as we watch with great concern and sympathy the unbelievable damage these wildfires are inflicting on Southern California, nonetheless, the Democrat leadership of this House has decided that the best course of action is to extremely limit and outright prohibit commonsense reduction activities across this Jefferson National Forest in Virginia.

Besides the private land owners and homeowners adjacent to this land, other losers created by this legislation include a number of animal species covered by the Endangered Species Act, including bats and bears. Currently, several of the proposed wilderness areas added by this legislation are professionally managed to maintain threatened endangered and sensitive species habitat. By passing the legislation under this rule, Congress will be preventing the Forest Service from using the equipment that they need to comply with the Endangered Species Act.

This makes no sense, Mr. Speaker. It makes absolutely no sense why this new Democrat majority throws aside not only the expressed opportunities that the Forest Service have given us to understand proper management, but they will override professionals who have studied this and do this for a living.

Perhaps worst of all, Mr. Speaker, because this draconian ''wilderness'' designation prevents any road or trails from being improved in these areas, a number of our Nation's most vulnerable populations such as the elderly and disabled will be effectively prevented from accessing and enjoying this piece of America under this bill. It absolutely makes no sense, Mr. Speaker.

I'm sorry we're having to be on the floor today to take this position, because the Republican Party is in favor of our national parks, is in favor of people utilizing our national parks, and we view these areas as very historic areas that we want to preserve and make right and keep them.

Mr. Speaker, this is bad public policy. I oppose this structured rule and the underlying legislation.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I yield 1 minute to the gentlewoman from California, an esteemed environmentalist and champion for our national resources, the Speaker of the House, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for bringing this rule to the floor that will enable us to vote for this important bipartisan bill which has broad support, H.R. 1011, the Virginia Ridge and Valley Act of 2007.

I commend our colleague, Mr. BOUCHER, for his persistent and relentless leadership on this legislation. In advancing this, Mr. BOUCHER, you have advanced the cause of protecting our existing wilderness, and all of us who care about the wilderness and our park lands are deeply in your debt.

As we come to the floor, though, today, Mr. Speaker, I do want to call additional attention of my colleagues that as we gather here this afternoon, wildfires are raging in my home State of California. The President has declared an emergency. I hope that it will

be limited to that. But the way the fire is raging, I'm afraid it may come to the point of a major disaster. The Governor of California, Governor Schwarzenegger, has just reported that 750 homes have been totally destroyed, 68,000 homes are endangered; 250,000 acres of land, an area the size of the entire City of New York, has been devastated by the fire, much of it wilderness areas. And in addition to that, 365,000 people have been evacuated from their homes.

In any consideration of what is happening there, it's very important to salute our firefighters for their courage and their tireless, tireless effort to end this fire, which is a tough battle because of the winds and, hopefully, they will die down soon. It is possible that if the fire continues to rage, we may have to appeal to the President to declare this a major disaster and therefore eliminate any capping of support that we would have for California, and that would have implications, as we know, for other fires that may occur in our country.

So this is when the American people look to government to step up to the plate and to be there for them. The firefighters are doing their share. The people are acting in a very responsible way in the evacuations. The local government is doing well, according to what the Governor says and, of course, the State of California has this as an emergency of the highest, highest order. So far they have been able to avail themselves of whatever is available from the Federal Government. We may have to expand on that if the fires continue to rage.

But to those who have suffered personal losses, whether it's the loss of a loved one, personal injury, loss of their homes and their communities, I extend the deepest sympathy and the fullest support as Speaker of the House of Representatives.

With that, again, I urge my colleagues to support Mr. BOUCHER's bipartisan legislation to protect the Virginia wilderness, and in advance of any needs that we may have for the wildfires in California, inform my colleagues of the extent of the damage that we know to date and the need that we have for support. This compact between the people and the Federal Government is never called upon more strongly than in time of a natural disaster of this kind.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentlewoman from California's words about the tragedies that are occurring. Not only for the past few days, but also, as always, anytime there's a wildfire, people who get in the way, the brave men and women of the National Park Service and others who go to help fight those fires, I know the Nation is at this time very focused on the lives and the property and the effort that is going on in California.

With great respect, I too, join the gentlewoman from California for expressing our sincere appreciation for the firefighters who are trying to battle and save the property and the lives in California.

Mr. Speaker, for perhaps the same reason that the gentlewoman from California has come down to join in this discussion today, perhaps with an opposite result, I, too, am down on the floor to talk about how wise management of our natural resources, of our Parks Service, is important. You don't have to go back really as far as Teddy Roosevelt to understand what Teddy Roosevelt saw, that this great Nation had the abundance of beautiful woodlands, hills, mountains, streams, the acreage included within that, the beautiful animals, the birds, the fish, the wolves that were a part of our landscape. And that's why national parks were created. National parks were created with an opportunity for the Federal Government to have a chance to allow people to come and see this great country, to see the beautiful country that we had.

As a young man growing up and scouting, I remember well the opportunity that I had to not only visit national parks, but a chance to get what is called the Forestry Merit Badge. And even back in 1965 or 1966, when I was receiving this badge, I remember, this is not the term that was used, best practices, but one has become used as a term of best practice and that is, wise management of our forests to not only sustain them, but to protect them, and to protect the animals and all that lives and counts on that forest surviving. We've learned these wise management techniques, not just in scouting to get the Forestry Merit Badge, but we have learned them through the years. We've learned that sometimes unwise management and doing things to our park system, in fact, caused more damage than it did good.

I remember back with the fires that we had in Yellowstone, how the National Park Service said just let it burn, it is a fire created by an act of God. But they really, as a result of that, learned that they had to learn a better practice to save millions of acres and millions of animals that could be destroyed.

Well, part of that best practice is what the National Park Service is attempting to do right now and has been attempting to do in this national park today. It is against their recommendation that politically we override the best practices, the best thoughts and ideas that people have who manage our park system, who do see the balance, who are there every day with the careful consideration.

By designating this area, an extensive amount of area, as wilderness, it means that arbitrarily, we're taking something that would never qualify under the intended statutes and add it in. I think this is unwise. This is how you do have problems. This is how you do have fires that burn out of control when you're not able to come in and protect the forest properly as a result of this designation. This is how you have problems when you're not able to take care of the endangered species that are in there and properly protect them, because it will have that wilderness designation.

And so with great respect for the same purpose that the gentlewoman from California came to notify us and to remember what America's paying attention to today, the wildfires in California, I would say we need that same sort of vision to avoid what could be in the time of drought or in the time of misdeed because of perhaps a lightning storm, something that's an unintended consequence, and that is to take this area and to move it into wilderness means that it will not receive or be able to receive the same kind of regular work that happens to protect these wilderness areas and national parks from destruction of a fire. I think it's a bad idea.

I think it's also a bad idea any time politicians in Washington, D.C. for political purposes decide to overrule common sense.

Mr. Speaker, at this time I would like to yield 5 minutes to the ranking member of the Rules Committee, the gentleman from San Dimas, California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, I thank my friend from Dallas for yielding.

Mr. Speaker, I come to the well for the exact same reason that our California colleague, the distinguished Speaker of the House, Ms. PELOSI, has taken time, and that is to talk about what many have described as probably the worst fire that has ever hit Southern California.

I was just talking to the dean of our delegation, Mr. LEWIS, who is going to be returning to California. I know a number of our colleagues have gone now. He represents the Lake Arrowhead area where Governor Schwarzenegger and other elected officials are looking at this situation.

As the Speaker pointed out, 365,000 people have been evacuated from their homes, and literally hundreds of thousands of acres have been burned. And Mr. LEWIS just reminded me that one of the things that we can be extraordinarily grateful for is that we have been able to learn from previous fires how to deal with this. For example, we've had an increase in the number of what are known as the Mobile Airborne Firefighting System aircraft, the MAFS, which are going to be coming from other States. And we, as Californians, are very grateful for the fact that other States are working with us to deal with California's challenge in this time of need.

There are other environmental issues with which we've had to contend, the bark beetle that Mr. LEWIS just mentioned, and making sure that we are able to go in and clean up areas which create the potential for fire. And so we've learned a lot from the horrible

circumstances that we have faced in the past. And I'm convinced, Mr. Speaker that we will, in fact, learn from this tragedy as well.

Our thoughts and prayers are with those who have lost their homes. And if there is any kind of silver lining, when you think about the fact that 365,000 people have been evacuated, hundreds of thousands of acres, countless structures in the hundreds have been obliterated, and yet the report now is that there is only one loss of life. And obviously there are a number of firefighters who have been injured. According to a report I just saw on the television, another 25 individuals have been injured, and our thoughts and prayers are with them. But we are very grateful for those who have stepped up.

□ 1530

Governor Schwarzenegger just, Mr. Speaker, talked about the fact that at this time of need, calling on those in the grocer industry and a wide range of others coming in and providing water, diapers, baby formula, other foodstuffs that are necessary for those who have been evacuated and those who are engaged in firefighting is something that has really been remarkable, as our Governor just said.

And, Mr. Speaker, I have to tell you that one of the things that I have been struck with is that, while some people try to make things like this partisan, we are coming together as a State delegation to deal with this. As I said, a number of our colleagues have already gone to California. I know some members of the San Diego delegation, because that area has been hit particularly hard, have already gone.

So, Mr. Speaker, I would simply like to express my appreciation to those who are on the front lines and to say, as our Governor has, again, we have all come together to try to provide assistance, and the one thing we need to do now is pray for an improvement in both the wind and create the potential for some rain, if that's at all possible, to help provide some kind of relief, and to again state that at this time of disaster we want every level of government as well as individuals to continue to work together, and I am convinced that we will be able to.

Mr. CARDOZA. Mr. Speaker, I would like to say that I share the comments of our prior speakers. Both the Speaker of the House and the gentleman from California spoke eloquently about the disasters that are happening in our home State. It is certainly a time of great need and a great need for us to come together to figure out how we proceed from here to battle this rage.

I see Mr. LEWIS in the audience, and I have been to his district at a hearing about this very topic, and I know the serious nature of some of the forest management issues that are around his district and we have discussed it on numerous occasions. And our sympathies are with you and those of your constituents, Mr. LEWIS.

At this time, Mr. Speaker, I would like to yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank my colleague Mr. CARDOZA from California for yielding.

I also want to express solidarity with the concerns and expressions of sympathy expressed by the Speaker for the residents of California who are so afflicted by this terribly uncontrollable act of nature. I know the entire Congress, if they had the opportunity, would want to stand up and speak out on behalf of those very same sentiments.

We hope they can get that fire under control and that the people that have been displaced are able to find other housing and some safety. It's certainly one of the worst natural disasters. None of us can imagine what it would be like to be in the line of fire.

Mr. Speaker, my primary purpose for rising today is to express support for the legislation that has been introduced by my good friend and Virginia colleague Congressman RICK BOUCHER. It's an extraordinary proposal for what it accomplishes in the way of conservation and wilderness protection but also for the collaborative effort it represents to bring different public land uses together to the table and craft a proposal that almost everybody can and does support. In fact, Republican Senator JOHN WARNER, the dean of our delegation, has sponsored it over on the Senate side.

The Virginia Ridge and Valley Act will protect nearly 43,000 acres of the Jefferson National Forest in southwestern Virginia as wilderness or wilderness study areas and another 12,000 acres as scenic areas.

Today, wilderness designations are often very controversial. That's because our public lands are visited more frequently by a much more diverse and engaged public, a public that now holds very different views oftentimes and expectations on how the public land should be used. As a result, we have seen fewer and fewer wilderness designations work their way through Congress. That's unfortunate because saving some of our last pristine public lands from resource extraction is an obligation and should, in fact, be a legacy we can pass on to future generations.

My colleague from Virginia, however, is a very persistent colleague. And the time that he and the conservation community have invested to find middle ground and build a consensus to support this legislation is a model that other conservation groups around the country should look to to enact wilderness legislation. It can be done, but it takes that kind of commitment, persistent dedication that Mr. BOUCHER has shown.

This legislation will protect the scenic and undisturbed character of pristine areas of the Jefferson National Forest.

Now, while all terrain and four-wheel-drive vehicles are prohibited in the wilderness areas, recreational activities such as hunting, fishing, camping, canoeing, kayaking, swimming, picnicking, backpacking, bird watching, horseback riding, cross-country skiing, snowshoeing, spelunking, rock climbing, and so many other outdoor activities are allowed and, in fact, encouraged. So it is not that the public can't be fully and actively engaged in enjoying this land. But motorized traffic will be permitted only in certain circumstances in the 12,000 acres that have been designated as national scenic areas.

This legislation, though, will protect the recreational, historic, and natural resources in the delineated areas in a manner that is generally similar to the protections wilderness status affords. By finding consensus, this bill has won the endorsement of all the local governments and the counties that it would affect. It is supported by a broad array of businesses and chambers of commerce and enjoys broad support from conservation organizations.

So I encourage all of my colleagues on both sides of the aisle to support this bill. It's a fine bill, and I congratulate Mr. BOUCHER for bringing it forward.

Mr. SESSIONS. Mr. Speaker, as the entire country is focused upon California fires, the disasters that are occurring and the heroic efforts of the firefighters, the people who live in California are working together, community activities, the entire country has been called into action. And I'm sure every single one of us, as not only Members of Congress but just as proud Americans, want to respond in a way that is appropriate.

The gentleman who represents a vast area that is included within those wildfires is with us now. He's the gentleman from California (Mr. LEWIS). I would like to yield him 10 minutes at this time.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague's yielding me the time.

I will not use anywhere near 10 minutes. But let me say that my colleagues have already expressed their support for the phenomenal work that has taken place over the recent years as we have learned from past tragedies like this. The law enforcement officials, local government, the State people with the Forestry Service in California, and the U.S. Forestry Service have been truly phenomenal. We have learned an awful lot. But I would mention two things.

The first is that in terms of managing our forests, we usually find our way very quickly to develop those dollars that are necessary following a fire to respond to the immediate tragedy. Those dollars seem to flow almost upon our call. The dollars that, on the other hand, are much more difficult are those that involve managing the forest long term. It is so important that we recognize that the U.S. Forestry Service does all that they can, but they know

full well that the great difficulty of getting the money for managing that which makes up the ground fire that can destroy a forest, literally can obliterate this territory when we are looking, must be a part of our Federal responsibility.

There is little doubt that we will overcome this tragedy. Hundreds and hundreds of homes lost in my own district in and around Lake Arrowhead, California, tragedies for each of those families. But I would say beyond remembering that we must find the money for managing the forests. We also should talk to our constituents about the fact that when faced with a fire tragedy, the first thing that all of our people should do is to respond to those warnings that suggest, when they are called to evacuate, to evacuate. One life lost is too many, and the danger of attempting to overcome a fire near your home, indeed, is a critical decision. I would urge all of our citizens who are faced with this difficulty to respond to those calls for evacuation.

With that, I appreciate very much my colleagues' response to our tragedy and I appreciate very much their help.

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

I just wish to again give my deepest condolences to the folks who have lost their property in your district, Mr. LEWIS. As you have said, we have traveled there and had hearings, and, frankly, with all the dry timber that was left behind there, we were fearful that that would have happened a couple of years ago, and I understand it's happening as we speak. And hopefully we will not lose any more lives. And our hopes and prayers are with the people that habitat that region in and around Lake Arrowhead.

With regard to the bill at hand, H.R. 1011, I would just like to say, as has been said before, that this measure is supported by the members of the Virginia delegation. We will be offering, the gentleman from Virginia (Mr. GOODLATTE), the only amendment that was proposed under this rule. It's supported by all the local boards of supervisors as well as Senator WARNER, Governor Kaine.

And, in fact, we have listened to the community. And Mr. SESSIONS is right. The local officials and local community leaders, citizens of a region should be consulted when we designate one of these wilderness areas. And, in fact, this bill does incorporate those suggestions and comments of the local community. They desire this wilderness designation for their area. And it is truly going to be a national treasure. It already is, and it will be preserved for our children and for their children.

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

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume to close at this time.

Mr. Speaker, I will be asking Members to oppose the previous question so that I may amend the rule to have Speaker PELOSI, in consultation with Republican Leader BOEHNER, immediately appoint conferees to H.R. 2642, the Military Construction and Veterans Affairs Appropriations bill for 2008.

Yesterday a number of news publications, including Roll Call, reported that the Democrat leadership intends to hold off sending appropriations bills to President Bush so that they can use an upcoming anticipated veto of the Labor-HHS appropriations bill to serve as ''an extension of their successful public relations campaign on the State Children's Health Insurance Program.''

While the Democrat leadership plays politics on this issue, however, our Nation's veterans are paying the price. For every day that the Democrats allow the veterans funding bill to languish without conferees for their own political agenda, our Nation's veterans lose $18.5 million, which could be used for veterans health care, veterans housing, and other important support activities for veterans and their families.

I would like to repeat that. Every single day there is $18.5 million that is lost for our veterans and their families.

On October 18, the American Legion National Commander Marty J. Conaster, five national vice commanders, and all 55 Legion National Executive Committee members sent Speaker PELOSI a letter pleading with her to put partisanship aside and provide this funding now for our veterans and troops.

□ 1545

At this time, I will insert this letter into the CONGRESSIONAL RECORD.

THE AMERICAN LEGION,
Indianapolis, IN, October 18, 2007.

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

DEAR SPEAKER PELOSI: Today ends the Fall meeting of The American Legion's National Executive Committee, at The American Legion's National Headquarters in Indianapolis, Indiana. The National Executive Committee consists of an elected leader from each of The American Legion's 55 Departments (50 States, the District of Columbia and four foreign countries). In accordance with The American Legion's National Constitution and By-laws, the National Executive Committee serves as The American Legion's governing body.

The National Commander Marty Conatser briefed The National Executive Committee on an array of issues to include the status of the VA budget for FY 2008. The fiscal activities of the 110th Congress—the FY 2007 Continuing Resolution, the Budget Resolution for FY 2008, and the passage of the Military Construction, Veterans' Affairs and Related Agencies Appropriations for FY 2008 were reviewed.

However, in trying to grasp why such a bipartisan bill, which passed overwhelmingly in both chambers, still hasn't moved in over a month is rather difficult, especially since the President has already said he would not veto the bill, even though it exceeds his recommendations. Understanding why the appropriations process has come to a complete halt is difficult. What is preventing the appointment of conferees, the Conference Committee, or passage of a Conference Report?

We are now in the new fiscal year with no idea when the Mil Con-VA appropriations will be passed. If history repeats itself, this standoff may last well into the second quarter of the fiscal year. This uncertainty is disturbing to not only The American Legion and other veterans' and military service organizations, but to every veteran who is dependent on VA for timely access to quality health care, earned benefits, and other services provided by a grateful nation.

Madam Speaker, the newest generation of wartime veterans are reporting to VA medical facilities every day as troops are returning from deployments to Iraq and Afghanistan. Some will be determined to be service-connected disabled because of medical conditions incurred or aggravated while on active-duty. Others may very well have invisible scars that need attention as soon as possible. As VA welcomes new patients, the existing patient population cannot be ignored nor should their health care be rationed due to limited available resources. There are veterans dependent on VA as their life-support system.

The American Legion represents 2.6 million wartime veterans, but also speaks for the 24 million veterans of the United States Armed Forces and their families.

Please continue the appropriations process—name conferees, convene the Conference Committee, and pass the Conference Report.

Sincerely,

Marty Conatser, National Commander; Thomas L. Burns, Jr. (DE), National Vice Commander; Randall A. Fisher (KY), National Vice Commander; David A. Korth (WI), National Vice Commander; James L. Van Horn (AK), National Executive Committeeman; Ross Rogers (AK), National Executive Committeeman; Peggy G. Dettori (AK), National Vice Commander; Donald Hayden (MN), National Vice Commander; Floyd W. Turner (AL), National Executive Committeeman; Julius Maklary (AZ), National Executive Committeeman; James W. Hackney (CA), National Executive Committeeman.

Jeff Luginbuel (CO), National Executive Committeeman; John J. Jackson (DE), National Executive Committeeman; Robert J. Proctor (FL), National Executive Committeeman; Ray Hendrix (GA), National Executive Committeeman; Cleve Rice (ID), National Executive Committeeman; W. Darrell Hansel (IN), National Executive Committeeman; David O. Warnken (KS), National Executive Committeeman; Charles D. Aucoin (LA), National Executive Committeeman; Dr. Gordon B. Browning (MD), National Executive Committeeman; Richard W. Anderson (CT), National Executive Committeeman; Paul H. _____, for Walter W. Norris (DC), National Executive Committeeman; William E. Marshall (France), National Executive Committeeman; Andrew W. Johnson (HI), National Executive Committeeman; Kenneth J. Trumbull (IL), National Executive Committeeman; Michael E. Wanser (IA), National Executive Committeeman; Randall Coffman (KY), National Executive Committeeman; Robert A. Owen (ME), National Executive Committeeman; James F. Army (MA), National Executive Committeeman.

John E. Hayes (Mexico), National Executive Committeeman; Virgil V. Persing (MN), National Executive Committeeman; David N. Voyles (MO), National Executive Committeeman; Michael J. Landkamer (NE), National Executive

Committeeman; John E. Neylon (NH), National Executive Committeeman; Bruce Jorgensen (NM), National Executive Committeeman; Jerry L. Hedrick (NC), National Executive Committeeman; Carl W. Swisher (OH), National Executive Committeeman; Charles E. Schmidt (OR), National Executive Committeeman; Gerald N. Dennis (MI), National Executive Committeeman; Charles E. Langley (MS), National Executive Committeeman; Bob O. Beals (MT), National Executive Committeeman; Ron Gutzman (NV), National Executive Committeeman; William A. Rakestraw, Jr. (NJ), National Executive Committeeman; Paul Mitras (NY), National Executive Committeeman; Curtis O. Twete (ND), National Executive Committeeman; Bobby J. Longenbaugh (OK), National Executive Committeeman; Alfred Pirolli (PA), National Executive Committeeman.

William J. Kelly (Philippines), National Executive Committeeman; Ernest Gerundio (RI), National Executive Committeeman; Paul A. Evenson (SD), National Executive Committeeman; Ronald G. Cherry (TX), National Executive Committeeman; Leslie V. Howe (VT), National Executive Committeeman; William F. Schrier (WA), National Executive Committeeman; Arthur D. Herbison (WI), National Executive Committeeman; Carlos Orria-Medina (PR), National Executive Committeeman; Billy W. Bell (SC), National Executive Committeeman; Jennings B. Loring (TN), National Executive Committeeman; William E. Christoffersen (UT), National Executive Committeeman; Rob R. Gordon, Jr. (VA), National Executive Committeeman; William W. Kile (WV), National Executive Committeeman; ———, for Irvin A. Quick (WY), National Executive Committeeman.

On the same day, the commander in chief of the Veterans of Foreign Wars, George Lisicki, also asked Speaker PELOSI and the Democrat leadership to put partisanship aside for the benefit of our Nation's veterans and troops. These pleas from the American Legion and the VFW follow on the heels of requests from Republican Members to both Speaker PELOSI and Democrat Senate Majority Leader HARRY REID on September 17 and October 4 urging them to begin conference work on the Veterans Appropriations bills. Unfortunately, it appears as though all these commonsense requests have fallen on deaf ears, and our Nation's veterans are being forced to pay the price for continued Democrat partisanship and lack of leadership on this issue.

At this time, I will insert into the CONGRESSIONAL RECORD these two letters so that everyone watching today's debate across the country can see the efforts that have been made by the Republican Party to end this impasse on an important issue of providing adequate funding for those who have sacrificed so much on behalf of our country.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 17, 2007.

OFFICE OF THE SPEAKER
U.S. Capitol,
Washington, DC.

MADAM SPEAKER: We write to urge you in the strongest possible terms to reach a prompt agreement on the conference report on the FY2008 Military Construction and Veterans Affairs Appropriations Act (H.R. 2642). Few issues are more important than adequate funding for our nation's veterans. The leadership in the House cannot allow this critically important funding to fall victim to the usual partisan wrangling which occurs all too often in Washington.

Veterans should not be used as tools for political bargaining and gamesmanship. Both the House and Senate passed the FY08 MilCon-Veterans appropriations with overwhelming majorities because our commitment to veterans rises above partisan squabbling. Tragedies such as the recent revelations at Walter Reed Army Medical Center must never be repeated. The findings of insufficient care at Walter Reed and other facilities should be seen by Congress as a mandate to finish the work and live up to the promises we have made to our veterans.

After decades of flat funding, total VA budget rose from $48 billion in FY 2001 to approximately $70 billion in FY 2006, a 46 percent increase. This year, the House voted to increase funding by $6 billion dollars over FY07, one of the largest in the 77 year history of the Department of Veterans Affairs. Both the Senate and House versions received overwhelming majority support passing by a vote of 409–2 in the House and 92–1 in the Senate.

Earlier in the year, the new Majority agreed they would continue the trend of significant increases in veterans funding begun by the Republican Congress. We ask you to honor that agreement and see that the commitment we made to our veterans is honored.

We must never forget the sacrifice of our veterans. As members of Congress, we have a solemn obligation to fulfill our promises to them. We ask for you to look past the heightened partisanship of our times and unite us on this issue by making it a first priority to quickly bring a stand alone Veterans appropriations bill through conference so the Congress may present the President with a bill by October 1, 2007.

We stand ready to assist you in reaching this goal.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 4, 2007.

OFFICE OF THE SENATE MAJORITY LEADER,
U.S. Capitol,
Washington, DC.

DEAR MAJORITY LEADER REID: We write today to ask you to keep the Senate in session the week of October 8, to help pass this year's veterans appropriations. Now that we are already into the new fiscal year, it is imperative that the House and Senate reach a prompt agreement on the conference report on the FY2008 Military Construction and Veterans Affairs Appropriations Act (H.R. 2642).

It is unfortunate the Senate has been unable to act upon many of its Constitutionally mandated appropriations bills. While the House continues to wait upon the Senate to complete its work, we call upon you to quickly move veterans appropriations through conference so a final version of the bill may be passed and presented to the President. We believe that veterans issues rise above the partisan divisions of Washington which is evident by the passage of the FY08 MilCon-Veterans appropriations with overwhelming majorities in both Houses, 501–3 combined.

The Senate cannot allow this critically important funding to continue to fall victim to the usual partisan wrangling which occurs all too often in Washington. If tragedies such as the recent revelations at Walter Reed Army Medical Center are to be diverted in the future, we must pass veterans funding now. From FY 2001 the total VA budget rose from $48 billion to approximately $70 billion in FY 2006, a 46 percent increase. This year, the House voted to increase funding by $6 billion dollars over FY07, one of the largest in the 77 year history of the Department of Veterans Affairs. Because we have asked so much of our brave men and women in uniform during the War on Terror we must uphold our commitment to veterans upon their return home.

Earlier in the year, the new Majority agreed they would continue the trend of significant increases in veterans funding begun by the Republican Congress. We ask you to honor that agreement and see the commitment we made to our veterans is upheld.

We must never forget the sacrifice of our veterans. As members of Congress, we have a solemn obligation to fulfill our promises to them. We ask you to look past the heightened partisanship of our times and unite us on this issue by making it a first priority to bring a stand-alone veterans appropriations bill through conference so the Congress may present the President with a bill no later than October 12, 2007.

Mr. Speaker, I will ask all of my colleagues to support this motion to defeat the previous question so that we can put partisanship aside and move this important legislation forward.

Mr. Speaker, this is a very important vote for each of the Members of Congress to decide whether we are going to move forward for the best interest of our military and veterans, or whether we are going to play partisan politics.

I ask unanimous consent to insert the text of the amendment and extraneous material in the RECORD just prior to the vote on the previous question

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

There was no objection.

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

Mr. CARDOZA. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I want to start by saying that I couldn't disagree more with the gentleman's last comments. What I heard just does not even make any sense to me, having spent the last 5 years of my life sitting here watching this House debate veterans issues.

The first 4 years that I was here, we saw the Republican Congress that was in power at that time refuse to take up a number of measures that were brought forward by the Democratic minority at that time. In fact, there were several discharge petitions that laid languishing at that desk for weeks and weeks on end until they finally died at the end of the session because they never got the attention of the Republican majority at that time. In fact, this year, since we have taken back the House and we have become a Democratic majority, we have been champions of veterans issues. And to say that they want to now lay letters upon the table that they're demanding of the Speaker's attention, we have been putting attention on this issue for a number of years. And not only are we taking care of our veterans now for the

first time in 12 years, but we are taking care of it in a way that would surprise them. And our Nation's veterans are very grateful that we are finally giving them the respect they deserve.

And I will tell you that this House, by a vote of 409–2, passed the Veterans appropriations bill. And, yes, we do need to go to conference; but we will do that when the conferees are appointed in the Senate, when it is appropriate to do it. We have passed, this year, an additional appropriation of $3.4 billion to take care of our Nation's veterans. We will, in fact, make sure that all the veterans are taken care of. In fact, on November 11 of this year we will celebrate tremendous respect for our Nation's veterans and will, in fact, do everything that we have promised to do, and more.

We just saw today three bills taken up by the Veterans' Committee to, in fact, take care of the needs of our Nation's veterans. And I am highly offended by the insinuation that we are in some way acting in a partisan way not to take care of our Nation's veterans.

Mr. Speaker, with regard to H.R. 1011, this bill is, in fact, an important bill to protect the natural resources of the State of Virginia, a vital area for our country. Mr. BOUCHER and the delegation from Virginia have done a fabulous job in crafting this proposal. It is a bill that preserves tens of thousands of acres of pristine wilderness in Jefferson National Forest. It is necessary that these beautiful, natural landscapes remain protected and untouched so that they may be enjoyed by our children and our grandchildren for years to come. It deserves the strong support of all the Members on the floor today.

That is the bill that we will be moving the previous question on. Mr. Speaker, I urge a ''yes'' vote on the rule and on the previous question.

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

AMENDMENT TO H. RES. 763 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 1483, CELEBRATING AMERICA'S HERITAGE ACT

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 765 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 765

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1483) to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 1483 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 1 hour.

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

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 765.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. SUTTON. Mr. Speaker, House Resolution 765 provides for consideration of H.R. 1483, the Celebrating America's Heritage Act. The rule provides 1 hour of general debate controlled by the Committee on Natural Resources and makes in order the substitute reported by the Committee on Natural Resources.

The rule also contains a self-executing provision to the base text consisting of a technical correction that

inserts a map reference for a map that was not completed yet by the National Park Service prior to filing the reported bill. The rule also provides for one motion to recommit with or without instructions.

Mr. Speaker, before I begin to address the rule and the underlying bill, I want to also extend my feelings of empathy and concern for those out in California dealing with the fires that are plaguing that area of our country. We are all watching and we are all, in spirit, hoping that the fire ravaging will end. We appreciate the hard work and the fearless dedication of our fire service and our firefighters, and we hope that that situation is under control in the very, very near future.

Mr. Speaker, I rise today in support of this rule and the underlying bill. At the outset, I would like to commend my Republican colleague and neighbor, Congressman REGULA, for his leadership in sponsoring this bipartisan piece of legislation.

This bill will provide additional support to nine national heritage areas and allow for the designation of six new heritage areas, making them eligible for Federal support.

I am proud that the Ohio and Erie National Heritage Canalway is among these nine national heritage areas. And I can tell you from firsthand experience that I've had with the Ohio and Erie National Heritage Canalway, that these heritage areas are an invaluable asset, both to the local communities and to our Nation, from the preservation of local culture and history, to increasing tourism, and as centerpieces for economic growth.

The designation of heritage areas provides for a partnership approach to heritage development, allowing the sites to be locally managed with a local organization coordinating in partnership with local residents.

These areas provide unique opportunities to understand the larger context of these regions' traditions, landscapes and people, and the heritage of this great country.

The Ohio and Erie National Heritage Canalway is not a traditional park. It's a lived-in region where the national, cultural, historic and recreational resources combine to form a nationally significant landscape that celebrates the significance of the Ohio and Erie Canal and its contribution to the region, the State of Ohio, and the United States.

The Ohio and Erie Canal helped connect the Ohio frontier with New York and New Orleans in the early 19th century, playing a key role in linking a previously isolated Ohio with economic centers east and south. And the canal was crucial to the development of Ohio's economy, attracting businesses to the area and providing a viable transportation route for emerging industries.

Mr. Speaker, I am confident that with increased Federal support, the Ohio and Erie National Heritage Canalway and other heritage areas included in this legislation will continue to play central roles in their communities and equally important roles in our national heritage.

Similarly, Mr. Speaker, in addition to the Ohio and Erie National Heritage Canalway, the Celebrating America's Heritage Act will provide support to the National Coal Heritage Act in West Virginia, the Tennessee Civil War Heritage Area, the Augusta Canal and National Heritage Area in Georgia, the Steel Industry American Heritage Area in Pennsylvania, the Essex National Heritage Area in Massachusetts, the South Carolina National Heritage Corridor, America's Agricultural Partnership in Iowa, and the Hudson River Valley National Heritage Area in New York.

This legislation will also recognize and bring the benefits of heritage areas to six new communities throughout the Nation: Journey Through Hallowed Ground Heritage Area in Virginia, Niagara Falls National Heritage Area in New York, Muscle Shoals National Heritage Area in Alabama, Freedom's Way National Heritage Area in Illinois, and Santa Cruz Valley National Heritage Area in Arizona.

