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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PRICE of Georgia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 26, 2006.

I hereby appoint the Honorable TOM PRICE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Richard K. Barnard, Rector, The Chapel of the Cross, Dallas, Texas, offered the following prayer:

Blessed art Thou, O Lord God, King of the Universe, who hast taught us through Thy servant David that those who rule must be just. Grant to the Members of this House, and to all those to whom we entrust the authority of government, the spirit of wisdom and truth. Direct and prosper all their consultations to the advancement of Thy glory and to the safety, honor and welfare of the people, that there may be peace at home and that we may show forth righteousness among the nations of the Earth. Give to the Members of this House courage, fearlessly to contend against evil and to give no place to oppression. And to the end that they, and all the people of this land, may properly use Thy gift of freedom, help us to employ it in the maintenance of justice, to the glory of Thy holy 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 his approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. BURGESS 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 REVEREND RICHARD K. BARNARD

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 1 minute.

There was no objection.

Mr. BURGESS. Mr. Speaker, today I rise to welcome my pastor, Reverend Richard Kevin Barnard. I am honored that Father Barnard is here today to lead us in glory and praise of our Almighty. Reverend Barnard has served as rector of The Chapel of the Cross, a Reformed Episcopal Church, since July of 1989. He has also served Reformed Episcopal congregations in New Jersey and New York.

Before coming to The Chapel, Father Barnard was director of communications for the International Bible Society, which was then located in East Brunswick, New Jersey. In that capacity, he was a regular participant in the monthly White House Forum for Religious Organizations during the Reagan administration and represented the Bible Society at public and private events, traveling to Central America, Europe, Africa and Asia.

Father Barnard is the author of two books and numerous articles, and is also a Past Master of the Roy Stanley Masonic Lodge in Dallas.

Before becoming a Reformed Episcopalian, the Reverend Barnard was a Baptist pastor, serving congregations in Missouri, Florida and Tennessee. He is a graduate of Baptist Bible College in Springfield, Missouri, and holds a master of divinity degree from Cummins Theological Seminary, a Reformed Episcopal seminary in Summerville, South Carolina.

Father Barnard is married to the former Miss Paula Ann Henderson of Fort Worth, Texas. They have four children and two grandchildren. Their youngest son, Adam, is currently serving aboard the USS *Los Angeles* stationed at Pearl Harbor.

Father Barnard's gracious presence and true dedication to the work and word of Christ is an instrumental part of my life. He guides his flock diligently and challenges us to remain faithful to pursuing our walk with Christ daily. I am thankful for his leadership and his presence here today. It is truly an honor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation among the Speaker and the majority and minority leaders, the Chair announces that during the joint meeting to hear an address by His Excellency Nouri Al-Maliki, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance that is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

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The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, July 20, 2006, the House stands in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 6 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1051

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HIS EXCELLENCY NOURI AL-MALIKI, PRIME MINISTER OF THE REPUBLIC OF IRAQ

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Mr. Bill Sims, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort His Excellency Nouri Al-Maliki, Prime Minister of the Republic of Iraq, into the Chamber:

The gentleman from Missouri (Mr. BLUNT);

The gentlewoman from Ohio (Ms. PRYCE);

The gentleman from California (Mr. HUNTER);

The gentlewoman from Florida (Ms. ROS-LEHTINEN);

The gentleman from Michigan (Mr. HOEKSTRA);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON); and

The gentleman from California (Mr. LANTOS).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Nouri Al-Maliki, Prime Minister of the Republic of Iraq, into the House Chamber:

The Senator from Tennessee (Mr. FRIST);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Alaska (Mr. STEVENS);

The Senator from Pennsylvania (Mr. SANTORUM);

The Senator from Texas (Mrs. HUTCHISON);

The Senator from Arizona (Mr. KYL);

The Senator from North Carolina (Mrs. DOLE);

The Senator from Montana (Mr. BURNS);

The Senator from Nevada (Mr. REID); and

The Senator from Illinois (Mr. DURBIN).

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency Jesse Bibiano Marehalau, Ambassador of Micronesia.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 6 minutes a.m., the Assistant to the Sergeant at Arms announced His Excellency Nouri Al-Maliki, Prime Minister of the Republic of Iraq.

The Prime Minister of the Republic of Iraq, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you His Excellency Nouri Al-Maliki, Prime Minister of the Republic of Iraq.

[Applause, the Members rising.]

ADDRESS BY HIS EXCELLENCY NOURI AL-MALIKI, PRIME MINISTER OF THE REPUBLIC OF IRAQ

Prime Minister AL-MALIKI. In the Name of God, the Most Gracious, the Most Merciful.

Your Excellency the Speaker of the House, Mr. Vice President, honorable ladies and gentlemen, Members of Congress, it is with great pleasure that I am able to take this opportunity to be the first democratically and constitutionally elected Prime Minister of Iraq to address you, the elected representatives of the American people, and I thank you for affording me this unique chance to speak at this respected assembly.

Let me begin by thanking the American people through you and on behalf of the Iraqi people for supporting our people in ousting dictatorship. Iraq will not forget those who stood with her and who continue to stand with her in times of need.

Thank you for your continued resolve in helping us fight the terrorists plaguing Iraq, which is a struggle to defend our nascent democracy and our people who aspire to liberty, democracy, human rights and the rule of law. All of those are not Western values. They are universal values for humanity. They are as much for me the pinnacle embodiment of my faith and religion and they are for all free spirits. The war on terror is a real war against those who wish to burn out the flame of freedom. We are in this vanguard for defending the values of humanity.

I know that some of you here question whether Iraq is part of the war on terror. Let me be very clear. This is a battle between true Islam, for which a person's liberty and rights constitute essential cornerstones, and terrorism which wraps itself in a fake Islamic cloak, in reality wages a war on Islam and Muslims and values and spreads hatred between humanity contrary to our Koran which says, We have created you male and female and made you tribes and families that you know each other. Surely the noblest of you in the sight of God is the best conduct. The truth is that terrorism has no religion. Our faith says that who kills an innocent has killed all mankind.

Thousands of lives were tragically lost on September 11 when these imposters of Islam reared their ugly heads. Thousands more continue to die in Iraq today at the hands of the same terrorists who show complete disregard for human life. Your loss on that day was a loss of all mankind and our loss today is a loss for all free people. Wherever humankind suffers a loss at the hands of terrorists, it is a loss for all humanity.

It is your duty and our duty to defeat this terror. Iraq is the front line in this struggle and history will prove that the sacrifices of Iraqis for freedom will not be in vain. Iraqis are your allies in the war on terror and history will record their bravery and humanity. The fate of our country and yours is tied. Should democracy be allowed to fail in Iraq and terror permitted to triumph, then the war on terror will never be won elsewhere.

Mr. Speaker, we are building a new Iraq on a foundation of democracy and are erecting it through our belief in the rights of every individual, just as Saddam has destroyed it through his abuse of all those rights, so that future Iraqi generations can live in peace, prosperity and hope. Iraqis have tasted freedom, and we will defend it absolutely.

Every human possesses inalienable rights which transcend religion as it is stated in the international convention of human rights. They transcend religion, race and gender. God says in the Koran: ''And surely we have honored all children of Adam.'' I believe these human rights are not an artifact construct reserved for the few. They are the divine entitlement for all. It is on this unwavering belief that we are determined to build our nation, a land whose people are free, whose air is liberty and where the rule of law is supreme. This is the new Iraq which is emerging from the ashes of dictatorship and, despite the carnage of extremists, a country which respects

international conventions and practices noninterference in the internal affairs of others, relies on dialogue to resolve differences, and strives to develop strong relations with every country that espouses freedom and peace.

We are working diligently so that Iraq returns to take the position it deserves and to play a positive role in its regional and international environment as a key, active player in spreading security and stability, to give an example of a positive relationship between countries through denouncement of violence and resorting to constructive dialogue, solving problems between nations and peoples.

We have made progress and we are correcting the damage inflicted by the politics of the previous regime, in particular with our neighbors. My presence here is a testament of the new politics of a democratic Iraq.

Ladies and gentlemen, in a short space of time, Iraq has gone from a dictatorship to a transitional administration and now to a full-fledged democratic government. This has happened despite the best efforts of the terrorists who are bent on either destroying democracy or Iraq. But by the courage of our people who defied the terrorists every time they were called upon to make a choice by risking their lives for the ballot box, they have stated over and over again with their ink-stained fingers waving in pride that they will always make the same choice——

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. If our honored guest would suspend for a moment.

The Chair notes a disturbance in the gallery.

The Sergeant at Arms will secure order by removing those engaging in disruption.

His Excellency, the Prime Minister, may resume.

Prime Minister AL-MALIKI. Of hope over fear, liberty over oppression, dignity over submission, democracy over dictatorship, federalism over a centralist state. Let there be no doubt. Today Iraq is a democracy which stands firm because of the sacrifices of its people and the sacrifices of all those who stood with us in this crisis from nations and countries. That is why I would like to thank them very much for all their sacrifices.

Iraqis of all persuasions took part in a unanimously democratic election for the first parliament formed under the country's first permanent constitution. After eight decades of temporary constitutions and dictatorships, a constitution written by the elected representatives of the people and ratified by the people, Iraqis succeeded in forming a government of national unity based on an elected parliamentary foundation and includes all of Iraq's religions, ethnicities and political groupings.

The journey has been perilous and the future is not guaranteed. Yet many around the world who underestimated the resolve of Iraq's people were sure that we would never reach this stage. Few believed in us, but you, the American people, did, and we are grateful for this.

The transformation in Iraq can sometimes be forgotten in the daily futile violence. Since liberation, we have witnessed great accomplishments in politics, the economy and civil society. We have gone from a one-party state ruled by a small elite to a multiparty system where politics is the domain of every citizen and parties compete at all levels.

What used to be a state-controlled media is now completely free and uncensored, something Iraq had never witnessed since its establishment as a modern state and something which remains alien to most of the region.

What used to be a command economy in Iraq, we are rapidly transforming into a free market economy. In the past 3 years, our GDP per capita has more than doubled, and it is expected that our economy will continue to grow. The standard of living has been raised for most Iraqis as the markets witness an unprecedented level of prosperity. Many individuals are buying products and appliances which they would never have hoped to afford in the past. In keeping with our economic visions of creating a free market economy, we will be presenting to parliament legislation which will lift current restrictions on foreign companies and investors who wish to come to Iraq.

While we are making great economic strides, the greatest transformation has been on Iraqi society. We have gone from mass graves and torture chambers and chemical weapons to the rule of law and respect for human rights. The human rights and freedoms embodied in the new Iraq and consolidated in the constitution have provided a fertile environment for the ever-growing number of civil society institutions which are increasing in scope and complexity and provide a healthy reflection of what is developing beneath the violence.

The rights chartered in the constitution will also help consolidate the role of women in public life as equals to men and help them to play a greater role in political life. I am proud to say that a quarter of Iraq's council of representatives is made up of women, but we still have much to accomplish.

Mr. Speaker, Mr. Vice President, our nascent democracy faces numerous challenges and impediments, but our resolve is unbreakable and we will overcome them. The greatest threat Iraq's people face is terror, terror inflicted by extremists who value no life and who depend on the fear the wanton murder and destruction creates. They have poured acid into Iraq's dictatorial wounds and created many of their own.

Iraq is free and the terrorists cannot stand this. They hope to undermine our democratically elected government through the random killing of civilians. They want to destroy Iraq's future by assassinating our leading scientific, political and community leaders. Above all, they wish to spread fear.

Do not think that this is an Iraqi problem. This terrorist front is a threat to every free country in the world and their citizens. What is at stake is nothing less than our freedom and liberty. Confronting and dealing with this challenge is the responsibility of every liberal democracy that values its freedom. Iraq is the battle that will determine the war. If through our continued partnership we have the strength of mind and commitment to defeat the terrorists and their ideology in Iraq, they will never be able to recover.