And it's important to note, Mr. Speaker, that this legislation specifically includes language that protects private property rights. And the bill makes clear that a national heritage area designation does not alter existing regulations or land use plans.

This is a good bill that will help communities and our country celebrate our heritage and use our history for future prosperity and collective pride. I urge my colleagues to support it.

I'm proud to be a cosponsor of this bipartisan legislation. And, again, I would like to thank Congressman RALPH REGULA from my home State of Ohio for introducing this bill and for being a champion of Ohio's heritage.

I urge all of my colleagues to support this important bipartisan legislation.

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

□ 1600

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentlewoman from Ohio (Ms. SUTTON) for yielding me the customary 30 minutes. I yield myself such time as I may consume.

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

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to this closed rule and urge my colleagues to oppose it as well. Mr. Speaker, this rule is the 39th closed rule the House will be considering this year. The Democrats have not just broken their promise to the American people to cooperate in an open and honest manner, they are actually doing it in a record-setting manner. In fact, this Democrat-controlled Congress has considered more than twice as many closed rules, twice as many, Mr. Speaker, as the previous Republican-controlled Congress did at the same point in the session.

So they didn't just break their promise, Mr. Speaker, they have shattered it. Most troubling of all is that this rule would prevent Representatives from offering amendments to adjust and alter the bill out of concerns directly affecting the districts and people that those Representatives were elected to represent.

The Celebrating America's Heritage Act authorizes $135 billion to be spent over the next 15 years for nine already established National Heritage Areas and six new National Heritage Areas. One of the new National Heritage Areas created in the bill is the Journey Through Hallowed Ground National Heritage Area, which includes land in Pennsylvania, Maryland, West Virginia and Virginia. Mr. BARTLETT of Maryland and Mr. GOODE of Virginia have expressed concerns that the land in the districts they represent is included in this new National Heritage Area and that this bill does not guarantee local residents will be allowed to participate in decisions affecting the area in their districts. If Congress is going to dictate how land is to be used, we must make sure that those who are directly affected by such designations are, in fact, supportive of the legislation.

I believe that all Members should be afforded an opportunity to have their voices heard on behalf of those they represent when their district is directly impacted. It was remarked yesterday in testimony before the Rules Committee by Mr. YOUNG of Alaska, ''That is just good government.'' What he was referring to obviously was to have a Member talk about issues that affect their district. Unfortunately, if adopted, this 39th closed rule of the year will deny Mr. BARTLETT and Mr. GOODE and, in fact, all Members of the House, the opportunity to bring forth their concerns to attempt to amend—to perfect this bill. Although National Heritage Areas typically do not create additional Federal lands, the Federal Government can significantly impact the use of the land in and surrounding National Heritage Areas.

Mr. Speaker, coming from an area in my area in central Washington that is 40 percent federally owned, I want to take this opportunity to discuss my concerns with future actions that could lead to additional Federal lands. As I have said many times before on this floor, I believe Federal land management agencies simply have too much land to manage effectively. Federal land agencies continue to struggle to maintain trails and facilities on public lands as well as to manage unnaturally high fuel loads that can lead to catastrophic wildfires. We had that discussion on the previous rule; yet, year after year we are spending precious tax dollars to buy up more private property to take off local tax rolls.

There are far more pressing issues affecting public lands management that

we could be considering today. For example, Mr. Speaker, we should be discussing the extension of payments to forested counties for rural schools and roads or for development of clean energy on public lands. These are far more pressing issues, and they are not going to go away. I believe the House should act quickly in a bipartisan manner to address them.

Mr. Speaker, this is a closed rule, as I mentioned in my opening remarks. In closing, I would like to read a quote from the distinguished majority leader (Mr. HOYER) from Congress Daily PM on December 5, 2006, a little more than 10 months ago. He said, Mr. Speaker, ''We intend to have a Rules Committee that gives opposition voices and alternative proposals the ability to be heard and considered on the floor of the House.''

Mr. Speaker, the distinguished majority leader said that a little bit more than 10 months ago. Unfortunately, the Democrat majority is once again not living up to the promises they made to Americans just less than a year ago. We are shutting out the people and the Representatives who are directly impacted by this legislation with this closed rule.

Mr. Speaker, accordingly, I urge my colleagues to vote against this, the 39th closed rule of the year.

I reserve the balance of my time.

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

Mr. Speaker, I just want to remind my colleague from Washington that this legislation does not affect private property rights. The bill makes it clear that a National Heritage Area designation does not alter existing regulations or land use plans, either.

With that, I reserve the balance of my time.

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

Ms. SUTTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, I rise today to support this rule and the underlying bill, H.R. 1483, amending the Omnibus Parks and Public Lands Management Act.

Early this year, I introduced the Santa Cruz Valley National Heritage Area Act with Congressman GRIJALVA. I am pleased that our bill has been included in H.R. 1483.

By designating the Santa Cruz Valley as a National Heritage Area, this beautiful and thriving region will receive modest Federal support for promoting the area's history, cultural resources and indigenous wildlife habitat. We are ensuring that the Santa Cruz Valley visitors can experience the unique watershed and diverse societies it has supported, Native American tribes, descendants of Spanish ancestors, American pioneers, and, now, members of our diverse Sonoran Arizona communities.

Widely supported from Marana, Arizona, to Patagonia, the Santa Cruz Valley will protect private property rights and public use of this federally managed land.

So I support this bill. I urge a ''yes'' vote on the rule and the underlying bill to support preserving Arizona's National Heritage.

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

Mr. Speaker, for the past several weeks, my colleagues on the Rules Committee and I have highlighted loopholes in the House rules related to earmark transparency. While this is an important issue that still must be addressed, there is still a more pressing issue that the House must act on immediately.

Mr. Speaker, it has now been 130 days, 130 days, since the veterans funding bill was approved by the House. The Senate passed a similar bill. Mr. Speaker, contrary to what was said in the debate in the last bill, the Senate has appointed their conferees over 6 weeks ago. Sadly, the Democrat leadership in the House has refused to move forward on this bill and name conferees and instead has chosen to put partisanship and politics ahead of ensuring our veterans' needs are met. Every day the Democrats choose not to act to move this bill forward, our Nation's veterans lose $18.5 million.

Last week, Republican Leader BOEHNER took a positive step toward naming House Republican conferees. Now, Speaker PELOSI must follow suit and take the steps necessary to ensure that work can begin on writing the final veterans funding bill that can be enacted into law.

I might add, Mr. Speaker, this is one of those bills that enjoys strong bipartisan support. It is troubling to me that Democrat leadership chose to consider a simple resolution today supporting and encouraging greater support for Veterans Day each year, but thus far, has refused to demonstrate meaningful support for our Nation's veterans by working on this final funding bill. Our veterans, and all Americans, want us to put partisanship and politics aside and work together to do what is in the best interests for our Nation's veterans.

Mr. Speaker, I see no better time than right now. Therefore, I will be asking my colleagues to vote ''no'' on the previous question so that I can amend the rule to allow the House to immediately act to go to conference with the Senate on H.R. 2642, the Military Construction and Veterans Affairs funding bill and appoint conferees.

The amendment to the rule I am offering would allow the Speaker to declare a recess for the purpose of consulting with the minority leader prior to the appointment of conferees. Further, it would provide that the motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within 2 additional legislative days after adoption of this resolution. In other words, Mr. Speaker, we can act on this as quickly as we possibly can.

By defeating the previous question, the House will send a strong message to our veterans that they have our commitment to write a final bill providing them the funding and increase they need, deserve and were promised.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to oppose the previous question on the 39th closed rule the House is considering this year, and I yield back the balance of my time.

Ms. SUTTON. Mr. Speaker, I only wish the same commitment and tenacity on behalf of veterans that is being expressed here today continues into the future, and I wish that it had been a little bit more at the surface in the past.

As you know, Mr. Speaker, the Democrats, when they came into the majority in this House, passed the biggest increase for veterans health care in history. They passed in the Military Construction and Veterans Affairs appropriations bill $6.7 billion above the fiscal year 2007 budget, which, by the way, was the largest single increase in the 77-year history of the VA, $3.8 billion above the President's request. So we are indeed on the same page in terms of protecting our Nation's veterans, and we are working diligently, not just with our words, but with our votes and with our actions to make sure that we live up to the promise that we make to our veterans.

Returning to the legislation and the rule at hand, Mr. Speaker, the Celebrating America's Heritage Act would provide support for some of our Nation's cultural treasures and will expand support to additional heritage areas. I cannot overstate the importance of many of these areas, not only to the local communities and the regions in which they exist, but to preserving the history of the United States, that history that those veterans fought for, by the way, and these heritage areas stand out for national parks and they are overseen by a coalition of local leaders, community members and local organizations all with an interest in the preservation in their areas' traditions and culture and in the continued vitality of their communities. These heritage areas play a key role in spurring economic development, which serve as a bridge to the future for communities as well as a constant reminder of our past and the cumulative history that has led to where we are today.

I know what the Ohio and Erie National Heritage Canalway means to northeast Ohio, and I know what increased Federal support will do to help it continue serving our community and our Nation.

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

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

AMENDMENT TO H. RES. 765 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill, H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

□ 1615

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 763, by the yeas and nays;

Adopting House Resolution 763, if ordered;

Ordering the previous question on House Resolution 765, by the yeas and nays;

Adopting House Resolution 765, if ordered; and

Suspending the rules and passing H.R. 1955.

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

PROVIDING FOR CONSIDERATION OF H.R. 1011, VIRGINIA RIDGE AND VALLEY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 763, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 225, nays 190, not voting 17, as follows:

[Roll No. 990]

YEAS—225

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

NAYS—190

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilirakis

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

NOT VOTING—17

Bilbray
Bishop (UT)
Carson
Cubin
Culberson
Feeney
Hastert
Hunter
Issa
Jindal
Johnson, E. B.
McKeon
Moore (WI)
Oberstar
Paul
Reyes
Wilson (OH)

□ 1641

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1483, CELEBRATING AMERICA'S HERITAGE ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 765, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 191, not voting 13, as follows:

[Roll No. 991]

YEAS—228

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

NAYS—191

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

NOT VOTING—13

Bilbray
Bishop (UT)
Carson
Cubin
Feeney
Hunter
Issa
Jindal
Johnson, E. B.
McKeon
Paul
Reyes
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1649

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 231, nays 186, not voting 15, as follows:

[Roll No. 992]

YEAS—231

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer

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

NAYS—186

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

NOT VOTING—15

Bilbray
Bishop (UT)
Carson
Cubin
Feeney
Hunter
Issa
Jindal
Johnson, E. B.
Lamborn
McKeon
Musgrave
Paul
Reyes
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes to record their vote.

□ 1657

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM PREVENTION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1955, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 1955, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 6, not voting 22, as follows:

[Roll No. 993]

YEAS—404

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—6

Abercrombie
Costello
Duncan
Flake
Kucinich
Rohrabacher

NOT VOTING—22

Barrett (SC)
Bilbray
Bishop (UT)
Carson
Conyers
Cooper
Cubin
Davis (IL)
Davis, Tom
Feeney
Hunter
Issa
Jindal
Johnson, E. B.
McKeon
Moore (KS)
Paul
Peterson (PA)
Reyes
Sherman
Wilson (OH)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have less than 2 minutes to vote.

□ 1706

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

Mr. PENCE and Mr. LOEBSACK changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include therein extraneous material on H.R. 1011.

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

There was no objection.

VIRGINIA RIDGE AND VALLEY ACT OF 2007

Mr. RAHALL. Mr. Speaker, pursuant to House Resolution 763, I call up the bill (H.R. 1011) to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1011

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Virginia Ridge and Valley Act of 2007''.

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

Sec. 1. Short title and table of contents.
Sec. 2. Designation of additional National Forest System lands in Jefferson National Forest, Virginia, as wilderness or a wilderness study area.
Sec. 3. Designation of Kimberling Creek Potential Wilderness Area, Jefferson National Forest, Virginia.
Sec. 4. Designation of Seng Mountain and Bear Creek Scenic Areas, Jefferson National Forest, Virginia.
Sec. 5. Trail plan and development.

SEC. 2. DESIGNATION OF ADDITIONAL NATIONAL FOREST SYSTEM LANDS IN JEFFERSON NATIONAL FOREST, VIRGINIA, AS WILDERNESS OR A WILDERNESS STUDY AREA.

(a) DESIGNATION OF WILDERNESS.—Section 1 of Public Law 100–326 (102 Stat. 584; 16 U.S.C. 1132 note), as amended by Public Law 106–471 (114 Stat. 2057), is further amended—

(1) in the matter preceding paragraph (1), by striking ''System—'' and inserting ''System:'';

(2) by striking ''certain'' at the beginning of paragraphs (1) through (8) and inserting ''Certain'';

(3) by striking the semicolon at the end of paragraphs (1) through (6) and inserting a period;

(4) by striking ''; and'' at the end of paragraph (7) and inserting a period; and

(5) by adding at the end the following new paragraphs:

''(9) Certain lands in the Jefferson National Forest, which comprise approximately 3,769 acres, as generally depicted on the map entitled 'Brush Mountain and Brush Mountain East' and dated February 2007, and which shall be known as the Brush Mountain East Wilderness.

''(10) Certain lands in the Jefferson National Forest, which comprise approximately 4,794 acres, as generally depicted on the map entitled 'Brush Mountain and Brush Mountain East' and dated February 2007, and which shall be known as the Brush Mountain Wilderness.

''(11) Certain lands in the Jefferson National Forest, which comprise approximately 4,223 acres, as generally depicted on the map entitled 'Seng Mountain and Raccoon Branch' and dated February 2007, and which shall be known as the Raccoon Branch Wilderness.

''(12) Certain lands in the Jefferson National Forest, which comprise approximately 3,270 acres, as generally depicted on the map entitled 'Stone Mountain' and dated February 2007, and which shall be known as the Stone Mountain Wilderness.

''(13) Certain lands in the Jefferson National Forest, which comprise approximately 8,470 acres, as generally depicted on the map entitled 'Hunting Camp Creek and Garden Mountain' and dated February 2007, and which shall be known as the Hunting Camp Creek Wilderness.

''(14) Certain lands in the Jefferson National Forest, which comprise approximately 3,291 acres, as generally depicted on the map entitled 'Hunting Camp Creek and Garden Mountain' and dated February 2007, and which shall be known as the Garden Mountain Wilderness.

''(15) Certain lands in the Jefferson National Forest, which comprise approximately 5,476 acres, as generally depicted on the map entitled 'Mountain Lake Additions' and dated February 2007, and which are hereby incorporated in the Mountain Lake Wilderness designated by section 2(6) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(16) Certain lands in the Jefferson National Forest, which comprise approximately 308 acres, as generally depicted on the map entitled 'Lewis Fork Addition and Little Wilson Creek Additions' and dated February 2007, and which are hereby incorporated in the Lewis Fork Wilderness designated by section 2(3) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(17) Certain lands in the Jefferson National Forest, which comprise approximately 1,845 acres, as generally depicted on the map entitled 'Lewis Fork Addition and Little Wilson Creek Additions' and dated February 2007, and which are hereby incorporated in the Little Wilson Creek Wilderness designated by section 2(5) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(18) Certain lands in the Jefferson National Forest, which comprise approximately 2,249 acres, as generally depicted on the map entitled 'Shawvers Run Additions' and dated February 2007, and which are hereby incorporated in the Shawvers Run Wilderness designated by paragraph (4).

''(19) Certain lands in the Jefferson National Forest, which comprise approximately 1,203 acres, as generally depicted on the map entitled 'Peters Mountain Addition' and dated February 2007, and which are hereby incorporated in the Peters Mountain Wilderness designated by section 2(7) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(20) Certain lands in the Jefferson National Forest, which comprise approximately 263 acres, as generally depicted on the map entitled 'Kimberling Creek Additions and Potential Wilderness Area' and dated February 2007, and which are hereby incorporated in the Kimberling Creek Wilderness designated by section 2(2) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).''.

(b) DESIGNATION OF WILDERNESS STUDY AREA.—Section 6(a) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3108) is amended—

(1) by striking ''certain'' at the beginning of paragraphs (1) through (4) and inserting ''Certain'';

(2) by striking the semicolon at the end of paragraphs (1) and (2) and inserting a period;

(3) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(4) by adding at the end the following new paragraph:

''(5) Certain lands in the Jefferson National Forest, which comprise approximately 3,226 acres, as generally depicted on a map entitled 'Lynn Camp Creek Wilderness Study Area' and dated February 2007, and which shall be known as the Lynn Camp Creek Wilderness Study Area.''.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and

Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of each wilderness area designated or expanded by the amendments made by subsection (a) and of the Lynn Camp Creek Wilderness Study Area designated by the amendment made by subsection (b).

(2) FORCE AND EFFECT.—The maps and legal descriptions referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the maps and descriptions. In the case of any discrepancy between the acreage specified in the amendments made by subsection (a) or (b) and the corresponding map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The maps and legal descriptions referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(d) ADMINISTRATION.—

(1) NEW WILDERNESS AREAS.—Subject to valid existing rights, the Secretary of Agriculture shall administer the lands in the Jefferson National Forest designated as a new wilderness area by the amendments made by subsection (a) in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(2) EXPANDED WILDERNESS AREAS.—Subject to valid existing rights, the Secretary of Agriculture shall administer the lands in the Jefferson National Forest designated as wilderness and incorporated into an existing wilderness area by the amendments made by subsection (a) in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and other laws applicable to that wilderness area, except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

SEC. 3. DESIGNATION OF KIMBERLING CREEK POTENTIAL WILDERNESS AREA, JEFFERSON NATIONAL FOREST, VIRGINIA.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands in the Jefferson National Forest, which comprise approximately 349 acres, as generally depicted on the map entitled ''Kimberling Creek Additions and Potential Wilderness Area'' and dated February 2007, are designated as a potential wilderness area for eventual incorporation in the Kimberling Creek Wilderness designated by section 2(2) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

(b) MAP AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of potential wilderness area.

(2) FORCE AND EFFECT.—The map and legal description referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the map and description. In the case of any discrepancy between the acreage specified in subsection (a) and the map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The map and legal description referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary of Agriculture shall manage the potential wilderness area as wilderness pending its incorporation in the Kimberling Creek Wilderness.

(d) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—For purposes of ecological restoration (including the elimination of non-native species, removal of illegal, unused, or decommissioned roads, and any other activities necessary to restore the natural ecosystems in the potential wilderness area), the Secretary of Agriculture may use motorized equipment and mechanized transport in the potential wilderness area until its incorporation in the Kimberling Creek Wilderness.

(2) LIMITATION.—To the maximum extent practicable, the Secretary shall use the minimum tool or administrative practice necessary to accomplish ecological restoration with the least amount of adverse impact on wilderness character and resources.

(e) WILDERNESS DESIGNATION.—The potential wilderness area shall be designated as wilderness and incorporated in the Kimberling Creek Wilderness on the earlier of—

(1) the date on which the Secretary of Agriculture publishes in the Federal Register notice that the conditions in the potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed; or

(2) the date that is five years after the date of the enactment of this Act.

(f) ADMINISTRATION.—Subject to valid existing rights, upon incorporation of the lands designated as wilderness under subsection (e) in the Kimberling Creek Wilderness, the Secretary of Agriculture shall administer the lands in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other laws applicable to that wilderness area, except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date on which the lands are designated as wilderness under subsection (e).

SEC. 4. DESIGNATION OF SENG MOUNTAIN AND BEAR CREEK SCENIC AREAS, JEFFERSON NATIONAL FOREST, VIRGINIA.

(a) ESTABLISHMENT.—The following National Forest System lands in the State of Virginia are hereby designated as National Scenic Areas (in this section referred to as the ''scenic areas''):

(1) Certain lands in the Jefferson National Forest, which comprise approximately 6,455 acres, as generally depicted on the map entitled ''Seng Mountain and Raccoon Branch'' and dated February 2007, and which shall be known as the Seng Mountain National Scenic Area.

(2) Certain lands in the Jefferson National Forest, which comprise approximately 5,128 acres, as generally depicted on the map entitled ''Bear Creek'' and dated February 2007, and which shall be known as the Bear Creek National Scenic Area.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of each of the scenic areas.

(2) FORCE AND EFFECT.—The maps and legal descriptions referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the maps and descriptions. In the case of any discrepancy between the acreage specified in subsection (a) and the corresponding map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The maps and legal descriptions referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) PURPOSES OF SCENIC AREAS.—The scenic areas are established for the purposes of—

(1) ensuring the protection and preservation of scenic quality, water quality, natural characteristics, and water resources;

(2) protecting wildlife and fish habitat, consistent with paragraph (1);

(3) protecting areas that may develop characteristics of old-growth forests; and

(4) providing a variety of recreation opportunities, consistent with the preceding paragraphs.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary of Agriculture shall administer the scenic areas in accordance with this section and the laws and regulations generally applicable to the National Forest System. In the event of conflict between this section and other laws and regulations, this section shall take precedence.

(2) CONSISTENT USE.—The Secretary shall only allow such uses of the scenic areas as the Secretary finds will further the purposes for which the scenic areas are established.

(e) MANAGEMENT PLAN.—Within two years after the date of the enactment of this Act, the Secretary of Agriculture shall develop a management plan for the scenic areas consistent with this section. The management plan shall be developed as an amendment to the land and resource management plan for the Jefferson National Forest, except that nothing in this section requires the Secretary to revise the land and resource management plan for the Jefferson National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(f) ROADS.—After the date of the enactment of this Act, no roads shall be established or constructed within the scenic areas, except that this prohibition shall not be construed to deny access to private lands or interests therein in the scenic areas.

(g) VEGETATION MANAGEMENT.—No timber harvest shall be allowed within the scenic areas, except as the Secretary of Agriculture finds necessary in the control of fire, insects, and diseases and to provide for public safety and trail access. Notwithstanding the preceding sentence, the Secretary may engage in vegetation manipulation practices for maintenance of existing wildlife clearings and visual quality. Firewood may be harvested for personal use along perimeter roads under such conditions as the Secretary may impose.

(h) MOTORIZED TRAVEL.—Motorized travel shall not be permitted within the scenic areas, except that the Secretary of Agriculture may authorize motorized travel within the scenic areas—

(1) as necessary for administrative use in furtherance of the purposes of this section;

(2) in support of wildlife management projects in existence as of the date of the enactment of this Act; and

(3) on Forest Development Road 9410 and 84b during deer and bear hunting seasons.

(i) FIRE.—Wildfires in the scenic area shall be suppressed in a manner consistent with the purposes of this section, using such means as the Secretary of Agriculture considers appropriate.

(j) INSECTS AND DISEASE.—Insect and disease outbreaks may be controlled in the scenic areas to maintain scenic quality, prevent tree mortality, reduce hazards to visitors, or protect private lands.

(k) WATER.—The Secretary of Agriculture shall administer the scenic areas so as to maintain and enhance water quality.

(l) MINING WITHDRAWAL.—Subject to valid existing rights, all federally owned lands in the scenic areas are withdrawn from location, entry, and patent under the mining laws of the United States and from leasing claims under the mineral and geothermal leasing laws of the United States, including amendments to such laws.

SEC. 5. TRAIL PLAN AND DEVELOPMENT.

(a) TRAIL PLAN.—The Secretary of Agriculture shall establish a trail plan for National Forest System lands described in this subsection in order to develop the following:

(1) Hiking and equestrian trails on the lands in the Jefferson National Forest designated as wilderness by the amendments made by section 2(a), in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) Nonmotorized recreation trails within the Seng Mountain and Bear Creek Scenic Areas designated by section 4.

(b) CONSULTATION.—The Secretary of Agriculture shall establish the trail plan in consultation with interested parties.

(c) IMPLEMENTATION REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report on the implementation of the trail plan, including the identification of priority trails for development.

(d) TRAIL REQUIRED.—The Secretary of Agriculture shall develop a sustainable trail, using a contour curvilinear alignment, to provide a continuous connection for non-motorized travel between County Route 650 and Forest Development Road 4018 in Smyth County, Virginia.

The SPEAKER pro tempore. Pursuant to House Resolution 763, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1011

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Virginia Ridge and Valley Act of 2007''.

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

Sec. 1. Short title and table of contents.
Sec. 2. Designation of additional National Forest System lands in Jefferson National Forest, Virginia, as wilderness or a wilderness study area.
Sec. 3. Designation of Kimberling Creek Potential Wilderness Area, Jefferson National Forest, Virginia.
Sec. 4. Designation of Seng Mountain and Bear Creek Scenic Areas, Jefferson National Forest, Virginia.
Sec. 5. Trail plan and development.

SEC. 2. DESIGNATION OF ADDITIONAL NATIONAL FOREST SYSTEM LANDS IN JEFFERSON NATIONAL FOREST, VIRGINIA, AS WILDERNESS OR A WILDERNESS STUDY AREA.

(a) DESIGNATION OF WILDERNESS.—Section 1 of Public Law 100–326 (102 Stat. 584; 16 U.S.C. 1132 note), as amended by Public Law 106–471 (114 Stat. 2057), is further amended—

(1) in the matter preceding paragraph (1), by striking ''System—'' and inserting ''System:'';

(2) by striking ''certain'' at the beginning of paragraphs (1) through (8) and inserting ''Certain'';

(3) by striking the semicolon at the end of paragraphs (1) through (6) and inserting a period;

(4) by striking ''; and'' at the end of paragraph (7) and inserting a period; and

(5) by adding at the end the following new paragraphs:

''(9) Certain lands in the Jefferson National Forest, which comprise approximately 3,769 acres, as generally depicted on the map entitled 'Brush Mountain and Brush Mountain East' and dated February 2007, and which shall be known as the Brush Mountain East Wilderness.

''(10) Certain lands in the Jefferson National Forest, which comprise approximately 4,794 acres, as generally depicted on the map entitled 'Brush Mountain and Brush Mountain East' and dated February 2007, and which shall be known as the Brush Mountain Wilderness.

''(11) Certain lands in the Jefferson National Forest, which comprise approximately 4,223 acres, as generally depicted on the map entitled 'Seng Mountain and Raccoon Branch' and dated February 2007, and which shall be known as the Raccoon Branch Wilderness.

''(12) Certain lands in the Jefferson National Forest, which comprise approximately 3,270 acres, as generally depicted on the map entitled 'Stone Mountain' and dated February 2007, and which shall be known as the Stone Mountain Wilderness.

''(13) Certain lands in the Jefferson National Forest, which comprise approximately 8,470 acres, as generally depicted on the map entitled 'Hunting Camp Creek and Garden Mountain' and dated February 2007, and which shall be known as the Hunting Camp Creek Wilderness.

''(14) Certain lands in the Jefferson National Forest, which comprise approximately 3,291 acres, as generally depicted on the map entitled 'Hunting Camp Creek and Garden Mountain' and dated February 2007, and which shall be known as the Garden Mountain Wilderness.

''(15) Certain lands in the Jefferson National Forest, which comprise approximately 5,476 acres, as generally depicted on the map entitled 'Mountain Lake Additions' and dated February 2007, and which are hereby incorporated in the Mountain Lake Wilderness designated by section 2(6) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(16) Certain lands in the Jefferson National Forest, which comprise approximately 308 acres, as generally depicted on the map entitled 'Lewis Fork Addition and Little Wilson Creek Additions' and dated February 2007, and which are hereby incorporated in the Lewis Fork Wilderness designated by section 2(3) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(17) Certain lands in the Jefferson National Forest, which comprise approximately 1,845 acres, as generally depicted on the map entitled 'Lewis Fork Addition and Little Wilson Creek Additions' and dated February 2007, and which are hereby incorporated in the Little Wilson Creek Wilderness designated by section 2(5) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(18) Certain lands in the Jefferson National Forest, which comprise approximately 2,249 acres, as generally depicted on the map entitled 'Shawvers Run Additions' and dated February 2007, and which are hereby incorporated in the Shawvers Run Wilderness designated by paragraph (4).

''(19) Certain lands in the Jefferson National Forest, which comprise approximately 1,203 acres, as generally depicted on the map entitled 'Peters Mountain Addition' and dated February 2007, and which are hereby incorporated in the Peters Mountain Wilderness designated by section 2(7) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

''(20) Certain lands in the Jefferson National Forest, which comprise approximately 263 acres, as generally depicted on the map entitled 'Kimberling Creek Additions and Potential Wilderness Area' and dated February 2007, and which are hereby incorporated in the Kimberling Creek Wilderness designated by section 2(2) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).''.

(b) DESIGNATION OF WILDERNESS STUDY AREA.—Section 6(a) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3108) is amended—

(1) by striking ''certain'' at the beginning of paragraphs (1) through (4) and inserting ''Certain'';

(2) by striking the semicolon at the end of paragraphs (1) and (2) and inserting a period;

(3) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(4) by adding at the end the following new paragraph:

''(5) Certain lands in the Jefferson National Forest, which comprise approximately 3,226 acres, as generally depicted on a map entitled 'Lynn Camp Creek Wilderness Study Area' and dated February 2007, and which shall be known as the Lynn Camp Creek Wilderness Study Area.''.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of each wilderness area designated or expanded by the amendments made by subsection (a) and of the Lynn Camp Creek Wilderness Study Area designated by the amendment made by subsection (b).

(2) FORCE AND EFFECT.—The maps and legal descriptions referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the maps and descriptions. In the case of any discrepancy between the acreage specified in the amendments made by subsection (a) or (b) and the corresponding map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The maps and legal descriptions referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(d) ADMINISTRATION.—

(1) NEW WILDERNESS AREAS.—Subject to valid existing rights, the Secretary of Agriculture shall administer the lands in the Jefferson National Forest designated as a new wilderness area by the amendments made by subsection (a) in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(2) EXPANDED WILDERNESS AREAS.—Subject to valid existing rights, the Secretary of Agriculture shall administer the lands in the Jefferson National Forest designated as wilderness and incorporated into an existing wilderness area by the amendments made by subsection (a) in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and other laws applicable to that wilderness area, except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

SEC. 3. DESIGNATION OF KIMBERLING CREEK POTENTIAL WILDERNESS AREA, JEFFERSON NATIONAL FOREST, VIRGINIA.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands in the Jefferson National

Forest, which comprise approximately 349 acres, as generally depicted on the map entitled ''Kimberling Creek Additions and Potential Wilderness Area'' and dated February 2007, are designated as a potential wilderness area for eventual incorporation in the Kimberling Creek Wilderness designated by section 2(2) of the Virginia Wilderness Act of 1984 (Public Law 98–586; 98 Stat. 3105).

(b) MAP AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of potential wilderness area.

(2) FORCE AND EFFECT.—The map and legal description referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the map and description. In the case of any discrepancy between the acreage specified in subsection (a) and the map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The map and legal description referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary of Agriculture shall manage the potential wilderness area as wilderness pending its incorporation in the Kimberling Creek Wilderness.

(d) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—For purposes of ecological restoration (including the elimination of nonnative species, removal of illegal, unused, or decommissioned roads, and any other activities necessary to restore the natural ecosystems in the potential wilderness area), the Secretary of Agriculture may use motorized equipment and mechanized transport in the potential wilderness area until its incorporation in the Kimberling Creek Wilderness.

(2) LIMITATION.—To the maximum extent practicable, the Secretary shall use the minimum tool or administrative practice necessary to accomplish ecological restoration with the least amount of adverse impact on wilderness character and resources.

(e) WILDERNESS DESIGNATION.—The potential wilderness area shall be designated as wilderness and incorporated in the Kimberling Creek Wilderness on the earlier of—

(1) the date on which the Secretary of Agriculture publishes in the Federal Register notice that the conditions in the potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed; or

(2) the date that is five years after the date of the enactment of this Act.

(f) ADMINISTRATION.—Subject to valid existing rights, upon incorporation of the lands designated as wilderness under subsection (e) in the Kimberling Creek Wilderness, the Secretary of Agriculture shall administer the lands in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other laws applicable to that wilderness area, except that, with respect to such lands, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date on which the lands are designated as wilderness under subsection (e).

SEC. 4. DESIGNATION OF SENG MOUNTAIN AND BEAR CREEK SCENIC AREAS, JEFFERSON NATIONAL FOREST, VIRGINIA.

(a) ESTABLISHMENT.—The following National Forest System lands in the State of Virginia are hereby designated as National Scenic Areas (in this section referred to as the ''scenic areas''):

(1) Certain lands in the Jefferson National Forest, which comprise approximately 6,455 acres, as generally depicted on the map entitled ''Seng Mountain and Raccoon Branch'' and dated February 2007, and which shall be known as the Seng Mountain National Scenic Area.

(2) Certain lands in the Jefferson National Forest, which comprise approximately 5,128 acres, as generally depicted on the map entitled ''Bear Creek'' and dated February 2007, and which shall be known as the Bear Creek National Scenic Area.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file with the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a map and legal description of each of the scenic areas.

(2) FORCE AND EFFECT.—The maps and legal descriptions referred to in paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the maps and descriptions. In the case of any discrepancy between the acreage specified in subsection (a) and the corresponding map filed under paragraph (1), the map shall control.

(3) AVAILABILITY.—The maps and legal descriptions referred to in paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) PURPOSES OF SCENIC AREAS.—The scenic areas are established for the purposes of—

(1) ensuring the protection and preservation of scenic quality, water quality, natural characteristics, and water resources;

(2) protecting wildlife and fish habitat, consistent with paragraph (1);

(3) protecting areas that may develop characteristics of old-growth forests; and

(4) providing a variety of recreation opportunities, consistent with the preceding paragraphs.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary of Agriculture shall administer the scenic areas in accordance with this section and the laws and regulations generally applicable to the National Forest System. In the event of conflict between this section and other laws and regulations, this section shall take precedence.

(2) CONSISTENT USE.—The Secretary shall only allow such uses of the scenic areas as the Secretary finds will further the purposes for which the scenic areas are established.

(e) MANAGEMENT PLAN.—Within two years after the date of the enactment of this Act, the Secretary of Agriculture shall develop a management plan for the scenic areas consistent with this section. The management plan shall be developed as an amendment to the land and resource management plan for the Jefferson National Forest, except that nothing in this section requires the Secretary to revise the land and resource management plan for the Jefferson National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(f) ROADS.—After the date of the enactment of this Act, no roads shall be established or constructed within the scenic areas, except that this prohibition shall not be construed to deny access to private lands or interests therein in the scenic areas.

(g) VEGETATION MANAGEMENT.—No timber harvest shall be allowed within the scenic areas, except as the Secretary of Agriculture finds necessary in the control of fire, insects, and diseases and to provide for public safety and trail access. Notwithstanding the preceding sentence, the Secretary may engage in vegetation manipulation practices for maintenance of existing wildlife clearings and visual quality. Firewood may be harvested for personal use along perimeter roads under such conditions as the Secretary may impose.

(h) MOTORIZED TRAVEL.—Motorized travel shall not be permitted within the scenic areas, except that the Secretary of Agriculture may authorize motorized travel within the scenic areas—

(1) as necessary for administrative use in furtherance of the purposes of this section;

(2) in support of wildlife management projects in existence as of the date of the enactment of this Act; and

(3) on Forest Development Roads 9410 and 84b during deer and bear hunting seasons and on that portion of Forest Development Road 6261 designated on the map referred to in subsection (a)(2) as ''open seasonally'' during deer and bear hunting seasons.

(i) FIRE.—Wildfires in the scenic area shall be suppressed in a manner consistent with the purposes of this section, using such means as the Secretary of Agriculture considers appropriate.

(j) INSECTS AND DISEASE.—Insect and disease outbreaks may be controlled in the scenic areas to maintain scenic quality, prevent tree mortality, reduce hazards to visitors, or protect private lands.

(k) WATER.—The Secretary of Agriculture shall administer the scenic areas so as to maintain and enhance water quality.

(l) MINING WITHDRAWAL.—Subject to valid existing rights, all federally owned lands in the scenic areas are withdrawn from location, entry, and patent under the mining laws of the United States and from leasing claims under the mineral and geothermal leasing laws of the United States, including amendments to such laws.

SEC. 5. TRAIL PLAN AND DEVELOPMENT.

(a) TRAIL PLAN.—The Secretary of Agriculture shall establish a trail plan for National Forest System lands described in this subsection in order to develop the following:

(1) Hiking and equestrian trails on the lands in the Jefferson National Forest designated as wilderness by the amendments made by section 2(a), in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) Nonmotorized recreation trails within the Seng Mountain and Bear Creek Scenic Areas designated by section 4.

(b) CONSULTATION.—The Secretary of Agriculture shall establish the trail plan in consultation with interested parties.

(c) IMPLEMENTATION REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report on the implementation of the trail plan, including the identification of priority trails for development.

(d) TRAIL REQUIRED.—The Secretary of Agriculture shall develop a sustainable trail, using a contour curvilinear alignment, to provide a continuous connection for non-motorized travel between County Route 650 and Forest Development Road 4018 in Smyth County, Virginia.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the amendment printed in House Report 110–403 if offered by the gentleman from Virginia (Mr. GOODLATTE) or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered read, and shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Alaska (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, I yield to the gentleman from Virginia (Mr.

SCOTT) for the purpose of a unanimous consent request.

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 1011, the Virginia Ridge and Valley Act of 2007, introduced by my colleague from Virginia's Ninth Congressional District, Congressman RICK BOUCHER. I am proud to have been an original cosponsor of this important conservation legislation in this Congress and in the last Congress and I commend Congressman BOUCHER for all his hard work on this bill over the years.

This bipartisan bill will protect approximately 54,000 acres of the Jefferson National Forest in Virginia through the designation of additional wilderness areas and the creation of new National Scenic Areas. Although mechanized traffic and equipment would be prohibited in much of these areas, recreational activities would be permitted and encouraged throughout these new designations contributing to the local economy of Southwest Virginia. Protecting these additional acres of pristine forest will ensure that future generations will be able to enjoy the natural beauty of Southwest Virginia. We must also be vigilant in protecting environmentally sensitive areas by promoting responsible land use plans, which this bill does.

The bill before us today was reported out of the Natural Resources Committee by voice vote, is endorsed by the U.S. Forest Service, and is supported by Virginia Governor TIM KAINE, members from both parties in the Virginia delegation, both of Virginia's Senators, JOHN WARNER and JIM WEBB, the Board of Supervisors in Bland County, Craig County, Montgomery County, and Smyth County, and various environmental organizations, including the League of Conservation Voters, the Garden Club of Virginia, the Natural Resources Defense Council, the Sierra Club, the Wilderness Society, and the Virginia Wilderness Committee.

Mr. Speaker, this bill is vitally important to conservation efforts in the Commonwealth of Virginia and to guaranteeing that future generations of Americans can experience the natural wonder and beauty of Southwest Virginia. I applaud Congressman BOUCHER and his staff for all of their hard work on this bill. I encourage my colleagues to support the legislation and I encourage each of them to experience firsthand the pristine natural beauty of Southwest Virginia.

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

H.R. 1011, the Virginia Ridge and Valley Act, was introduced by my friend and neighboring colleague, Representative RICK BOUCHER.

The bill designates nearly 40,000 acres in the Jefferson National Forest as wilderness and nearly 12,000 acres as National Scenic Areas. These natural spaces represent some of the true wild gems of the Commonwealth of Virginia and my State of West Virginia.

H.R. 1011 is a strong bipartisan measure that is cosponsored by several other representatives from Virginia. H.R. 1011 also has broad support from Governor Tim Kaine, both Virginia Senators, four county boards of supervisors, local businesses, State organizations, hunters and faith groups.

Each of the areas within H.R. 1011 were either recommended for wilderness designation in the 2004 Jefferson National Forest Plan or have been endorsed by the local board of supervisors of the relevant county. All the areas of H.R. 1011 are located within the district of Representative BOUCHER, who has been a true leader and fighter for this legislation and deserves the commendation of us all.

All are located within his District, as I said, with the exception of a 555 wilderness-acre addition that I am proud to note is in my congressional district in Monroe County, West Virginia. Wilderness designation is not new to this portion of Virginia. In addition to designating six new wilderness areas, the legislation provides for additions to six existing wilderness areas.

The people of this area are well acquainted with wilderness, and H.R. 1011 reflects their desire to preserve these natural treasures. By designating wilderness, the Congress has long recognized that there are some places that should be left to the management of Mother Nature and that the all-knowing Creator's careful handiwork is something worth conserving and cherishing.

H.R. 1011 is a well-crafted and meritorious measure that has broad support for those who live in the area and their elected officials.

Mr. Speaker, I urge adoption of the bill in the House today.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I come from a State which has more of its land locked up in wilderness than any other State, 58 million acres. This is larger than the entire State of New York and accounts for 56 percent of all the wilderness in the United States, so I think I know wilderness. I know that a lot of wilderness in Alaska is designated for reasons that have little to do with the stated goals of the Wilderness Act.

The designations have blocked vital uses of these lands and blocked access to State and private resources that we Alaskans were promised when we entered statehood. There have been and still are major consequences for what Congress did in 1980. In the East, where most of you come from, that is not always the case.

All I can say is that if this is what Mr. BOUCHER and his constituents want in Virginia, then good luck. I can guess that one day, I think that one day they will regret this action. Given Virginia's population growth, the severe risk of forest fires, such as they are in California today, caused by sustained drought, I believe all but two counties have been declared disaster areas by the Governor last week, problems with gypsy moths and other agricultural threats to this area and the dampening effect that wilderness restrictions can have on the development of adjacent areas, you may wonder why you have brought this upon yourself. We should be looking to give the Forest Service more tools to manage our lands, not taking them away, which is exactly what wilderness does.

Once this bill becomes law, our constituents, your constituents, may find that they may not be able to burn wood in their fireplaces that keep them warm in the winter because their quality of wilderness must be protected, or that a new school or hospital can't be built because the view shed for the wilderness could be affected. People are even talking about ''smellscapes'' when it comes to wilderness areas, so enjoy your Weber grill right now while you can.

The committee should also know that H.R. 1011 designates nearly 27,000 acres of wilderness above what was recommended by the Forest Service. This is contrary to the recently revised Jefferson National Forest Plan, which took 11 years, millions of dollars, and extensive public involvement to create. We asked for this study. They followed the rules, but now we are ignoring the professional land managers.

In addition, H.R. 1011 will endanger citizens living near this proposed wilderness area by tying the hands of the Forest Service, who need to perform proactive treatments that could reduce the risk of wildfires. Wildfires, I keep stressing that because we are seeing what is happening in California. If they cleared off those forests around those homes, they would not be burning today, but that was prohibited.

Nonqualifying areas are now being actively managed for endangered threatened species protection, and this could come to an end.

The amendment filed by Mr. GOODLATTE helps mitigate some of these issues, and I will strongly support the amendment. Most notably, the amendment will remove 26 acres which contain a power line and remove 1,263 acres from the proposed designation to allow continued use of the Barton Gap Motorized trail and Wildlife Habitat Management in key areas.

I could go on and on about this. I just want to warn people, it is not the area we are talking about; it is the Wilderness Act itself, and it should be upgraded. I encourage my chairman to do so so that we can address those problems that can occur from the designation of wilderness, taking care of gypsy moths, taking care of the fires, taking care of the ability to access and to have the availability of the area for public use. If we do not do that, then I think we are doing ourselves a great mistake.

I do not live in this area. I am not affected by it. That's why, very frankly, I am not raising some of the objections that I should have raised to it.

I think you will learn, though, in the long run, you are not doing yourselves a favor. The Forest Service themselves can manage this land in a manner that will take and provide for the people. It

does not have to be designated as a wilderness area.

Again, it has already been done. We have moved it out of committee, and I will say, again, may I not be on this floor when you come back to say we have to revise it.

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

□ 1715

Mr. RAHALL. Mr. Speaker, I'm very proud to yield 5 minutes to my dear friend and the very powerful subcommittee Chair of Energy and Air Quality, Mr. BOUCHER.

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

Mr. BOUCHER. Mr. Speaker, I want to thank the gentleman from West Virginia (Mr. RAHALL) who, with such distinction, chairs the Committee on Natural Resources, for his leadership and his very able assistance in bringing this measure to the House floor today.

Earlier this year, I introduced the legislation, along with other members of Virginia's House delegation. In fact, original cosponsors of this legislation comprise a majority of Virginia's House delegation, and it is a bipartisan majority of that delegation. And I want to express my appreciation to our colleagues from Virginia, Representatives WOLF, DAVIS, SCOTT and MORAN for coauthoring the bill, along with me, and for their strong support of this effort. I would also note, Mr. Speaker, that the legislation was coauthored by our recently departed colleague, Mrs. Davis as well.

Again, on a bipartisan basis, Virginia's United States Senators have introduced a measure identical to the bill that is under consideration today.

The Virginia Ridge and Valley Act offers needed protection to 53,000 acres of national forest land in the congressional district that I have the privilege of representing. It extends protection to approximately 550 acres of the Jefferson National Forest situated in our neighboring State of West Virginia, in the congressional district represented by Chairman RAHALL.

Of the total acreage protected, 43,000 acres will receive the wilderness designation, and 10,000 acres will become new national scenic areas. These designations confer both economic and environmental benefits that are of great importance to our region.

Virginia's national forest provides an excellent outdoor experience with our State's highest mountains, fast-flowing rivers and superb hunting, camping, fishing, backpacking, winter sports and other activities.

Our existing wilderness areas are treasured by a growing number of travelers who collectively are boosting Virginia's tourism economy. In fact, tourism is among the fastest growing of all the industries in my congressional district; and our existing wilderness areas, which are a haven for outdoor activities and recreation of various kinds, are a significant contributor to that current growth in the economy within my region.

The protections we're extending today for lands containing rare treasures of Virginia's natural heritage and the permanent protection that will then be afforded will further enhance our region's travel economy. These designations also protect old-growth timber, wildlife habitat, and our region's clean water resources.

Virginia has a long and proud history of resource conservation and protection of our diverse ecosystems. We have continual awareness of the unique role that our natural landscape plays in our culture and in our State's history. That awareness is reflected in the bipartisan support for this measure in both our House and Senate delegations. It is reflected in the endorsement of this bill by local governments in my congressional district, and it is reflected in the endorsements for the bill of numerous civic organizations and literally of scores of local businesses.

With thanks to the six Virginia cosponsors, and all who have assisted us, and particular thanks to Chairman RAHALL of the Natural Resources Committee, and his outstanding staff, I urge passage of the Virginia Ridge and Valley Act.

Over the last several weeks, I have been engaged in discussions with my friend and colleague, the gentleman from our neighboring Sixth Congressional district in Virginia (Mr. GOODLATTE) regarding the possibility of adjusting the boundaries of some of the areas receiving protection in this legislation.

Mr. GOODLATTE will be offering an amendment shortly that reflects our conversations and our agreement to adjust some of those boundaries. I'll be urging the adoption of Mr. GOODLATTE's amendment when that amendment is offered later this afternoon.

I, again, thank the gentleman from West Virginia for yielding this time to me.

Mr. YOUNG of Alaska. Mr. Speaker, I appreciate the gentleman that just spoke and his presentation. I just, again, wish that people would understand it's not the wilderness itself; it's how the act has been written. And if you think you're going to make a living off of coffee shops and tourism, these are low-grade paying jobs. I've seen it happen. I've seen my town of Ketchikan. We created a forest that we can't harvest and we took $80,000 jobs now down to the minimum wage. That will happen too. So I just, and it's too late, it's your district. You believe in what you say, and I commend you for it. But this is not the economy which I see, serving those that come from the larger urban areas, the elitists, as I call it.

And this area, by the way, was farmed at one time, as you know, and timbered and mined. People had jobs that provided and produced. We are rapidly becoming a Nation of consumption and of no production, of pleasure and no sweat.

Having said that, I have no other speakers, and yield back the balance of my time.

Mr. DAVIS of Virginia. Mr. Speaker, in 1964 Congress created the Wilderness Preservation System to recognize and protect pure, untarnished areas of land. With a wilderness designation, the land is off-limits to development, natural resource extraction and most forms of mechanized activity. Congress created this system as they witnessed these natural splendors continuing to disappear. Forty years later, lands remain eligible for such a designation, but Congress has failed to provide them protection.

These areas are rarer today than ever before. Failure to protect them now would leave them vulnerable to actions that could jeopardize the inherent qualities that make them eligible to be classified as wilderness.

With passage, the House will designate 43,000 acres of the Jefferson National Forest as wilderness and add 12,000 acres to the National Scenic Areas inventory. With this action we will ensure our nation's children and grandchildren visiting our great Commonwealth in the years to come, will have the same access to pristine lands as was available to us and those who preceded us.

The solitude that can be found in these areas is something every American should experience. It harkens back to the founding of this great nation and provides an insight into the minds of those gone by.

As we continue to experience economic gains, we can also expect continued population growth, sprawl and strain on our environment. With these combined factors, our untarnished lands grow increasingly vulnerable, but they also grow increasingly valuable.

Let us act to protect them now. Protect them for their beauty. Protect them for their purity. Protect them for our children.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Speaker, I have an amendment at the desk.

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

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 110–403 offered by Mr. GOODLATTE:

Page 3, line 20, strike ''3,769 acres'' and insert ''3,743 acres''.

Page 3, line 22, strike ''February'' and insert ''October''.

Page 12, line 23, strike ''6,455 acres'' and insert ''5,192 acres''.

Page 12, line 25, strike ''February'' and insert ''October''.

Page 18, beginning line 6, strike subsection (d) and insert the following new subsection:

(d) TRAIL REQUIRED.—The Secretary of Agriculture shall develop a sustainable trail, using a contour curvilinear alignment, to provide for non-motorized travel along the southern boundary of the Raccoon Branch Wilderness established by section 1(11) of Public Law 100–326, as added by (2)(a) of this Act, connecting to Forest Development Road 49352 in Smyth County, Virginia.

The SPEAKER pro tempore. Pursuant to House Resolution 763, the gentleman from Virginia (Mr. GOODLATTE)

and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I rise today to offer an amendment which represents an agreement just referenced by my friend and colleague, Mr. BOUCHER, and myself regarding some of the concerns with regard to H.R. 1011, the Virginia Ridge and Valley Act. And I'd like to thank Congressman BOUCHER and congratulate him for his hard work on this legislation over a number of years, and thank him for working with me to address some of these important issues.

H.R. 1011, the Virginia Ridge and Valley Act, creates over 40,000 acres of wilderness, wilderness study, and potential wilderness and over 11,000 acres of national scenic areas in the Jefferson National Forest in southwest Virginia.

Mr. BOUCHER and I share the Jefferson National Forest between our districts. Although this bill affects only national forest land within Mr. BOUCHER's district, any change in how the forest is managed will impact my district.

My amendment addresses three areas. First, it modifies the boundary of the Brush Mountain East Wilderness Area, removing 26 acres containing a power line which is not consistent with wilderness qualities.

Second, the amendment changes the boundaries of the Seng Mountain National Scenic Area, removing 1,263 acres from the area to allow continued use of the Barton Gap Motorized Trail and to allow for wildlife habitat management.

Finally, the amendment changes the trail language for the Raccoon Branch Area, allowing the Forest Service more flexibility when building the trail.

While I'm pleased to offer this amendment, it does not resolve all the concerns I have with the bill. The fact still remains that this bill ignores the recommendations of the professional land managers working in the Jefferson National Forest by designating 15,000 additional wilderness acres not recommended in the forest plan.

When the House Agriculture Committee held a hearing on H.R. 1011 earlier this month, several witnesses highlighted serious concerns with these additional wilderness areas. These experts noted forest health and wildfire risks, increased recreation conflicts, lack of suitability as wilderness and wildlife management needs.

Mr. Speaker, there is a reason why Congress mandated that each national forest create a forest plan. Forest plans help the land management agencies find a balance among all the conflicting interests in national forests and factor in the latest science and cite specific qualities unique to each forest. Professional land managers then use this information to chart a path for managing each forest for the coming years.

The Jefferson Forest Plan, finalized in 2004, was developed over a 12-year period and involved countless scientists, land managers, interest groups and interested citizens. Throughout the process, the Forest Service held over 100 technical meetings and received over 15,000 public comments.

This local approach is what Congress intended when it established the national forests. Instead of resisting this localized process, H.R. 1011 tells the professional land managers and the public participants that the forest plan is not important. It says that no matter how much discussion and compromise goes on at the local level, or how good the science is, Congress knows best how to manage the national forest.

Mr. Speaker, this is not the best way to manage the Nation's public forests. And that's why I have worked with my colleague, Mr. BOUCHER, to try to rectify these concerns. Until this bill is more reflective of the local perspectives and expert opinions in the forest plan, I will continue to have concerns with H.R. 1011.

I urge my colleagues to vote ''yes'' on this amendment, however, because I do think that the gentleman has been very forthcoming in working with us and hearing our concerns. And I hope that that will continue as this process moves forward, and I would hope that the chairman of the Resources Committee would work with us as well to continue to address concerns that we have as the bill moves through the other body.

Again, I thank the gentleman from Virginia for his hard work on this legislation, for his willingness to work with me in addressing these concerns. I wish more had been addressed, but I thank him for where he has come.

I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I rise to claim the time in opposition to the amendment.

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

Mr. BOUCHER. I would say to the Speaker that I rise for purposes of claiming the time in opposition, although I will not actually oppose the amendment.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

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

Mr. BOUCHER. Mr. Speaker, I want to thank the gentleman from Virginia (Mr. GOODLATTE) for the good work that we have been able to do together on the amendment that he offers this afternoon. I want to thank him for the time that he and I have expended in conversations about the subject matter the amendment addresses, and for the considerable amount of time that his very capable staff and mine have also expended on this matter. The staffs have focused on it a bit more than we have.

Collectively, I think we've done a very good job in addressing a range of the concerns that the gentleman from Virginia last expressed. These adjustments are being made in a manner which I think improves the bill, and it is my intention to urge that the amendment be adopted.

Under the amendment, 26 acres will be removed from the Brush Mountain East Wilderness Area in order to ensure that an existing power line is not within the wilderness boundary.

Another adjustment is of 1,263 acres, and that is in the Seng Mountain Scenic Area, which will carve out a motorcycle trail and an area appropriate for bear habitat management.

Another portion of the amendment provides greater flexibility for the Forest Service regarding trail construction adjacent to the Raccoon Branch designated area.

And as I indicated, these changes improve the legislation, and I urge adoption of the amendment which makes them.

As for the underlying bill, I would point out that this is truly a bipartisan measure. It is cosponsored in this body by a majority of Virginia's House delegation, including three original Republican sponsors, three original Democratic sponsors.

In the other body, both of Virginia's United States Senators, on a bipartisan basis, have introduced the identical measure. And so the construction of this legislation arises from a deep bipartisan conversation that has proceeded over a number of years.

It also strongly reflects the desires of the people in the district that I have the privilege of representing. It is true that some of the areas added for protection in this measure go beyond what the forest plan devised by the Jefferson National Forest management had recommended.

□ 1730

But nowhere is it written that Congress making ultimate public policy is in some way disabled from adding areas for protection that go beyond what the agency suggests it would like to see.

We have incorporated the recommendations made in the forest plan, and we have added selected additional acreages that have been endorsed by the local governments, by the elected boards of supervisors that reflect the will of the people and the counties where these added areas are situated.

I would also note that large numbers of civic organizations and scores of locally owned businesses have endorsed the passage of this measure. And it clearly, given that broad base of support, bipartisan here, and among elected representatives, local businesses, civic organizations, and others in the district that I represent, clearly represents the will of what the people in that part of Virginia would like to have.

So, Mr. Speaker, I hope that our colleagues will join us in approving this legislation and in adopting the amendment offered by the gentleman from Virginia.

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

Mr. GOODLATTE. Mr. Speaker, I yield the balance of my time to the gentleman from Alaska (Mr. YOUNG).

The SPEAKER pro tempore (Mr. DOYLE). The gentleman has 30 seconds.

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

And I do thank both the gentlemen from Virginia. This is a good amendment. I urge the passage of this amendment. It does help the bill somewhat, and I think my colleagues would be wise to vote for it.

The SPEAKER pro tempore. Pursuant to House Resolution 763, the previous question is ordered on the bill, as amended, and on the further amendment by the gentleman from Virginia (Mr. GOODLATTE).

The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Speaker, I offer a motion to recommit.

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

Mr. LAMBORN. Yes, in its current form.

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

The Clerk read as follows:

Mr. Lamborn moves to recommit the bill H.R. 1011 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 2, add the following new subsection:

(e) MOTORIZED ACCESS IN EMERGENCIES.—The designation of lands as wilderness or a wilderness study area by an amendment made by this section does not prohibit the use of motor vehicles, motorized equipment, or motorboats or the landing of aircraft or other forms of mechanical transport, on the designated lands when required in connection with an emergency involving the health and safety of persons, including search and rescue efforts or the response to an Amber Alert.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado is recognized for 5 minutes in support of his motion.

Mr. LAMBORN. Mr. Speaker, the Wilderness Act is currently unclear as to when motorized access may be used for health and safety reasons in a wilderness area or in a wilderness study area.

This motion to recommit removes any ambiguity regarding the legality of responding to health and safety emergencies within the wilderness area designated by this bill.

Current law does not specifically authorize the use of motorized or mechanical equipment within wilderness areas in response to health and safety emergencies. The provision in the Wilderness Act dealing with health and safety issues is in parentheses and does not clearly define what types of motorized vehicles may be allowed for emergencies.

The fact is that health, safety, and fire concerns merit more than a single phrase in parentheses, as is the case in the Wilderness Act of 1964. There are 3,600 words in the Wilderness Act. A mere 15 words are devoted to health and safety.

The bill we are considering, H.R. 1011, designates 15,000 more wilderness acres than what the Forest Service recommended in the Jefferson National Forest. This is far more than what Forest Service professionals think is warranted. So the bigger the area, the bigger the potential fire, the harder it is to find a missing child, for instance, when an Amber Alert is issued.

We cannot stand by and risk even a single human life, which is why we must begin to update the law to state clearly that a wilderness designation does not stop motorized access from being used for emergencies. The current ambiguity in the language, which this motion to recommit fixes, is just simply unacceptable, Mr. Speaker.

This amendment does not threaten the wilderness designation. It just puts our priorities in the proper order. Human life must always be first.

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

Mr. RAHALL. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, the gentleman from Colorado's amendment would appear to be a restatement of what current law already is. And reading from that current law, it says, ''Except as specifically provided for in this act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment,'' et cetera, et cetera.

So there are exceptions in current law for health and safety of persons. So I would say to the gentleman that the gentleman's recommittal motion is redundant with current law.

Mr. LAMBORN. Mr. Speaker, will the gentleman yield?

Mr. RAHALL. I yield to the gentleman from Colorado.

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

Just briefly in response, I would like to say that the parenthetical phrase ''including measures required in emergencies'' is, I believe, unacceptably vague. It should not have to be the case where a Forest supervisor has to go get attorneys and call the lawyers to say, In this case, here's the situation: Is a boat okay or do we have to use horseback or can we go on foot? It's just simply not clear enough.

Mr. RAHALL. Reclaiming my time, Mr. Speaker, I would respond to the gentleman that if such were necessary, I would think that the Forest Service would come to us making these recommendations. But we have not received such recommendations from the Forest Service, and, therefore, the language is not necessary.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 236, nays 178, not voting 18, as follows:

[Roll No. 994]

YEAS—236

Aderholt
Akin
Alexander
Altmire
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilirakis
Bishop (GA)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
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Dicks
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Ehlers
Ellsworth
Emerson
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Eshoo
Everett
Fallin
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
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Poe
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Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
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Rogers (AL)
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Ross
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Welch (VT)
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Weller
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Hall (NY)
Hare
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Higgins
Hinchey
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Hooley
Hoyer
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Israel
Jackson (IL)
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Johnson (GA)
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Tsongas
Udall (CO)
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Carson
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Feeney
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Issa
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Johnson, E. B.
Obey
Paul
Reyes
Wilson (OH)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1807

Messrs. JACKSON of Illinois, COHEN, HARE, ELLISON, SIRES, STUPAK, WU, HOYER, GORDON of Tennessee, COURTNEY, VAN HOLLEN, LINCOLN DAVIS of Tennessee, RUSH, HALL of New York, OLVER, PASCRELL, LEVIN, CONYERS, CARNAHAN, RANGEL, MILLER of North Carolina, and FARR, Mrs. MALONEY of New York, Ms. BERKLEY, Ms. CLARKE and Ms. CASTOR changed their vote from ''yea'' to ''nay.''

Messrs. BROWN of South Carolina, KAGEN, CHANDLER, PETERSON of Pennsylvania, BOREN, KING of Iowa, KLEIN of Florida, EDWARDS, THOMPSON of California, LAMPSON, MURPHY of Connecticut, DICKS, RYAN of Ohio, SALAZAR, ROSS, WELCH of Vermont, CRAMER, BISHOP of Georgia, and Ms. ESHOO changed their vote from ''nay'' to ''yea.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HALL of New York. Mr. Speaker, tonight, as part of consideration of the Virginia Ridge and Valley Act of 2007, the minority offered a motion to recommit forthwith with the proclaimed intent of clarifying the circumstances under which motorized vehicles can enter wilderness areas. However, I am concerned that the language of the motion may actually work at cross purposes with that goal.

The MTR stated that: ''The designation of lands as wilderness or a wilderness study area by an amendment made by this section does not prohibit the use of motor vehicles, motorized equipment, or motorboats or the landing of aircraft or other forms of mechanical transport, on the designated lands when required in connection with an emergency involving the health and safety of persons, including search and rescue efforts or the response to an Amber Alert.''

I don't know anyone who believes that we shouldn't be able to use motorized equipment in a wilderness to react to an emergency. It's common sense, and that's why it's already included in the underlying statute. In fact, the underlying law makes the allowance for motorized equipment in a health or safety emergency without enumerating specific types of equipment or circumstances, giving the widest possible scope of interpretation. I am concerned that by listing specific pieces of equipment and circumstances, the motion offered tonight could have caused more confusion and possibly limited the ability to respond to emergencies, despite any good intentions. For this reason, I voted against it.

Mr. RAHALL. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report H.R. 1011 back to the House with an amendment.

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

The Clerk read as follows:

Amendment:

At the end of section 2, add the following new subsection:

(e) MOTORIZED ACCESS IN EMERGENCIES.—The designation of lands as wilderness or a wilderness study area by an amendment made by this section does not prohibit the use of motor vehicles, motorized equipment, or motorboats or the landing of aircraft or other forms of mechanical transport, on the designated lands when required in connection with an emergency involving the health and safety of persons, including search and rescue efforts or the response to an Amber Alert.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING NORTHWEST GEORGIA YWCA

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

Mr. GINGREY. Mr. Speaker, I rise today to honor the Young Women's Christian Association, or YWCA of Northwest Georgia for their efforts to eliminate the epidemic of domestic violence that transcends all ethnic, racial, age, gender and socioeconomic boundaries.

The YWCA of Northwest Georgia, under the leadership of Executive Director Holly Comer, has made it their mission to bring the issue of domestic violence to the forefront and to educate Georgians on ways to prevent abuse and violence within the home.

Mr. Speaker, the YWCA of Northwest Georgia is not only the sole domestic violence shelter located in the heart of my 11th District in Cobb County, but has also taken a leadership role in combating domestic violence throughout the State of Georgia.

It was, in fact, the YWCA of Northwest Georgia that open the very first shelter for victims of domestic violence in the State of Georgia. Through the ministry of Cobb Shelter, the YWCA has worked together with victims, families, social service providers, and criminal justice officials to stop the spread of domestic violence

Mr. Speaker, I ask that my colleagues join me in recognizing YWCA of Northwest Georgia and similar groups throughout the country for their contributions toward making our Nation's homes safer places for our children and families.

THE GRAVE OF LANCE CORPORAL JEREMY BURRIS

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

Mr. POE. Mr. Speaker, Lance Corporal Jeremy Burris, 22, was buried last week in Liberty, Texas, after being killed in Iraq. This young marine was honored at a funeral by the entire town for his heroism.

But a few days after his funeral, outlaws desecrated Jeremy's grave site. Some reports indicate the suspected criminals may have been antiwar peaceniks that commit violence in the name of peace. They disrespect and dishonor the dead by their vandalism.

But whoever committed such dastardly deeds should be quickly captured by the local sheriff. After these grave-desecrating criminals are convicted, they should be sentenced to serve time at Gitmo prison in Guantanamo Bay. After all, that is where America houses other war criminals.

So, Mr. Speaker, those that commit crimes against the graves of our fallen war dead are nothing more than war criminals and should be treated as such, because justice is the one thing we should always find.

And that's just the way it is.

□ 1815

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 Texas (Mr. POE) is recognized for 5 minutes.

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

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

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

IN RECOGNITION OF JAMES T. BATES

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

Mr. RYAN of Wisconsin. Mr. Speaker, I rise to acknowledge an extraordinary staff member who has moved on after 20 years with the House Budget Committee, Jim Bates.

James T. Bates, the Committee's Republican chief of staff, recently accepted a position as associate program director at the Office of Management and Budget. Ordinarily, that would be a significant, though not surprising, step in a career dedicated to Washington fiscal policy. But there is nothing ordinary about this case.

Jim Bates's two decades of service represents the longest tenure of any Budget Committee staffer. He served in various capacities during this time, including those of minority counsel, chief majority counsel and deputy chief of staff before rising to the top slot in late 2004. In each of those roles he demonstrated a singular dedication.

He came to be known as a true believer in the value of congressional budgeting; a stickler for adhering to the budget disciplines written in law and in convention; and a thoroughly convinced proponent of the institution of the Budget Committee. He is as closely identified with the committee as is the Congressional Budget Act itself. It is nearly impossible to think of one without the other.

Mr. Speaker, you can't go back over the last 20 years and look at the enforcement of the Budget Committee, the preservation of the Budget Act, without thinking of Jim Bates.

Jim started with the committee in January of 1988, a time when the Republican minority offices were across Highway 395, on the second floor of the Ford Office Building, then simply called Annex Two. He worked initially as a budget analyst, covering Income and Social Security, but before long he found his real niche as committee counsel. Here, he mastered the intricate details and subtleties of the Budget Act; he vigorously protected the committee's jurisdiction, and, when possible, expanded it. He also developed a unique understanding of budget arcana, something I can clearly testify to, such as the Gramm-Rudman baseline or the pay-as-you-go rule.