For the sake of success of the political process, I launched the National Reconciliation Initiative which aims to draw in groups willing to accept the logic of dialogue and participation. This olive branch has received the backing of Iraq's parliamentary blocs and support further afield from large segments of the population. I remain determined to see this initiative succeed. But let our enemies not mistake our outstretched hand for forgiveness as a sign of weakness. Whoever chooses violence against the people of Iraq, then the fate that awaits them will be the same as that of the terrorist Zarqawi.

While political and economic efforts are essential, defeating terror in Iraq relies fundamentally on the building of a sound Iraqi force, both in quantity and capability. The completion of Iraq's forces forms the necessary basis for the withdrawal of multinational forces, but only then, only when Iraq's forces are fully capable, will the job of the multinational forces be complete.

Our Iraqi forces have accomplished much and have gained a great deal of field experience to eventually enable them to triumph over the terrorists and to take over the security portfolio and extend peace through the country. The other impediment to Iraq's stability are the armed militias. I have on many occasions stated my determination to disband all militias, without exception, and reestablish a state monopoly on arms and to guarantee citizens' security so that they do not need others to provide it.

It is imperative that the reconstruction starts now. While small sections of central Iraq are unstable, large sections have remained peaceful but ignored for far too long. These were the most deprived areas of Iraq under the previous regime and have been the most valiant in Iraq's struggle for freedom. We need to make an example out of these stable areas as models for the rest of the country.

Reconstruction projects in these areas will tackle unemployment, which will weaken the terrorists. They will become prototypes that other, more volatile, regions aspire to undoubtedly. Reconstruction in these areas will fuel economic growth and show what a prosperous, stable, democratic and federal Iraq would look like.

Members of the Congress, in this effort, we need your help. We need the help of the international community. Much of the budget you had allocated for Iraq's reconstruction ended up paying for security firms and foreign companies whose operating costs were vast. Instead, there needs to be a greater reliance on Iraqis and Iraqi companies, with foreign aid and assistance, to help us rebuild Iraq.

We are rebuilding Iraq on a new, solid foundation, that of liberty, hope and equality.

Iraq's democracy is young, but the will of its people is strong. It is because of this spirit and desire to be free that Iraq has taken the opportunity you gave us and we chose democracy.

We faced tyranny and oppression under the former regime and we now face a different kind of terror. We did not bow then and we will not bow now.

I will not allow Iraq to become a launch pad for al Qaeda and other terrorist organizations. I will not deprive Iraqis of their hopes and dreams. I will not allow terrorists to dictate to us our future.

For decades, we struggled alone for our freedom. In 1991, when Iraqis tried to capitalize on the regime's momentary weakness and rose up, we were alone again.

The people of Iraq will not forget your continued support as we establish a secure, liberal democracy. Let 1991 never be repeated, for history will be most unforgiving.

The coming few days are difficult, and the challenges are considerable. Iraq and America both need each other to defeat the terror engulfing the free world. In partnership we will be triumphant, because we will never be slaves to terror, for God has made us free.

Trust that Iraq will be a grave for terrorism and terrorists. Trust that Iraq will be a graveyard for terrorism and terrorists, for the good of all humanity.

Thank you very much.

[Applause, the Members rising.]

At 11 o'clock and 36 minutes a.m., His Excellency Nouri Al-Maliki, Prime Minister of the Republic of Iraq, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 40 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until 12:15 p.m.

□ 1215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 12 o'clock and 15 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. POE. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 9. An act to amend the Voting Rights Act of 1965.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5865. An act to amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain up to 15 requests per side to address the House for 1 minute.

IRAQI PRIME MINISTER ADDRESSES CONGRESS

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

Ms. FOXX. Mr. Speaker, just a few minutes ago, we welcomed His Excellency Nouri Al-Maliki to address the U.S. Congress. We commend him for his sacrifices and efforts to bring peace and democracy to Iraq. Once sentenced to death and thus forced into exile by Saddam Hussein's government, Al-Maliki has devoted his life to ending the tyranny that dominated his country for so long.

I commend His Excellency for his commitment to rebuilding his nation on the principles of freedom, democracy and the rule of law; and we look forward to collaborating with him in this regard. I applaud the Prime Minister for condemning the countless terrorist acts in Iraq; and I encourage him to condemn all acts of terror in the Middle East, including the most recent ones we have seen begun by Hezbollah. As the Prime Minister articulated, we must continue to fight for ''liberty over oppression'' and ''democracy over terrorism'' wherever it may occur in the world.

GAS PRICES AND ENERGY INDEPENDENCE

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

Mr. ETHERIDGE. Mr. Speaker, as gas prices hit another record high, I call on this Congress to pass visionary legislation for America's energy independence.

This summer, middle-class families are being squeezed like never before by the high price of gasoline and farmers are watching their profits erode. With the big oil companies pocketing record profits, the only action the Republican Congress has taken is more giveaways to Big Oil. We need a new direction in this country that will once and for all put us on the path to energy independence and free us from our reliance on foreign oil sources.

Rural America feels this crisis every day; and as cochairman of the Rural Working Group, I have worked with my colleagues to draft legislation to secure America's energy independence through the bounty of American agriculture. The answer to the energy crisis is growing on our farms, and H.R. 5372 will upgrade our infrastructure to tap these homegrown resources. Specifically, the Biofuel Act will facilitate the production of vehicles that can run on E–85, ethanol-based fuel and soybean diesel and provide tax credits to encourage gas station owners to update their equipment to handle these new environmentally friendly fuels.

Mr. Speaker, it is time for a new direction for America; and Congress must take action now to secure America's energy future.

COMPETITION

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

Mr. BONNER. Mr. Speaker, I rise today to talk about the value of competition in our Department of Defense acquisition process. Without competition, we have no choices, innovation does not exist, we have no bargaining position relative to costs, and the capability of our military stagnates.

Some would argue that we must protect our industrial base. I would suggest that competition does just that. We live in a global economy, and when U.S. industry does not produce competitive products, our entire industrial base suffers. If we are to continue to

procure the best military equipment for the best value the taxpayer dollar can afford, we must preserve the competitive process. In today's global economy, that means we must not shy away from our allies' participation.

Air refueling is the key enabler to our global military might, and we need to get the competition for the KC–135 replacement program right. Otherwise, we will never know whether competition was true competition or whether our warfighters have received the best possible capability.

CALLING FOR ABOLITION OF NUCLEAR WEAPONS

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

Mr. KUCINICH. Mr. Speaker, in the Hindu religion, Brahma, the Creator; Vishnu, the Preserver; and Shiva, the Destroyer exist simultaneously and represent the multiplicity of God.

Today, we are going to be called upon to determine which of the principles, Creator, Preserver or Destroyer, shall work through each of us. If we continue to pursue nuclear proliferation embodied in the nuclear agreement with India, we will be open to the principles of destruction. At this moment when world tensions are rising and violence is cycling higher, we need to take the direction of preserving the peace and creating a new opening through abolishing all nuclear weapons.

August 6, 2006, will mark the 61st anniversary of the bombing of Hiroshima which obliterated the city and killed about 140,000 people. Today, 30,000 nuclear weapons remain in the world. Many nuclear weapons are deployed. Any use of nuclear weapons would be unthinkable devastation. The only way to prevent the use of nuclear destruction is to abolish all nuclear weapons.

To that end, I will be introducing legislation today.

REPARATIONS FOR VICTIM

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

Mr. POE. Mr. Speaker, it was described as ''more than 2 hours in hell.'' Those are the only words a central Texas sheriff could utter about the brutal attack of an 18-year-old girl.

Driving home one night, she was run off the road by two illegals just fired from their jobs for showing up to work hung over. She was corralled just 2 miles from her house near Mexia, Texas, but she couldn't have been further from safety. They forced her into their vehicle, then drove around as they raped, beat and stabbed her numerous times. When they had finished their sinful crime, they tossed her bloody body in a ditch and left her for dead.

When she reached a house nearby after crawling over a half mile, she lay on the porch and the woman inside heard her say, ''I'm going to die.'' The woman who found her covered in blood said she would never as long as she lived get that look on her face out of her mind.

Javier Martinez of Mexico and Noel Hernandez of Honduras will have their day of judgment in a Texas courthouse very soon, but the two countries these outlaws come from should be held accountable and pay reparations to the victim of this assault.

And that's just the way it is.

IRAQI PRIME MINISTER ADDRESSES CONGRESS

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

Mr. ENGEL. Mr. Speaker, I sat here before and listened to the speech of Prime Minister Al-Maliki of Iraq. Quite frankly, I was underwhelmed. I am glad that he condemned terrorism by al Qaeda in Iraq, but we heard not a word of condemnation about Hezbollah and their terrorism against Israel.

I guess, according to the Prime Minister, terrorism against Iraq is no good, but terrorism against Israel is acceptable. I am also sorry he didn't take the opportunity to set the record straight involving his criticism of Israel this week or to condemn the speaker of the parliament of Iraq and his vicious anti-Semitic and anti-Jewish diatribe and tirade earlier this week. Unfortunately, none of that was forthcoming.

If we are to take the Iraqi leadership seriously in condemnation of terror, they have to condemn terror wherever it rears its ugly head, against Iraq, against Israel, or against any other nation. Only then will I truly believe that they are democrats and care about democracy and really care about the war on terror.

IRAQ AND FREEDOM

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

Mr. MCHENRY. Mr. Speaker, this House in a joint session of Congress listened to the new Prime Minister of our ally, Iraq, earlier today. The Prime Minister outlined his plan for freedom and security for the Iraqi people and for a free, safe and secure Iraq.

As an ally, we in the United States have an obligation to see this through. We have an obligation to ensure freedom and democracy. However imperfect it may be, as freedom and democracy always is, we have an obligation to see that through in Iraq, today, tomorrow and for years to come.

Beyond that, Mr. Speaker, I think it is important to note that the United States, Israel and Iraq have the same mutual enemy, and those are Islamic extremists, in our country, in Israel, in Iraq and around the world, and we have to fight together for freedom today, freedom tomorrow, freedom forever.

BIG OIL HAS ANOTHER GREAT QUARTER WHILE THE CONSUMER IS GOUGED AT THE PUMP

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

Mrs. MCCARTHY. Big Oil has another great quarter while the consumers are gouged at the pumps.

Mr. Speaker, the numbers are already pouring in. All week, Big Oil and Gas will tout their profits during the second quarter. The real question now is, will they break the records of the first quarter, more than $16 billion just for the Big Three.

B–P announced its profits earlier this week, bringing in $6.1 billion during the second quarter. We will hear the rest of the numbers later this week.

Mr. Speaker, America can do better. We have the technology. We have the willpower. But we have to work together. It is basically Democrats that actually have the answers on what we can do to reduce oil prices in this country. This isn't short term. It's long term. We need to work together. We need to get this done.

Consumers at home are hurting. Middle-income families are hurting when you have expensive oil on Long Island where I live, $3.29, it has been that way for quite a while, and that is only for the economy fuel. It is raising our fuel prices. It is raising everything. And they wonder why the economy, which is supposed to be, quote, doing well, our middle-income families are not. They are hurting.

SMALL BUSINESS

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

Mrs. KELLY. Mr. Speaker, this Congress needs to continue the tax relief and economic policies that have helped small businesses create new jobs and foster strong economic growth across our country. I have been pushing a five-point agenda to help small businesses succeed:

One, continue the tax cuts for small businesses, which we accomplished earlier this year by passing the Tax Relief Extension Reconciliation Act into law.

Two, we need to make health care costs more affordable for small businesses and their employees. The Senate, like the House, needs to pass legislation to create small business health plans that will lower their premiums by up to 30 percent.

Three, we need to level the playing field for small businesses. The Senate can help us do this by approving two of my bills that have been overwhelmingly passed in the House to help small businesses earn interest on their checking accounts and gain increased access to capital.

Four, the Senate, like the House, needs to vote to permanently end the death tax on small businesses and family farms.

Five, we need to stop excessive and redundant Federal regulations on small businesses.

Mr. Speaker, I urge the House to immediately consider my bill that has passed the Government Reform Committee and would help prevent Federal agencies from imposing unnecessary regulations that suffocate small businesses.

Mr. Speaker, let's fully demonstrate our commitment to small businesses by passing these legislative solutions to help small businesses in New York's Hudson Valley and all over the Nation.