Here are some highlights of his congressional career: he participated in the famous Andrews Air Force Base negotiations that produced the budget agreement of 1990. In 1993, he coordinated drafting the narrowly defeated Penny-Kasich amendment. In 1997, he anchored the legislative language for the Balanced Budget Act, which a year later produced the first budget surplus in nearly four decades. Shortly thereafter, he developed a bipartisan plan for the first comprehensive budget process reform since the Budget Act was created in 1974.

In 2005, he oversaw the staff work that led to that year's Deficit Reduction Act, the first in a long time. In 2006, he was immensely helpful to me in writing the Legislative Line Item Veto Act, designed to allow the President to strike individual spending items without violating Congress's constitutional prerogatives.

Jim is an avid fisherman, which shows a greatness of soul. He is a fan of the renowned author Ray Bradbury, which reflects a creative mind. He might misplace his car keys or his BlackBerry, but he has never lost his conviction about budgeting, or his integrity. Yet, of all Jim's qualities, perhaps the most important is the trust that he has earned from Members and colleagues alike. It is because of that trust that when I was chosen to be the Budget Committee's ranking Republican last December, my first and easiest decision was keeping Jim as the chief of staff. He was and still is simply irreplaceable.

Mr. Speaker, let me close simply by saying that there aren't a lot of people in this town who really understand how the Budget Committee works, how this budget process works, let alone people who really know the best ideas and ways of making it work better. Jim Bates is one of the handful of people in this town who knows this. You can count the people on one hand who really know the Budget Act, know how to make it work and know how to make it work better. Jim Bates is one of those.

This institution, this Congress, both from the Democrat side and the Republican side, owe a large debt of gratitude for the service of this fine servant, Jim Bates.

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

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

STATEMENT ON JULY 8 AGREEMENT

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

Mr. SARBANES. Mr. Speaker, I rise today to commend my colleagues for passing H. Con. Res. 405, which promotes the United Nations' sponsored efforts to bring about a negotiated reunification of Cyprus. The division of Cyprus has endured for 33 years, far too long by any measure.

Today, I met with Alexis Galanos, the distinguished mayor of Famagusta, Cyprus, which prior to the Turkish invasion was the main town of the second largest district of Cyprus, both in terms of its population and surface area.

A few weeks after the initial invasion on August 14, 1974, Turkish military forces bombarded Famagusta relentlessly. Greek Cypriots were forced to flee their homes in fear and terror, rendering Famagusta a ghost city. Turkish forces then sealed off the area with barbed wire fences; 45,000 inhabitants of Famagusta became refugees in their own country. They lost their land, their properties, their homes and businesses and many of their own people.

The city and the mayor elected by its displaced residents who can't go home have now become a symbol of the injustice that persists in the occupied region. The two waves of the invasion by

the Turkish troops forced nearly 200,000 Greek Cypriots, over one-quarter of the Cypriot population at the time, from their homes, making them refugees in their own country. The equivalent in the U.S. would be around 80 million people. For the last 33 years, 36.2 percent of the island continues to be under occupation by 43,000 Turkish forces.

The July 8, 2006, agreements reached under the auspices of the United Nations Under Secretary General Ibrahim Gambari, by President Tassos Papadopoulos and Turkish-Cypriot leader Mehmet Ali Talat establishes a set of negotiating principles that will lead to a unified Cyprus.

The July 8 agreement supports the Greek and Turkish-Cypriot efforts to find common ground for the peaceful reunification of their country within the framework of a federal bi-zonal and bi-communal nation state. These agreements call for the implementation of specific confidence-building measures, starting with the practical steps of establishing bi-communal working groups and technical communities to examine and discuss issues affecting the day-to-day lives of the people of Cyprus.

Mr. Speaker, there is no viable justification for the continued division of Cyprus. The people of Cyprus have every reason to seek out reconciliation. They aspire to a reunified homeland. In the last 4 years, there have been more than 13 million peaceful crossings across the Green Line by Greek and Turkish-Cypriots, a remarkable achievement for an island whose total population is less than 800,000 people. Turkish-Cypriots cross into the Republic of Cyprus to go to work every day. Approximately 35,000 Turkish-Cypriots have applied for and received passports from the Republic of Cyprus. On the ground, there is clear momentum for peace and a desire on both sides to work together.

Today, Cyprus has evolved into a dynamic country, endowed with a robust economy and incredible democratic institutions. Its qualitative capacities are showcased by its recent entry to the European Union and its imminent membership in the Eurozone. Located off the western shores of the Middle East, Cyprus has the capacity to be a vigorous participant in the wider NATO security architecture.

For us in the United States, therefore, there is great purpose in facilitating peace and unification beyond any moral and altruistic imperatives. As expressed by the House last week, the July 8 agreement lays the groundwork for accomplishing this goal.

I commend the House for its passage of H. Con. Res. 405 and implore our government to continue its support for the full and immediate implementation of the July 8, 2006, agreements.

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.)

LIMITING EARMARKS ON APPROPRIATIONS BILLS

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

Mr. FLAKE. Mr. Speaker, in a couple of weeks, it is likely that we will be addressing the Labor-HHS bill. We have passed the bill in the House. I believe they have passed the bill in the Senate, but conferees have not been named. We will be asked to approve a large bill that I believe is over the President's budget. But, more significantly, this is the first test of actually doing a conference under the new earmark rules.

We had new earmark rules passed at the beginning of the year that provide a little more transparency than we have had before, and that is a good thing; but it hasn't done much to cut down the number or dollar value of earmarks, because we haven't gotten through the process now.

Some people have said in the House we have fewer earmarks, the dollar value is down, and that is a good thing. Certainly it is a good thing. But we are only halfway through the process. Typically, when you get to the conference process, that is where a lot of the mischief happens, where earmarks are added in the middle of the night and you aren't given a chance to vote on them. You simply vote on the bill, either up or down.

Just to give you a flavor of what is in this Labor-HHS bill, the House bill included about 1,342 earmarks. These earmarks were added in the conference report of the bill that came to the House. They were added just days before the bill came to the house. We had very little opportunity to actually look at the earmarks to find out which Member had offered them and to offer amendments to strike those earmarks. A few amendments were offered here on the floor, but that is hardly a process that can pass for due diligence to actually see what is in these earmarks.

Now, I hasten to add that this is not a partisan issue. There are both Republican and Democrat earmarks in this bill. When Republicans were in charge of this body, typically Republicans got about 60 percent of the earmarks, the Democrats got about 40 percent. Now that has switched.

But, really, I wish it were a partisan issue. I wish, as one of my side of the aisle, that Republicans were right on and Democrats were wrong on. But we haven't seen that. We have seen both parties continue to earmark in this fashion.

There are 1,342 earmarks in the House bill. Let me just read through a few to give people a flavor of what is there.

I wish we didn't have to do this. I wish there was another way. But as I mentioned, when these bills come to the floor, the committee report will accompany the bill. It will only come a few days before the bill passes, and we aren't given a real opportunity to vet these earmarks and look at them.

Let me read a few of them. For example, $300,000 goes to the American Air Power Museum in Farmingdale, New York, for exhibits and educational programs. This may be a great museum, but why the Federal taxpayer should be on the hook to fund it, I don't know.

And $200,000 in this bill goes to the American Jazz Museum in Kansas City, Missouri, for exhibits and education programs. It may be a great museum, but why is the Federal taxpayer paying for?

$200,000 for the American West Heritage Center in Wellsville, Utah, for a lifelong learning initiative.

$125,000 for the Children's Museum in Indianapolis, Indiana, for exhibits and equipment.

$200,000 for a Children's Museum in Los Angeles for exhibits and educational programs.

$150,000, College Park Aviation Museum in College Park, Maryland.

If you are recognizing a theme here, the Federal Government is funding a lot of museums. Why is this the case? Why, when we are running massive deficits, when we have a big debt and other obligations that are crying out to pay down the debt, to lower the deficit, why are we funding programs like this? Why are we on the hook for these programs yet again? You have to remember, whenever you are funding a museum, because we have a deficit, we are borrowing money to do that.

$250,000 for the Discovery Center in Idaho. This is in Boise, for a science center.

$350,000 for an aerospace museum in McClellan, California, for exhibits.

$350,000 for the George and Eleanor McGovern Library in Dakota Wesleyan University in Mitchell, South Dakota.

$75,000, Monterey Bay Aquarium in Monterey, California.

Here is another theme. We fund a lot of aquariums. There are great aquariums that educate a lot of people, but why we are doing it at the Federal level, I don't know.

$350,000 for the Museum of Aviation Foundation in Warner Robins, Georgia, for educational programs.

Let's pay attention to the Labor-HHS bill as it comes along.

□ 1830

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

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

GENDER-IDENTITY INCLUSIVENESS IN ENDA

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

Mr. WEINER. Mr. Speaker and my colleagues, later on this week or perhaps early next week, this House will embark on the latest chapter in our Nation's history of extending the civil rights that all Americans should be entitled to to one other group. We will be considering the Employment Nondiscrimination Act. It is an effort to make sure that people are not discriminated against in their workplace because of their sexual orientation, because of their gender identity. It is something that is intuitive to so many Americans, and, frankly, the overwhelming number of Americans. And it is an example of how sometimes we in this House lead on civil rights issues and sometimes we follow.

In this case, it is a little bit of each. Under ENDA, we will be following to a large degree. Hundreds of companies, including virtually all of the Fortune 50 and Fortune 500 companies, already recognized fundamentally that it is good business to judge people by the quality of their work, their intellect, their drive, by what they bring to the business, not what their sexual orientation or gender identity is.

Overwhelming numbers of companies, and not just companies that you would describe as being progressive, but companies from all across the political spectrum, financial services groups like American Express and J.P. Morgan and Lehman. You have companies like Clear Channel Communication, Coca-Cola, Nationwide Insurance, Nike, Microsoft. These are all companies that, when they write the contracts for their other workers, it is fundamental to them that there will be no discrimination based on someone's sexual orientation or gender identity.

For these companies and for the 90 percent or so of American people that responded to a Gallup poll in 2007, employment nondiscrimination based on gender identity and based on sexual orientation is obvious; it is not even an innovation.

But we are going to be leading in some important ways. There are still about 30 percent of people who respond to polls who are members of the lesbian, bisexual and transgender community who say that they experience discrimination at the workplace regularly. Some of them, 25 percent, say they experience it on a regular basis. Why should that be? Is that an American value? Is it an American value to say we should discriminate on someone based on the sense of who they love or how they express it? Of course not.

So, for those men and women throughout all 50 States, we will be leading later on this week when we pass the Employment Nondiscrimination Act. But it is very important that we also realize that we are leading on another element to this discussion. There is an active discussion going on in this Chamber and elsewhere whether or not to include gender identity in the same category we include sexual orientation. I say unequivocally the answer is yes. There are people who every day experience discrimination because of their gender identity.

Susan Stanton spent 14 years as the Largo, Florida city manager; 14 years, obviously doing a good job, rehired, reappointed. Susan was once Steve Stanton. When he started hormone therapy and planned to become a woman, was fired.

Diane Schroer, 25 years of distinguished service in the Army as David. Recorded 450 parachute jumps, received the Defense Superior Service Medal, hand picked to lead a classified national security operation. Retired and was offered a job with a private homeland security consulting firm. The offer was rescinded when Schroer explained he was transgender and wanted to begin the job as a woman.

But the question has come up: If we can't include gender identity in this bill, should we do anything at all? Should we take half a loaf.

My colleagues, I think the answer is no. I think we cannot toss this element of an important civil rights coalition to the side. We have to make sure, particularly in the context of us doing what is largely symbolic, there is no sense that the Senate is going to act on this, and certainly no sense that the President of the United States and this administration is going to. Maybe what we should say is we are in this together.

If we are going to make a symbolic stand, the symbolic stand should be let's pass a one House bill with only part of the protections. Let's let the symbolic message be that we are sticking together, that when we say ''GLBT,'' we mean it. And we should do something else. We should also make it very clear to those watching this discussion that we are not going to negotiate against ourselves. We are not going to say if we toss this element or that element off to the side, maybe we will be able to get what we need. There are some things that are immutable, some civil rights that are immutable. This is one of them.

We are going to stick together and pass an inclusive ENDA, or we are going to come back again and do it right.

WITNESS SECURITY AND PROTECTION ACT OF 2007

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, I have stood before the House many evenings to discuss the problems associated with witness intimidation and its detrimental impact on our judicial system and our communities.

Tragically, there has been another ruthless occurrence of witness intimidation in my home town of Baltimore City that I must report tonight. A family who spent 10 years living the American Dream found it destroyed in just 10 minutes. They came home last week to find their home smoldering and torn apart. The phrase ''rats must be killed'' and the word ''snitch'' crossed out with Xs spray painted on their walls.

The couple's oldest daughter has been in custody since July for her role in a robbery of a taxicab driver earlier this year. Apparently, her co-conspirators believe she is cooperating with law enforcement on some level. Gang activity also appears to be involved. The word ''blood'' appeared on various parts of the house.

Needless to say, the family will not be returning to their home. This is an innocent, hardworking family trying simply to live in peace. They deserve so much better.

Unfortunately, when people are willing to cooperate with the police in Baltimore City and other jurisdictions throughout our country, sadly, it has become customary for their homes to be firebombed or for them to be threatened, attacked or even killed.

No one can forget the tragedy surrounding the death of Angela and Carnell Dawson and their five children. The entire family was incinerated in October 2002 in the middle of the night when their home was firebombed in retaliation for Ms. Dawson's repeated complaints to police about recurring drug trafficking in her east Baltimore neighborhood.

Just 2 years ago, the home of community activist Edna Abier survived a firebomb attack that was launched just because of her attempts to rid her neighborhood of drug dealers. Just a few weeks ago, I had an opportunity to meet with another couple whose home had been firebombed because they were simply trying to cooperate with police.

Finally, Carl Lackl was murdered outside of his home with chilling calculation just days before he was scheduled to testify as a witness in a murder case. His murderers lured him out of his home under the premise of looking at his used car that he was trying to sell.

Violent crime in the United States is on the rise nationwide, as is drug-related gang activity. However, if witnesses are too afraid to come forward, criminals cannot be prosecuted and our justice system has no credibility and cannot stand.

This is why I introduced H.R. 933, the Witness Security and Protection Act of 2007, which authorizes $270 million over the next 3 years to enable State and local prosecutors who demonstrate a need for the funds to protect witnesses in cases involving gangs or other violence to establish short-term witness protection programs.

Improving protection for State and local witnesses will move us one step

closer to alleviating the fears and threats to prospective witnesses and help safeguard our communities from violence. The time has come for us to show our commitment to our constituents and the justice system because, without witnesses, there can simply be no justice.

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

(Ms. NORTON 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 Mississippi (Mr. THOMPSON) is recognized for 5 minutes.

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

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

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

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

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

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from 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.)

□ 1845

FOREIGN INTELLIGENCE SURVEILLANCE ACT

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, there is no other issue more central to the core responsibility of government than the duty to protect the safety and security of the American people. The right not to be killed is foundational to all other rights. The actions we take with respect to the Foreign Intelligence Surveillance Act, better known as FISA, will reflect the level of seriousness with which we have assumed this fundamental obligation.

While I take a backseat to no one when it comes to the protection of civil liberties, it is essential to understand the proper context of the issue by us.

Mr. Speaker, the focus of the debate here relates to overseas intelligence, the implications for the privacy rights of Americans, talked about so loudly on the floor last week by our colleagues on the other side of the aisle, the implications for privacy rights of Americans where surveillance targets of non-U.S. persons overseas is minimal to nonexistent.

This debate over FISA must not be morphed into an ideological crusade by those who have such a visceral dislike for President Bush that any perceived defeat for this administration is in some perverse way chalked up as a victory. The debate is not about President Bush; it is about protecting the lives of those who have sent us here to represent them.

And it is serious business. In my estimation, this is perhaps the most important issue that we will face here in the 110th Congress.

It has been my privilege to serve on both the Homeland Security and Judiciary Committees. It is my belief that we have made progress in protecting the homeland since 9/11. Under the leadership of both parties on the Homeland Security Committee, there have been disagreements about the particulars, but there has always been a bipartisan commitment to moving the ball forward to make our Nation safer.

To be brutally honest, we cannot rely on the prospect of getting it right every time someone might seek to come here to kill innocent Americans. The idea of having to construct a perfect defense in and of itself is not conceivable. However, this is where the role of intelligence comes into primary focus.

Developing a homeland security strategy must not be considered in isolation. Intelligence collection overseas is the crucial element in any strategy to secure the homeland. Otherwise, we fall prey to what I refer to as the Maginot syndrome. You remember the Maginot line. That is where the French learned a terrible lesson concerning the folly of relying on the idea that they could protect themselves with a focus on massive defense perimeter. Much more is required and, again, intelligence collection targeting non-U.S. persons can extend our homeland defense perimeter overseas.

Brian Jenkins of the RAND Corporation, a noted expert on terrorism, has stressed that our intelligence capability is a key element in our effort to protect our homeland. As he says, in the terror attacks since 9/11 we've seen combinations of local conspiracies inspired by, assisted by, and guided by al Qaeda's central leadership. It is essential that while protecting the basic rights of American citizens we find ways to facilitate the collection and exchange of intelligence across national and bureaucratic borders.

So how do we make sense out of what is taking place in this House with respect to our consideration of FISA, the Foreign Intelligence Surveillance Act? Foreign intelligence surveillance, I'd like to underscore.

The manner in which we address this crucial national security question is a clear measure of our level of seriousness about the threat posed to our Nation from another terrorist attack. The bottom line question to be asked is whether or not we are safer as a result of the action taken by this House concerning the collection of overseas intelligence.

As in the game of football, you're either advancing the ball or you are losing yardage. Does our action make America safer or does it impose obstacles in the path of the intelligence community which make their job more difficult? In making this determination, I would suggest that the line of scrimmage should be drawn with the Protect America Act. That is the act we passed in early August, on a bipartisan basis, responding to the request of Admiral McConnell, the Director of National Intelligence.

We should understand that that act represented a compromise reflecting what Admiral McConnell, the Director of National Intelligence, identified as absolutely necessary, absolutely necessary to the task of protecting the

American people. Based upon his service to our Nation, I would suggest we should take his considered opinion with the seriousness that it deserves. As a career naval officer, former head of the National Security Agency under President Clinton for 4 years, and the current Director of National Intelligence, Admiral McConnell has had a distinguished career in his service to our Nation.

Admiral McConnell and General Hayden came to the Congress with a larger package of needed changes to the Foreign Intelligence Surveillance Act last April. However, in order to close what Admiral McConnell described as gaps in our intelligence, that is, an inability for us to be able to actually find the dots that were out there, we had to act immediately. A compromise was, therefore, reached by this body this past August.

He defined the concept of ''gap'' to mean this: foreign intelligence information that we should have been collecting. In fact, Admiral McConnell indicated that prior to the enactment of our Protect America Act in August, we were not collecting somewhere between one-half and two-thirds of the foreign intelligence information which would have been collected were it not for the recent legal interpretations of FISA which required the government to obtain prior FISA warrants for overseas surveillance. In many cases, we couldn't obtain them. You have to have evidence to reach a standard that, frankly, at that stage you cannot reach.

Secondly, the volume of number of targets and the paperwork and, more than the paperwork, the intellectual work, the cost in time by taking analysts off the job of analyzing, to working up these requests for warrants, basically made it impossible for us to be able to go after these targets, which we'd always been able to go after in the context of FISA as it was passed in 1978.

What's the problem? The problem is that a definition of electronic surveillance constructed almost 28 years ago certainly has not kept pace with changes in technology. Ironically, when FISA was enacted, almost all international communications were wireless. Most local calls at that time were on a wire and fell within the definition of electronic surveillance requiring a warrant.

Today, it's just the reverse. Almost all international communications are transmitted by wire. Thus, international communications not intended to be covered by the warrant requirement in the 1978 act are now inadvertently covered because of the change in technology. This was never ever the intention in Congress.

Again, the act we passed in August closed the resulting national security gaps. However, less than 3 months later, here we are in the House of Representatives, the leadership of this House is now trying to reinvent the wheel. It will be one thing were we considering the other elements of a larger package which General Hayden and Admiral McConnell presented to us back in April, but that's not the case.

Rather, the leadership of this body is retreating from the provisions of the Protect America Act, which Admiral McConnell told us he needs in order to do his job. The so-called RESTORE Act undoes core provisions of this compromise that we were told was necessary to close the gaps in our intelligence.

That's why I call the RESTORE Act the Repeal Effective Surveillance Techniques Opposing Real Enemies Act, because that's what it does. It takes away the techniques that we allowed under the law that we passed last August in response to requests from Admiral McConnell based on his considered judgment that he was not able to do the job to protect the American people from the threat abroad.

Admiral McConnell affirmed that prior to the Protect America Act the intelligence community attempted to work under the law as interpreted by the court. Unfortunately, he found that as a result of working under those restrictions his agency was prohibited from successfully targeting foreign conversations, foreign conversations, that otherwise would have been targeted for possible terrorist activity.

Admiral McConnell has made it clear that although there remains elements of the larger package which would further enhance our ability to conduct surveillance against al Qaeda and other terrorist groups, the Protect America Act, that act that we passed in August which is now the law, has provided us with the tools, as he said, to close gaps in our foreign intelligence collection.

Then why are we seeking to make these critical changes in the Protect America Act before the ink is barely dry? Well, one thing is certain: the immediate reviews by the leftist blogosphere were hardly positive. Although Admiral McConnell has worked for both President Clinton and for President Bush, much of the criticism of the act in the wake of its passage seemed to stem from these objections, now, listen to this, that the White House was trying to influence the outcome of the negotiations which took place prior to its enactment. Imagine that.

When Admiral McConnell appeared before our Judiciary Committee, he faced questions along the lines of what did the White House know and when did they know it. Now, think of this: the idea that the White House would seek to have input on issues relating to the national security of the United States is about as startling as the discovery that gambling, yes, gambling, was taking place in Joe's bar during the movie ''Casablanca.''

This should not be the issue. Again, it's not about George Bush, whether you dislike him, love him or are indifferent to him. The only valid question is how best we can protect the American public from al Qaeda and others who seek to kill us.

Surveillance of foreign persons outside the United States is a central part of that effort, and the bill they presented on the floor last week, the so-called RESTORE Act, changed what we had done in August to make it difficult, in some cases impossible, to gain that information. Even if it is Osama bin Laden on the line calling into the United States, under the terms of the bill that was presented on the floor, we couldn't use information gathered from that conversation against Osama bin Laden unless we went to a court for a court order, unless the Attorney General could specifically show that information was leading to the death of a particular individual.

Now, I've said this on the floor before and I will say it again: that's just plain nuts. There's no other way to explain it. There is absolutely no other way to explain it; and perhaps with an ability to explain this kind of thinking on the floor, I would yield to the gentlelady from Tennessee to enlighten us as to her observations as to what is taking place on the floor on this important issue.

Mrs. BLACKBURN. Well, I thank the gentleman for yielding and I thank him for his leadership on the security issues that affect our great Nation.

And, Mr. Speaker, as the gentleman from California knows, national security is one of the major issues that we hear about every single day. Our constituents want to be certain that America, that our interests, that our communities are safe, and certainly, as we are looking at FISA, this is an issue that is coming before us.

One of the things that we hear regularly from constituents is, what are you doing about it? What are you doing about tracking down these terrorists? What are you doing about finding those that want to kill us? What are you doing?

Well, we did some good things last year. As the gentleman from California mentioned, the provisions that we passed, Admiral McConnell's recommendations, the pathway forward for us, how we were to proceed to be certain that we could use the information that we had. And now the RESTORE Act, and I do like the acronym that he is using, Repeal Effective Surveillance Techniques Opposing Real Enemies. That is an appropriate acronym for the bill that they brought forward.

And I think, Mr. Speaker, that our colleagues across the aisle forget that it is FISA. Maybe they think it is the U.S. Intelligence Surveillance Act, or USISA. They forget that it is FISA, Foreign Intelligence Surveillance Act.

We do seek to find those who would seek to do us harm and end our way of life. That is something we should be about every single day.

Now, we've heard from lots of people on the FISA issue, and the gentleman

from California brings such a wide range of knowledge on this, and I know he is going to be joined by others, others of our colleagues who are going to touch on this issue. Many of them are from the Republican Study Committee, and they're going to bring their expertise to bear on this.

I want to touch on one quick point. The gentleman from California highlighted some of Admiral McConnell's recommendations and procedures that we took to be certain that we closed the terrorist loophole. And the measure that the liberal leadership brought forward, the RESTORE Act, would reopen the terrorist loophole. The Democrat FISA bill creates a process by which a court order is required for U.S. persons who are outside the United States.

As the gentleman from California mentioned, if a foreign target operating overseas, such as Osama bin Laden, has either had contact with a U.S. person or called a U.S. number, our intelligence officials would be required, if this bill passed, to obtain a FISA court order to listen to those communications.

Well, in Tennessee, we would say that just doesn't make good sense, and it doesn't, Mr. Speaker; and it is frightening to think that there are those among us who may want to deal with terrorists more delicately than they would handle the welfare and well-being of our communities.

I would also highlight the New York Post and a comment that they had as we were working through the FISA overhaul and looking at these situations dealing with these cumbersome legal requirements. The New York Post quotes in an October 15, 2007, article: ''A search to rescue the men was quickly launched. But it soon ground to a halt as lawyers obeying U.S. strict laws about surveillance cobbled together the legal grounds for wiretapping the suspected kidnappers. For an excruciating 9 hours and 38 minutes searchers in Iraq waited as U.S. lawyers discussed legal issues and hammered out the 'probable cause' necessary for the Attorney General to grant such 'emergency' permission.''

We know the emergency. We know the probable cause. Men were under attack and they needed to be found. We are in a time of war. The terrorists are there to end our way of life. We have to stay a couple of steps in front of them, Mr. Speaker; and as the gentleman from California has so eloquently said, the way we do this is with a common-sense approach and very thoughtful approach to our intelligence surveillance that we have on our foreign enemies.

□ 1900

Mr. DANIEL E. LUNGREN of California. I thank the gentlelady for her comments. She mentioned a particular instance in which we brought lawyers into a situation that if you looked at it from the outside doesn't make much sense; you stop battlefield operations in order for lawyers to determine whether or not we can listen in on conversation between non-U.S. persons outside the United States.

When you look at the other side of the aisle's response to this problem, you see what they have done is they have elevated the judiciary to the primary role in these decisions. That is, in my judgment, a complete misunderstanding of the proper role of the courts.

Look, since Marbury v. Madison, the eminent case basically saying that the Supreme Court gets the last say on constitutional issues, there has been a misunderstanding by some that that means that the Supreme Court, the judicial branch, is somehow superior to the other two branches of government.

That is not the case in the area of war-making capacity or carrying out a war. If you look at the Constitution, you will see very, very clearly that the Constitution specifies specific powers in article I to Congress and in the executive branch in article II, and the United States Supreme Court has already told us that there are some matters, believe it or not they have said, better suited for disposition by the elected branches of government.

The War Powers Act, or, excuse me, the war power, the right to declare war, given to the Congress; powers of the purse, given to the Congress. The President possesses authority relating to his constitutional status as Commander-in-Chief as well as all executive authority.

So these are very, very distinct. What we have seen on the other side of the aisle is an elevation to the altar of judicial determination in these cases. This is not just the only thing. The leaders on the other side want to take now and give habeas corpus rights to those people we have at Guantanamo, those people we have taken off the battlefield.

Mr. AKIN. One of the problems of being as competent and technical as you are is there are some of us, people like me from Missouri, as an engineer, like to try to put things in plain simple terms.

The first thing I would like to ask, because you are the expert, but I have a little bit of a sense of what's going on here, and first of all the problem is that we are trying to collect intelligence on terrorists that are trying to kill our citizens. Is that what we are dealing with?

Mr. DANIEL E. LUNGREN of California. That's a very basic thing we are dealing with, foreign intelligence.

Mr. AKIN. I want to keep it simple. So we are dealing with collecting intelligence on these terrorists.

Mr. DANIEL E. LUNGREN of California. Right.

Mr. AKIN. We have a format that was put into law years ago, as I understand it, that when a signal is transmitted into the air that we can tap into that and listen for terrorist talk; is that correct?

Mr. DANIEL E. LUNGREN of California. Yes, absolutely.

Mr. AKIN. But now in the last number of years, the way that transmissions are made is different. We are going now through these fiber-optic cables and through these tremendous switching networks; is that correct?

Mr. DANIEL E. LUNGREN of California. Correct.

Mr. AKIN. Now, does the current law allow us to do the same thing on those as we do on a transmitted signal?

Mr. DANIEL E. LUNGREN of California. The law, prior to our change in August, did not permit us to, at least as determined by the FISA Court last year.

Mr. AKIN. Now we are getting to the problem. The problem is that the government is getting in the way and the Democrats are getting in the way of us collecting intelligence to protect our constituents.

Now, the lady from Tennessee, you talked about some common sense, and the common sense of the matter is some of us remember September 11, and these people are not nice people; right?

Mrs. BLACKBURN. The gentleman from Missouri is exactly right.

These are people who do not seek to do us well. They seek to do us harm. That, we have to keep in mind.

As the gentleman from Missouri mentioned, we have had tremendous technological changes with how our signals are transmitted when you are dealing with telephones, with cell phones, with satellite phones, with voice, video and data, with those communications.

Things have changed, and we are not focused on the end use; we are more focused on the technology and the changes that we sought in August would allow, and that we gained in August allowed our intelligence community to be able to exercise a little bit more leeway in obtaining these communications from those who would seek to do us harm.

Mr. DANIEL E. LUNGREN of California. If I could just respond to that, let's remember, we are not talking about domestic terrorists. We are not talking about domestic criminals. We are not talking about American citizens. We are talking about non-Americans not in the United States. That's what we are talking about, and the American people need to understand that.

Mrs. BLACKBURN. I want to bring the attention back to the poster that is on the floor there. Just as he would say, this is the Foreign Intelligence Surveillance Act.

As I said earlier, it is not USISA. It is not the United States Intelligence Surveillance Act. This is the Foreign Intelligence Surveillance Act.

That is so important that we keep this in mind. As the gentleman said, these are people who are not U.S. citizens who are seeking to do us harm.

Mr. DANIEL E. LUNGREN of California. Let me also explain one bill. If

you look at the bill that the Democratic majority brought to the floor, they say, we take care of this problem. They say, if it's foreign to foreign, you don't need a warrant.

Here is the problem that Admiral McConnell explained to us. When you put a tap, or you somehow capture the communications, you only know the front end of the communications; that is, Osama bin Laden is calling somewhere and communicating in some way. You don't know where in the world he is going to end up on the other side of the communication. If, in fact, you have to say ahead of time, we can guarantee that none of those conversations will ever reach into the United States or to an American anywhere, you couldn't get a prior warrant, because you can't guarantee that.

What you need to do is to do it the way Admiral McConnell suggested and the way we put it in the law before. If it's a target that is a foreigner in a foreign country, for foreign intelligence purposes, as defined under the law, if that's the case, you don't need a warrant.

If, as you collect the communications in some way, you find that inadvertently a communication went into the United States or is with an American citizen, you do what we call, under the law, minimization, which means, if it has nothing to do with that individual on the other end that implicates that individual in any way, you don't use it. But you do use it against Osama bin Laden.

What they put in the bill was, very specifically, if we inadvertently capture a communication that involves an American on the other side, guess what we have to do? We cannot use it. We cannot disclose it. We cannot use it for any purpose, and we cannot keep it for more than 7 hours unless we go to a court and get another court order for a warrant.

Mr. AKIN. But if the gentleman would yield, what I understand the Democrat solution is saying, that you can't do that. That as soon as Osama bin Laden lights up his computer, we don't know where he is calling to, and, therefore, we have got to get some judge to give us permission to tap into.

Mr. DANIEL E. LUNGREN of California. Let's understand what we are talking about. I presume Osama bin Laden is sharp enough to realize that maybe he ought to have more than one phone line. You know what we have with bad guys in the United States, they use cell phone after cell phone after cell phone. They use it for maybe a day. They throw it away. They use another one.

Don't you think the bad guys trying to kill us are as smart as that? We have to be able to be sharp enough to find this stuff and turn on this information in a timely fashion to save us. We have to have the agility to do that. What has happened with the law we passed in August, according to the NSA, and I was out there yesterday, and according to Admiral McConnell, we are now able to do those things.

We now have the agility to do those things. If we were to adopt the bill that was on the floor last week, we couldn't do it. The American people have to understand, no matter what they say about it, the expert on it tells it, we would not be able to do it.

Mr. AKIN. So my understanding, with the bottom line, with the bill that has been proposed, we would lose about 60 percent or more of our intelligence leads that we are collecting through electronic surveillance needs; is that correct?

Mr. DANIEL E. LUNGREN of California. That is the absolute testimony of the experts who actually do it.

Mr. AKIN. Sixty percent of our intelligence-gathering capability is going to be hobbled?