TIME FOR A NEW DIRECTION IN IRAQ

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

Mr. MCGOVERN. Mr. Speaker, sadly, the war in Iraq is escalating daily. In the first 6 months of 2006, more than 350 American soldiers were killed in action and over 2,400 wounded. This means the United States lost the equivalent of five battalions' worth of ground forces during the period Iraqi political leaders squabbled over how to form a government.

And while forming a government was a positive step, it has made little difference in the daily lives of most Iraqis. Violence has escalated and claims more and more Iraqi lives. According to the U.N., over 14,000 Iraqi civilians were killed in the first 6 months of 2006, including 5,800 in May and June alone. States of emergency, curfews and military operations have not stabilized the country. There are more insurgents, more foreign fighters and more attacks. The signs of sectarian and ethnic cleansing are everywhere. President Bush has said he is going to deploy more troops into Baghdad.

Mr. Speaker, 2006 was supposed to be a year of significant transition in Iraq. But the U.S. remains on the defensive, caught in a civil war.

Mr. Speaker, this war is a miserable failure. It is time for a new direction in Iraq.

□ 1230

SUPPORT OUR SCOUTS ACT

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

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, the Boy Scouts of America is one of the most wholesome organizations in this Nation's history, which is why it has earned the Congressional Charter. The Scouts have provided a way for children from the inner city and the country to learn more about themselves, their environment and their role as citizens through active engagement in outdoor and service activities.

Unfortunately, the city of Philadelphia is considering a move that would seriously hinder scouting in southeastern Pennsylvania. Philadelphia Mayor John Street has told the Cradle of Liberty Council, which serves 87,000 inner city and suburban Scouts, to either pay market value for or vacate the headquarters it has used rent-free since 1928.

Mayor Street has chosen to focus on the differences of opinion he has with the Boy Scouts, rather then embracing and fostering greater cooperation on the issues we can agree on. This is an unfortunate turn of events for the scouting community in my district and the Philadelphia region, especially when the city is in crisis; violent crime and drug use are at all-time highs.

I call on Mayor Street to work with the Scouts to work out an equitable solution to their dispute, and I call on my colleagues to cosponsor H.R. 1337, The Support Our Scouts Act, which will reaffirm the Federal Government's commitment to scouting.

PREPAREDNESS FIRST ACT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, America needs to be prepared. Whether it is for a commuter train attack or a hurricane, it is clear America must get serious about all hazards preparedness, and that is preparing for all emergencies, whether they are natural or manmade.

Today I am introducing the Preparedness First Act to authorize critical grant programs that our State and local governments already depend upon for all hazards emergency preparedness. The premise of this bill? To ensure that States and localities will have a basic level of preparedness so that they can protect their citizens, communicate with each other and work with the Federal Government during any type of emergency, from earthquakes to terrorist attacks.

Under this bill, all States would receive a base of preparedness funding. This would guarantee that the Federal Government would have an able partner in every State to coordinate preparedness activities. Additional resources would then be made available to address the unique risk and manmade disasters that are posed in each area.

I urge my colleagues to support this bill and put all hazards preparedness first for all Americans.

ISLAMIST PRESENCE IN SOMALIA

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

Mr. ROYCE. Mr. Speaker, recently the subcommittee on international terrorism and nonproliferation that I chair held a hearing on the growing Islamist terrorist threat in Somalia. The country's unsecured borders and proximity to the Arabian Peninsula provide a potential transit point and safe haven for terrorists there. Especially worrying is the powerful presence of the Union of Islamic Courts, which took over Mogadishu last month.

This group is headed by a known associate of al Qaeda and aims to introduce Sharia law throughout Somalia. Mr. Speaker, we are living in an age in which threats in faraway places can hit us at home.

The events unfolding in Somalia mark a critical point in our struggle against Islamist terrorism. Afghanistan is the lesson. I remember those on Afghanistan that said that the Taliban offered stability in that country because the country was deeply divided.

I remember testifying that the Taliban and their support for terror training could lead to more World Trade Center-style attacks on America. That was 11 years ago. Now Somalia demands our focused attention.

IRAQI GOVERNMENT'S TROUBLING COMMENTS ON ISRAEL

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

Mr. PASCRELL. Mr. Speaker, do not think there was an epiphany this morning when the leader of Iraq, duly elected, met at the White House to say that he would join, his country would join with other Arab states condemning terror. You would have thought the word ''terror'' was invented this morning. The audacity for him to look at us and say, for those who are skeptical about the war on terror, there is nobody skeptical in this House, either side, about the war on terror.

But when his legislature condemns Israel, ''we need to stop the Israeli criminal aggression,'' and they voted on that unanimously, you come into our house, as we would say in the Bronx, even though I am from New Jersey, and think that we are supposed to forget everything.

There is terror in Iraq, and there is terror in Israel. And if you think Hezbollah is the Guardian Angels, you are quite mistaken. And we need to understand what is going on in this House. Turn the country back around again. Sixty-five percent of the American people say we are going in the wrong direction, and we continued this morning.

CREATIVE FEDERALISM IN HEALTH CARE

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

Mr. PRICE of Georgia. Mr. Speaker, everyone understands that we have a real challenge in health care with over 45 million Americans without adequate insurance coverage. And Washington is in a logjam with a national solution elusive.

Yesterday, we took a great step in meeting this challenge with the introduction by a bipartisan group of a significant measure to help cover the uninsured. As a physician, I understand that one-size-fits-all does not work in health care.

Our bipartisan working group respects greatly the principle of federalism. And our proposal will empower States to develop methods that best suit their unique populations.

H.R. 5864, the Health Partnership Through Creative Federalism Act holds real promise to increase the number of Americans with health insurance coverage. By empowering States to develop methods that best suit their unique needs, we are putting patients first which should be the foundation of any reform. This bold initiative takes this inherent knowledge into account and gives States the flexibility to find solutions to cover the uninsured.

I encourage my colleagues on both sides to sign on as a cosponsor and support this innovative solution.

REPUBLICANS IGNORE RISING ENERGY COSTS

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

Mr. FILNER. Mr. Speaker, gas prices are once again at record highs. According to the Bush administration's own Energy Department, the average national price at the pump is now over $3 a gallon. We are facing the biggest price rise since Hurricane Katrina 11 months ago.

Yet this Republican Do-Nothing Congress, this Do-Nothing Congress is prepared to leave at the end of the week for a 5-week recess without passing any legislation that will help consumers with prices at the pump. What is the holdup—beside the giant heist of American people?

Why will House Republicans not work with us to hold Big Oil's feet to the fire for any price gouging that is now going on? Why will these House Republicans not join us in repealing $20 billion in tax breaks and subsidies that they gave Big Oil last year? Why won't they join us in taking that money and investing in new energies of the future so we can end our dependence on foreign oil?

The answer, I think, has everything to do with their cozy relationship with Big Oil. It is no wonder that most people think that the letters GOP mean Gas, Oil and Petroleum.

Mr. Speaker, Americans have dealt with high gas prices all summer long. It is time this House started listening to their needs rather than the needs of the special interests in the gas and oil industry.

DO-NOTHING CONGRESS

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

Ms. SCHAKOWSKY. Mr. Speaker, the Republican do-nothing Congress is unwilling to tackle the issues of importance to the American people. At a time when hardworking Americans are finding it more and more difficult to make ends meet, at a time when a weak economy is creating very few jobs, at a time when gas prices are at record levels, the Republican do-nothing Congress has frittered away scarce time on meaningless and divisive proposals that were never even intended to become law.

No wonder the American people are so disgusted with Washington. There is so much that this Congress should be doing, and yet the House Republicans refuse to act. We could raise the minimum wage for the first time in 9 years and give 7 million Americans a pay raise.

We could give the Federal Government the ability to negotiate prescription drugs on behalf of America's seniors in order to fill the gap in coverage that millions of seniors will soon face in their drug coverage. We could finally go after Big Oil and guarantee the American consumer is not to be gouged at the pump.

Mr. Speaker, there is a lot we could do. The problem is Republicans are out of ideas. It is time we lead America in a new direction.

OIL PRICES ARE A NATIONAL SECURITY ISSUE

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

Mr. DAVIS of Tennessee. Mr. Speaker, Congress cannot afford to wait another day to address our Nation's energy crisis. Record gas prices are not only causing pain for American consumers every time they pull up at the pump, but high prices are also seriously threatening our national security.

Consider $5 a barrel increase for a barrel of oil. That translates into $85 million that goes directly to Iran every week, which can then be sent to Hezbollah or to support the escalating sectarian violence in Iraq.

Neither the Bush administration nor congressional Republicans have done enough to wean us off foreign oil. For 5 years now, we have refused to come up with bold new ideas. Instead, their answer last year was to give oil and gas companies $20 billion in tax breaks and subsidies.

The former top aide to Secretary of State Rice told The New York Times yesterday, I do not think any of us have done a terribly good job of thinking through, and how far behind the eight ball we are on these issues.

For 5 years now, Washington Republicans have been unwilling to think outside of the box for fear that they will irritate their special interest friends in Big Oil. I think it is time that we lead America in a new direction.

RAISE THE MINIMUM WAGE

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

Mr. BERRY. Mr. Speaker, as millions of Americans struggle to get by making the lowest real value minimum wage in 50 years, Republicans in this body are preparing to adjourn the House for a 5-week summer vacation without providing them with any financial relief.

Despite numerous attempts by the Democratic Members, Republicans still refuse to increase the minimum wage to a living wage. It is time for a new direction.

Six million people who would benefit from an increase in the minimum wage deserve better than a Congress that rewards the wealthiest while punishing those who need assistance the most and are willing to work for it. Eighty-six percent of Americans support increasing the minimum wage, because they know, just as Democrats in this body know, that it is simply wrong for a full-time worker with a full-time job to live in poverty in this great Nation.

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.

NATIONAL SECURITY FOREIGN INVESTMENT REFORM AND STRENGTHENED TRANSPARENCY ACT OF 2006

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5337) to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5337

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Security Foreign Investment Reform and Strengthened Transparency Act of 2006''.

SEC. 2. UNITED STATES SECURITY IMPROVEMENT AMENDMENTS; CLARIFICATION OF REVIEW AND INVESTIGATION PROCESS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (a) and (b) and inserting the following new subsections:

''(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMITTEE.—The term 'Committee' means the Committee on Foreign Investment in the United States.

''(2) CONTROL.—The term 'control' has the meaning given to such term in regulations which the Committee shall prescribe.

''(3) COVERED TRANSACTION.—The term 'covered transaction' means any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States.

''(4) FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.—The term 'foreign government-controlled transaction' means any covered transaction that could result in the control of any person engaged in interstate commerce in the United States by a foreign government or an entity controlled by or acting on behalf of a foreign government.

''(5) CLARIFICATION.—The term 'national security' shall be construed so as to include those issues relating to 'homeland security', including its application to critical infrastructure.

''(b) NATIONAL SECURITY REVIEWS AND INVESTIGATIONS.—

''(1) NATIONAL SECURITY REVIEWS.—

''(A) IN GENERAL.—Upon receiving written notification under subparagraph (C) of any covered transaction, or on a motion made under subparagraph (D) with respect to any covered transaction, the President, acting through the Committee, shall review the covered transaction to determine the effects on the national security of the United States.

''(B) CONTROL BY FOREIGN GOVERNMENT.—If the Committee determines that the covered transaction is a foreign government-controlled transaction, the Committee shall conduct an investigation of the transaction under paragraph (2).

''(C) WRITTEN NOTICE.—

''(i) IN GENERAL.—Any party to any covered transaction may initiate a review of the transaction under this paragraph by submitting a written notice of the transaction to the Chairperson of the Committee.

''(ii) WITHDRAWAL OF NOTICE.—No covered transaction for which a notice was submitted under clause (i) may be withdrawn from review unless—

''(I) a written request for such withdrawal is submitted by any party to the transaction; and

''(II) the request is approved in writing by the Chairperson, in consultation with the Vice Chairpersons, of the Committee.

''(iii) CONTINUING DISCUSSIONS.—The approval of a withdrawal request under clause (ii) shall not be construed as precluding any party to the covered transaction from continuing informal discussions with the Committee or any Committee member regarding possible resubmission for review pursuant to this paragraph.

''(D) UNILATERAL INITIATION OF REVIEW.—The President, the Committee, or any member of the Committee may move to initiate a review under subparagraph (A) of—

''(i) any covered transaction;

''(ii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction submitted false or misleading material information to the Committee in connection with the review or investigation or omitted material information, including material documents, from information submitted to the Committee; or

''(iii) any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction or the entity resulting from consummation of the transaction intentionally materially breaches a mitigation agreement or condition described in subsection (l)(1)(A), and—

''(I) such breach is certified by the lead department or agency monitoring and enforcing such agreement or condition as an intentional material breach; and

''(II) such department or agency certifies that there is no other remedy or enforcement tool available to address such breach.

''(E) TIMING.—Any review under this paragraph shall be completed before the end of the 30-day period beginning on the date of the receipt of written notice under subparagraph (C) by the Chairperson of the Committee, or the date of the initiation of the review in accordance with a motion under subparagraph (D).

''(2) NATIONAL SECURITY INVESTIGATIONS.—

''(A) IN GENERAL.—In each case in which—

''(i) a review of a covered transaction under paragraph (1) results in a determination that—

''(I) the transaction threatens to impair the national security of the United States and that threat has not been mitigated during or prior to the review of a covered transaction under paragraph (1); or

''(II) the transaction is a foreign government-controlled transaction;

''(ii) a roll call vote pursuant to paragraph (3)(A) in connection with a review under paragraph (1) of any covered transaction results in at least 1 vote by a Committee member against approving the transaction; or

''(iii) the Director of National Intelligence identifies particularly complex intelligence concerns that could threaten to impair the national security of the United States and Committee members were not able to develop and agree upon measures to mitigate satisfactorily those threats during the initial review period under paragraph (1),

the President, acting through the Committee, shall immediately conduct an investigation of the effects of the transaction on the national security of the United States and take any necessary actions in connection with the transaction to protect the national security of the United States.

''(B) TIMING.—

''(i) IN GENERAL.—Any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date of the investigation commenced.

''(ii) EXTENSIONS OF TIME.—The period established under subparagraph (B) for any investigation of a covered transaction may be extended with respect to any particular investigation by the President or by a rollcall vote of at least 2/3 of the members of the Committee involved in the investigation by the amount of time specified by the President or the Committee at the time of the extension, not to exceed 45 days, as necessary to collect and fully evaluate information relating to—

''(I) the covered transaction or parties to the transaction; and

''(II) any effect of the transaction that could threaten to impair the national security of the United States.

''(3) APPROVAL OF CHAIRPERSON AND VICE CHAIRPERSONS REQUIRED.—

''(A) IN GENERAL.—A review or investigation under this subsection of a covered transaction shall not be treated as final or complete until the findings and the report resulting from such review or investigation are approved by a majority of the members of the Committee in a roll call vote and signed by the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Commerce (and such authority of each such Secretary may not be delegated to any person other than the Deputy Secretary of the Treasury, the Deputy Secretary of Homeland Security, or the Deputy Secretary of Commerce, respectively).

''(B) ADDITIONAL ACTION REQUIRED IN CERTAIN CASES.—In the case of any roll call vote pursuant to subparagraph (A) in connection with an investigation under paragraph (2) of any foreign government-controlled transaction in which there is at least 1 vote by a Committee member against approving the transaction, the investigation shall not be treated as final or complete until the findings and report resulting from such investigation are signed by the President (in addition to the Chairperson and the Vice Chairpersons of the Committee under subparagraph (A)).

''(4) ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) IN GENERAL.—The Director of National Intelligence shall expeditiously carry out a thorough analysis of any threat to the national security of the United States of any covered transaction, including making requests for information to the Director of the Office of Foreign Assets Control within the Department of the Treasury and the Director of the Financial Crimes Enforcement Network. The Director of National Intelligence also shall seek and incorporate the views of all affected or appropriate intelligence agencies.

''(B) 30-DAY MINIMUM.—The Director of National Intelligence shall be provided no less than 30 days to complete the analysis required under subparagraph (A), except in any instance described in paragraph (2)(A)(iii).

''(C) INDEPENDENT ROLE OF DIRECTOR.—The Director of National Intelligence shall not be a member of the Committee and shall serve no policy role with the Committee other than to provide analysis under subparagraph (A) in connection with a covered transaction.

''(5) RESUBMITTALS OF NOTICE AND REQUESTS FOR ADDITIONAL REVIEW OR INVESTIGATION.—

''(A) IN GENERAL.—No provision of this subsection shall be construed as prohibiting any party to a covered transaction from—

''(i) submitting additional information concerning the transaction, including any proposed restructuring of the transaction or any modifications to any agreements in connection with the transaction, while any review or investigation of the transaction is on-going; or

''(ii) requesting a review or investigation of the transaction after any previous review or investigation of the same or a similar transaction has become final if information material to the prior review or investigation and not previously submitted to the Committee becomes known or if any material change in circumstances to the covered transaction has occurred since the review or investigation.

''(B) APPROVAL OF REQUEST.—In the case of a request referred to in subparagraph (A)(ii), the Committee shall determine by consensus whether to grant a request.

''(6) REGULATIONS.—Regulations prescribed under this section shall include standard procedures for—

''(A) submitting any notice of a proposed or pending covered transaction to the Committee;

''(B) submitting a request to withdraw a proposed or pending covered transaction from review; and

''(C) resubmitting a notice of proposed or pending covered transaction that was previously withdrawn from review.''.

SEC. 3. STATUTORY ESTABLISHMENT OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) IN GENERAL.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsection (k) and inserting the following new subsection:

''(k) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members or the designee of any such member:

''(A) The Secretary of the Treasury.

''(B) The Secretary of Homeland Security.

''(C) The Secretary of Commerce.

''(D) The Secretary of Defense.

''(E) The Secretary of State.

''(F) The Attorney General.

''(G) The Secretary of Energy.

''(H) The Chairman of the Council of Economic Advisors.

''(I) The United States Trade Representative.

''(J) The Director of the Office of Management and Budget.

''(K) The Director of the National Economic Council.

''(L) The Director of the Office of Science and Technology Policy.

''(M) The President's Assistant for National Security Affairs.

''(N) Any other designee of the President from the Executive Office of the President.

''(3) CHAIRPERSON; VICE CHAIRPERSONS.—The Secretary of the Treasury shall be the Chairperson of the Committee. The Secretary of Homeland Security and the Secretary of Commerce shall be the Vice Chairpersons of the Committee.

''(4) OTHER MEMBERS.—Subject to subsection (b)(4)(B), the Chairperson of the Committee shall involve the heads of such other Federal departments, agencies, and independent establishments in any review or investigation under subsection (b) as the Chairperson, after consulting with the Vice Chairpersons, determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation (or the designee of any such department or agency head).

''(5) MEETINGS.—The Committee shall meet upon the direction of the President or upon the call of the Chairperson of the Committee without regard to section 552b of title 5, United States Code (if otherwise applicable).

''(6) COLLECTION OF EVIDENCE.—Subject to subsection (c), the Committee may, for the purpose of carrying out this section—

''(A) sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

''(B) require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as the Chairperson of the Committee may determine advisable.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each of fiscal years 2007, 2008, 2009, and 2010, expressly and solely for the operations of the Committee that are conducted by the Secretary, the sum of $10,000,000.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The first sentence of section 721(c) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(c)) is amended—

(1) by striking ''material filed with'' and inserting ''material, including proprietary business information, filed with, or testimony presented to,''; and

(2) by striking ''or documentary material'' the 2nd place such term appears and inserting '', documentary material, or testimony''.

SEC. 4. ADDITIONAL FACTORS REQUIRED TO BE CONSIDERED.

Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(f)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''among other factors'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

''(6) whether the covered transaction has a security-related impact on critical infrastructure in the United States;

''(7) whether the covered transaction is a foreign government-controlled transaction; and

''(8) such other factors as the President or the President's designee may determine to be appropriate, generally or in connection with a specific review or investigation.''.

SEC. 5. NONWAIVER OF SOVEREIGN IMMUNITY.

Section 721(d) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(d)) is amended by adding at the end the following new sentence: ''The United States shall not be held liable for any losses or other expenses incurred by any party to a covered transaction as a result of actions taken under this section after a covered transaction has been consummated if the party did not submit a written notice of the transaction to the Chairperson of the Committee under subsection (b)(1)(C) or did not wait until the completion of any review or investigation under subsection (b), or the end of the 15-day period referred to in this subsection, before consummating the transaction.''.

SEC. 6. MITIGATION, TRACKING, AND POST-CONSUMMATION MONITORING AND ENFORCEMENT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (k) (as amended by section 3 of this Act) the following new subsection:

''(l) MITIGATION, TRACKING, AND POSTCONSUMMATION MONITORING AND ENFORCEMENT.—

''(1) MITIGATION.—

''(A) IN GENERAL.—The Committee or any agency designated by the Chairperson and Vice Chairpersons may negotiate, enter into or impose, and enforce any agreement or condition with any party to a covered transaction in order to mitigate any threat to the national security of the United States.

''(B) RISK-BASED ANALYSIS REQUIRED.—Any agreement entered into or condition imposed under subparagraph (A) shall be based on a risk-based analysis of the threat to national security of the covered transaction.

''(2) TRACKING AUTHORITY FOR WITHDRAWN NOTICES.—

''(A) IN GENERAL.—If any written notice of a covered transaction that was submitted to the Committee under this section is withdrawn before any review or investigation by the Committee under subsection (b) is completed, the Committee shall establish, as appropriate—

''(i) interim protections to address specific concerns with such transaction that have been raised in connection with any such review or investigation pending any resubmission of any written notice under this section with respect to such transaction and further action by the President under this section;

''(ii) specific timeframes for resubmitting any such written notice; and

''(iii) a process for tracking any actions that may be taken by any party to the transaction, in connection with the transaction, before the notice referred to in clause (ii) is resubmitted.

''(B) DESIGNATION OF AGENCY.—The Committee may designate an appropriate Federal department or agency, other than any entity of the intelligence community (as defined in the National Security Act of 1947), as the lead agency to carry out the requirements of subparagraph (A) with respect to any covered transaction that is subject to such subparagraph.

''(3) NEGOTIATION, MODIFICATION, MONITORING, AND ENFORCEMENT.—

''(A) DESIGNATION OF AGENCY.—The Committee shall designate a Federal department or agency as the lead agency to negotiate, modify, monitor, and enforce any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction based on the expertise with and knowledge of the issues related to such transaction on the part of the designated department or agency.

''(B) REPORTING BY DESIGNATED AGENCY.—

''(i) IMPLEMENTATION REPORTS.—The Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed under paragraph (1) with respect to a covered transaction shall—

''(I) provide periodic reports to the Chairperson and Vice Chairpersons of the Committee on the implementation of such agreement or condition; and

''(II) require, as appropriate, any party to the covered transaction to report to the head of such department or agency (or the designee of such department or agency head) on the implementation or any material change in circumstances.

''(ii) MODIFICATION REPORTS.—The Federal department or agency designated by the Committee as a lead agency under subparagraph (A) in connection with any agreement entered into or condition imposed with respect to a covered transaction shall—

''(I) provide periodic reports to the Chairperson and Vice Chairpersons of the Committee on any modification to any such agreement or condition imposed with respect to the transaction; and

''(II) ensure that any significant modification to any such agreement or condition is reported to the Director of National Intelligence and to any other Federal department or agency that may have a material interest in such modification.''.

SEC. 7. INCREASED OVERSIGHT BY THE CONGRESS.