Mr. DANIEL E. LUNGREN of California. Against terrorist targets internationally, absolutely. In the process, we will grant more protection under the law to Osama bin Laden than we do to an American citizen accused of a crime in the United States. That is the utter insult in the whole process.

Mr. AKIN. Yet in the State of Missouri we don't call that common sense.

Mr. DANIEL E. LUNGREN of California. I don't think anybody could call that common sense. Only on the floor of the House of Representatives would one dare to call that common sense. I am not one person who dares, nor are my two colleagues here.

Mrs. WILSON of New Mexico. I want to make sure I understand something here, because I think you said something that's important. If the United States Government inadvertently collects a phone call that involves an American, if Osama bin Laden himself calls into the United States on a new phone line, and we had no idea, we didn't expect him to call in to America, and he has got a new phone number, he has got one of those disposable phones, he calls in and we get lucky and we pick it up, and that phone call says to one of his cells in the United States, ''Tomorrow is the day. Blow up the Sears Tower in Chicago,'' is it my understanding that under this bill they have put forward the intelligence agents couldn't even tell law enforcement about that? They would be prohibited from that?

Mr. DANIEL E. LUNGREN of California. Unless that cell had already been identified by us, we knew who they were, we had already gotten legal permission to do that, we wouldn't be able to do that.

Mrs. WILSON of New Mexico. So we get the intelligence tip of a lifetime to be able to prevent the next terrorist attack, and this bill, the RESTORE Act, would prevent us from protecting American citizens?

Mr. DANIEL E. LUNGREN of California. Absolutely. Let me tell you what happens in a criminal case. Let's say we have a legitimate wiretap on a member of the Mafia, and that person makes calls. We don't know who he is going to call. He calls his mother. He calls his barber. He calls the guy who delivers pizza.

Because he talks to that other person who was not the target, the legal target, doesn't mean that we cannot use that information against the legal target. We can't use it against that person if that person is someone we then find is a person of interest, and we would become a target. Then we have to go get a warrant against that person. That's all that we are saying we ought to do with the law and, in fact, that is what you would do with the law that you passed.

As a result, we have really put handcuffs in our ability to deal with terrorism far much more than people would argue that we would do in terms of law enforcement.

Mrs. WILSON of New Mexico. I thank the gentleman for clarifying that, because I think it's an important provision, and I think it is being added into what is being called the RESTORE Act very late in the game before it was pulled from the House floor last week. It is a provision that is deadly dangerous to the security of this country.

The Foreign Intelligence Surveillance Act was set up to protect the civil liberties of Americans, and it has done that effectively. But because of changes in technology over the last decade in particular, there are more and more conversations that are foreign conversations, international conversations that happen to transit the United States. Under the old law, before we fixed this in early August, you needed a warrant to touch a wire inside the United States even if the person you are targeting is overseas.

Earlier this year, because of some court decisions, this became completely unmanageable, and the Foreign Intelligence Surveillance Court became almost completely nonfunctional, with backlogs, with requests for warrants, people who couldn't develop probable cause, because, you think about this, you have got some guy on the Horn of Africa that you suspect of being affiliated with al Qaeda. It's not as if the FBI can go and talk to their neighbors and develop probable cause for a warrant in order to touch a wire in the United States, and yet our intelligence capability is much enhanced if we can touch that wire in the United States.

□ 1915

So you have an odd situation where we're having intelligence agents take tremendous risks to try to collect intelligence overseas, while we're tying our own hands here in the United States. The law that we passed in early August addresses this problem.

The act that was pulled from the floor, so-called RESTORE Act, last week would only have restored the ability of terrorists to plot to kill Americans. It would be suicide for the

United States to intentionally, intentionally cut off our ability to try to listen to the communications of the terrorists who are trying to kill Americans or anybody else.

I would be happy to yield to my colleague from New York.

Mr. DANIEL E. LUNGREN of California. Let me just reclaim my time for a moment. And remembering last week when we had this bill on the floor and we went before the Rules Committee to ask for an opportunity for amendment and debate on our important issues and we were denied that by a gag rule, I would like to yield to the gentleman for purposes of a short debate, because I think this is what we should engage in and why I was so disappointed last week on the rule.

Mr. NADLER. I appreciate the gentleman yielding to me. And I wasn't planning to debate this; I just happened to be walking through the Chamber and I heard what you were saying. People are entitled to their opinions, but they're not entitled to misquote what the bill does, which is what I've been hearing.

First of all, it is quite correct, as the gentlelady from New Mexico said, that the FISA law needed to be updated.

Mr. DANIEL E. LUNGREN of California. Well, if I could take back my time, if the gentleman would specifically say where we misstated, I would love to respond to that. But the gentleman can get his own time to talk about other things.

Mr. NADLER. I will say two things. Number one, the RESTORE Act, the bill that was pulled from the floor, number one takes care of that technological problem, just as the bill that was passed in August does, by updating and making clear that foreign-to-foreign communications that come through a server in the United States do not need a warrant. So that's not an issue because this bill does it.

Second of all, let me just make the two points. And second of all, I think I heard you say, both of you, somebody here, that if you were tapping some terrorist abroad and he called into the United States and you heard him talk about terrorism with somebody in the United States, that you could not tap that, you could not use that information. That's simply not true.

Mr. DANIEL E. LUNGREN of California. I will reclaim my time. The fact of the matter is that is true. I hope to get the language here in a moment. In the manager's amendment, in the second major paragraph of the amendment, it specifically refers to inadvertent capture of a conversation involving an American on one end. And in those cases it specifically said, if that is the case, you may not use it for any purpose, you may not disclose it, and you may not keep it for more than 7 days, unless you get a specific warrant with respect to that, or the Attorney General makes a specific finding that the information itself relates to the death of an American.

Now, the fact of the matter is that was picked up from language that's currently in FISA that has nothing to do with this, that has to do with inadvertent communications gained in another context. So I don't know whether it was inadvertent, it was bad draftsmanship, or it was intentional. But the fact of the matter is, on its face, that is exactly what it does, and that's why I can stand here and say, without fear of contradiction, that it gives greater protection to Osama bin Laden in that instance than we give to an American charged with a crime in the United States.

Again, I don't know what the purpose was in drafting it that way. That's one of the problems when you bring a bill to the floor and you have a closed rule that doesn't even allow us to question the language, to attempt to deal with it. And the gentleman can say it doesn't say that. I would suggest the gentleman go back and look at the specific language, because I was astounded when I first read it. I first looked at it and said, this can't possibly be the way. I presented it to the Rules Committee. Not a single person on the Rules Committee or a member of your side of the aisle on the Judiciary Committee or the Intelligence Committee contradicted what I had to say. No one pointed to where that was wrong. That happens to be in the bill. Now, if you want to change it, we ought to change it. But the fact of the matter is that's where it is.

Mrs. WILSON of New Mexico. If the gentleman would yield, the issue of foreign-to-foreign communications is in the bill. But here's the problem. We can put in law that you don't need a warrant to listen to foreign-to-foreign communications, but you're never targeting a communication between two points. You're always looking at one target. And if I am targeting you in Afghanistan, I don't know who you're going to pick up the phone and call next. If it is a felony to listen to a conversation between a foreigner and a U.S. person without a warrant, as soon as that foreigner picks up the phone and dials an American number, you've created a situation where an intelligence agent is a felon. As a result, if you have that provision in the bill, they must get warrants on every foreigner. And that is the situation we were in earlier this year that completely crippled our intelligence collection.

Mr. DANIEL E. LUNGREN of California. Let me just reclaim my time to specifically quote Admiral McConnell on this point. He said in testimony before the Judiciary Committee: ''When you are conducting surveillance in the context of electronic surveillance, you can only target one end of the conversation. So you have no control over who that number might call or who they might receive a call from.'' He then said specifically: ''I'm talking about foreign-to-foreign and whether that takes care of the problem.''

These are his words. If you have to pre-determine that it's foreign-to-foreign before you do it, it is impossible. That's the point. You can only target one. If you're going to target, you have to program some equipment to say, I'm going to look at number 1, 2, 3, so targeting, in this sense, if you are targeting a phone number that is foreign. So that's the target. The point is that you have no control over who that target might call or who might call that target.

Mr. NADLER. Will the gentleman yield at this point?

Mr. DANIEL E. LUNGREN of California. I'll be happy to yield in one second. I found that I did have the specific language to which I referred a moment ago. This is the proposed language in the bill: ''If electronic surveillance concerning foreign-to-foreign communications inadvertently collects a communication in which at least one party to the communication is located inside the United States or is a United States person, the contents of such communication shall be handled in accordance with minimization procedures adopted by the Attorney General.'' If that's all it said, that would be fine. But then it says: ''That require that no contents of any communication to which a United States person is a party shall be disclosed, disseminated or used for any purpose or retained for longer than 7 days, unless a court order is obtained or unless the Attorney General determines that the information indicates a threat of death or serious bodily injury.''

Reading that, as it is written, if Osama bin Laden, in a conversation, communication or whatever to someone who happens to be a U.S. person or is in the United States that is not then a target, under the regime that we have, doesn't implicate that individual whatsoever, but in the course of the conversation, reveals where he is, where he's going to be, we cannot act on that information under this specific language unless the Attorney General determines the information indicates a threat of death or serious bodily injury. Telling where he is doesn't indicate a threat of death to anybody or serious bodily injury to anybody.

That's the language that your side has presented on the floor as a fait accompli. We could not amend it. We couldn't even discuss amending it on the floor because we had a gag rule.

And the gentleman is a distinguished attorney. He knows how to use words very, very well. You can't change the words that are on the printed page.

Let me yield to my friend from Missouri before I yield to the gentleman from New York.

Mr. AKIN. Now, there was one procedure that the Republicans were allowed to do, and that's called the recommit; is that correct? We couldn't make any amendments. We couldn't discuss it.

Mr. DANIEL E. LUNGREN of California. Motion to recommit, yes.

Mr. AKIN. And so on the motion to recommit, we did the best thing we

could to try to fix this problem, which was going to basically muzzle 60 percent of our intelligence-gathering capability. And that, I guess, you could look at it as an amendment on the motion to recommit. It was merely a sentence or two. And that sentence said something to the effect that nothing in this bill will prevent us from trying to capture bin Laden or prevent us from gathering information on al Qaeda, and they're attacking this country, something to that effect.

Mr. DANIEL E. LUNGREN of California. Al Qaeda, Osama bin Laden or other terrorist groups and prevent attacks on the United States or Americans. That was the language. And I might say to the gentleman, it was never offered, we never got to that point. But rather than have a gag rule or follow the leadership we got from the Democratic side, of a gag rule, we also showed it to the other side way ahead of time. And the reaction was what? To pull the bill, or at least to stop in mid-debate on the bill, and we will bring it back.

Mr. AKIN. It was in such a hurry that we didn't have time for any amendments.

Mr. DANIEL E. LUNGREN of California. Well, let me yield to the gentleman from New York. Perhaps the gentleman from New York can tell us when the bill is coming back to the floor.

Mr. NADLER. I can't because I don't know that. I don't know that. Presumably sometime in the next 2 weeks. But would you yield now?

Mr. DANIEL E. LUNGREN of California. I'd be happy to yield to the gentleman.

Mr. NADLER. Thank you. Two points. One, what was just said about that motion to recommit, the contents of the motion to recommit, that nothing shall be construed as barring, tapping or wiretapping, whatever the language was, bin Laden, Osama bin Laden, al Qaeda, et cetera, was completely unobjectionable. Indeed, it was totally superfluous. Had that motion said the motion is to recommit the bill to committee to amend it to include these words, and to report the bill back forthwith so we could have continued the debate, we would have accepted that amendment. We would have said fine. It doesn't change anything. Fine.

But, as you know, the amendment said report back promptly, which would have entailed at least a 2-week delay. That's why the bill was pulled, not because of the subject matter, but because of the word ''promptly.''

Mr. DANIEL E. LUNGREN of California. If I might take my time on that point. Promptly means it goes back to committee. It doesn't say it can't come back for 2 weeks. It goes back to committee.

Now, we have some rules here that require a few days. We also have something called waiver of rules that has happened virtually on every rule that we've had here, presenting a bill to the floor. And let me ask the gentleman, if, in fact, your concern was it would be a delay of a week or two, what are we doing now?

I would yield to the gentleman.

Mr. NADLER. I will answer to the best of my knowledge. I don't know what we're doing now. I'm not part of the leadership. And as I said, I just happened to be walking here. I don't know why the bill isn't back here now. But I know it will be in the next week or so.

Mr. DANIEL E. LUNGREN of California. So it's the gentleman's statement that you're willing to accept the motion to recommit, and your side is the leadership.

Mr. NADLER. Yes. The language was unobjectionable.

Mr. DANIEL E. LUNGREN of California. Well, that's good to hear. Then we will expect to see that language in the bill when it returns.

Mr. NADLER. Had it said forthwith, it would have been, and I shouldn't speak for the leadership but that's what they were saying at the time, we would have accepted it. But because it said promptly, which the Parliamentarians have told us would entail a considerable delay.

Mr. DANIEL E. LUNGREN of California. I'm sure glad we're not delaying now. But go ahead.

Mr. NADLER. Well, we found out, by the way we thought the Senate was going to pass the bill the next day. It turns out they haven't got their act together, so we have a little more time.

Mr. DANIEL E. LUNGREN of California. The Senate was going to pass a bill. Not that bill.

Mr. NADLER. Yes, it was going to pass a different bill. We wanted to pass a bill before they did, so that's why we were in a hurry.

But getting back to the point we said a few minutes ago, I don't have the benefit of the language. I know you have it there from the manager's amendment which I haven't seen, or the context. But I do know the following: The whole point, Admiral McConnell is quite correct when he says, obviously, if you're tapping whoever in a foreign country, you don't know who he's going to call. You're tapping that one point. You're tapping Mohammed in Karachi because you know that he, you suspect he's a terrorist that's involved. If he calls someone else abroad no one thinks you need a warrant or anything else. Under the bill, if he calls someone in the United States, either you hear it, you can't help hearing it. Either that conversation is innocent or it's involved with something that makes you suspicious of terrorism. If it's innocent, you have to engage in minimization procedures so you don't unduly and inadvertently violate the privacy of some American for an innocent conversation. If it's not innocent, then you, with that information, you can continue listening and if necessary you can get a warrant. And that's the general design of the amendment.

Mr. DANIEL E. LUNGREN of California. I'll take back my time. That's precisely the problem. You have to get a warrant before you can take action. And if, in that conversation, something that Osama bin Laden said does not implicate the American whatsoever, does not indicate a threat of death or serious bodily injury to anybody else, but reveals where he is, you are prohibited from dealing with that.

The gentleman from New York, I appreciate it. But you know, the great political philosopher, Don Meredith, once said: ''If if and buts were candy and nuts, everyday would be Christmas.'' Now you may wish it. You may hope it. You may think it. These are the words that your side presented to us as a fait accompli. That's what it says. You can't get around it. And the gentleman, as a distinguished attorney, knows that when you go into court you've got to look at the words. We're not going to put people at risk in the CIA, in the FBI and the NSA, in all of those other agencies in the Department of Justice based on the fact that we ought to read these, as I think the gentleman said once before in debate, in a commonsense way.

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There is no commonsense exception to this provision in the law.

I would be happy to yield to the gentlewoman from New Mexico.

Mrs. WILSON of New Mexico. One of the things my colleague from New York said was, well, there are these minimization procedures, and that's true. There are minimization procedures under current law, which means that if you gather information that involves innocent people, you mask their identity, you don't disseminate things that don't matter, and you protect people's privacy. If it only went that far, that would be fine. The problem is the rest of the paragraph that my colleague from California mentioned, which actually prohibits dissemination of information that could be critical to this country.

It is astounding to me that we might actually intercept a conversation involving Osama bin Laden himself that reveals where he is going to be tomorrow and we would prohibit our intelligence agencies from telling the military where he is so they could target him.

Mr. DANIEL E. LUNGREN of California. Reclaiming my time, not only could we not disseminate, but this is the language: ''or used for any purpose.'' That's pretty broad, I would say.

Mrs. WILSON of New Mexico. Absolute prohibition.

And I think we need to get back to some basics here, which is, number one, the current law requires that you need a warrant to wiretap a U.S. person for the purposes of collection of foreign intelligence. That's what the whole Foreign Intelligence Surveillance Act was about. But it also makes clear under the law that we passed in the

first week of August that you do not need a warrant to listen to foreigners reasonably believed to be in a foreign country.

America spies. We try to discover the secrets of people who are not our friends, some of whom are trying to kill large numbers of Americans. We do everything we can to find out what their plans and capabilities and intentions are so we can prevent another terrorist attack. That is what our intelligence community does. And to somehow tie this up in red tape with a bunch of lawyers and judges makes no sense to me at all when we are trying to find out the secrets they are desperately trying to protect from us.

I have to say, there is a question, how many lawyers should it take to be allowed to listen to Osama bin Laden? The answer should be zero. That's what the answer should be. We shouldn't involve lawyers and judges in trying to intercept his communications, even if he is talking to an American.

Mr. AKIN. Will the gentleman yield?

Mr. DANIEL E. LUNGREN. I would be happy to yield after I make this one statement in reference to what the gentlewoman just said.

Judge Richard Posner of the Seventh Circuit Court of Appeals put it this way: ''The aim of national security intelligence is to thwart attacks by enemy nations or terrorist groups rather than to punish the perpetrators after an attack has occurred. The threat of punishment is not a reliable deterrent to such attacks, especially when the attackers are fanatics who place a low value on their own lives and when the potential destructiveness of attacks is so great that even a single failure of deterrence can have catastrophic consequences. That is why,'' the judge says, ''when the government is fighting terrorism rather than ordinary crime, the emphasis shifts from punishment to prevention.''

The judge has put it fairly well in almost understandable terms, as the gentleman from Missouri would say.

And I yield to the gentleman from Missouri, who would not like to be described as an attorney.

Mr. AKIN. Well, I appreciate the good work that attorneys do, Mr. Speaker, and I particularly like different attorney jokes. And this one particular joke is the only one I have heard that isn't funny, and that is, how many attorneys does it take to collect intelligence on our enemies? And the answer, exactly as the lady said, should be zero. There should be no doubt about this.

Now, you have talked about somewhat subtle or finer points of law, but the bottom line is there is an agency that is charged with following the law and protecting our citizens. Now, the opinion of that agency on this point is what is critical, isn't it? Because if they believe they can't do the collection, then there is going to be 60 percent or more of intelligence gathering that is going to be hobbled. They are not going to have that capability. And their belief is that what you are saying is true because you quoted them; is that right?

Mr. DANIEL E. LUNGREN of California. That is true. And I would say it is similar to going to the doctor and the doctor's telling you that you need an operation to repair a faulty valve in your heart, and before you make the decision, you have to go to a judge to get permission to follow the doctor's order. I don't think that's what I would want to do.

Mrs. WILSON of New Mexico. Will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I would be happy to yield.

Mrs. WILSON of New Mexico. I know we are coming to the end of this hour, but I think there is something important for Americans to understand.

We all remember where we were the morning of 9/11. We remember what we were wearing, what we had for breakfast, whom we were with, and that is seared into our memories.

Very few Americans remember where they were when the British Government arrested 16 people who were within 48 hours of walking onto airliners at Heathrow and blowing them up simultaneously over the Atlantic. We don't remember it because it didn't happen. And it didn't happen because American, British, and Pakistani intelligence were working together to disrupt the plot and prevent the terrorist attack.

That is what matters here. We want to stop those memories from being created before the event happens.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I would just like to say, because we keep hearing that we are not concerned about civil liberties and so forth and that courts ought to look at this rather than making decisions by the President of United States, many people fondly remember Justice ''Whizzer'' White on the United States Supreme Court, an appointee of President John F. Kennedy. And in the seminal case in the Supreme Court dealing with the question of privacy and wiretapping called Katz versus U.S., he said this: ''We should not require the warrant procedure and a magistrate's judgment if the President of the United States or his chief legal officer, the Attorney General, has considered the requirements of national security and authorized electronic surveillance as reasonable.'' Because the fourth amendment talks about protection against unreasonable searches and seizures and we never hear on this floor that qualification. It is reasonable.

So how do we protect American citizens in this? The process of minimization that we talked about that is followed by everybody in the NSA. And I would just show this to the gentleman. This chart shows the procedures already put into place at the NSA, National Security Agency, to implement the Protect America Act and ensure that Americans' civil liberties are protected by minimization.

Look at this: Internal oversight, they have training built on the foundation of compliance training. They have an annual requirement to read the legal compliance and minimization documents. They have advanced training and a competency test. Everybody out there has to take the test and pass or they can't be involved in the program. They have new training in the authority and the competency test. They understand the legislative changes, the documentation and the termination. They have spot checks and audits to assess compliance. They have somebody else come out within their organization and check up on individuals. And then they have an assessment of management controls.

In other words, they have multiple reviews on a regular basis of what's going on there. And in addition, what they have done is they are subjected to oversight by the Office of the Director of National Intelligence and the Department of Justice every 14 days, every 30 days, and every 60 days. And then on top of that, they have the Congress that can look at things.

That, the American people should understand, is the seriousness with which the agency is undertaking their responsibility to protect Americans from terrorists overseas and to make sure there is no inadvertent violation of the civil liberties of Americans.

Mr. AKIN. Will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. Yes, I would be happy to yield.

Mr. AKIN. I believe that what you have described is pretty much what we worked out last summer. Just going back to last summer when this problem reared its ugly head, we were approaching September 11. The Democrats had been unwilling to deal with it. We had been going back and forth and back and forth. And as I recall, we basically told the other party we are not leaving for summer break until you get this thing fixed because our Nation is exposed. We are not collecting the information that we need and we have to deal with that. So at the last minute, we passed a 6-month, if you will, patch that takes us to February; is that correct?

Mr. DANIEL E. LUNGREN of California. That is correct.

Mr. AKIN. So until February we are able to do this collection at this point, but we have to deal with this problem.

Now, the gentlewoman from New Mexico made reference to September 11, and I think each of us have our own memories. But mine was being at the site in New York City and seeing that wall along the side of a city block, four-by-eight sheets of plywood. Covering over the wall was a piece of that kind of slick, greasy plastic that's waterproof, and it had little dots of mist because it was a misty day. And underneath it were pictures. Some black and white, some in color, a picture of a guy with his dog, a husband and wife. And as I looked at those pictures, it reminded me of the many times in the

morning where eyes had met gently saying good-bye for the day, a gentle brush of the hair that would be no more, that ended in violent, fiery tragedy and death. And for us to hobble our Intelligence Committee and knock out 60 percent of their intelligence gathering is un-American, it is something that we will not tolerate in this Chamber, and until we get it right, I will never be quiet on this subject. And I know the gentleman feels as strongly as I do.

Mr. DANIEL E. LUNGREN of California. I appreciate the gentleman's sentiments. And I would just say I don't think there is anybody in this Chamber that depreciates the experiences of 9/11 nor the threat that currently faces this country. That does not excuse anybody in this Chamber or us collectively for making either ill-informed decisions or just wrongheaded decisions. And when we have the expert experience and judgment of people like Admiral McConnell, who told us of the threat that we are currently facing and his inability to do the job that he has sworn an oath to do, and when we responded in a way which he said works, it is totally beyond belief that we would want to change that now.

And the other thing is, is there anybody in this Chamber that believes the threat is only until February or is only for 2 years, as was in the bill that was presented to us? This is a long-term threat which necessitates a long-term commitment on the part of the American people, on the part of the Congress, on the part of the entire Federal Government. And we have an obligation to make sure that that takes place. Otherwise, the American people have every right to say to us you have not done the job.

So I would hope that when we have this bill on the floor we have an opportunity to make it permanent so that we can tell our adversaries we will throw everything at you, not to convict you after a perpetration of an attack on us but to prevent it in the first place. The American people don't want prosecution. They want prevention first and foremost.

Mr. AKIN. If I could just interrupt for a minute, I don't think any of us want to impugn anybody's motives. Our objective here is and the reason we were sent here by our constituents is to solve problems, which you have outlined is a reasonable balance between the privacy rights of Americans and the necessity of the government to do what it is number one tasked to do, which is to protect our citizens. But when we get that balance wrong and the director of the people that have to collect that intelligence say that we have got to have judges, you are going to knock out more than half of our intelligence-gathering capability, then it says we need to get back to the drawing board and get this thing done the right way.

I certainly appreciate your attention to the details to looking at the language. And I certainly hope that our Democrat colleagues will allow enough debate and discussion to solve the problem.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I thank the gentleman for his words.

And let me just finish on these words. Justice Robert Jackson of the U.S. Supreme Court once said, ''The Constitution is not a suicide pact.''

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DROUGHT CONDITIONS IN THE SOUTHEAST

The SPEAKER pro tempore (Mr. MITCHELL). Under the Speaker's announced policy of January 18, 2007, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ETHERIDGE. Mr. Speaker, I rise tonight to begin this hour to put a great spotlight on what is occurring in the southeastern region of the United States.

You know, when you look at the statistics and you look at the effects, there is only one word that can describe the drought that has gripped the southeastern United States, and that is ''tragic.''

If you look at this map to my right, you see that the Southeast is this large red area. And you also have some of the same effects in some parts of the west coast, and we've seen the effects of what's happening there with the terrible fires that are now taking place out in California.

Mr. Speaker, this is a disaster, not like a tornado or a hurricane or even any major catastrophic event. When you have a big storm or you have an earthquake, it's over, you come in and put things back together, you're able to start sorting people's lives out. But a drought of the magnitude of the one that is now gripping the Southeast is sort of a continual process. It started well over a year ago. We had a dry winter, we had a dry fall, last year a dry winter, this past year, and now this year. And I will talk about it more as the evening goes on.

We have places in my home State and in other places of the Southeast where we are 20 inches of rain below normal. And I will talk about that and will have more to say about it as the evening goes on. But this impact adds up over time. It impacts every person in the Southeast. It impacts animals, it impacts vegetation, and it certainly has an impact on the land.

This drought, frankly, is the worst one that people who are now living can remember. And in some places in my State, people who are approaching 100 years of age say they have never seen anything this bad. We know that this entire region has had, in some places, 10 inches less rain, others plus-20. And I was on the phone just today with one of our small towns working with the Governor's office. They will be out of water in 60 days. We are struggling to get water lines to them just to help them out.

But tonight I'm going to talk about a broader issue of it is impacting the people who live on the land, who provide our food and fiber in this country. This area has been the hardest hit. And it's a broad area, as you can see here. It's in the State of Arkansas, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and even parts of Maryland.

In North Carolina, Governor Easley has issued a state-wide ban on burning, and he has asked citizens to halt all nonessential water use. Just this week he took another step, and he asked our citizens to reduce their water use by 50 percent by Halloween. And this drought has affected our farmers to an extent so great that it is now affecting rural communities across North Carolina. And I'm sure, as my colleagues come this evening, they will share with you what's happening in their State across the Southeast.

I don't know if my colleagues can see here, but certainly North Carolina is predominantly red because now, and I will talk about it in a few minutes, almost every county, almost all 100 counties are in what's called the ''extreme drought,'' and I will talk about that; but my congressional district falls 100 percent in the extreme drought area.

And it does have an effect on rural communities, but it also affects suburban and urban communities. Plants are having their production levels cut to save water. Several communities have only a few months of water supply remaining. And I just talked about one that has no more than 60 days. It has now cut production in one of the plants that employs roughly 2,000 people; it has cut their production back to 3 and 4 days. They're hauling water in water tankers just to keep operating. I know that this is the case in several of these other States as well, and I look forward to hearing from my colleagues.

What we really need is a good rain. Members of Congress think they can do a lot of things, but they can't do a whole lot about rain. We can talk about it, we can pray for it, we can wish we were able to get it; but the truth is we can't do anything about it. And when we can't do that, what we can do is help in ways we can help.

In my district, the Second District of North Carolina, as I've said, the entire district is virtually in the exceptional drought area. That is the most serious category of drought you can have. Farmers have had to struggle all year in this very difficult situation.

The crisis that this drought is is underlined by the two critical variables that seem to be working against us. First is the self-sustaining cycle that a drought of this magnitude can trigger. For this region to recover any time soon, we will need at least an additional foot of precipitation. We're not likely to get that. This late in the

year, we normally get the ocean tropical storms out of the Caribbean. There was a time when we worried about hurricanes. We have people in North Carolina now saying we wish we could get one because they would get rain.

Mr. Speaker, I'm working in Congress to provide some relief. The House Agriculture Committee is holding a hearing on Thursday to help shine the spotlight on this growing disaster, and it really is a disaster of large proportion.

I wrote a letter to the President asking for assistance. This letter was signed by 54 of my colleagues, both Democrat and Republican. I assume it takes a long time for a letter to get to Pennsylvania Avenue. I haven't heard anything from him. I assume that Pony Express will show up one day, maybe it went with Turtle Express, but I do hope to hear. We have asked that some money be included in the supplemental that the President requests. And I understand he sent a supplemental down, but there was no request in it. I hope he will reconsider because these farm families may not be able to make it another year.

They pay taxes when they have money. They're God-fearing people. They help in their communities. And they deserve, when they have tough times, for their government to help them because they've helped others when they've had tough times.

Farmers are some of the most resourceful, ingenious, productive people around; but there is not much you can do to grow crops or raise livestock or produce poultry and pork without some of the essential things you need, and rain is one of those things. And you need feed.

Mr. Speaker, this is why we're here tonight, and this is why we all work together. And we're going to work to create an awareness to this problem. And we're going to put a fire under our colleagues, if necessary, and we're going to do the same at the White House if it takes that because our farmers and rural communities desperately need assistance. It is my hope that we can pass a relief package and that the President will sign it into law.

These are good Americans. They don't live someplace around the world; they live here in the United States of America. As I said earlier, they're taxpaying citizens when they have money.

Now, let me yield to my good friend from North Carolina, MIKE MCINTYRE, who also understands this problem. His district is caught in the red area also. So I yield to him for whatever time he may consume.

Mr. MCINTYRE. Thank you, Mr. ETHERIDGE. And I want to thank my colleague, BOB ETHERIDGE, for requesting this time tonight. Indeed, we all stand together, knowing that the severe drought which is gripping the southeastern United States has already destroyed millions of acres of valuable crops, Mr. Speaker, not only in our home State of North Carolina, but throughout the southeastern U.S. And, unfortunately, the situation is only going to get worse.

Today, North Carolina experienced yet another day of dry weather. Months upon months of hot temperatures, scorching sun back since early this summer, and little to no rain since then have brought about dead and dying crops, soybeans, corn, hay, cotton and nursery crops, in particular. During my travels around southeastern North Carolina, both the summer and this fall, I met with many farmers about this issue. Back in August, during our recess, I met with farmers then who feared the worse, and now here we are months later and unfortunately their nightmares are coming true. If we had not experienced significant rainfall by the Labor Day weekend, we were going to have even worse problems and, indeed, we have. Where lush green fields of corn once stood, ragged brown stalks, beat down by the sun, now dot our rural landscape; constant reminders of how devastating this drought is proving to be.

During August, I met with and talked with farmers from several counties. I asked North Carolina Governor Mike Easley, on behalf of our area's farmers, to request a disaster declaration as severe drought conditions existed in most areas, and I know my colleagues have done the same.

I also wrote then-Secretary of Agriculture Mike Johanns and the President to request their assistance. And subsequently, upon the return to Washington after the August recess, I then also asked the leadership of both parties here in the House to help us to help those in need because, indeed, this is not an issue about political parties. This is an issue of economic survival, and ultimately, it's going to affect everybody.

You know, Mr. Speaker, and to my friend, Congressman ETHERIDGE, and those others who are joining us here tonight that you will hear from shortly, this is something that affects everybody's pocketbook. We all depend on food and fiber for our very survival. And this is an issue that is now going to affect all of us here in our neighborhoods back home, in our communities, indeed, across our State of North Carolina and throughout the Southeast, and ultimately across this Nation.

According to USDA loss estimates, 85 of our State's 100 counties have reported excessive agriculture losses due to drought for at least one significant crop. And major losses have been reported already on corn, cotton, tobacco, soybeans, pastures, hay and peanuts. And those numbers continue to rise, Mr. Speaker, as farmers harvest what's left of their crops.

I also joined my friend, Congressman ETHERIDGE, in signing a letter to the President as well when we returned from our recess.

Now, for many families in our district, farming is their sole source of income, and any significant loss of yields is financially devastating. As we all have been hearing from our farmers, they may not even be able to make it until next year, and many may be forced to sell the land they have just to pay their bills. And even if North Carolina were to see some significant rainfall, most crops are already too far gone for it to make a difference at this point.

What these folks need now is disaster assistance to help them pay their bills, to make sure that they can remain on their farms and get ready to plant again in the spring. It is also important for all of us, as communities and as citizens, to realize that this is going to affect all of us beyond the farms into our very homes. And now people are realizing that with preventative measures they're having to do to avoid wasting water.

It's imperative that we support our farmers during this dire time so that we may ensure a safe and abundant food supply for which we, in America, are known and which is important to all American citizens. We need help, and we need it now.