(a) REPORT ON ACTIONS.—Section 721(g) of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

''(g) REPORTS TO THE CONGRESS.—

''(1) REPORTS ON COMPLETED COMMITTEE INVESTIGATIONS.—

''(A) IN GENERAL.—Not later than 5 days after the completion of a Committee investigation of a covered transaction under subsection (b)(2), or, if the President indicates an intent to take any action authorized under subsection (d) with respect to the transaction, after the end of 15-day period referred to in subsection (d), the Chairperson or a Vice Chairperson of the Committee shall submit a written report on the findings or actions of the Committee with respect to such investigation, the determination of whether or not to take action under subsection (d), an explanation of the findings under subsection (e), and the factors considered under subsection (f), with respect to such transaction, to—

''(i) the Majority Leader and the Minority Leader of the Senate;

''(ii) the Speaker and the Minority Leader of the House of Representatives; and

''(iii) the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including the Committee on International Relations, the Committee on Financial Services,

and the Committee on Energy and Commerce of the House of Representatives.

''(B) NOTICE AND BRIEFING REQUIREMENT.—If a written request for a briefing on a covered transaction is submitted to the Committee by any Senator or Member of Congress who receives a report on the transaction under subparagraph (A), the Chairperson or a Vice Chairperson (or such other person as the Chairperson or a Vice Chairperson may designate) shall provide 1 classified briefing to each House of the Congress from which any such briefing request originates in a secure facility of appropriate size and location that shall be open only to the Majority Leader and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, (as the case may be) the chairman and ranking member of each committee of the House of Representatives or the Senate (as the case may be) with jurisdiction over any aspect of the covered transaction and its possible effects on national security, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, and appropriate staff members who have security clearance.

''(2) APPLICATION OF OTHER PROVISION.—

''(A) IN GENERAL.—The disclosure of information under this subsection shall be consistent with the requirements of subsection (c). Members of Congress and staff of either House or any committee of the Congress shall be subject to the same limitations on disclosure of information as are applicable under such subsection.

''(B) PROPRIETARY INFORMATION.—Proprietary information which can be associated with a particular party to a covered transaction shall be furnished in accordance with subparagraph (A) only to a committee of the Congress and only when the committee provides assurances of confidentiality, unless such party otherwise consents in writing to such disclosure.''.

(b) SEMI-ANNUAL REPORT.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (l) (as added by section 6 of this Act) the following new subsection:

''(m) SEMI-ANNUAL REPORT TO THE CONGRESS.—

''(1) IN GENERAL.—The Chairperson of the Committee shall transmit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, before January 31 and July 31 of each year on all the reviews and investigations of covered transactions conducted under subsection (b) during the 6-month period covered by the report.

''(2) CONTENTS OF REPORT RELATING TO COVERED TRANSACTIONS.—The report under paragraph (1) shall contain the following information with respect to each covered transaction:

''(A) A list of all notices filed and all reviews or investigations conducted during the period with basic information on each party to the transaction, the nature of the business activities or products of all pertinent persons, along with information about the status of the review or investigation, information on any withdrawal from the process, any rollcall votes by the Committee under this section, any extension of time for any investigation, and any presidential decision or action under this section.

''(B) Specific, cumulative, and, as appropriate, trend information on the numbers of filings, investigations, withdrawals, and presidential decisions or actions under this section.

''(C) Cumulative and, as appropriate, trend information on the business sectors involved in the filings which have been made, and the countries from which the investments have originated.

''(D) Information on whether companies that withdrew notices to the Committee in accordance with subsection (b)(1)(C)(ii) have later re-filed such notices, or, alternatively, abandoned the transaction.

''(E) The types of security arrangements and conditions the Committee has used to mitigate national security concerns about a transaction.

''(F) A detailed discussion of all perceived adverse effects of covered transactions on the national security or critical infrastructure of the United States that the Committee will take into account in its deliberations during the period before delivery of the next such report, to the extent possible.

''(3) CONTENTS OF REPORT RELATING TO CRITICAL TECHNOLOGIES.—

''(A) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall include in the semi-annual report submitted under paragraph (1) the following:

''(i) An evaluation of whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer.

''(ii) An evaluation of whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technologies.

''(B) CRITICAL TECHNOLOGIES DEFINED.—For purposes of this paragraph, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or national security identified pursuant to this section.

''(C) RELEASE OF UNCLASSIFIED STUDY.—That portion of the semi-annual report under paragraph (1) that is required by this paragraph may be classified. An unclassified version of that portion of the report shall be made available to the public.''.

(c) INVESTIGATION BY INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of the Treasury shall conduct an independent investigation to determine all of the facts and circumstances concerning each failure of the Department of the Treasury to make any report to the Congress that was required under section 721(k) of the Defense Production Act of 1950 (as in effect before the date of the enactment of this Act).

(2) REPORT TO THE CONGRESS.—Before the end of the 270-day period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit a report to the chairman and ranking member of each committee of the House of Representatives and the Senate with jurisdiction over any aspect of the report, including the Committee on International Relations, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives, on the investigation under paragraph (1) containing the findings and conclusions of the Inspector General.

(d) STUDY AND REPORT.—

(1) STUDY REQUIRED.—Before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce, shall conduct a study on investments in the United States, especially investments in critical infrastructure and industries affecting national security, by—

(A) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which comply with any boycott of Israel; or

(B) foreign governments, entities controlled by or acting on behalf of a foreign government, or persons of foreign countries which do not ban organizations designated by the Secretary of State as foreign terrorist organizations.

(2) REPORT.—Before the end of the 30-day period beginning upon completion of the study under paragraph (1) or in the next semi-annual report under section 721(m) of the Defense Production Act of 1950 (as added by subsection (b)), the Secretary of the Treasury shall submit a report to the Congress, for transmittal to all appropriate committees of the Senate and the House of Representatives, containing the findings and conclusions of the Secretary with respect to the study, together with an analysis of the effects of such investment on the national security of the United States and on any efforts to address those effects.

SEC. 8. CERTIFICATION OF NOTICES AND ASSURANCES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by inserting after subsection (m) (as added by section 7(b) of this Act) the following new subsection:

''(n) CERTIFICATION OF NOTICES AND ASSURANCES.—Each notice required to be submitted, by a party to a covered transaction, to the President or the President's designee under this section and regulations prescribed under such section, and any information submitted by any such party in connection with any action for which a report is required pursuant to paragraph (3)(B)(ii) of subsection (l) with respect to the implementation of any mitigation agreement or condition described in paragraph (1)(A) of such subsection, or any material change in circumstances, shall be accompanied by a written statement by the chief executive officer or the designee of the person required to submit such notice or information certifying that, to the best of the person's knowledge and belief—

''(1) the notice or information submitted fully complies with the requirements of this section or such regulation, agreement, or condition; and

''(2) the notice or information is accurate and complete in all material respects.''.

SEC. 9. REGULATIONS.

Section 721(h) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(h)) is amended to read as follows:

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.''.

SEC. 10. EFFECT ON OTHER LAW.

Section 721(i) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(i)) is amended to read as follows:

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any other authority, process, regulation, investigation, enforcement measure, or review provided by or established

under any other provision of Federal law, including the International Emergency Economic Powers Act, or any other authority of the President or the Congress under the Constitution of the United States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. OXLEY. 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 Ohio?

There was no objection.

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

Mr. Speaker, I rise today to urge all Members to support H.R. 5337, the National Security FIRST Act, which makes important reforms to the process by which the Committee on Foreign Investment of the United States scrutinizes purchases of U.S. businesses by foreign ones, to ensure that there is no threat to national security.

As we consider this legislation, we must remember that the result of foreign investment in the United States has been spectacular. U.S. subsidiaries of foreign-owned companies employ nearly 5½ million Americans. The average salary for those workers is a healthy $60,000 and a third of those jobs are in manufacturing.

At a time when we are concerned about our balance of trade, it is important to note that more than 20 percent of U.S. exports are produced by U.S. subsidiaries of foreign companies. Mr. Speaker, we all know why we are here today.

Congress and the country went through a very difficult period this spring after we learned about the Dubai Ports sale.

□ 1245

As a response, in one of the best examples of bipartisanship I have seen in my tenure here, H.R. 5337 was introduced by Majority Whip BLUNT, Chairwoman PRYCE, Mrs. MALONEY and Mr. CROWLEY and now has nearly 90 cosponsors. It is a very good bill that addresses what some see as flaws in the CFIUS process without creating new problems or barriers to investment.

I would particularly like to compliment Chairwoman PRYCE for her leadership on this complex issue. In three very thorough hearings, she made certain,ky018 members were well-versed in the details of the CFIUS process before any legislating was done. The result was a unanimous 64–0 vote for passage in the Financial Services Committee.

The language we are considering today is nearly identical, with a manager's amendment that makes only a few changes made to further strengthen the process. Among those changes are the addition of Commerce Secretary as a second Vice Chair of CFIUS; the addition of the Energy Secretary to CFIUS itself; clarification that CFIUS reviews are to be done to determine the effects of a transaction on national security; the requirement that the 30-day review period end with a roll call vote, with any single dissenting vote sending the transaction into the 45-day investigative period; and further clarification of the role of the Director of National Intelligence in the CFIUS process.

Mr. Speaker, what we need to accomplish is to strengthen the national security in two ways: by increasing administration accountability and by improving the ability of Congress to perform necessary oversight. This bill does both. The result will be a process that stops what should be disapproved and gives a green light to what should be approved, including, of course, any modifications needed to protect against the loss of the defense industrial base or a critical technology.

This is a strong and effective bill here that corrects exactly what was wrong with the CFIUS process without overreaching and causing further problems. It continues to give CFIUS the flexibility to exercise discretion, allowing it to focus on investments that raise national security concerns. I do not and will not support some of the other proposals that have been put forward, such as any additional time delays or directly involving Congress in the decisionmaking process. I believe we need to take great care to refrain from inserting politics into the consideration process, and that goal has been achieved here.

Mr. Speaker, we must protect our national security, but national security includes economic security. Let's remember that it is our economic security and prosperity that give us the resources to provide adequately for our internal and external defenses. We simply must not drive off those who want to make the wise investment in our great economy.

Our friends in the other body should understand that no bill would be a preferable alternative to a bad bill, and we in the House will not sacrifice American prosperity and job growth when there is no real improvement to American security.

Mr. Speaker, this is an excellent bill; and I think the CFIUS process and our national security would be improved by enacting it exactly as written.

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

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

Mr. Speaker, I am delighted to join my colleagues, Representatives OXLEY, PRYCE, CROWLEY and Majority Whip BLUNT in bipartisan support of H.R. 5337, the National Security FIRST Act.

After the Dubai Ports World disaster, it was clear that there was a pressing need to reform the process by which the United States Government reviews foreign acquisitions of businesses in the United States for national security threats, the Committee for Foreign Investment in the United States, or CFIUS.

This bill was unanimously approved by the Financial Services Committee and has received strong bipartisan support in the Homeland Security Committee. It also reflects the input of the Energy and Commerce, Armed Services and International Relations Committees.

We have all worked hard together to achieve a strong and sensible bill, and I would like to thank the members and staff of these committees as well as my own staff for their support and hard work.

H.R. 5337, the National Security FIRST Act, is widely recognized as a balanced approach which protects national security, first, while continuing to encourage safe and important foreign investment, to create American jobs and improve our economy.

Many observers, both domestic and foreign, think our bill has struck this balance successfully. The National Security FIRST Act incorporates and builds on a bipartisan bill I introduced earlier, based on reforms proposed by the General Accounting Office even before Dubai Ports World brought this issue into the spotlight. These recommendations of the GAO were obviously not knee-jerk reactions to the Dubai crisis but addressed structural problems in the CFIUS process and so provided a sound and farsighted basis for long-term reform.

This bill addresses three core issues.

First, the bill strengthens national security protections. All foreign government-controlled entities must go through a 45-day rigorous investigation in addition to the 30-day review. This is necessary because government-controlled entities could have agendas other than profit and can pay whatever they want to accomplish them. Private companies would not be able to compete.

To ensure greater accountability and better judgment, all reviews and investigations by CFIUS will require sign-off at the highest levels. The Secretary or Deputy Secretary of Treasury, Homeland Security and Commerce must sign the CFIUS recommendation. The Dubai Ports deal was approved by 12 people and agencies. No one had ever heard of these particular people. This bill makes Cabinet officers responsible to the American people for their decisions.

Also important, all reviews and investigations will be analyzed by the Director of National Intelligence, whose input is required under the bill.

For the first time, CFIUS will have a set of mandatory factors to consider in determining whether the purchase could affect national security, including whether it affects critical infrastructure such as ports, energy transmission or voting machines.

Second, the bill builds in congressional oversight by requiring twice-annual reporting to Congress of all completed actions by CFIUS. In order to ensure that this administration does not evade its responsibility by only reporting to one or two members, the bill specifies that both majority and minority members of the relevant committees will be notified.

Additionally, Congress would be notified promptly of any extensive investigation or transaction involving a foreign government purchase.

Involving Congress can help the CFIUS agencies be more aware of transactions that raise a red flag. For example, recently I wrote a letter to Secretary Snow urging CFIUS to review a transaction in which a company with strong Venezuelan ties acquired a major electronic voting company in the United States. Treasury says it is conducting a pre-review of whether the company is owned by the Venezuelan Government and whether the deal puts our electoral system at risk. Regardless of the outcome, this is a good example of why this bill is needed.

The third impact of the bill is to strengthen the CFIUS enforcement and monitoring systems. In many cases, the U.S. Government enters into a contract with a foreign purchaser to ensure U.S. Government concerns regarding national security are met. This bill strengthens these contracts and adds provisions to follow up on whether the foreign purchasers are complying.

Also, the bill provides for greater oversight of withdrawals from the CFIUS process. The GAO, the Government Accountability Office, noted a pattern of applicants withdrawing if they needed or received indications of concern and then going ahead with the flawed transaction anyway without the CFIUS approval. These off-the-radar deals pose great risk and great incentives, and we need to adopt better monitoring of them.

In sum, this bill is a sensible, balanced approach to making sure foreign acquisitions do not jeopardize our national security, while not killing foreign investment in our country. I urge my colleagues to support the bill. Ninety of our colleagues are cosponsors.

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

Mr. OXLEY. Mr. Speaker, I am pleased now to yield 4 minutes to the gentleman from Missouri (Mr. BLUNT), the majority whip and the lead sponsor of this important legislation.

Mr. BLUNT. Mr. Speaker, I thank the chairman for yielding time and for the great work he has done on this bill, the work that his committee has done, particularly the work that Chairman PRYCE and her subcommittee has done not only to look at this bill carefully in hearings but have significant input and then crafting what a bill would look like that protects our country in a post-9/11 world but still also protects our economy and American companies and American pension plans and others that invest in those companies. The tremendous efforts that Mrs. MALONEY has made and is making again today on the floor, as well as the efforts of Mr. CROWLEY, have all been significant in trying to take a problem and create the right solution. Chairman BARTON, Chairman KING, Chairman HOEKSTRA, all original cosponsors of the bill and who have all helped this bill as it worked its way through the process. Chairman HYDE and Chairman HUNTER had significant input. Certainly the ranking member of the Financial Services Committee, Mr. FRANK, had input and was very helpful in what I think is a product that we can be pleased with here, as was Mr. SMITH from Texas.

A few months ago, the country and, frankly, many Members, virtually everybody in the legislature, and even more frankly almost everybody in the administration, was surprised when the announcement was made that this particular decision had been made regarding one of our ports. That called attention to the fact that the CFIUS process was a process that might have worked well in a previous time, but the Committee on Foreign Investment in the United States was not designed to meet our time. The attacks on September 11 changed that. That world needs to be balanced with a global economy, where even if you don't know that you own stock in an American company that may be the subject of purchase, your pension plan may be very dependent on the value of that company.

So what this bill does, Mr. Speaker, is I think arrive at the right balance that, first and foremost, does protect our security but does that in a way that doesn't needlessly impact the value of American companies and American assets in the marketplace.

The points that have been made by the previous speakers are certainly the points that need to be made. Congress reaffirmed the intent of the Congress to look more carefully at companies that are owned by foreign governments in light of particularly some of the examples that have been given. The example that was just given by Mrs. MALONEY would be an example.

We have increased the accountability of CFIUS by establishing the process more fully in statute, by adding the Department of Homeland Security and the Secretary of Homeland Security, the Secretary of Commerce as vice chairmen. We have also added the Department of Energy to the committee and formalized the importance of each of the agencies in reaching a conclusion. We have increased congressional oversight and done the right things here.

I think the key to this legislation as it hopefully moves forward today is the tremendous bipartisan effort that has been made. If our colleagues approve this bill today, I know we all look forward to working with Senators SHELBY and SARBANES in conference and getting this problem solved in this Congress. We have a tough bill on the floor today. We improve our security in the right way.

And, again, before, as I close, I would like to thank the staff that has worked so hard: Joe Pinder, Bob Foster, Jackie Moran, Sam Geduldig on my staff, and many other staffers on all of these committees whose chairmen have been mentioned who have worked this bill in a way that solves a complicated problem in the right way.

Mrs. MALONEY. Mr. Speaker, I yield 3½ minutes to the gentleman from Massachusetts (Mr. FRANK), ranking member of the Financial Services Committee.

□ 1300

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman. She and the gentleman from New York (Mr. CROWLEY) and others on our committee on both sides of the aisle worked constructively on a good bill. I appreciate the kind words of the majority whip.

There was a threatening climate towards foreign direct investment a few months ago as a result of the reaction to the Dubai Ports. I thought it was a mistake to allow Dubai to be able to buy those ports, but I did think that the reaction against that threatened to jeopardize a very important source of support for the American economy, and that is foreign direct investment.

There was among some of our colleagues a kind of reaction to say, ''We don't want them bringing their money in here and investing in America.'' That was unwise, and I think cooler heads on both sides of the aisle have prevailed, and we have a bill that recognizes that foreign direct investment, the foreign investment in building plants and running enterprises in America, is a good thing.

Many Americans complain when American corporations invest their money in physical facilities overseas. Well, it then does not make sense to complain about the reciprocal. Yes, we want to make sure that nothing is done that jeopardizes our security.

I think we have a bill today that improves the situation without any kind of drastic change of a sort that would have endangered foreign direct investment, and I have to say there was a terrible mistake made by the Bush administration, in my judgment, in not shutting down the Dubai Ports thing before we got to it.

I do think we should be very clear, though, we have to differentiate between laws which are badly administered and laws which are badly structured. We have had cases, in my view, where this administration has messed up on a number of occasions. I think they badly handled Katrina. They made a terrible mistake with Dubai, but if we were going to drastically wrench out of shape every law that this administration administers poorly, we would not be taking an August recess. That would keep us busier than we already are.

What we have to do is make a separation. We have to be able to differentiate between the incompetence of an

administration and a structural failing in the law.

Now, we have done that in this case. I understand the bipartisanship extends here to the restructuring, in a reasonable way, in the law and not to recognition in my part on the incompetency of the administration. I do not mean to include my colleagues in saying that, but I do think this is the principle we have tried to follow on our side.

When this administration messes something up, we should not overreact and wrench the structure out of shape. We should make those structural changes that might be called for. That is what we are doing here, and we are preserving the role that foreign direct investment can play in the United States. We can express the hope that this administration in its remaining time will not misadminister this as badly as they did before.

Mr. OXLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE), the chairman of the appropriate subcommittee who has shown enormous leadership on this issue.

Ms. PRYCE of Ohio. Mr. Speaker, I want to thank the chairman for yielding me the time and his invaluable leadership on this piece of legislation. His leadership led us very thoughtfully through this process, and we did not have a knee-jerk reaction that so often happens around here. Your valued experience and insights have made this much better legislation. Thank you.

Over the last few months, we have heard very much about CFIUS. Media reports of CFIUS transactions such as the Dubai Ports deal have given pause to most Americans and awakened this Congress to the need to reform the process of allowing foreign investment in the United States. Congress has taken a strong position on national security since 9/11, and this legislation updates CFIUS for a post-9/11 world where national security and homeland security need to be considered much more strongly than in years past. National security, however, is not mutually exclusive of economic security. This legislation strives to ensure national security while promoting the creation and maintenance of jobs.

This legislation institutes vice chair positions in CFIUS to be filled by the Secretary of Homeland Security and the Secretary of Commerce. We believe it shows how America continues to think globally for investment and locally for security.

While strengthening our security, we have also continued our work to strengthen our relationships and open markets with nations abroad. These countries have a growing appetite for foreign goods and products, American products and American investments.

American companies and brand names that we all recognize have grown exponentially because of these market openings, and growing American companies mean growing American jobs.

In Ohio, we have seen the benefits of open markets and foreign investment, welcoming into our communities Siemens, Sodexho, Honda, Lexis-Nexis, and many, many more.

Honda Motor Corporation has become the largest auto producer in Ohio beginning production in 1979 with an initial investment of $35 million in Marysville, Ohio. To date, Honda's capital investment in Ohio tops $6.3 billion over 26 years. Honda's North American plants purchased more than $6.5 billion in parts from 150 different Ohio suppliers just in 2005. Honda's investment in the people of Ohio keeps approximately 8,500 people employed.

When a foreign company looks to invest in the U.S., they are looking to grow their business, and that equals growing jobs in the United States. The U.S. Commerce Department says that foreign firms doing business in the U.S. employed nearly 5.1 million employees in 2004, slightly less than one out of every 20 workers in the private sector.

This process of reforming CFIUS has the potential to undercut the United States' long-standing support for capital market access and the free movement of capital. Thanks to the chairman's leadership and a very thoughtful approach to this reform effort, I believe this legislation continues to focus our efforts in securing our Nation, while remaining committed to free trade as one of the greatest engines of prosperity.

In recent months, the Treasury Department has made strides in congressional notification of pending deals that could potentially affect national security, but that is simply not enough. This legislation ensures that a Dubai Ports World situation does not happen again in a post-9/11 world. When questions of national security or foreign government ownership arise, accountability is clear, and the transaction moved immediately to investigation.

The American people can feel confident that this legislation institutes the oversight and protections needed to determine if a foreign investment transaction is in the best interests of the United States' national security.

In a world intertwined by global companies, it is important we continue to protect U.S. national and economic security while promoting foreign investment. This issue touches every American who wants to know that each day they are safe.

I want to thank the chairman and Ranking Member FRANK, my good friend, Ranking Member MALONEY, our whip, Mr. BLUNT, and Representative CROWLEY and everyone who worked so hard on this, and I urge support.

Mrs. MALONEY. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. CROWLEY) who has worked very hard on this bill.

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

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman from New York for yielding me the time, and I rise in strong support of this bipartisan piece of legislation.

I want to commend the work of Majority Whip BLUNT, a good friend, as well as Representative PRYCE and Representative MALONEY for their leadership of working on this legislation. I also want to recognize the outgoing chairman and my good friend, Mike Oxley, for all of his work on this and the many pieces of legislation we have worked together on in a bipartisan way, and particularly BARNEY FRANK, who saw through all of this, cut through the politics and right to the chase and worked very hard in seeing that this important bill passed today.

H.R. 5337 works to keep the flow of direct foreign investment in the U.S.A. strong while putting national security first. This is a good jobs bill, pro-business. It is pro-labor, and this bill does all things to help to secure our Nation, yet not stop investment here in the United States. I am pleased to say this bill enjoyed unanimous support in the Committee on Financial Services, passing on a 64–0 vote.

This bill enjoys the support of everyone from the Center for American Progress to the Chamber of Commerce.

This bill is about keeping the flow of foreign investment coming to the U.S. and not driving these funds and their subsequent jobs out of the country.

But H.R. 5337 includes new, tough safeguards put in place to ensure the security of America first. This entire legislative initiative, which has been pursued in a bipartisan fashion, is a result of the botched handling of the DPW transaction, the Dubai Ports deal. That transaction involved a government-owned company from Dubai buying into various port assets here in the United States.

As a result, a significant and appropriate focus of the committee has been to toughen the scrutiny for acquisitions by government-owned companies since some government-owned companies will make decisions based on government interests and not commercial interests. No job, no deal, no transaction is worth threatening the safety of Americans, and this bill puts those conditions in place. We all know this to be true, but being from New York City, it is even more true.