And let me just say that this drought reaches, indeed, beyond the farm to citizens throughout regions now across the country. Restrictions on watering lawns and washing cars have now turned into calls to even reduce shower times. And public schools and some places now have started to switch to paper plates to conserve water.

Our Governor now has called on even greater restrictions in North Carolina. And there are great concerns that we not only need rain to help the farmers, but this drought has affected every citizen, and our supply of water for all needs, in industry, in home, in schools, and throughout all sectors of society.

We must all begin to think about long-term strategies to conserve water and protect the vital water supplies of countless communities through, not only North Carolina, but, indeed, the rest of the southeastern U.S. With meteorologists now calling for continued warm, dry weather, the urgency of addressing this worsening drought continues to rise, and the need for financial assistance is greater than ever.

The time is now to act. I thank my colleague for helping us bring attention to this tonight in this time we have. And I know several colleagues from not only throughout North Carolina, but across the South, are going to be speaking tonight on the floor. We must act. We must stand in one voice. We must stand across party lines. And we must give the assistance that is needed now.

Mr. ETHERIDGE. I thank the gentleman.

I have just changed the map here for my good friend, Mr. SPRATT from South Carolina, to give a little bit better view of the South Carolina area that his district falls in. And it reaches, of course, into North Carolina, South Carolina, Virginia, as I said earlier, Tennessee, Kentucky, all the way down to Alabama.

As my colleague, Mr. MCINTYRE, said, and I think my friend from South Carolina will confirm, you know, these are the things, it sort of starts to weigh on you as the drought gets worse and worse. You know, not being able to water our lawn, wash your car, take a long shower is an inconvenience; but if you're a farmer and you don't have the water for your crops, it's catastrophic. Because you not only have an opportunity to lose your livelihood; you could lose your means of future livelihood if you ultimately lose your land and the equipment that you till it with.

So I would yield such time as he may consume to my good friend from South Carolina, the gentleman, Mr. SPRATT.

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Mr. SPRATT. Mr. Speaker, I thank my good friend for yielding and thank all of you for participating in this Special Order tonight. You know, we tend to think of ourselves as urbanized, even in the Southeast these days. But in South Carolina, my State, and even more so in North Carolina, agriculture is critically important as part of our total economy. In South Carolina, 46,000 full- and part-time jobs are supported by agriculture. That is 22 percent of all the jobs in our State; $15.1 billion in income is attributable to agriculture, 17 percent of the State's total income.

I could go on to show that even now in the 21st century, we in the Carolinas and throughout the Southeast still have a lot of agriculture, and we are critically dependent upon it. Our farmers and our people throughout the Southeast are faced with just about the worst drought I have seen in I don't know when. And it keeps getting worse and worse. I went to Marlboro County, probably one of the most agricultural counties in the 14 counties I represent. I couldn't believe what I saw. And it hasn't gotten any better since then. Soybeans that never develop. There is no pod. Cotton that is barely worth getting out of the fields. Hay, peanuts, pastures, you name it, they are all suffering. It is basically at the level of being catastrophic unless we can help and help soon. In Marlboro, back in September, the threshold for the Department of Agriculture in declaring a crop or an area a disaster area is 33 percent crop loss. Marlboro County in September, 2 months ago virtually, at least 6 weeks ago, had 67 percent of its crop already damaged. It is worse by now I am sure. I represent 14 counties, small-town counties, proud counties, but still dependent on agriculture, and 13 of those 14 counties were included recently in a disaster declaration from the Secretary of Agriculture. That is how widespread the disaster situation is.

Our Commission of Agriculture estimates that in South Carolina alone, the losses are going to equal $500 to $600 million. Now, most people don't know it, but most farmers today, responsible farmers, carry crop insurance underwritten and subsidized by the Federal Government. But it is not enough to cover their losses. It is partial recovery, but it is not nearly enough. The existing law requires, allows disaster relief and other forms of relief to farmers who have suffered from natural disasters, provided that they planted their crops or harvested their crops before February 28, 2007. Unfortunately, that applies to very few of our farmers in the crops that they plant. Consequently, they have next to no coverage, next to no protection from disaster relief that some farmers in other parts of the country would enjoy.

Basically what we would like simply to see happen is for our farmers to be cut into the same program of relief that other farmers are enjoying by virtue of existing agriculture law. That is what we are asking for. And there's several different ways to do it. Supplementals will be coming through here with capital improvements in various parts of the world, Iraq, Afghanistan; we could afford something in those bills for our own farmers. The farm bill itself will be coming back here in conference report. Maybe there is some way we can adjust it to provide for us. The Agriculture appropriations bill has not yet been passed. There are lots of opportunities.

We are here tonight to say we need the help of everyone, beginning with the administration. The Bush administration could initiate this process by requesting in the next supplemental some sort of assistance for these farmers, as was done and should have been done for the farmers suffering from wild fire on the west coast and, by golly, that will be a big first step and help us finish the process, carry the ball across the goal line here in Congress.

We are here tonight from all over the Southeast to bring the same message to the Congress, to the country and to the Bush administration. We are hurting, hurting bad. And if we don't get some sort of relief, it is going to be devastating for our farmers.

Thank you very much for the time you have yielded.

Mr. ETHERIDGE. I thank the gentleman, and he is absolutely correct. Let me share some numbers, and I think the same could be said for South Carolina as in North Carolina. This is from the National Government, and this map here was actually from the U.S. Department of Drought Monitoring and it is dated October 16. It is worse today than it was on the 16th because we have had no rain.

Let me just share some numbers, and it will be the same that is true in South Carolina, Georgia and all these regions that we see in red. For instance, as a State as a whole in North Carolina, just talking about topsoil moisture, 73 percent short, very short, 21 percent short. Translated, what that really means Statewide is you can't plant grain for the fall. The ground is so dry it will not germinate. In the mountains, 81 percent, very short, 16 short. In the piedmont, 87 percent short, 13 percent very, and even in the coastal plains 53, 34. From the mountains to the coast in North Carolina. South Carolina probably faces some of the same challenges in terms, and if you look at the crop conditions, and this was over a month ago, cotton, very poor and poor to fair, 80-some percent; pastures, 99 percent either fair, poor or very poor. I share that on pastures because there are a lot of cattle in South Carolina as there are in North Carolina. The price of cattle at the auction market has dropped $15 a pound since early summer. Now farmers are being forced to sell because of no hay, no grazing for the winter, and guess what is happening? They are getting hit twice. They are buying hay to feed the cattle that they have left, and the ones they are selling they get less money.

Now, the people in the Midwest faced this several years ago. This is something we haven't faced before. I will go through the others later. But at this time, my colleague from eastern North Carolina, where he is facing some of the same drought areas, one of the heaviest agricultural areas in North Carolina, my good friend, G.K. Butterfield, I yield to you such time as you may consume.

Mr. BUTTERFIELD. I want to thank my friend, Congressman ETHERIDGE, for yielding me this time. This is a very important issue for North Carolina, and I want to thank him for allowing me to come to this floor tonight to add my comments to this subject. Also I want to thank my good friend MIKE MCINTYRE. He spoke just a few minutes ago. MIKE and Congressman ETHERIDGE both are dynamic leaders of the Agriculture Committee. They both serve as chairmen of subcommittees on the Committee on Agriculture, and they are leading the way. I want to thank them publicly for their extraordinary leadership.

But, Mr. Speaker, I have come to the floor tonight to, again, talk about this serious drought. My colleagues are absolutely correct. North Carolina is experiencing its worst drought in 50 long years. In fact, nearly three-quarters of North Carolina's 100 counties, that is 75 or more counties, are experiencing an exceptional drought, the most severe category listed by the Drought Management Advisory Council. The council also lists the remaining counties as experiencing extreme drought or severe drought conditions. This is very serious for North Carolina.

The conditions have been so severe that several of our communities have as little as 3 months of water left remaining. If North Carolina does not see significant rain, some areas face prospects of water rationing. Yes, water rationing, or potentially running out of water entirely. The climate data shows that this spring and summer was the area's driest period since 1948.

North Carolina, Mr. Speaker, is taking this problem seriously. Currently, 106 public water systems have already adopted mandatory water restrictions, while 118 have enacted voluntary restrictions. I was on a program a few nights ago with the Speaker of our House of Representatives in North Carolina, Speaker Joe Hackney, and I told Speaker Hackney that I would be on the House floor tonight with our friend BOB ETHERIDGE and we will be talking about the drought. The Speaker of my House told me, ''Congressman, with all due respect, you need to talk about more than the drought. You need to provide resources for the farmers and others who are affected by the drought.''

This is very serious. As anyone can imagine, the effects on agriculture have been brutal. Congressman ETHERIDGE talked about it a few minutes ago and Congressman MCINTYRE and my friend Congressman SPRATT, they all talked about it. The effects have been absolutely brutal. It is estimated that peanut production is down about 20 percent from this time last year. Hay production has been cut nearly in half, and soybean production is down by more than a third. My colleagues, that is serious. In many parts of my district, and Congressman ETHERIDGE has the map there with him in the well of the Chamber, these conditions are so dry that the soil at the bottom of drainage ditches has started to crack, and water in streams and creeks has ceased to even move. For many, the water table has also dropped to the point where there is virtually no water in the ground. The drought also means that there is less water available for our cattle and horses and other uses. At this point, some farmers will likely have to abandon their crops, particularly our peanut farmers. The consequences will be even more serious if there is no significant rainfall between now and February.

Our U.S. Department of Agriculture declared 85 North Carolina counties disaster areas last month, making farmers eligible for low-interest emergency loans. And we are certainly thankful for that. But our farmers still need more help, and that is what Congressman ETHERIDGE was talking about a few minutes ago. We are facing the kind of disaster that could push many of our farmers out of business and off of their farms. Congress must move quickly to avoid worsening this natural disaster.

So, I am confident, I am extremely confident that the Democratic majority will rise to the occasion. We will certainly encourage the leadership to do that. We will make the resources available for our citizens. And I pray, Mr. Speaker, that the President of the United States would not veto that legislation, that he will sign it into law.

Thank you, Mr. ETHERIDGE, for your extraordinary leadership, and thank you for what you mean to North Carolina.

Mr. ETHERIDGE. I thank the gentleman, and I couldn't agree more that, you know, when you look at our State, really, all this whole region is suffering, but according to the numbers by the Drought Monitoring Council in the Department of Agriculture, if you look at North Carolina specifically, North Carolina is still reporting more drought impact than any other State from the mountains to the coast. Now, all these in the Southeast are hurting. But in North Carolina, as one farmer said to me the other day, and I mentioned this earlier, he said, ''You know, if you can't water your lawn, that is an inconvenience. If you can't wash your car, you can drive it a little dirty. You can cut back on the shower. But my ponds are empty, so I can't irrigate my fields. So I am facing the forces of nature, and I could lose everything I have got.'' That's a sad situation to be in. But it is a reality. When that happens, you know, farmers are the last ones to sort of stand up and say, ''We want the government to help us.'' They usually want to say, as you well know, ''If you just leave us alone, we can get our jobs done.'' But this is one of those times that many of them won't make it without help. And it is certainly true in your area as it is in mine.

Mr. BUTTERFIELD. Mr. ETHERIDGE, are you beginning to hear from our farmers across North Carolina? Are they calling your office like they are calling my office?

Mr. ETHERIDGE. They are.

Mr. BUTTERFIELD. I discern a sense of desperation among our farmers. They are looking to their Federal Government for a response. Is that what you are finding?

Mr. ETHERIDGE. I am. I thank the gentleman for yielding. I do. And it is one of those things where, as I said earlier, it didn't start this year. It really started last year, as you remember. We had a dry winter, then a late frost that hurt the spring crops, and then we had a dry summer that led into the fall, and now they can't plant the fall crops because there is no ground moisture. So there is a level of desperation that I can't remember having seen in my lifetime. Certainly we are hearing from farmers on a daily basis just saying, ''What can we do? What kind of help can we get to get through this?'' because they know they have no ability to make it rain.

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Mr. BUTTERFIELD. If we don't do it, it won't happen.

Mr. ETHERIDGE. That's exactly right. If we don't get it done, it won't get done. I appreciate you being here tonight. Thank you for coming and joining us.

According to the National Drought Monitor Center, North Carolina is still reporting, as I said, the largest drought impact in the United States at this time. The crop conditions are devastating.

Let me just share with you an example of a farmer from Autryville, North Carolina. He grows watermelons. He said, We have suffered at least 25 percent for our early summer crop and an 80 percent loss of the later plantings in August and September. We had over 500 acres of watermelons.

Now for the people who go to the grocery store, they are going to feel that impact because not having products produced close to home, that they don't have a lot of transportation in, that they know where it comes from, they get a good, fresh product at a reasonable price. That won't be there. He said, All of our ponds ran out of water in both the watermelon and the cantaloupe fields even though we only used drip irrigation. You say, Why would the water run out? Because we had the hottest summer on record. When you have a hot summer, you get a lot of evaporation. If you get no rain, you get no opportunity to replenish it.

He said, Our cantaloupe crop wasn't hurt much more than 25 percent totally. However, a 25 percent loss starts to eat up our profit when you have over 300 acres of cantaloupes that were early. Pumpkins. We experienced 100 percent loss on our 100 acres of pumpkins. Even though we were able to irrigate some of them, we ran out of water. The excessive heat caused very poor pollination, which resulted in no fruit set.

Now, for those who are listening this evening here in the Chamber and those who may be watching on C–SPAN, what they are really talking about is you have to pollinate those flowers, and if they don't get pollinated and don't set, you get no fruit. So all of a sudden, after all the work he put in, the expensive inputs, there's no money at the end of the year.

He said his wheat crop was about a 65 percent loss due to the drought conditions as far back as February and March. Remember, I said earlier we had a dry fall last year, it went into the winter, and then we had the early frost that hit the wheat and the oats and a lot of our late grains. So he winds up with a 65 percent loss there.

Then his other crops, and this is just one farmer, and I will share with you in a minute what these products mean in terms of dollars just in North Carolina. I could use other States, but since North Carolina is my home, I am going to use that State. It has an impact because roughly 25 percent of North Carolina's gross domestic product is really tied up in agriculture. Peanuts. Our loss ranged anywhere from 30 percent to 75 percent below normal yields due to drought. That was just a plain lack of rainfall.

Now, some of you might say, Well, why would the rains be so great between 30 percent and 75 percent for a farmer who had peanuts. You have got to understand, the rain, what little rain we got this year, and, remember, I said earlier it rains, depending on where you were in the State, 10 inches below normal, to as much as 20. If you happened to be in one of those 20-plus

inch areas, then your peanuts didn't do much of anything, or anything else. So that was part of the problem. It could happen within any given county. This is one of those unusual drought years.

He said, I planted soybeans. Even though we haven't started harvesting soybeans yet, there is nothing there to harvest. We have 500 acres of soybeans. So those of you who don't have an idea how much 500 acres is, I will just share with you that if you had a good yield on 500 acres, and you yielded say 40 bushels an acre, you can figure it up right quick if soybeans are $7 a bushel. You can see how much prospective income you have just lost. You have already got all the expenses of getting your land ready, buying the seed, putting the chemicals on it if you had to spray it for pesticides or something. This year they probably wouldn't because it was so dry. Any time you have a dry year, you're more likely to have pests eat it. That is a real problem.

Just this past Monday I was in the field with a gentleman who actually farms in Johnston in Wake County. Mr. Jordan carried us into one of his grain fields of soybeans, showed us his sweet potatoes. Let me just read to you what he said when I visited him. He is a hardworking guy. He has farmed all of his life. His dad farmed the land; his son is now with him.

He said, I just had a third of a crop of sweet potatoes come in, and the ones we harvested, and for those of you who know what I'm talking about, number one potatoes are the ones you get your money for, and the others don't turn out too good. They're good potatoes, but people go to the grocery shelf and they may not buy them. Most of them were not number ones.

Then we went to his soybean field, and in that field, and I grew up on a farm, my son still farms, I participate in it a little, and I would venture to say we opened some pods on some of the soybeans, and those of you who ever had a BB gun know how big a BB is, and a soybean is supposed to be a lot bigger, like a pea. And they were like BBs.

Of course, when they go through and harvest, they will go right through the harvest and wind up back on the ground. They are great to help the birds a little bit, but it's going to be devastating for Mr. Jordan and farmers like him. He said, The heat has been as big a factor as the drought. Of course, all of you know the heat contributes to the drought, because it was the hottest summer on record in the State of North Carolina and in the Southeast.

He went on to say he has cattle. He said there is not enough hay to cut to justify running the machinery, so we are to spend a lot of money for feed to help these cows get through the winter. We have farmers in North Carolina hauling hay great distances, others that cannot even buy it, hay that was $20 and $25 for a big bale has now gone from $40 to $50, and in some cases they can't even get it. This is why they are asking for help. This is why this Democratic Congress, and I hope my Republican colleagues, and I pray the President, will do the right thing and sign legislation to help.

Mr. Jordan has estimated that his gross loss will be somewhere between $115,000 and $200,000 on his fall harvest. He is a large operator. He might weather it. But it will take him years to recover, because the machinery he uses has got a year's use on it and it is getting worn out and he has no money to make it happen. He said, I hope we can salvage some of it. We will try to save what we can. And I just say thank God for people like him and other farmers who are willing to continue to get up early in the morning, work in the hot sun, and take the huge risk that it takes to provide food and fiber for all of us in America.

Let me share with you something about what is happening with what we call the ''green industry.'' The green industry, of course, is our nursery industry and a host of those things tied to it. These numbers are for North Carolina.

The green industry contributes more than $8.6 billion to the economy of North Carolina. The green industry alone employs roughly 151,000 people. Due to the drought thus far this year, the green industry has laid off 30 percent of their labor force and revenues are down 40 percent. Let me repeat that again: 40 percent.

Now, that will be felt not just this year. That is going to be felt for a number of years, because that means, number one, you can't expand. Number two, you can't buy new equipment, and all of those people that they buy trucks, tractors and equipment from, they are going to feel it.

As you can see from the map here, as I said earlier, the situation in North Carolina and the entire region is dire. Fifteen more counties were just moved into the worst category of drought, exceptional, this week. We talked about 85 already. Fifteen more have been moved into it. We hope to get some rain this weekend. Every time we get promised rain, it tends to split and get away. We hope we do. But more is needed to make it. When you have as much area having drought as we do, it just seems that it gets tougher and tougher.

Let me share with you one other thing. I think it was my good friend Mr. BUTTERFIELD was talking about how he saw streams that were cracking. I was up toward Siler City about a month ago in the Upper Piedmont, western part of my district. It was the first time in my lifetime I have seen trees along streams that were dead. Not the leaves falling off, trees were dead, because the streams had long since dried up. And anyone who knows anything about forestry, a tree near a stream tends to have its roots fairly shallow and in the water or close to it. These streams had been dry so long, the trees didn't have deep roots so whole trees were dying. You could see long strips of trees along streams that were dead. Farmers had been feeding hay since late July.

I keep repeating this because this is a critical situation. You know, you can be in Washington and you can come into this nice building and you can have plenty of food every day, but one of these days, if we don't take care of the people who provide food and fiber, we might face that challenge too.

So I hope my colleagues understand how serious this situation is, and I hope the people at the White House understand. I pray that the President will send a request to help not only our folks in the Southeast that are going to take a long time to recover, but also those on the west coast that we see on TV tonight, and it looks like it is going to be awhile, who have lost a great deal as well.

These things, if they do not deserve an emergency appropriation, I pray ask, what does? If we can't help the people in this country, who can we help? When can we help them, if we can't help them when they are hurting?

Mr. Speaker, almost 85 percent of the land area of my State is now designated as being either extreme or exceptional drought. To my knowledge, that has never happened in my lifetime. I have talked with people who are almost 100 years old, and they never remember it.

Fifty-four percent of the land area is in the exceptional category. That is up from 38 percent just last week. And, as I said, all of the State is in at least severe drought, with the last three counties in the moderate category now moving into severe.

On October 18, the North Carolina Drought Management Advisory Council Web site listed the number of North Carolina counties in each category as follows: D–4, that is exceptional, 71; D–3, extreme, 18; and D–2, severe, 11.

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We talked earlier about the challenge we face with water. And water is important to sustain life. I mentioned earlier about Siler City. I want to talk about that again because that county has probably suffered as much or more as any county in the district, agriculturally as well as the city of Siler City. They are down to 60 days of water. Tonight I want to thank the Governor of our State, Mike Easley, and his staff and some of the folks from USDA who have worked together to try to make sure that the town has water. They have been hauling water with trucks to keep roughly 1,500 to 2,000 people working. As I said when I began to speak, they are now down to 3 or 4 days a week. It looks like they are going to break ground, because of the hard work of the Governor's staff, on a waterline that will hopefully get them over the hump. But we still need rain and we need help.

These two plants, Pilgrim's Pride and Townsend, provide a lot of jobs, but

they also provide an opportunity for our farmers to have income who produce a lot of poultry in our State. They provide a lot of food for the table of a lot of Americans who don't want to think about it, who don't want to know about it, who really aren't interested in it. They just want to go to the meat counter and have good, safe, plentiful, affordable food supply.

Mr. Speaker, to do that it is incumbent upon every Member who took the oath of office in this Chamber and the other body across the hall and the President of the United States, if we can get together a bill, pass it, and we should, for him to sign it, to make sure that these folks continue to make it.

I saw on Monday the sad commentary of what a major drought can do. I was on our farm with our son Saturday. We spent an hour or two and were going to put a cover crop in. We actually put some in last Saturday. He said to me I probably made a mistake; it might not come up. He is probably right. This Saturday we decided not to plant anything because the ground was so dry it wouldn't germinate.

I happen to believe our food supply is part of our national defense. It is part of our homeland defense, and Members of Congress I think will rally. Farmers face some of the toughest perils that I can imagine when they invest their money in the spring and depend on weather to make it. Make no mistake about it, somewhere in America almost every year there is some catastrophic event tied to agriculture. Some of it is tied to our beaches with hurricanes. It is tied to tornadoes in the Midwest. It is tied to earthquakes. It is tied to a lot of things. We have always responded. We have always helped, and we should. Now is the time, Mr. Speaker, to help the people in the Southeast at a time when we have the toughest drought that we have ever faced.

And I am pleased that we are now joined by my colleague from Wake County who understands this. He represents some of the agricultural area, but we are very fortunate to have him chairing the Appropriations Subcommittee on Homeland Security, and he certainly understands that our agricultural production is part of our national security as much as protecting our homeland. If we can't have cotton and corn and soybeans and those things we enjoy having on our table, then we are challenged. And I yield to the gentleman from North Carolina (Mr. PRICE). He can see from the map as well how North Carolina is the worst of all of the southeastern States by the drought monitor.

Mr. PRICE of North Carolina. I thank my colleague for yielding. That map before us is an all too familiar scene, I'm afraid. We have seen the drought areas growing and growing each week in the newspaper depictions of our weather pattern. It is very, very dry up and down the eastern seaboard. In the Washington, D.C. area, this is a serious situation as well. But my colleague is right; no State has been hit harder than North Carolina. And the devastation started in the western part of the State at first, but has now swept across the State, and we have severe drought conditions, I think, in every one of our North Carolina counties. The situation is dire.

The gentleman from North Carolina (Mr. ETHERIDGE) who serves so well on the Agriculture Committee and also the Homeland Security Committee, has done us a service in organizing this Special Order tonight and bringing this serious problem to the attention of our colleagues and to the attention of the country.

If anyone has spent any time at all in the Southeast this summer and fall, it would be difficult for the enormity of the drought not to catch your attention. We see it daily during our time in North Carolina. We are not simply talking about brown suburban lawns or needing to take shorter showers, although both of those are realities. The hot and dry conditions of the past several months have dried up our lakes and killed our crops. They are threatening the water supply of many communities, and they are irreparably damaging this year's agricultural output.

It is that damage to agriculture that brings us here tonight. North Carolina boasts one of the most diverse arrays of agricultural products in the Nation, yet crop yields in North Carolina and other southeastern States are down across the board. There is not a crop that is not affected.

Last month, following our Governor's recommendation, the U.S. Department of Agriculture designated 85 of North Carolina's 100 counties as disaster areas, and all 85 of these counties have lost at least 35 percent of at least one major crop.

Such losses are not confined to farming in rural areas. They may hit the smallest farming communities the hardest, but they inflict serious pain on the entire economy of an agricultural State like ours. They are felt throughout the country, seriously affecting the Nation's food supply and prices.

This may be a regional drought, a disaster that is centered in the Southeast and in North Carolina in particular, but there is no doubt it is a national problem and that national attention is called for. We need to focus attention on this challenge in this body.

Congressional attention and action are demanded. That is why we signed a letter to the President requesting that he include disaster assistance in any supplemental appropriations request. I am disappointed that yesterday's request failed to do so. I know my colleague shares that disappointment, and I suspect he has talked about it a good deal tonight already.

I am hopeful that the Appropriations Committee will pay attention to tonight's remarks and understand the scope of this problem and take appropriate action. I am a member of that committee, and I plan to press for disaster relief wherever and whenever it can be achieved. I urge all of my colleagues to do the same.

Again, I commend my colleague for calling this Special Order and for his dogged persistence in looking out for our farm communities, but also understanding the implications of this disaster for the economy as a whole.

Mr. ETHERIDGE. Let me thank the gentleman and thank you for your leadership not just on this, but other issues as well. North Carolina is one of those States, I couldn't help but think as you were going through the list, as you talk about the drought, and over the years being here talking about floods and hurricanes because North Carolina, as folks can see on this map, we sort of stick out in the Atlantic and we get whacked by hurricanes and we have had floods. I thank the gentleman for his leadership over the years. He has taken the leadership on the Appropriations Committee, and we will lean on your broad shoulders again as we work through this because it is important.

Let me share with my colleagues in the little time we have remaining what Brian Long, who is a spokesman for the State Department of Agriculture and Consumer Services had to say. He said, ''We cringe a little more each month because it is going from bad to worse.''

And I say that because every day that it doesn't rain it gets drier, and every day that it gets drier, it means that more and more farmers move closer to the edge. Don Nicholson, a State regional agronomist, said: ''It's the worst I've ever seen. My mother is 76. She talks about how bad it was in the early fifties. That is the only reference point that I have.'' And what he was saying was fifties were bad, but 2007 is worse.

Mr. Speaker, as I close out tonight, I want to thank my colleagues for coming and joining me to talk about this issue, to call attention at the national level because truly this is a problem of national proportion. As the gentleman from North Carolina (Mr. PRICE) said, it may now only affect the Southeast, but it really is a national issue. It is national in that we are all in this together, and it is national in that this will ultimately affect the table of families across this country in one way or another, because if cotton production is down, it will have an impact. And for all of the fruits and vegetables, it will have an impact. And soybeans and corn over the long haul, because if you have to pay more for feed for pigs and poultry, it is reflected on the tables of American consumers and people around the world.

Mr. Speaker, I trust we can get a bill through and I trust that ultimately the President will send us a request in one of the supplementals where he is asking for additional money from this Congress. And if not, that we will put

it in and that he will sign it. That's the least that we can do for the people in this country who work hard every day, who play by the rules, who are good folks and deserve an opportunity to continue to do the things not only that they love, but provide food and fiber for our tables.

DREAM ACT IS AMERICAN NIGHTMARE

The SPEAKER pro tempore (Mr. MITCHELL). 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 always, I very much appreciate the privilege to address you here on the floor of the United States House of Representatives.

Having sat here and listened to the discussion that was presented by our gentlemen from the Carolinas and talking about the drought in the Southeast, I am quite interested in the map that they have laid out for us to see.

Coming from an agriculture State and district myself, I will say I have significant empathy for the drought plight in that part of the country. That huge area of bright red tells me how tough it must be down there where it hasn't rained very much in a long time and gives me a sense before how long it will be before you can see green again in your part of the country, Mr. ETHERIDGE. We have lived through that in past years, and I can tell you, it goes deeper than just looking at a picture. It goes to the very lives of the people you represent.

I yield to the gentleman.

Mr. ETHERIDGE. I thank the gentleman for yielding.

I remember when we went out to South Dakota and through Iowa and how tough it was when it was dry. I will always remember with my good friend, JERRY MORAN, we flew into Kansas last year to do a hearing on the ag bill. Lo and behold, when we flew in, it was raining like the dickens. I said, ''JERRY, you have been talking about how dry it has been for so long.''

He said, ''Yes, and all of a sudden we got plenty of water.'' Hopefully we will get back there, but you do understand. Thank you for your help. I think this is an issue where we have to pull together and help. I thank you for your leadership and help on the Agriculture Committee, too. I appreciate that.

Mr. KING of Iowa. And I thank you. We will work together on this issue. There is nothing your producers can do when it doesn't rain. Perhaps we can have a hearing down there and it will bring rain like it did in Kansas.

Mr. ETHERIDGE. That would be great. Thank you.

Mr. KING of Iowa. Mr. Speaker, I wanted to express those sentiments, but I come to the floor tonight to discuss a different subject matter.

□ 2045

The subject that I've chosen to discuss tonight is the Dream Act, and I do so because a vote on cloture is scheduled on the floor of the United States Senate tomorrow sometime, I believe, in the afternoon.

The DREAM Act, Mr. Speaker, you will remember is an act that's been pushed for several years here in the United States Congress and also pushed at the State level. What it is about, it is a bill with a wonderful name, and once you read through it and think about the ramifications, it's not such a wonderful bill. It has actually meant the demise of a number of public figures. People who have served in this Congress, people that have served in the State legislatures and people who have aspired to serve in this Congress have found themselves enamored by the wonderful name, the DREAM Act, but also trapped up in and captured in the pitfalls of the reality of what's behind this DREAM Act.

So, Mr. Speaker, if you will permit, I will describe what the DREAM Act does, and that is, it provides, let me say it this way, an opportunity for in-state tuition discounts to go to people who are otherwise unlawfully present in the United States, usually younger people that have graduated from high school. It gives them in-state tuition discounts, or allows the States to do so, and then gives them a conditional legal status in the United States provided they enter into college or enter into the uniform services, not always our military, but some type of uniform services.

This sounds good over the top of things, but it works out to be this: it defies a current Federal law. In fact, it has to amend a current Federal law, a law that's been defied by at least 10 States, and it's a law that was in the 1996 Immigration Reform Act, sponsored by now-ranking member of the Judiciary Committee, LAMAR SMITH of Texas.

This legislation in 1996, current Federal law, Mr. Speaker, prohibits a State and institutions of higher learning from granting residency in-state tuition discounts, breaks on the costs of the education, to students who are unlawfully present in the United States, that's a nice word for illegal aliens, Mr. Speaker, unless those universities and those States that set that policy grant that same tuition discount to all students who are lawfully present in the United States wheresoever they might reside.

So let me just draw an example, being from Iowa. Let's just say, for example, that there is a student that grows up on the east side of the Mississippi River and a resident of Illinois who wants to go to college at Iowa State University. And if Iowa had the DREAM Act as a policy, and they defeated it in the State legislature a couple or 3 years ago, actually let it die in committee as I recall. But if that student who grows up and goes to a high school in Illinois, a resident of Illinois, chooses to go to college at Iowa State, they will pay an out-of-state, nonresident tuition of about $16,000 a year; and by the way, a resident of Iowa will pay about $6,000 a year. So not quite three times as high if you're a nonresident student.

And by anecdote, I can tell you that in California the numbers are comparatively about $3,000 a year to go to school at a California institution if you're a resident, and I believe it's about $23,000 a year if you're a nonresident. You pay that kind of premium if you come from out of state to go to school in-state. Each State sets their own policies. These numbers aren't hard; but, conceptually, they're accurate numbers, Mr. Speaker.

So the out-of-state student, the nonresident student, pays a premium to go to college at an institution in a State that they're not a resident of. That's been a longstanding practice so that the State can encourage, foster, and subsidize the education of their residents in the hopes that they have highly educated students that will stay at home and grow the economy of the State that pays the taxes to support those institutions of higher learning.

But that's a little too convoluted, Mr. Speaker. I'll just say that States want to help their own residents. So they've set these policies, and that's why it costs more money to be an out-of-state student going to school in another State than it does to go to school in your own State, a longstanding practice.

The DREAM Act turns that all on its head, and for illegal alien students who have come into the United States in violation of the law, whom if ICE, Immigration and Customs Enforcement, were to be required to deliver this in-state tuition discount, let's call it a voucher, it's not, it's a discount, but if they had to deliver it in the form of check or a voucher and if ICE had to deliver that, Immigration and Customs Enforcement, they would be compelled to pick up that prospective student and send them back to the country from which they came so that they could be legally residing in their home country.

That's the law, Mr. Speaker, and the Dream Act turns this on its head. It grants people who are here illegally, all the way up to age 30, if they will enter into a school and start their studies on a 2-year study program or if they will go into the uniform services, not necessarily our armed services, then they get conditional residency or conditional legal status in the United States. And then, if they keep their nose clean, they get a green card which is lawful, permanent residence, and it's about 5 years to citizenship. And the formerly illegal immigrants have access then to all the chain migration tools that anyone else has who comes here legally for those who have respected our laws.

Now, that means they can bring in their siblings. It means they can bring

in their children. It means they can bring in their parents, and that whole chain migration can start over and over again.

We had a chart that was put together on the chain migration that comes with the policy that's there that's called family reunification, and it looks like about one legal immigrant can bring in about 277 family members by the time you go out through the chain of the family tree. That would also be true for an illegal immigrant who would be granted amnesty under the DREAM Act.

So in-state tuition discounts, amnesty for illegal aliens, put this bill, this bill that if the cloture as has been filed and if it successfully passes tomorrow, then the Senate will go to a vote on the DREAM Act. If they do that and the House should take up the same bill and then the President should sign it, you will have illegal aliens who will be sitting in desks in the institutions of higher learning within our States studying, going to college at the expense of the taxpayers and at the expense of the Federal taxpayers because we do appropriate funds that go into these institutions.

As you know, Mr. Speaker, there are only so many desks in a classroom. There are only so many slots in our institutions of higher learning, and that's why we have admissions requirements. That's why you apply and you put in your grades and all of the other qualifications that are there, and very tough decisions are sometimes made by these universities to allow people to come in and study there or to cut them out.

You will remember some high-profile cases. For example, the affirmative action cases at the University of Michigan and at the University of Michigan Law School. There are only so many desks that are available. Imagine granting an in-state tuition discount to someone who came across the border and into the United States illegally and someone who is getting a $6,000 education, when the student sitting in the desk right next to them is a United States citizen, naturalized or born in the United States, whose mother or father has served perhaps in Iraq or Afghanistan, who has perhaps been killed over there to defend our freedom, and that poor student without a father or a mother has given their life for our freedom is paying out-of-state tuition prices to go to school at their preferred institution, sitting in a desk next to someone who is unlawfully present in the United States and would be deported if it weren't for this DREAM Act that grants them amnesty.

Now, that sets up a friction in this society, Mr. Speaker, that's illogical. It's irrational. It rewards the wrong thing, and in the end, it would not be tolerated by the public if they begin to understand what this really means.

The Department of Homeland Security, Michael Chertoff's DHS, under this DREAM Act would not be able to go in and use any of the records; and so if they want to protect this society, if they want to go in and apply the law, they can't even look at the records that are there that are part of the data that's compiled to grant this supercitizenship to people who are eligible for deportation. And I say supercitizenship, Mr. Speaker, because this supercitizenship path, by the way, grants more rights, special rights to illegal aliens to go to school in our institutions of higher learning at a tuition discount.

For example, if you have a legal alien, someone who has applied for a student visa or has lawful, permanent status, lawful permanent residency here in the United States, a green card, and they're going to school at an out-of-state institution, they have to pay the out-of-state tuition rate. If someone comes in from Korea or Guatemala or let's say Russia, Poland, comes into the United States legally, student visa or under a green card, maybe even in a path to citizenship, and they have a residency in New Jersey, they can't go to school in New York with an in-state tuition discount, and they sure in the world can't go to school in California for $3,000 because they'll be considered an out-of-state resident and they will be.

That's the way it is for American citizens, both naturally born and naturalized. That's the way it is for people who have followed and respected and honored our immigration laws, whether they're on a student visa or whether they're here on lawful permanent residency, a green card. They all have to follow the laws of this country, and they all have to pay the going rate that reflects their residency of their State.

And consider, Mr. Speaker, if you will, consider the children of military families, whether or not they've lost a parent in this global war on terror. Those children move around a lot, and some of them don't qualify necessarily for the in-state tuition discount maybe anywhere, and they would be paying a premium as a son or a daughter of our military veterans, sitting next to a desk of someone who before this act would be passed today will be unlawfully present in the United States, subject to deportation who would end up getting a discount for the tuition.

This is the bill, Mr. Speaker, that the Senate proposes to bring up tomorrow with their cloture vote; and if they vote cloture, and we'll have this debate on the floor of the United States Senate, and you're going to be able to, Mr. Speaker, look across over to the Senate and be able to evaluate the set of values that the United States Senate brings to the table and this set of values that produces supercitizenship, superaccess to citizenship for illegals.

I recall some of the debates that we've had here on the floor of this House. Discussions and speeches, I should say, rather than debates; and I recall how easy it is for some of the Members to look at this and conclude, well, this is the DREAM Act, and why would we want to punish kids who are simply here unlawfully? Can't we give them an education, and isn't that a better thing? Yes, if your view is that simplistic, Mr. Speaker, if that's all the view is, isn't it better for the kids that would be beneficiaries of this? The answer is yes.

But we could grant in-state tuition discount to every kid in this country, and in my State it would cost several hundred million dollars. The State legislature is not willing to do that. The current law is, if you grant that in-state tuition discount to students who are illegal, then you grant that same discount to everyone in the United States, wherever their residency might be. And so all of those students that are paying out-of-state tuition, that $16,000 in Iowa, would end up getting the $6,000 annual education as opposed to the $16,000 education. A $10,000 premium that's there that's levied against all of those students that come from other places around the country and the world would all be level down to $6,000.

They can do that today if they choose, Mr. Speaker; but they will not do that because the boards of regents and the State legislatures across this land don't want to take the financial hit. They don't want to level the premium. They don't want to give this kind of benefit to all American citizens. They don't want to give this kind of benefit to the sons and daughters of our military. They don't want to give this benefit to those who are legally emigrating here into the United States. And they don't want to give this benefit to those who are on a path to citizenship here in the United States provided they're not residents of the institution in question.

No, sir, Mr. Speaker. This is all about special right, special treatment for people, for students that are unlawfully here; and the numbers break out to be something like this. A million, more, we don't know. There's not a cap on it, but the best estimates say more than a million; and we know that when you grant benefits, it attracts more people. And there will be people that will come into the United States illegally and present themselves to go to college at a tuition discount, and they will say, oh, yes, I've been here that 5 years or so that the Senate bill requires that I'm here; and by the way, I have these falsified utility bills and rent canceled checks and things of that nature that say that I've been here so I meet the minimum standards. Give me that tuition discount, too.

That's the view and the strategy, the special extra citizenship rights that come with it for more than a million people. And we know also, Mr. Speaker, that whenever you open the door up and you count the numbers, the numbers get greater, not smaller. Ronald Reagan said, what you tax you get less of; what you subsidize you get more of.

And we are here talking about opening the door to subsidizing significantly a two-thirds discount, a 66 or 67 percent discount, on college tuition for people who are eligible for deportation.

□ 2100

I think it's breathtaking how far they are seeking to reach over in the United States Senate. I think the people understand this. I think they understand that this is a super amnesty plan. Whatever your heart says, can we just please engage our brains for a little bit and think about what this means; what it means if we give in-State tuition discounts to people who are unlawfully present in the United States, those who, as I said earlier, if ICE, Immigrations and Customs Enforcement, had to deliver the paperwork that said here is your tuition discount, they would be compelled to pick these students up and send them home again. Some of these students up to the age of 30 are taking advantage of the soft heart of Americans.

So extend this on out, what's the motive? Some is driven by the churches, I understand. I appreciate the ministry that they provide. You know, I am a strong proponent and adherent to the values that come from our churches and the good movements in America that come from the pulpit. But if the churches from America believe that we should be providing in-State tuition discounts for those people that the law says need to be sent home, can you please pass the collection plate. Don't come here to Congress and ask that we squeeze that out of the sweat of the taxpayers, because they are the ones in the end that pay the price, and the American citizens that won't have a desk in a classroom, because that desk is already filled by somebody who gets a cheaper rate than they can get.

There is only so much room. There are only so many benefits. We can help in the foreign countries better than we can open our doors here for an unlimited amount of people coming in. When we undermine the integrity of our immigrations system, when we do so, we take away the options that are constitutionally bestowed upon this Congress. The Constitution directs us to set the immigration policy here.

I recognize that we have a legal and appropriate right to deal with acts like the DREAM Act. We ought to shoot it down. We ought to vote it down. We should defeat it. We should not let it slide its insidious policy across the halls here between the Senate and the House of Representatives. It should not be passed.

In fact, the Senate has three times here in the 110th Congress, three times just this year, voted to defeat the DREAM Act because they understood the political repercussions from the American people who understood what amnesty is. This bill grants amnesty. This bill says, it says that if you are here unlawfully, if you are subject to deportation, but if you apply for this DREAM Act and apply to go to school, under a super discount, we will give you conditional lawful status here in the United States. That's amnesty. It's also a path to citizenship, and it opens the door for family reunification, the chain migration that we talk about. It does all of those things. That's amnesty.

Amnesty, to define it for the benefit of those who have heard a lot of different definitions, the consistent definition of amnesty that addresses this is the definition that we have used in the Judiciary Committee over and over again. In our debates as we mark up immigration bills, in our hearings as we cross-examine the witnesses on immigration, to grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crimes, to pardon immigration lawbreakers and reward them with the objectives of their crimes. That's amnesty. That's what the DREAM Act does. That's what's moving, that's what's cooking, that's what is shaking over in the Senate.

By the way, the beneficiaries of this act don't have to finish their college education. All they have to do is engage in it for a couple of years. That starts the ball rolling. As I said earlier, they don't have to serve in the military; they just have to serve in the uniformed services. There are many holes in this act.

Let me take this, if I can, back to another subject matter that's associated with this, and that's the subject matter that also threatens to find its way into legislation that we expect will be moving in the United States Senate, and that's AgJOBS. AgJOBS is a bill that grants amnesty to people that are unlawfully here that are working in the agriculture industry, people that are picking lettuce, as Senator MCCAIN has so well illustrated. And the AgJOBS bill says if you have been here for 5 years and you apply under this AgJOBS, we will grant you a lawful status here in the United States. That also is amnesty.

The AgJOBS bill that looks like it's most likely to emerge in the United States Senate gives a path to citizenship, provides immediate lawful presence here in the United States, a path to citizenship, a reward to immigration lawbreakers, a pardon to immigration lawbreakers and the reward of the objective of their crime, which is, we presume, in most cases their objective was to get jobs here in the United States.

I would point out that the low-skilled jobs here in the United States have the highest level of unemployment. It's not the other way around. There is no statistical data that supports that this country is starved for low-skilled workers.

When we look at the low-skilled workers, the unemployment rates go over 10 percent, well over 10 percent. American citizens are being bumped from jobs, those jobs. Low-skilled, undereducated American citizens who were born here and naturalized here are being bumped from those jobs by illegal aliens who are taking those jobs cheaper.

Of course they can. In fact, they have to, because some of the job market they can't compete in, in the legitimate part of the job market. So they all come in and work cheaper, but on the other hand they don't have the risk of liabilities that go along with steady employment like a citizen does with a regular address who has the obligations to make their contributions to the Federal Government, to the State government and to the local government.

It's not to say that many of the illegals don't pay taxes, but here is where it comes to me this way. Someone who presents a Social Security number, that's often someone else's, and sometimes it's just a made-up number. They then have been consistently hired to go to work through a number of different professions; most, I will say, many of the professions. They will often record the maximum number of dependents with the H.R. team that's there for the company so that they get the highest amount of take-home pay and the least amount taken out for their Federal and their State income tax in the States that have income tax, and that's almost all.

If you have someone come in, and let's just say they are making $10 an hour, and let's say it's 40 hours a week, and it's simple math, and I am just doing it as I stand here, so that's $400 a week. The withholding that would be there for the State taxes at $400 and for the Federal tax at $400 a week, if you would claim a number of dependents, let's just say six or seven or eight, you are already in the category at that kind of wage where you wouldn't have any withholding for Federal income tax, you wouldn't have any withholding for State income tax. You would still have to pay the payroll tax, Social Security, Medicare, Medicaid.

That gets sacrificed to the no-match Social Security file, of which there are hundreds of thousands of no-match Social Security numbers on record. The deposits that go in on those keep growing in the Social Security trust fund. Now, that's a whole different speech, but the sacrifice is made on the part of those illegals who are working on an assumed Social Security number, not their own, obviously. They sacrifice the payroll taxes, Social Security, Medicare and Medicaid because it's cheaper to do that and it's possible to do that.

Their take-home pay is their gross earnings minus the payroll tax, Social Security, Medicare and Medicaid, 15 percent of that, half of that, and the employer matches the other half, but no withholding for Federal and for State.

I get from the parking lot of some the companies that I represent the check stubs from these workers. Americans will pick them up off the parking lot where they get torn off and left in

the wind to blow. I have manila envelopes full of these that have been kind of crinkled up, walked on, a little muddy, a little dusty. They are like an accordion in a manilla envelope.

I take those out and look through them. Check stub after check stub, not a dollar withheld for Federal income tax, not a dollar withheld for State income tax. Of course, the payroll tax has been paid. At least the names are not on those check stubs, and I don't recall if there are Social Security numbers on them. That's the kind of thing that's going on all over the country.

The taxes that are paid from sales tax, the contributions that go to property tax, yes, there is a tax contribution, but there is a tax evasion that's there, and it's obvious. To turn in no-match Social Security numbers and go to work under those standards is a standard practice. The AgJOBS component of this is amnesty. It does grant a pardon to immigration lawbreakers, and it does reward them with the objective of their crime, and it rewards an industry that's grown more and more dependent upon illegal labor.

You know, I understand that when you have got a crop in the field, you need to get that crop out. When you plan for this, you have to also plan for the labor. I also recognize that there has been a growth in the labor-intensive agriculture in this country, because there has been an easy and a steady and a ready supply of cheap, illegal labor to come in and do that work in the fields. So it's inhibited us from developing the machinery that we might otherwise develop to more mechanically plant the crop and harvest the crop and maintain that crop during the growing season and to transport it.

If the labor is cheap, you are not going to develop those things, you are not going to do the bioengineering that has been done with the tomato plant that makes it mechanically harvestable. I can make a more clear example that would be something like this.

I have a constituent, whom I have great respect for, that is a very modern agriculture producer. I believe he has at least a 16-row planter that he puts the crop in with in my part of the country. I also understand that he has bought land in Brazil where they raise cotton and soybeans. When I ask what kinds of chemicals he uses to control the weeds in the cotton, he says, ''I don't use any.'' I said, ''Well, how can you raise cotton without herbicide?''

Well, he says, ''I have 96 people, each with a hoe, that go down through the rows of cotton that hoe that cotton. When they get down to the other end, they turn around and they come back to the field in a different row.'' Ninety-six people paid $3 a day cultivate that cotton with a hoe.

Now, the only thing that has changed in that technique since the dawn of agricultural time was we have a metal hoe instead of perhaps a bone or a wooden hoe. That technology that has been there has been there for hundreds and hundreds of years. It hasn't moved an inch.

Same kind of thing down through those rows of cotton, chopping cotton with a hoe. That's what's going on from the same operation where you have a man who is a very modern person with the most modern equipment in the upper Midwest who markets his grain and does his purchases, very, very astute, on the Internet, professional in his field, very well respected, active in the professions that had to do with the ag industry. But when the economics dictate that you can hire 96 people with a hoe for $3 to $4 a day and it's cheaper than putting a machine out in the field where you put a man on the machine and you buy the fuel and provide the repairs and you have to buy some spray in order to kill the weeds in that cotton, when the math works out that stoop labor is cheaper than mechanized labor, that tells you something about what happens when labor is cheap. It slows the growth of our society. It slows the development of our society. It inhibits the development of our technology and puts us in a situation where we actually de-adopt the technology. You park the 16-row planter, that's only figuratively speaking, and you put the people in the field with the hoe. That's literally happening. It's not just happening there; it's happening on thousands and thousands of farms in the areas in the world where labor is cheap.

Our idea here in the United States is we don't have enough cheap labor. I would look back through history and challenge anywhere over here on the other side of the aisle to rise and ask if I will yield, I would be happy to yield, if you can give me an example, if you can give me a single example of a society, a culture or a nation that has failed or collapsed due to a lack of cheap labor. I would submit it's the other way around. Societies have been undermined from within because they didn't have enough higher education or technological background to keep up the paces or keep up with the times.

If you look at the States that are highly educated and highly skilled. They have the highest income, the highest average income. They have the highest household income. They are the most prosperous people. And this Nation should be about raising the average annual productivity of its people.

So one might submit, what are we going to do for the labor, how are we going to harvest, how are we going to harvest that lettuce if we don't have enough people who are willing to go down and pick that lettuce? How are we going to do the celery? How are we doing to go into the peppers, the strawberries, the tomatoes? We have that a little more mechanized now. How do we do all of that?

If everyone woke up tomorrow morning in the country where they can legally reside, not ICE doing their job, but if just miraculously that magic wand, poof, caused that to happen where Michael Chertoff didn't have that job any longer of providing the transportation to send people to a legal country, if that happened, what would then happen to the economy of this Nation?

□ 2115

And I hear scare stories coming out of the Wall Street Journal, out of Wall Street, out of, I don't know how to describe the words here, kind of a nouveau aristocracy in America that seems to think somehow they have a birthright to cheap labor and a birthright to somebody to take care of their lawn and their garden and their mansions, and that they will raise their children in a gated community and send them off to an Ivy League school, and so they'll never really be burdened by this growth of the lower class that they are promoting, and they think they have a birthright to that.

But I would submit this: that's not what America is about, Mr. Speaker. The strength of America has been an ever-broadening middle class, a middle class that's ever been more and more prosperous. We don't want to shrink this middle class. We don't want to suppress their growth and their improvement. We want to broaden the middle class and we want to lift it up.

And by the way, we don't want to expand the middle class, Mr. Speaker, from the ranks of the upper middle class. We want to expand the middle class from the ranks of the lower class. But for the first time in the memories of living Americans today, and maybe for the first time in the history of this country, we are seeing the lower class expand, the middle class shrink and the aspirations of middle-class Americans diminish.

Now, if we look at young people that grow up in Middle America that decide a college education is not for me, I just want to get my high school degree and go to work at the plant, punch the clock and earn a pretty good wage, maybe earn a living wage, and go home and take care of my family, my kids, play ball with the kids, cut the grass, go fishing, take time off on the weekends and live this life of this American Dream, buy a modest house and pay for it, send the kids to college if they want to go. Does any child that gets that high school degree and doesn't aspire to a higher education have a hope of being able to do those things in today's economy, Mr. Speaker? And I'll argue, it can be done. It's unlikely that it will happen, because the wages of the lower skilled and lower educated have been so suppressed by the ranks of illegals and unskilled lower skilled illegals who have come into this economy.

And I'm hearing from the people on Wall Street and in the Wall Street Journal that this country can't survive economically if we don't have that 12 to 20 million people to do this work that ''Americans'' won't do. All work Americans will do, and there's not a job in this country you can't find an

American doing it. Americans are doing all kinds of work in this country.

But here's the magnitude, and that is, there are 6.9 million working illegals, by the statistics that are put out by the people that do this analysis. That's 6.9 million out of about 12 million. That's the standard numbers we've been working with. I think it's more than 20 million, but this proportion works out in any case.

Out of the 6.9 million working illegals, that's part of, that's 4.7 percent of a work force that is 142 million. So 4.7 percent of 142 million, and if you do the math I think it comes out to 6.9 million. That's how many working illegals we have. Okay. That represents 4.7 percent of the work force. But they're only doing 2.2 percent of the work, Mr. Speaker, because we measure the annual output under the gross domestic product of our workers.

And because those who are here unlawfully working in this economy are, on average, lower educated and lower skilled, their production, even though they're 4.7 percent of the work force, is only 2.2 percent of the work, Mr. Speaker. And so if you have a work force that's doing 2.2 percent of the work, and let's just say it's a factory that has 1,000 people in it, everybody working diligently, and that factory does all their work in an 8-hour day, and you went to work as the CEO at 7:30 in the morning, sat down at your desk, and a memo hit your desk that said you're going to lose 2.2 percent of your work force today, they're not showing up.

Now, say that's at 7:30, and yet you need to meet your production quota by 5:00 that night when everybody clocks out. They clock in at 8. They clock out at 5. They need to get 1,000 widgets made that day, and you have to figure out how you're going to solve that problem as a CEO when 2.2 percent of your work doesn't show up. And I'll submit, here's the answer. Any CEO can figure this out easily. They'd sit down and do the math and say, well, we've got to get our production up. So people aren't going to show up till 8:00, that's all right. When they get here at 8:00 we're going to let them know that we're going to cut their coffee break in the morning by 5½ minutes. We're going to cut their coffee break in the afternoon by 5½ minutes. That adds up to 11 minutes out of the 8-hour day; 11 minutes out of an 8-hour day is 2.2 percent of the overall day.

And so the illegal work force in America, if you look at the United States as one huge macrocompany, and if that work force just stopped producing for that day, you would be losing 2.2 percent of that day's production. If we did all of our work in this country in an 8-hour day instead of a 24-hour day, that's 11 minutes out of 8 hours. And if it's a 24-hour day, you've got about a little over 3 minutes out of each shift is all that it amounts to.

I can't be convinced, Mr. Speaker, that this economy would come to a screeching halt if that happened to gradually drift away from us because the administration began gradually enforcing the law. I can't think that it's a cataclysmic event that would be, that would come falling down on this economy. I can't think it would slow us down. I believe, Mr. Speaker that we would recover in a heartbeat from that kind of a transition.

And that's presuming, Mr. Speaker, that that 2.2 percent of the work force that's being done by illegal labor is all essential work. And if we look across at some of that work, some people are taking care of lawns. Some garden. Some are cleaning the houses. There's work out there that we could find a way to recover from. Like somebody said to me, oh you want to enforce a law, but who is going to flip your steak? Who's going to cut your grass? Well, Mr. Speaker, I cut my own grass, and I flip most of my own steaks, and if I had to flip every one of my steaks to preserve the rule of law in America, I'd be very happy to do that.

That's really the essential pillar here that we're talking about with the immigration issue in the United States, and that is, what are you willing to do to preserve the most essential pillar of American exceptionalism, the rule of law? Are you willing to cut your own grass? Are you willing to flip your own steaks? Are you willing to shorten your coffee break up for a little while, by 5½ minutes, morning and afternoon, or 3 minutes a shift out of a 3-shift day if you're working 24/7? Are you willing to do those things? Would you notice the difference if you didn't? Would the nonessential work in the United States shrink if we didn't have economical illegal labor to do that work?

Mr. Speaker, if you bring me 100 people that will work for a dollar an hour, I guarantee you I can figure out a way to make a living with that. I can find a way to put them to work where they're going to return four, five or six or seven or $8 an hour to me. And so the cheaper labor gets, the more demand there is. And yet we have people that are considered otherwise to be wise, economic gurus who seem to, well, I will say just flat advocate that we should set the immigration flow into the United States, legalize all of those who would want to come here, legalize every willing traveler, Mr. Speaker, as long as there's a demand for their labor.

And I will submit that the more labor there is, the lower the price will be. The lower the price there is, the more demand there will be. Labor, Mr. Speaker, is a commodity like any other commodity in that the value of it is determined by supply and demand in the marketplace. Labor is a commodity. Corn, beans, gold, oats, crude oil, you name it, Mr. Speaker, you name it, they're all commodities. And the value of those commodities are determined by supply and demand in the marketplace. Corn's up, beans are up. Can't get the cotton out of the field, I heard in the previous Special Order. It's not worth bringing it out I guess if the price is that low, according to Mr. SPRATT. But the value of labor will be determined by the supply and demand, what the market will bear.

And so if we flood this economy with low-skilled labor, as we have, we will see unemployment rates in the lower-skilled ranks, the lower-skilled jobs go up, as we have. Unemployment rates of over 10 percent in some of the lowest-skilled jobs. Those rates go up. And that shouldn't be a surprise to any of us.

But it might be a surprise to some of the elitists who have a different view of this country than I have. I grew up in Middle America, small town and rural America, a place where we understand the value of hard work, a place where our parents, our grandparents, our ancestors, if they were here in this country long enough, goes back always to drive a stake out in the ground and homestead the land and make your living out of that and start your business and grow your community and your family and your churches and work with your neighborhoods and make this place a better place than it was when you came, and earn that with the sweat of your brow, and work hard, but work smart and build for the future generations.

That's the roots that I represent from the middle part of America. We respect hard work. We respect honesty. We respect integrity. We respect the values of faith and family. And yet we are sons and daughters of immigrants. And, in fact, I remember walking into a community building in one of the small towns that I represent, and this is a very German community. There were about 400 to 450 people in there for a benefit auction for a friend of mine. And I began to ask the question, how many people in here grew up in a German-speaking home or else their parents did? It was almost everyone in that building, and yet they fly the flag, they are some of the most self-sacrificing patriots this country has produced. They understand these American values and they understand the rule of law. They came here legally. They have great pride that they have adapted themselves to the American society and culture and prospered and handed to their children and their grandchildren the things they dreamed for their children and grandchildren, but in a society that was not just intact with the rule of law with respect for the rule of law, but one that was actually strengthened by their adherence and respect for the rules and for the law.

And here we are, in my opinion, the central pillar of American exceptionalism is the rule of law. If we don't respect the laws of this country, then what foundation have we?

And I will always make the argument that our rights come from God, and that they're passed through the hands and the minds of our Founding Fathers

who, I believe, were guided, they were guided by God to put down for us the parameters of this free Nation to be a guiding light for the freedom for the world. And who are we to trail in the dust the golden hopes of men if we aren't willing to defend this rule of law, this rule of law that preserves our property rights, our freedom of speech, religion, press, assembly, all of the freedom from double jeopardy and the list of all of those rights that were in the Bill of Rights. Who are we to trail that all in the dust because what, because we have an emotion that overcomes our intellect, because we've severed ourselves from the thing that we've inherited from the Greeks, the age of reason.

We've lost our reason and lost our way if we believe that a good name for a bad bill supersedes the rule of law. The DREAM Act is a good name. I wish I'd thought of that. I'd have stuck it on something too, only it would have been a good bill underneath the title. This is not a good bill under the DREAM Act. This is a bill that directly undermines the rule of law. It rewards law breakers, Mr. Speaker, and when we do that, we can't hope to sustain the rule of law in America any longer. If we have 12 million, 20 million people who are granted amnesty, maybe under the DREAM Act it's only a million for starters. That will grow, and the chain migration will grow from that, and your one million could conceivably and I don't think literally it could happen but it could conceivably go out to more than 200 million.

That's how the stats map it out. And we know that's pretty unlikely that it would go that far. But if it's one million people going to 2 million or 3 million under the DREAM Act and we grant amnesty there, and then we have the AgJOBS component of this that grants amnesty to people who are here illegally, working illegally for about 1.5 million for starters, and then, we work with this myopic idea that if there's a demand, that must indicate how many we need, even though the more cheap labor you have, the more demand there will be for more cheap and cheaper labor. And it makes a simple economic equation. The unions used to understand this, Mr. Speaker. They used to understand that they wanted a tight labor supply. And so I'll go back to that.

But the DREAM Act is a bad bill that grants amnesty for a million or more people that would do the chain migration for their families, attract more, and more would be signed up.

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By the way, there is no cap on this. There is no deadline. The way this bill is written, applications for in-State tuition discounts, special super citizenship rights for illegal aliens goes on and on. It never ends. It isn't that just the people that are here right now today, but it's the people that would forever apply. So the number clearly is over a million. And 2 million, 3 million, 5 million, we know how these things go. It always gets out of hand. It's 1½ million under AgJOBS, those who have been working illegally in our fields. But that 1½ million is for starters and it goes on and on. And when we get to the full amnesty package that the Senate three times has voted down now and now wants to give us the components of their amnesty plan, their comprehensive amnesty bill, one bitter pill at a time, things that have bad bills with good names, slip them to us one at a time, put them in a package into the Senate and send them over there in a must-pass bill. Plan that strategy, and as this amnesty number grows from a million under the DREAM Act, 1½ million under the AgJOBS piece to the next component and the next component and the next component of amnesty, and we end up granting, as the Senate advocated, a comprehensive amnesty plan to not 6.9 million or 12 million, but everyone who is here illegally right now. That number some say is 12 million. I think it is more than 20 million. We grant amnesty to them, and they will do as those recipients of the 1986 amnesty bill did. They will be the strongest advocates for another amnesty plan.

And if you will notice, no one here in the House of Representatives, Mr. Speaker, and no one over across the Rotunda to the United States Senate has said, well, this comprehensive amnesty plan is an amnesty to end all amnesties. They haven't said that. First, they are still in denial about it being amnesty, and yet not one of them will define amnesty unless they have found a way to define it around where their bill is exempted, but it isn't an objective definition. They won't stand up and tell you to grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crimes. But those 12 or 20 million would be advocating the same way that the 1 million who were to be the recipients of the amnesty to end all amnesties in 1986 that turned out to be more like 3 million who were the recipients of the 1986 amnesty. They were advocates of more amnesty. They say, well, that's been good for me and it's been good for my family, so we need more of that. And all of them who advocate for more amnesty are undermining the rule of law.

And they are a smaller number by comparison. It started out by being 1 million. It turned out to be 3 million or more. The 2 million difference was mostly fraud, counterfeit documents, people that came in here and took advantage of the sympathetic nature of the American people. And so with 3 million advocates for amnesty, 2 million of them beneficiaries of fraud, and 1 million were actually the target of the 1986 amnesty bill that Ronald Reagan at least had enough integrity to declare it to be the amnesty bill to end all amnesties, they have been advocates for more amnesty.

Imagine what 20 million beneficiaries of an amnesty would be. A mass lobbying group for family reunification, chain migration. Bring in your unlimited number of family members directly in here under that path and then have them all. Not just those who received amnesty but those who were beneficiaries of the chain migration from those who received amnesty. They turn into the tens of millions and perhaps more, maybe more than 100 million and on up who have little respect for the rule of law, who have been rewarded for breaking the law, who have now come to believe that if a law is inconvenient and enough other people don't respect and honor that law, eventually Congress will capitulate and change the law to accommodate your behavior.

That is no kind of a Nation to have; not when you have a Nation like this Nation, the unchallenged greatest Nation in the world. We are beneficiaries of the sacrifice and the vision of our Founding Fathers, and we are charged with defending those values and handing this country over to the next generation in better condition than when we found it. Not worse. Not digressing into anarchy where the law is disrespected and where it has no value and no teeth. Not turning us into a class envy society. Not turning us into a society where we are pitted against each other, a society of victimology. Not that. Not a society where we point our finger at people and call them names rather than make an empirical argument. We need to be rational human beings. We're the beneficiaries of the Age of Reason in Greece where they actually built a culture around the idea that they could think rationally and connect their thoughts in a rational fashion and defend the conclusions that they had drawn by the sequence of the deductive reasoning that got them there. That is a foundation for our science, the theorem, the hypotheses, a number of other approaches to Western thought that was founded in the Greek society 2 and 3,000 years ago that found its way across through Europe and had a pretty good stay in France during the Age of Enlightenment. And as the Western civilization, the core of it, the dynamic moving force rolled out from France in the Age of Enlightenment over into the United States and arrived here at a time when we had a continent that was just begging to be settled, full of natural resources, and a free enterprise economy with property rights and low and sometimes no taxation and low and often no regulation, and we had a people that set about the manifest destiny to settle this continent from the Atlantic to the Pacific ocean and did so in record time, in an historical blink of an eye. We were able to do many of those things because we had also learned the talents and the skills and had built within our culture that ability to deductively reason.

And today we have people who emote, people who feel. We have college professors who teach their students never say anything except ''I feel'' or you can say ''I believe,'' but if you say ''I think this,'' your thoughts can be challenged, but your feelings cannot. So I feel, and then someone will tell you I feel we should pass the DREAM Act. I feel we should pass AgJOBS because I feel for the beneficiaries of this program. And, by the way, I feel that we need more cheap labor in this country, and I feel that food would be more expensive, and I feel that there is work Americans won't do, and I feel we ought to bring people in here or those who came here in here and legalize them because they will do the work that Americans won't do. So in the end, even though there isn't any data out here that supports my irrational feelings, I just feel this, and therefore you ought to follow my feelings.

How can a Nation, Mr. Speaker, how can a Nation meet the challenges of this global, modern 21st Century if we are going to be guided by these feelings that trump rational thought and empirical data?

I will submit, Mr. Speaker, that one of the foundations, one of the pillars of American exceptionalism, the central pillar is the rule of law, but one of the pillars is this culture, this unique American culture was the recipient of the work of the Age of Reason from the Greeks and a recipient of the enlightenment from Western Europe and primarily from France that came here at the dawn of the Industrial Revolution with all the natural resources. And we grew this Nation, yes, on a Christian-Judeo foundation, a work ethic, called a Protestant work ethic until they found out that Catholics did pretty well with that work ethic too. We understand some of the things that made this a great Nation. But letting our feelings rule our thoughts is not one of those pillars of American exceptionalism. That is an example of American intellectual weakness, that we can't confront these issues with our minds, with our reason, with our data, because with that data we can see where this can take us.

The DREAM Act, the act that grants in-State tuition discount to people who are eligible for deportation. Now, I just cannot rationally get to a conclusion that that is the best way that we can spend taxpayers' money or send a message to the broader society. I believe we need to adhere to the rule of law. I believe we need to stand on the rule of law, and we need to enforce the rule of law. And it needs to be respected by the States, the States like California and Kansas and about eight others who have decided to defy the Federal law and grant in-State tuition discounts to illegals within their State institutions but charge out-of-State tuition premiums to the residents of other States who might want to go to UC Berkeley or the University of Kansas or a number of other schools within those two States and eight other States that are defying Federal law. And we are still taking this through the courts. And the DREAM Act, Mr. Speaker, invalidates all lawsuits that have been brought forward to enforce the Federal law which establishes the requirement that these States grant the same tuition discount to residents of other States that they might to illegal aliens in the desks in their own schools in their own States.