This bill will provide strong, new safeguards to ensure our Nation's security and protect critical infrastructure, but also continues to give CFIUS flexibility to exercise discretion, allowing CFIUS to focus on the deals that raise real national security issues and not get bogged down into those deals with no national security implications at all.

For example, this bill will allow CFIUS to go straight to an investigation phase if CFIUS so decides that the concerns are so serious as to merit this.

This is a good bill, protecting national security, guaranteeing the flow of direct foreign investment in the

U.S., and ensuring we will not have another Dubai Ports debacle, and I, therefore, urge its passage in the House today.

And finally, I understand the Senate is in the process of moving their bill forward, and I look forward to a constructive conference with the Senate, but this issue is far too important to compromise our national security or our Nation's economic security on backroom wheeling and dealing.

We, in the House, in a bipartisan manner, recognize the diligence that went into crafting this bill, and we will work for this to be the lead text in any conference.

The Senate bill does not meet our important threshold on national or economic security. This bill does, and I know we in House who have worked as hard as we have will fight in conference for a good bill or we will take no bill at all.

I urge a ''yes'' vote on this bill. It protects national security, enhances the ability of more foreign investment here in the U.S.A. and ensures the transparency of CFIUS.

Mr. OXLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY), a distinguished member of the Ways and Means Committee.

Mr. FOLEY. Mr. Speaker, I thank the chairman for his work on this, as well as many, many others.

We know how we got here on this important bill, and it was the Dubai Ports deal. It shocked America, and it shocked me as a member of the Ways and Means Committee. Not that we were thumbing our noses at investors who would feel comfortable investing in the United States. That was not the question. It was not a question about our support for their efforts in the war on terrorism. We support their efforts.

But as was stated by Mr. CROWLEY, it was a foreign government, and foreign governments behave differently than foreign corporations. Corporations do not care about the politics. They care about the profits. Governments take a different view of the world and have to think of external and internal political calculations.

What startled me about the deal was the fact when then-Secretary of the Treasury, John Snow, appeared before our panel, when the news first broke about this transaction, when I asked him what was involved in the vetting process, he looked at me as if he had no idea about the transaction at all. Then we came to find out mid-level managers at the Department decided this on their own. They had not properly vetted it through the necessary agencies to ensure that we had covered the gamut of questions that may have arose from this transaction.

Fortunately, based on the leadership that has been displayed here in crafting this bill in a bipartisan fashion, we will now have a process by which we can analyze and investigate and give comfort to the American public that a transaction involving six strategic ports or any other facility will have the proper authorities reviewing the intricacy of the details.

They always say the devil's in the details. In this transaction, we knew very little about the intentions of the port companies, their expansion capabilities, their leasehold interests, how they may be transferrable to other entities. We had a blank slate on which to review this transaction.

This bill brings to the floor and to the process transparency, clarity and an ability to tell our constituents we know the transaction.

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

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. MALONEY) has 7 minutes remaining. The gentleman from Ohio (Mr. OXLEY) has 7 minutes remaining.

Mrs. MALONEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding, and I rise in support of H.R. 5337 and want to add some important history and context to our discussion.

The Omnibus Trade Act of 1988 was referred to the Committee on Energy and Commerce on which I sit. During its consideration, our committee produced the Exon-Florio provision which determines what can be bought in the United States by foreign entities, and it was included in the final version of the Omnibus Trade Act.

Exon-Florio authorized the President to suspend or prohibit the acquisition of a U.S. corporation by a foreign entity. Responsibility for executing Exon-Florio was delegated to the Committee on Foreign Investment in the United States, CFIUS, the interagency committee that was formed to protect the United States' economic well-being and national security.

□ 1315

In the past, the Energy and Commerce Committee has conducted numerous oversight hearings, aggressively evaluating how well CFIUS has complied with the requirements of Exon-Florio. When the Senate amended Exon-Florio and passed the Byrd amendment in 1993, members of Energy and Commerce were conferees for those provisions.

While I am pleased that the Energy and Commerce Committee conducted a hearing on CFIUS and considered it in open markup, and while we support the legislation, we are disappointed that a number of the provisions we added to the bill are not in the version we are considering today. These are matters of the utmost importance to our economic and national security. As we proceed, I encourage my colleagues to be vigilant and consider these matters carefully.

I look forward to continuing our work in the Committee on Energy and Commerce, consistent with its longstanding involvement with this issue, and working with my other colleagues in the House who have also put much thought and effort into this legislation.

Mr. OXLEY. Mr. Speaker, I am now pleased to yield 2 minutes to the gentleman from Florida (Mr. STEARNS) of the aforementioned Energy and Commerce Committee.

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

Mr. STEARNS. Mr. Speaker, I rise, like my other colleagues, in support of H.R. 5337, the Reform of National Security Reviews of Foreign Direct Investments Act. Obviously, we all agree this is a bill that will strengthen the American economy by encouraging others to invest in America, while at the same time, fortifying our national security.

Myself and Ranking Member SCHAKOWSKY had a hearing dealing with this bill, which showed the importance of it. We had a very small part. I think the Department of Commerce is now co-vice chair in the bill, but I want to commend Mr. BLUNT for his leadership on this, and also for the continuing leadership of Chairman OXLEY, who did all the vitally important work for this. We had a very small part in it, my subcommittee, which is the Subcommittee on Commerce, Consumer Protection, and Trade.

We all know that open investment policy has made the United States a favorite destination for foreign direct investment, with over $115 billion invested in 2004, supporting over 5 million American jobs found in every State of this union, from car manufacturing plants in Missouri to aircraft production in my home State of Florida.

This bill will ensure that the United States is and will remain the world's benchmark for open, transparent investment policy. This openness and this transparency in our vibrant markets at home has basically allowed American companies to export those principles abroad, principles that ultimately increase prosperity and, most importantly, encourage better acceptance of the democratic and free markets, principles that form the bedrock of the American way of life.

So, again, I support this bill, I urge my colleagues to do so, and I thank my colleague for the time.

Mrs. MALONEY. Mr. Speaker, I take this opportunity to thank Chairman OXLEY for his distinguished service to this body and to this country. He has been a very fine chairman of the Financial Services Committee, on which I serve. An example of his leadership is the bill that is before us today, which had very strong bipartisan input, was balanced, took into consideration concerns first of all for national security but also for the business community and all concerned.

In sum, the bill has over 90 cosponsors. It is a balanced approach, making sure that foreign acquisitions do not jeopardize our national security while continuing to encourage appropriate foreign investment.

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

Mr. OXLEY. Mr. Speaker, I am now pleased to yield 1 minute to the distinguished chairman of the Armed Services Committee, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. I thank the gentleman for yielding, and I just wanted to say that I am going to support this legislation. We have several important issues that we think were decided in the right way, particularly the one that gives the Secretary of Defense a veto of the process if he finds that national security interests are impaired or are affected. And that is very, very important to us.

There are several issues that we think still need to be resolved that are important to the Armed Services Committee, but we support the bill in terms of moving it forward into the conference and getting this very important legislation, intended to tighten up the CFIUS process, in place so that we can apply it to pending transactions.

So, Mr. Speaker, I intend to vote ''yes'' on this, but to work very closely with the gentleman from Ohio, my good friend, and with all the other Members who have been putting this legislation together as we move through conference to try to firm up a few other important defense issues as we go through the conference.

Mrs. MALONEY. Mr. Speaker, I do not have any further requests at this time, and I yield back the balance of my time and urge a ''yes'' vote.

Mr. OXLEY. Mr. Speaker, I will be brief. I do not think anybody could have predicted, certainly not me, that a few weeks after the firestorm that came about with the announcement of the Dubai Ports deal that we would be on the floor today debating legislation that was considered by our committee and others and passed in our committee overwhelmingly with a 64–0 bipartisan vote, with cooperation on both sides of the aisle, to deal with a real problem.

Even though I personally felt there was a great deal of overreaction about the Dubai Ports deal, the fact is that it revealed some very deep concerns that people like the gentleman from California had, and others, about how the CFIUS process works. We set about with great care, working with Mr. FRANK, our ranking member, Mrs. MALONEY and Mr. CROWLEY, to craft a bill under the guidance of Chairwoman PRYCE and Mr. BLUNT from Missouri, to craft a bill that met the balance, met the test of dealing with our very real concerns about national security and, at the same time, encouraging foreign investment into our country.

I have to say that of all the bills I have been involved in since I have been chairman, and, frankly, all the bills I have been involved in since I have been here in 25 years, this was one that gave me a great deal of satisfaction because it showed the legislative process at its very best, with input from people who had a great deal of knowledge, who worked very hard on the issue, from the staff to the Members, to craft this legislation and stand here today, just a few weeks after that firestorm, with a product that is going to pass overwhelmingly in this House and that really says that this House, when we want to, can deal in a bipartisan way with some very difficult issues in a very professional manner.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. OXLEY. I will be glad to yield to my friend from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would just like to note that I agree with what the chairman has just said. But this is not the first example of a bill coming out of the Financial Services Committee on a subject which could have been very contentious but, in fact, came to the floor in a form that reflected a very good process, a very open process, with hearings and subcommittee, committee markups, and full participation and, as a result, received overwhelming votes.

We saw this on the GSE bill, we saw it in the bill dealing with the extension of credit, called the FACT Act, and we have seen it on a number of bills, and the chairman deserves a great deal of credit on this. And as his career here draws to a close, I just want to note that this is a very good example of the chairman's willingness to help us bring out the best in ourselves in this process.

And he is correct, this could have been the source of a lot of demagoguery, a lot of political sniping, of frankly some destabilization to the economy because of the negative impact a badly handled bill could have had. So I just want to acknowledge that as the ranking member, it has been my privilege to work with the gentleman from Ohio, and this is only one of a series of bills where we have worked together, under his leadership, to take subjects that, as I said, could have been contentious and destabilizing, and brought the House a product with overwhelming support.

I thank the gentleman for yielding.

Mr. OXLEY. I can't match the eloquence of the gentleman from Massachusetts, so I yield back.

Mr. LANTOS. Mr. Speaker, I rise in support of H.R. 5337, the National Security Foreign Investment Reform and Strengthened Transparency Act of 2006.

As we have seen over the past year, greater oversight is needed regarding foreign investment in the United States. I have expressed serious concern regarding the acquisition of U.S. port operating companies by foreign companies. I want to commend Chairman OXLEY and Ranking Democratic Member FRANK for the work they have done to bring this legislation to the floor.

Mr. Speaker, I want to call attention to one critical issue, the acquisition of U.S. domestic oil companies by Russian firms with close ties to the Russian Government. News reports suggest that Russian oil interests seek to acquire U.S. pipelines and liquefied gas facilities in order to control the entire supply chain of Russian gas exports to the United States, from extraction to consumer sales and distribution. At the same time, however, Russia is preventing American and other foreign oil companies from acquiring more than a 49 percent stake in all but the country's smallest oil and gas fields.

This effort to gain political control of energy markets is not surprising, but it is totally unacceptable.

Acquisition by Russian firms of portions of our energy distribution system poses an extremely serious national security threat to the United States. Russian energy companies such as Gazprom and Rosneft are state-controlled entities and are not simply foreign-owned companies that act as independent commercial entities. These Russian energy firms are run by friends and former colleagues of Russian President Vladimir Putin and their officers include individuals who occupy high level positions in the Putin administration. For example, Rosneft Chairman Igor Sechin is Putin's Deputy Chief of Staff.

These state-dominated companies operate as tools of the Russian Government and the strategy to use Russia's vast oil and gas exports as an instrument of political and economic power. One needs to remember the problems faced earlier this year when Russian firms briefly cut off natural gas to Ukraine, and this irresponsible action raised serious concerns about political manipulation of Russian energy supplies throughout Western Europe.

Mr. Speaker, Putin effectively re-nationalized the Russian energy industry in 2003 by expropriating the assets of Russia's largest privately-owned energy company, Yukos, and by failing to pay appropriate compensation to its owners. Yukos shares were held by numerous United States citizens and shareholders, and they lost some $6 billion.