AgJOBS, another amnesty plan. AgJOBS says if you worked in this country and worked in agriculture, worked for the preponderance of, and that is my word, not the bill's word, 5 years, we are going to grant you provisional legal status here in the United States. Legal status under the DREAM Act, legal status under the AgJOBS act. You add them up, and by their numbers, that's 2½ million who get amnesty. They won't call it amnesty, obviously, Mr. Speaker. But we know those numbers would be significantly larger.

And then when one grants the special status, the special conditional legal residence in the United States to these people, what's the argument to deny it to anyone else? What's the argument to deny a reward of the objective of their crimes to all who have broken immigration laws except perhaps those who are convicted felons and those who have conducted themselves in otherwise abhorrent fashion?

This is irrational, Mr. Speaker. The American people often don't understand what this legislation is. That's why there is such a concerted effort to strategize on how we name a bill here in this Congress, how this bill is named, because that is all that people hear is the name of the bill. They don't get to read it. Most Members don't read the legislation that comes through this place. But the public doesn't read the bill, and if they did, they don't really have the opportunity to examine the components of it. So to critique the legislation, they have to rely on somebody else. So the practice is give it a nice sounding name, and then when I do my press conferences and talk to the press, they will ask me, Here's a list of one, two, three, four, five really nice sounding pieces of legislation. You voted against all five of them, Mr. KING. Why did you do that? And my answer is it is a nice sounding title, but it is a horrible bill. And you will see that happen often, especially since the gavels have changed hands in here in the 110th Congress, Mr. Speaker.

So I reiterate to you and to the people that are overhearing this conversation that we must draw the line. We need to pick up the phones and call the United States Senate again. We need to shut down their telephones in the switchboards in the United States Senate and tell them we don't want a DREAM Act. We need that killed in the United States Senate. We need to cease this amnesty. We need to preserve the central pillar of American exceptionalism, the rule of law.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Mr. HOYER) for today and October 22 on account of a death in the family.

Mr. POE (at the request of Mr. BOEHNER) for today until 2 p.m. on account of official business.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today until 4 p.m. on account of family illness.

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. SARBANES) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. KILPATRICK, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. THOMPSON of Mississippi, for 5 minutes, today.

Mr. AL GREEN of Texas, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. WALDEN of Oregon) to revise and extend their remarks and include extraneous material:)

Mr. FLAKE, for 5 minutes, today.

Mr. RYAN of Wisconsin, for 5 minutes, today.

Mr. POE, for 5 minutes, October 30.

Mr. DAVIS of Kentucky, for 5 minutes, October 25.

Mr. JONES of North Carolina, for 5 minutes, October 30.

Mr. BILIRAKIS, for 5 minutes, October 24.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on October 23, 2007, she presented to the President of the United States, for his approval, the following bill.

H.R. 1495. Water Resources Development Act of 2007.

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 43 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 24, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3823. A letter from the Deputy Under Secretary for Logistics and Material Readiness, Department of Defense, transmitting a report on the Deprtment's Program for Planning, Managing, and Accounting for Civilian Contractor Services and Contractor Personnel during Contingency Operations, pursuant to Public Law 109-364, section 815; to the Committee on Armed Services.

3824. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting an interim report on the activities of a working group tasked with identifying the needs of National Guard and Reserve Members Returning From Deployment In Operation Iraqi Freedom or Operation Enduring Freedom, pursuant to Public Law 109-364, section 676; to the Committee on Armed Services.

3825. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

3826. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 42(b) of the Arms Export Control Act, notification that the Government of Egypt has requested that the United States Government permit the use of Foreign Military Financing for the sale and limited coproduction of 125 M1A1 Abrams Tank kits; to the Committee on Foreign Affairs.

3827. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Thailand (Transmittal No. RSAT-03-07); to the Committee on Foreign Affairs.

3828. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Republic of Korea (Transmittal No. DDTC 087-07); to the Committee on Foreign Affairs.

3829. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Governments of Denmark, the Netherlands, and Belgium (Transmittal No. DDTC 052-07); to the Committee on Foreign Affairs.

3830. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 080-07); to the Committee on Foreign Affairs.

3831. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of defense equipment to the Government of Australia (Transmittal No. DDTC 050-07); to the Committee on Foreign Affairs.

3832. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

3833. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3834. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3835. A letter from the Assisant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3836. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Administration's third quarter committee report for Fiscal Year 2007, including a summary income and expense statement to cover the period October 1, 2006 through June 30, 2007, pursuant to Public Law 106-58; to the Committee on Oversight and Government Reform.

3837. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3838. A letter from the Administrator, Small Business Administration, transmitting the Administration's strategic plan for fiscal years 2008 through 2013 in compliance with the Government Performance and Results Act of 1993 (GPRA); to the Committee on Oversight and Government Reform.

3839. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2007 through September 30, 2007 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 110-67); to the Committee on House Administration and ordered to be printed.

3840. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Ceanothus ophiochilus (Vail Lake ceanothus) and Fremontodendron mexicanum (Mexican flannelbush) (RIN: 1018-AU77) received September 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3841. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations (RIN: 1018-AV12) received September 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3842. A letter from the Assistant Secretary for Fish and Wlidlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds (RIN: 1018-AV12) received September 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3843. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Indiana Regulatory Program [Docket No. IN-156-FOR, Administrative Cause No. 06-046R] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3844. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [KY-251-FOR] received October 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3845. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Massachusetts [Docket No. 061020273-7001-03] (RIN: 0648-XC05) received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3846. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for 2007 Summer Period [Docket No. 061020273-6321-02] (RIN: 0648-XC70) received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3847. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC90) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3848. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC91) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3849. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC88) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3850. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC89) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3851. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic Region; Closure

[Docket No. 060525140-6221-02] (RIN: 0648-XC83) received October 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3852. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel With Gears Other than Jig in the Eastern Aleutian District and the Bering Sea Subarea in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XC56) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3853. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC47) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3854. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC22) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3855. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Coast Groundfish Fishery [Docket No. 070323069-7117-02; I.D. 031907A] (RIN: 0648-AV46) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3856. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Allocating Bering Sea/Aleutian Islands Fishery Resources; American Fisheries Act Sideboards [Docket No. 0612242886-7464-03; I.D. 041307D] (RIN: 0648-AU68) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3857. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Allocations in the Bering Sea and Aleutian Islands Management Area [Docket No. 0612242903-7445-03; I.D. 112006I] (RIN: 0648-AU48) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3858. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XC55) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3859. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XC55) received October 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3860. A letter from the Corporation Agent, Legion of Valor of the United States of America, Inc., transmitting a copy of the Legion's annual audit as of April 30, 2007, pursuant to 36 U.S.C. 1101(28) and 1103; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Mr. MCKEON, Mr. HINOJOSA, and Mr. KELLER):

H.R. 3927. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor. considered and passed.

By Mr. MURPHY of Connecticut (for himself, Mr. WELCH of Vermont, Mr. WAXMAN, Mr. LYNCH, Mr. MCDERMOTT, Mr. BRALEY of Iowa, Mr. HODES, Mr. HALL of New York, and Mr. OLVER):

H.R. 3928. A bill to require certain large government contractors that receive more than 80 percent of their annual gross revenue from Federal contracts to disclose the names and salaries of their most highly compensated officers, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCGOVERN (for himself, Mr. DELAHUNT, Mr. FILNER, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. ZOE LOFGREN of California, Mr. KUCINICH, Mr. SHAYS, Mr. WOLF, Ms. WOOLSEY, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. SERRANO, Mr. FRANK of Massachusetts, Mr. ROTHMAN, and Mr. CAPUANO):

H.R. 3929. A bill to amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PEARCE:

H.R. 3930. A bill to provide for a land exchange involving State land and Bureau of Land Management land in Chavez and Dona Ana Counties, New Mexico, and to establish the Lesser Prairie Chicken National Habitat Preservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. BAKER (for himself, Mr. HENSARLING, and Mr. ROYCE):

H.R. 3931. A bill to protect investors by fostering transparency and accountability of attorneys in private securities litigation; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, 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. BERRY (for himself, Mr. HINCHEY, Mr. FARR, Mr. WAXMAN, Mr. WEXLER, Ms. LINDA T. SÁNCHEZ of California, Mr. KANJORSKI, Mr. MCNULTY, Mr. TIERNEY, Mr. BISHOP of New York, Mr. NADLER, Mr. MARSHALL, Mr. SERRANO, Mr. HALL of New York, and Ms. SCHAKOWSKY):

H.R. 3932. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE:

H.R. 3933. A bill to amend the Internal Revenue Code of 1986 to permanently extend the election to include combat pay as earned income for purposes of the earned income tax credit and penalty-free distributions from retirement plans to individuals called to active duty, and for other purposes; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mr. BRADY of Texas, Ms. BEAN, Mrs. BIGGERT, Ms. BERKLEY, Mr. BOOZMAN, Mr. BLUMENAUER, Mr. CARTER, Mr. BOREN, Mr. CONAWAY, Mrs. BOYDA of Kansas, Mr. ENGLISH of Pennsylvania, Mr. CAPUANO, Mr. FORTUÑO, Mr. CLAY, Mr. GARRETT of New Jersey, Mr. CUELLAR, Mr. SAM JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. MARCHANT, Mr. MARKEY, Mr. LEWIS of Kentucky, Ms. HOOLEY, Mr. MCCAUL of Texas, Mr. MATHESON, Mrs. MYRICK, Mr. MCDERMOTT, Mr. WELLER, Mr. MEEKS of New York, Mr. GALLEGLY, Mr. RODRIGUEZ, Mr. TIAHRT, Mr. TOWNS, Mr. MORAN of Kansas, Mr. MORAN of Virginia, Mr. ROSKAM, Mr. MOORE of Kansas, and Mr. BUTTERFIELD):

H.R. 3934. A bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois:

H.R. 3935. A bill to extend the time limit of the authority of the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass, and for other purposes; to the Committee on Natural Resources.

By Mr. DEAL of Georgia:

H.R. 3936. A bill to designate the facility of the United States Postal Service located at 116 Helen Highway in Cleveland, Georgia, as the ''Sgt. Jason Harkins Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. DELAURO:

H.R. 3937. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of imported food; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 3938. A bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243) and to require the withdrawal of the United States Armed Forces in Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOOLITTLE (for himself and Mr. SALAZAR):

H.R. 3939. A bill to increase the safety for crew and passengers on an aircraft providing emergency medical services; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Ms. MCCOLLUM of Minnesota, Mr. OBERSTAR, Mr. WALZ of Minnesota, and Mr. PETERSON of Minnesota):

H.R. 3940. A bill to amend the Deficit Reduction Act of 2005; to the Committee on Energy and Commerce.

By Mr. FLAKE (for himself, Mr. WAMP, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. WALBERG, Mr. HENSARLING, Mr. FRANKS of Arizona, and Mr. TOWNS):

H.R. 3941. A bill to amend title 23, United States Code, to authorize a State that has a structurally deficient bridge within its boundaries to obligate funds made available to carry out a high priority project for any project or activity eligible for assistance under title 23, United States Code; to the Committee on Transportation and Infrastructure.

By Mr. FRANK of Massachusetts:

H.R. 3942. A bill to amend title XVIII of the Social Security Act to permit the disabled surviving spouse of an individual to elect to retain private health insurance as the primary payor of health insurance benefits under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mr. BRADY of Texas, Mr. WELLER, Mr. RAMSTAD, Mr. RYAN of Wisconsin, Mr. TIBERI, Mr. NUNES, and Mr. SAM JOHNSON of Texas):

H.R. 3943. A bill to amend the Trade Act of 1974 to reauthorize the trade adjustment assistance for workers program, and for other purposes; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. DENT, Mr. SCHIFF, Mr. MCNULTY, Mr. TOWNS, and Mr. GERLACH):

H.R. 3944. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, education, research, and medical management program that will lead to a marked reduction in liver cirrhosis and a reduction in the cases of, and improved survival of, liver cancer caused by chronic hepatitis B infection; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 3945. A bill to provide for the establishment by the Secretary of Energy of a program of Federal support for local governments and school districts to implement clean energy projects; to the Committee on Education and Labor.

By Mr. JEFFERSON (for himself, Mr. MELANCON, Mr. SCOTT of Virginia, Mr. DAVIS of Illinois, Mr. PAYNE, and Ms. CLARKE):

H.R. 3946. A bill to provide for a temporary waiver under part B of title III of the Higher Education Act of 1965 for undergraduate historically black colleges and universities located in an area affected by a Gulf hurricane disaster; to the Committee on Education and Labor.

By Mr. LARSON of Connecticut (for himself, Mr. CAMP of Michigan, Mrs. MCCARTHY of New York, Mr. BURTON of Indiana, Mr. ENGLISH of Pennsylvania, Mr. FRANKS of Arizona, Mr. LEWIS of Kentucky, Mr. PAUL, Mr. RAMSTAD, Mr. SESTAK, and Mr. SOUDER):

H.R. 3947. A bill to amend the Internal Revenue Code of 1986 to provide for a carryforward of unused benefits in health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. MURTHA, Mr. MCGOVERN, Ms. MCCOLLUM of Minnesota, Ms. BALDWIN, Mr. STARK, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, and Mr. ELLISON):

H.R. 3948. A bill to amend the Internal Revenue Code of 1986 to establish a temporary surtax to offset the current costs of the Iraq war; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 3949. A bill to amend the Internal Revenue Code of 1986 to allow distilled spirits to be produced in dwelling houses, other connected structures, and certain other premises; to the Committee on Ways and Means.

By Mr. TANCREDO:

H.R. 3950. A bill to approve a final rule of the Department of Homeland Security relating to employers who receive a ''no-match'' letter from the Commissioner of Social Security; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WICKER (for himself and Mr. TIM MURPHY of Pennsylvania):

H. Res. 766. A resolution supporting the goals and ideals of National Infection Prevention Week; to the Committee on Energy and Commerce.

By Mr. BOEHNER:

H. Res. 767. A resolution raising a question of the privileges of the House.

By Ms. SHEA-PORTER:

H. Res. 768. A resolution honoring the life of Thomas ''Tommy'' Makem; to the Committee on Education and Labor.

By Ms. FOXX (for herself, Mr. KUHL of New York, Mr. WHITFIELD, Mr. GUTIERREZ, and Mr. COHEN):

H. Res. 769. A resolution congratulating the government and people of Turkey as they celebrate Republic Day, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PORTER (for himself, Mr. BOEHNER, Mr. HOYER, Mr. KIND, Ms. WASSERMAN SCHULTZ, and Mr. WAMP):

H. Res. 770. A resolution expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H. Res. 771. A resolution supporting the goals and ideals of Down Syndrome Awareness Month; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. ALEXANDER.
H.R. 71: Mr. KLINE of Minnesota.
H.R. 82: Mrs. MYRICK.
H.R. 92: Mr. MARSHALL.
H.R. 138: Mr. TERRY.
H.R. 275: Mr. WU and Mr. BURTON of Indiana.
H.R. 460: Mr. TOWNS.
H.R. 491: Mr. MCCOTTER.
H.R. 579: Mr. WALDEN of Oregon.
H.R. 601: Mr. DAVID DAVIS of Tennessee.
H.R. 621: Mr. SALI.
H.R. 636: Mr. DUNCAN.
H.R. 718: Mr. MCHENRY.
H.R. 725: Mr. SMITH of Nebraska.
H.R. 758: Mr. ROGERS of Michigan.
H.R. 826: Mr. FORBES.
H.R. 829: Mr. MCHUGH.
H.R. 854: Mr. JACKSON of Illinois.
H.R. 887: Mr. AL GREEN of Texas.
H.R. 891: Mr. BARTLETT of Maryland and Mr. BROWN of South Carolina.
H.R. 897: Mr. LANTOS, Mr. BISHOP of New York, Ms. MATSUI, and Mr. VAN HOLLEN.
H.R. 926: Mr. KLINE of Minnesota.
H.R. 953: Mr. ENGLISH of Pennsylvania.
H.R. 1014: Mr. FORTUÑO and Mr. SERRANO.
H.R. 1074: Mr. ALLEN.
H.R. 1078: Mr. FATTAH, Mrs. DAVIS of California, Mr. GEORGE MILLER of California, and Mr. BRADY of Pennsylvania.
H.R. 1092: Mr. CUMMINGS and Mr. HONDA.
H.R. 1188: Ms. SUTTON.
H.R. 1198: Mrs. MALONEY of New York.
H.R. 1216: Ms. BALDWIN.
H.R. 1279: Mr. MANZULLO, Mr. WEXLER, Ms. LINDA T. SÁNCHEZ of California, Mr. WYNN, Mr. MARCHANT, Mr. COURTNEY, Mr. HASTINGS of Florida, and Mr. WILSON of South Carolina
H.R. 1283: Mr. GONZALEZ and Mr. MILLER of North Carolina.
H.R. 1295: Mr. BOOZMAN.
H.R. 1320: Mr. WALSH of New York.
H.R. 1352: Mr. TOWNS, Ms. HIRONO, and Mr. SHAYS.
H.R. 1353: Mrs. BOYDA of Kansas.
H.R. 1363: Mr. MARKEY, Mr. ABERCROMBIE, Ms. CASTOR, Mr. LYNCH, and Mr. WELCH of Vermont.
H.R. 1386: Ms. HARMAN, Mr. FILNER, Mr. ALLEN, Mr. SALAZAR, and Mr. CASTLE.
H.R. 1422: Mr. WALZ of Minnesota and Mr. FRANK of Massachusetts.
H.R. 1428: Mr. WALDEN of Oregon.
H.R. 1497: Mr. VAN HOLLEN and Ms. MATSUI.
H.R. 1570: Mr. LATHAM.
H.R. 1576: Mr. BRALEY of Iowa, Mr. GEORGE MILLER of California, Mr. LATHAM, and Mr. MCINTYRE.
H.R. 1609: Mr. ROSS, Mr. DENT, Ms. LEE, and Mr. WELLER.
H.R. 1621: Mr. BRADY of Pennsylvania.
H.R. 1746: Mr. SHERMAN.
H.R. 1772: Mr. CLAY.
H.R. 1820: Mr. PASTOR and Mr. SHAYS.
H.R. 1834: Mr. ROTHMAN.
H.R. 1843: Mr. SESTAK and Mr. SIMPSON.
H.R. 1971: Ms. SOLIS.
H.R. 2021: Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mrs. MCCARTHY of New York, Mr. SIRES, and Mr. CARNEY.
H.R. 2045: Mr. MCNULTY, Mr. BRALEY of Iowa, and Mr. TOWNS.
H.R. 2049: Mrs. MCCARTHY of New York and Ms. CLARKE.
H.R. 2066: Mr. SERRANO.
H.R. 2165: Ms. BALDWIN.
H.R. 2188: Mr. COOPER.
H.R. 2233: Mrs. CHRISTENSEN, Mr. ABERCROMBIE, and Mr. FILNER.
H.R. 2236: Mr. SNYDER.
H.R. 2343: Mr. COOPER.
H.R. 2365: Mr. HOBSON.
H.R. 2406: Ms. WOOLSEY, Ms. GIFFORDS, Mr. MILLER of North Carolina, Mr. ROTHMAN, Mr. LAMPSON, Mr. BAIRD, Mr. ROSS, Mr. KANJORSKI, and Mr. MELANCON.
H.R. 2417: Mr. SESTAK.
H.R. 2464: Mr. TOWNS, Mr. BARROW, Mr. DAVID DAVIS of Tennessee, and Ms. CASTOR.
H.R. 2514: Mr. MILLER of North Carolina and Ms. WASSERMAN SCHULTZ.
H.R. 2567: Mr. SARBANES.
H.R. 2580: Mr. COLE of Oklahoma.
H.R. 2606: Mr. HASTINGS of Florida, Mr. ENGLISH of Pennsylvania, Mr. HINOJOSA, and Mr. MOORE of Kansas.
H.R. 2694: Mr. AL GREEN of Texas and Mr. MCGOVERN.
H.R. 2744: Mr. CAPUANO, Mr. BACA, and Mr. DOYLE.
H.R. 2802: Ms. MATSUI.
H.R. 2818: Mr. BRADY of Texas.
H.R. 2821: Mr. HASTERT.
H.R. 2840: Mr. DOGGETT.
H.R. 2894: Mr. WOLF.
H.R. 2905: Mr. ALTMIRE.
H.R. 2915: Ms. ZOE LOFGREN of California.
H.R. 2933: Mr. BARROW, Mr. BOOZMAN, Mr. HAYES, and Mr. ROTHMAN.

H.R. 2942: Ms. SOLIS.
H.R. 2949: Mr. SHERMAN.
H.R. 2951: Mr. AL GREEN of Texas and Ms. KILPATRICK.
H.R. 2994: Mr. GORDON, Mr. HINCHEY, and Mr. MARSHALL.
H.R. 3012: Mr. LUCAS and Mr. MANZULLO.
H.R. 3026: Mr. BURTON of Indiana and Mr. SKELTON.
H.R. 3042: Mrs. CUBIN and Ms. HERSETH SANDLIN.
H.R. 3045: Mr. BISHOP of New York, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. DAVIS of Illinois, Mr. FARR, Mr. BLUMENAUER, Mr. KUCINICH, Mr. WEXLER, Mr. HASTINGS of Florida, and Mr. SERRANO.
H.R. 3053: Ms. JACKSON-LEE of Texas, Mr. SALAZAR, and Mr. CLAY.
H.R. 3058: Mr. REICHERT, Mr. HASTINGS of Washington, Mr. HERGER, Mr. BISHOP of Utah, Mr. MICHAUD, and Mr. DOOLITTLE.
H.R. 3119: Mrs. MALONEY of New York.
H.R. 3167: Ms. WATSON and Mr. HILL.
H.R. 3204: Mr. AL GREEN of Texas and Mr. STARK.
H.R. 3219: Mr. ROTHMAN.
H.R. 3298: Mr. BLUMENAUER.
H.R. 3326: Mr. ORTIZ and Mr. GORDON.
H.R. 3329: Mr. SIRES.
H.R. 3334: Mr. SESTAK.
H.R. 3348: Mr. SESSIONS, Mr. CARTER, Ms. GRANGER, Mrs. CUBIN, and Mrs. MYRICK.
H.R. 3429: Mr. KAGEN and Mr. PETERSON of Minnesota.
H.R. 3461: Mr. ROSS, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Mr. YARMUTH, and Ms. MATSUI.
H.R. 3484: Mr. GRIJALVA and Ms. DELAURO.
H.R. 3485: Mr. HALL of New York, Ms. ZOE LOFGREN of California, Ms. BORDALLO, and Ms. DELAURO.
H.R. 3533: Mrs. EMERSON and Mr. MARSHALL.
H.R. 3541: Ms. HOOLEY.
H.R. 3543: Mr. THOMPSON of Mississippi and Mr. SAXTON.
H.R. 3548: Mr. HILL, Mr. EMANUEL, and Mr. MAHONEY of Florida.
H.R. 3582: Mr. WAXMAN.
H.R. 3609: Ms. WOOLSEY.
H.R. 3629: Mr. WALZ of Minnesota.
H.R. 3631: Mr. LIPINSKI, Mr. COURTNEY, Ms. ZOE LOFGREN of California, and Ms. SCHAKOWSKY.
H.R. 3633: Mr. CARNAHAN.
H.R. 3641: Mr. PAUL.
H.R. 3654: Mr. LARSEN of Washington, Mr. CROWLEY, Mr. UDALL of Colorado, Ms. BEAN, Mr. DONNELLY, Ms. HERSETH SANDLIN, Ms. GIFFORDS, and Mr. PLATTS.
H.R. 3660: Mr. ROYCE, Mr. MCNERNEY, and Mr. BARTLETT of Maryland.
H.R. 3663: Mr. TIERNEY, Mr. FILNER, Ms. SCHAKOWSKY, and Mr. FRANK of Massachusetts.
H.R. 3680: Mr. PAUL, Mr. INSLEE, and Ms. HERSETH SANDLIN
H.R. 3684: Mr. SHULER.
H.R. 3691: Mr. STARK and Mr. SESTAK.
H.R. 3697: Mr. OBERSTAR and Mr. KANJORSKI.
H.R. 3700: Mr. MCGOVERN.
H.R. 3705: Mr. GRIJALVA and Mr. COHEN.
H.R. 3724: Mr. JEFFERSON.
H.R. 3725: Mr. CAMPBELL of California and Mr. FEENEY.
H.R. 3757: Mr. BAIRD.
H.R. 3758: Ms. GIFFORDS.
H.R. 3779: Mr. GARRETT of New Jersey.
H.R. 3780: Mr. COHEN.
H.R. 3781: Mr. SKELTON.
H.R. 3784: Ms. LEE.
H.R. 3793: Mr. HINCHEY, Mr. KIND, Mr. BOYD of Florida, Mr. LOBIONDO, Mr. HILL, Mr. MATHESON, Mr. HIGGINS, and Mr. SALAZAR.
H.R. 3796: Mr. HARE, Mr. SARBANES, Ms. LINDA T. SÁNCHEZ of California, and Ms. HIRONO.
H.R. 3797: Ms. SCHWARTZ and Mr. OLVER.
H.R. 3810: Mr. ARCURI, Mr. HINCHEY, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. MCNULTY, and Mr. CONAWAY.
H.R. 3815: Mr. BRADY of Pennsylvania.
H.R. 3816: Mr. BRADY of Pennsylvania.
H.R. 3818: Mr. JORDAN, Mr. DUNCAN, and Mr. GALLEGLY.
H.R. 3827: Mr. BRADY of Pennsylvania.
H.R. 3846: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LINDA T. SÁNCHEZ of California, and Mr. THOMPSON of Mississippi.
H.R. 3847: Mr. MCHENRY.
H.R. 3864: Mr. MCCOTTER, Mr. DAVIS of Kentucky, and Mr. COLE of Oklahoma.
H.R. 3877: Mr. WU.
H.R. 3881: Mrs. MALONEY of New York.
H.R. 3882: Mr. HILL, Ms. HERSETH SANDLIN, Mr. FILNER, Mr. HARE, Mr. KAGEN, Mr. SALAZAR, Mr. EDWARDS, Mr. STUPAK, Mr. MURTHA, Mr. DONNELLY, Mr. BUYER, Mr. MILLER of Florida, Mr. BISHOP of New York, Mr. POMEROY, Mr. HALL of New York, Mr. RODRIGUEZ, and Mr. KING of Iowa.
H.R. 3887: Mr. CHABOT, Mr. BURTON of Indiana, Ms. JACKSON-LEE of Texas, Mr. FORTENBERRY, Ms. SOLIS, Mr. PAYNE, Mr. BERMAN, and Mr. SIRES.
H.R. 3888, Mr. COLE of Oklahoma and Mr. KNOLLENBERG.
H.R. 3895: Mr. BLUMENAUER.
H.R. 3905: Mr. RANGEL.
H.R. 3908: Mr. ADERHOLT, Mr. POE, Mr. NEUGEBAUER, and Mr. AKIN.
H.R. 3920: Ms. WOOLSEY, Ms. HARMAN, Mr. ETHERIDGE, Mr. ALTMIRE, and Mrs. GILLIBRAND.
H.R. 3921: Mr. SERRANO.
H.R. 3923: Mr. HILL.
H.J. Res. 6: Mr. BILBRAY and Mr. SULLIVAN.
H.J. Res. 54: Mr. PITTS, Mr. YOUNG of Florida, Mr. HELLER, and Mrs. MYRICK.
H. Con. Res. 81: Ms. BORDALLO, Mr. DAVIS of Illinois, Mr. DELAHUNT, and Mr. MCNULTY.
H. Con. Res. 215: Mr. PAUL, Mr. BOOZMAN, Mr. GILCHREST, Mr. BACHUS, Mrs. BIGGERT, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. CRENSHAW, Mr. CULBERSON, Mr. TIAHRT, Mr. WELDON of Florida, Mr. ENGLISH of Pennsylvania, Mr. FRELINGHUYSEN, Mr. UPTON, Mr. GERLACH, Mr. PETRI, Mr. CASTLE, Mr. MCCOTTER, Ms. PRYCE of Ohio, and Mr. ENGEL.
H. Con. Res. 230: Mr. ENGLISH of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. LAMBORN, and Mr. BUYER.
H. Con. Res. 234: Mr. CALVERT, Mr. WU, Mr. SIRES, Mr. INGLIS of South Carolina, and Mr. SHERMAN.
H. Con. Res. 235: Mr. JORDAN, Mr. SOUDER, and Mr. HENSARLING.
H. Res. 111: Mr. HALL of Texas, Mr. PORTER, Mr. WALBERG, Mr. SOUDER, and Mr. NEUGEBAUER.
H. Res. 146: Mr. MEEKS of New York, Mr. ENGEL, Ms. GIFFORDS, and Ms. WATSON.
H. Res. 163: Mr. WELCH of Vermont, Mr. BRADY of Pennsylvania, Ms. MATSUI, Mr. MCNULTY, and Mr. CLAY.
Res. 335: Mr. EHLERS, Mr. KUHL of New York, Mr. CAPUANO, Mr. WAXMAN, and Mr. HOBSON.
H. Res. 338: Mr. BAIRD.
H. Res. 356: Mr. HARE.
H. Res. 373: Mr. SIRES.
H. Res. 435: Mr. RAMSTAD and Mr. SHERMAN.
H. Res. 537: Mrs. CUBIN.
H. Res. 542: Ms. GIFFORDS, Mr. JOHNSON of Illinois, Mr. LAMBORN, and Mr. INGLIS of South Carolina.
H. Res. 573: Mr. SHERMAN.
H. Res. 617: Ms. ROS-LEHTINEN.
H. Res. 618: Ms. WATERS, Mr. CUMMINGS, and Ms. WATSON.
H. Res. 669: Mr. HOBSON and Mr. KIRK.
H. Res. 684: Mrs. JONES of Ohio.
H. Res. 705: Mr. FORTUÑO, Mr. DONNELLY, Mr. ROSKAM, and Mr. TANCREDO.
H. Res. 708: Mr. DOYLE.
H. Res. 715: Ms. GRANGER, Mrs. DRAKE, Mr. REYNOLDS, and Mr. PETERSON of Minnesota.
Res. 726: Mr. PITTS, Ms. HIRONO, Mr. INGLIS of South Carolina, and Mr. WYNN.
Res. 727: Mr. SHADEGG.
H. Res. 754: Mr. MORAN of Virginia and Mr. LEWIS of Georgia.
H. Res. 759: Mr. KAGEN.
H. Res. 760: Ms. LINDA T. SÁNCHEZ of California, Mr. EDWARDS, Mr. WALZ of Minnesota, Mr. ALTMIRE, Mr. HASTINGS of Florida, Mr. MCNERNEY, Mr. LOEBSACK, Mr. MEEK of Florida, Mr. ROSS, Mr. BERRY, Ms. MATSUI, Mr. SHULER, Mr. MCGOVERN, Mrs. LOWEY, Ms. DELAURO, Mr. LARSON of Connecticut, Mrs. BOYDA of Kansas, Ms. WASSERMAN SCHULTZ, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. WATSON, Mr. HINCHEY, Mr. WELCH of Vermont, Mr. LEVIN, Mr. ETHERIDGE, Mr. MARKEY, Mr. DOGGETT, Mr. EMANUEL, Mr. HODES, Mr. MORAN of Virginia, Ms. BERKLEY, Mr. STUPAK, Mr. LANGEVIN, Mr. GRIJALVA, Mr. SCOTT of Virginia, Mr. CLYBURN, Mr. BUTTERFIELD, Ms. KILPATRICK, Mr. WATT, Mr. RUSH, Mr. WYNN, Mr. COHEN, Mr. CLEAVER, Ms. HOOLEY, Ms. HIRONO, Ms. LORETTA SANCHEZ of California, Ms. GIFFORDS, Mr. GINGREY, Mr. MCCAUL of Texas, Mr. HALL of Texas, Mr. DANIEL E. LUNGREN of California, Mr. PEARCE, Mr. DEAL of Georgia, Mr. BROUN of Georgia, Mr. WALSH of New York, Mr. BURGESS, Mr. POE, Mr. PRICE of Georgia, Mr. GOHMERT, Mr. CONAWAY, Mrs. MCMORRIS RODGERS, Mr. HERGER, Mr. DOOLITTLE, Mr. HOEKSTRA, Mr. UPTON, Mr. KUHL of New York, Mr. ROGERS of Michigan, Mrs. WILSON of New Mexico, Mr. WALDEN of Oregon, Mr. MATHESON, Ms. SCHAKOWSKY, Mr. HILL, Mr. YARMUTH, Mr. MURPHY of Connecticut, and Ms. DEGETTE.
H. Res. 761: Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. MCCOTTER, and Mr. FRANKS of Arizona.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FLAKE or a designee to H.R. 505, the Native Hawaiian Government Reorganization Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

The amendment to be offered by Representative GEORGE MILLER of California or a designee to H.R. 3685, the Employment Non-Discrimination Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.