Rosneft's acquisition of assets from Yukos, a publicly traded company, violated the basic norms of a free market. Public accounts of the transaction suggest that Rosneft's senior officers and directors, some of whom are senior officials of the Russian Government, personally profited from the theft of these assets through their involvement in a sham transaction. In that transaction, a front-company of unknown ownership acquired the assets at billions of dollars below their market value in a forced auction arranged by these very officials, who in turn secured the prompt transfer of these assets from the front-company to Rosneft—a sequence of events that has raised serious questions of corruption.

The Council on Foreign Relations recently released a report on Russia's slide toward authoritarianism that called the Russian Government's forced breakup of Yukos and the long-term

imprisonment of its senior officials on charges of tax evasion as ''the most consequential single episode in the refashioning of the Russian state in this decade.''

Mr. Speaker, I am pleased that the Financial Services Committee recognizes the seriousness of these issues. The Committee report on H.R. 5337 makes clear that the Congress expects the acquisitions of U.S. energy assets or companies by foreign governments or companies controlled by foreign governments will be reviewed closely for their national security impact. I fully endorse the Committee's view that Congress should continue its longstanding efforts to ensure that U.S. investors are treated fairly in foreign markets and that foreign governments honor their commitments in international agreements.

Mr. Speaker, I urge careful consideration of any future acquisition of U.S. oil interests by Russian firms, and I urge my colleagues to support this legislation.

Mr. BARTON of Texas. Mr. Speaker, I rise in support of H.R. 5337, the Reform of National Security Reviews of Foreign Direct Investment Act. I want more foreign investment in America, not less, but I do not want the kind that threatens our security. CFIUS exists to make the distinction, and we need to know that it's doing a good job.

We don't automatically fear foreign investors here in America. The money provided by foreign investors creates jobs, growth, and opportunity here at home. I just want to ensure the investment we attract does not jeopardize national security.

H.R. 5337 provides consistent criteria with appropriate discretion and will improve the review process without impairing our ability to attract significant and needed foreign investment.

Mr. Speaker, the Energy and Commerce Committee shares jurisdiction over this matter and we marked up the bill in my Committee with some changes. While the amended bill we are considering today contains some differences than the version my Committee reported, I support it. Importantly, it provides for mandatory review of foreign government-controlled transactions. Additionally, it provides clear and consistent review criteria for all other commercial investments, it adds the Secretary of Energy to the Committee, and it makes the Secretary of Commerce a co-vice chair of the Committee. Most important, it adds transparency in the process for Congressional oversight and establishes new reporting requirements many of us feel are essential to this process.

I support H.R. 5337 and urge my colleagues to approve the measure.

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand here today as Ranking Member of the Committee on Homeland Security in support of H.R. 5337, the Reform of National Security Reviews of Foreign Investments Act. This bill provides needed reform by formalizing and streamlining the structure and duties of the Committee on Foreign Investment in the United States (CFIUS). Indeed, this bill addresses many of the concerns raised about CFIUS during the past 6 months, especially its current lack of transparency and oversight. This bill rectifies these concerns by formally establishing CFIUS, its membership, streamlines how and when a CFIUS review will be conducted.

Mr. Speaker, the bill formalizes the CFIUS membership and requires the following to serve: (1) Secretaries of Treasury, Homeland Security, Commerce, Defense, State, and Energy; (2) Attorney General; Chair of the Council of Economic Advisors; the U.S. Trade Representative; Director of Office of Management and Budget; Director of National Economic Council; and (3) The Director of Office of Science and Technology Policy; the President's assistant for national security affairs; and any other designee of the President from the Executive Office.

Under this bill, the Treasury Department will be the Chair with the Secretaries of Commerce and Homeland Security as the Vice Chairs. CFIUS will conduct a review of any national security related business transaction in which the outcome could result in foreign control of any business engaged in interstate commerce in the U.S. After reviewing the proposed business transaction, CFIUS will make a determination, the outcome of which could require conducting a full investigation if one of three circumstances exists: transaction involves a foreign government-controlled entity; transaction threatens to impair national security and the review cannot mitigate concerns; or National Intelligence Director identifies intelligence concerns and CFIUS could not agree upon methods to mitigate the concerns.

Incidents such as the Dubai Ports World (DPW) and the China National Offshore Oil Corporation's attempted bid for control of oil company Unocal raised and increased awareness around transactions that should receive CFIUS review. These incidents highlighted the need for meaningful CFIUS reform.

The bill balances the need for continued foreign investment in the United States, but reviewing that investment to determine if it would impair or threaten national security or critical infrastructure.

This bill establishes accountability to key Cabinet level agencies and, much like other corporate reform, requires personal action by the Secretaries of Treasury, Commerce, and Homeland Security. Congressional Research Service's independent report found that for all merger and acquisition activity in 2005, 13 percent of it was from foreign firms acquiring U.S. firms. This is up from 9 percent almost 10 years before. This statistic shows that foreign investment in the U.S. is vital to the economy.

Only through this legislation will CFIUS have a formal budget, membership, and clear mission—protecting American security while maintaining a free and growing economy.

In closing, let me thank my colleagues on the Financial Services Committee for their leadership on this legislation, especially my Democratic colleagues Representative CAROLYN MALONEY and JOSEPH CROWLEY of New York for their efforts. Congresswoman MALONEY actually testified before the Committee on Homeland Security on this legislation, explaining its necessity and importance.

Mr. BARTON of Texas. Mr. Speaker, although the legislation adds the Secretary of the Department of Homeland Security as a co-Vice Chair of CFIUS, I would like to enter into the RECORD a letter from Chairman KING of the Homeland Security Committee. The letter states that this designation does not affect, alter, or add to that Committee's jurisdiction.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 19, 2006.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN OXLEY: I write in regard to H.R. 5337, Reform of National Security Reviews of Foreign Direct Investments Act.

I understand that nothing in H.R. 5337 or the amendments to H.R. 5337 affects, alters, or adds to the jurisdiction of the Committee on Homeland Security. Specifically, H.R. 5337's designation of the Department of Homeland Security as a vice-chairperson of CFIUS and the imposition of any additional duties associated with the appointment of the Department of Homeland Security as a vice-chairperson does not affect, alter, or add to my Committee's jurisdiction.

I'm pleased that we can continue to move this bill forward, and I look forward to working with you in that process.

Sincerely,

PETER T. KING,
Chairman.

Ms. WATERS. Mr. Speaker, I rise in strong support of, H.R. 5337, the Reform of National Security Reviews of Foreign Investments bill. First, I want to once again acknowledge the work of the distinguished gentleman, Mr. OXLEY, Chairman of the Committee on Financial Services for supporting this bill, and Ranking Member FRANK for recognizing the importance of this issue. Let me congratulate Chairwoman PRYCE, of the Subcommittee on Domestic and International Monetary Policy, Trade and Technology, for working to move this legislation through the Committee and onto the Floor. The bill we consider today represents a comprehensive set of reforms to the Committee on Foreign Investment in the United States' (CFIUS) procedures. It is a testament to the diligence of the Subcommittee Chair and its Members that there is strong bipartisan support for H.R. 5337, also sponsored by the Subcommittee Ranking Member Ms. MALONEY, Mr. CROWLEY and Mr. BLUNT.

It has been more than 4 months since we were made aware of the Committee of Foreign Investment's (CFIUS) activities related to Dubai World Ports and the implications of the proposed deal for national security. I can genuinely say that the Members of the Committee on Financial Services have been deeply involved in this issue since the deal was analyzed by Congress. H.R. 5337 is designed to reform the CFIUS process based on the information gleaned from hearings on the subject. I am the first to say that no one is interested in cutting off foreign direct investment in the U.S., but we do expect such investments to be prudently made and that they are in the best interest of the country. As the leader of the world economy, it would be foolish to assume that we could take such steps to prohibit foreign direct investment. What we really need are safeguards to ensure that the CFIUS process is consistent with the original Congressional intent about national security and investments.

This bill will guarantee that CFIUS operates within the law, and it makes clear who is responsible for what, since it was revealed that no one was sure who was responsible for the Ports decision. Another critical issue is how decisions are actually made and what entity is principally responsible for protecting the national security interests of the nation as they

pertain to foreign direct investment. The bill enables CFIUS to unilaterally initiate a review where an national security issue is raised; any foreign government backed deal would be subject to review; both the Secretaries of Treasury and Homeland Security must sign off on reviews, while the Homeland Security Secretary would be vice-chair of the Committee; and all reviews are subject to review by the Director of National intelligence.

Most importantly, everyone knows that transparency and accountability were, in part, at the heart of Congress' uproar over the Dubai World Ports deal. H.R. 5337 requires that CFIUS report bi-annually to Congress on its activities, which should prevent Congress from being alerted to such deals after the fact. I would submit that this is strong legislation that will only make Congress' job less difficult on the issue of national security and foreign direct investment. Therefore, I urge my Colleagues to support this major reform bill.

Mr. BACA. Mr. Speaker, I rise in strong support as a cosponsor of H.R. 5337, National Security Foreign Investment Reform and Strengthened Transparency Act of 2006.

This legislation clarifies and strengthens the authority of the Committee on Foreign Investment in the United States to ensure that foreign acquisitions of U.S. companies or assets do not threaten national security.

As the tragic events of September 11, 2001 demonstrate, the threats to the security of the United States have increased and evolved in ways that could not have been anticipated when Congress enacted the Exon-Florio provision in 1988. As a result, we can no longer view national security only through the lens of conventional military threats. We must also guard against other types of threats that could seriously harm our Nation such as a disruption of U.S. energy supplies.

With global energy supplies tight, and oil and gas prices skyrocketing, a major disruption of U.S. energy supplies would pose a grave danger to the Nation's economy and the safety and security of the American people. This bill recognizes this fact and includes strong measures to ensure that foreign takeovers of U.S. energy companies or assets do not threaten the energy security of the United States.

The Committee's Report states: "H.R. 5337 makes clear that national security encompasses threats to critical U.S. infrastructure, including energy-related infrastructure. The Committee expects that acquisitions of U.S. energy companies or assets by foreign governments or companies controlled by foreign governments will be reviewed closely for their national security impact. If such acquisitions raise legitimate concerns about threats to U.S. national security, appropriate protections as set forth in the statute should be instituted including potentially the prohibition of the transaction."

Russia is a perfect example. Russia has made it clear that it wants to acquire pipelines and natural gas conversion facilities in the United States. I strongly believe, however, the United States should tread very carefully before permitting such acquisitions. Here's why.

In 2003, Russian President Vladimir Putin reasserted government control over Russia's energy industry through the expropriation of Russia's largest privately-owned energy company, Yukos, without paying any compensation to its owners, including U.S. shareholders who lost approximately $6 billion.

As a result, Russian energy companies such as Gazprom and Rosneft are controlled by friends and associates of Putin, including individuals who occupy high level positions in the Putin Administration. Putin appears to be using these companies to implement his strategy of using Russia's oil and gas exports as an instrument of political and economic coercion to advance the interests of the Kremlin. If these Russian government-controlled companies gain control of U.S. energy assets, U.S. energy security could easily be put at risk just as was the case when Russia cut off natural gas supplies to Ukraine in January, and later this spring, when Gazprom not-so-subtlety warned European leaders that Russia would sell its natural gas to Asia instead of Europe if they tried to interfere in Russia's plans to control the entire sales and distribution of natural gas throughout Europe.

Mr. Speaker, this would be a disaster for America. We must not let this happen to the United States.

Mr. SHAYS. Mr. Speaker, I rise in strong support of H.R. 5337, the National Security Foreign Investment Reform and Strengthened Transparency Act.

I am an original cosponsor of this legislation, which would require that all transactions involving state-owned companies be automatically subject to a full 45-day investigation. The legislation would also name make the Homeland Security secretary the vice chairman of the Committee for Foreign Investment in the United States (CFIUS), which is chaired by the Treasury Department.

The recent attempt by Dubai Ports World (DP World), a port operations company owned by the government of the United Arab Emirates (UAE), to purchase operating terminals at six U.S. ports, was a clear indicator we must reform the CFIUS process.

Whenever a foreign investment affects homeland security, it deserves greater scrutiny. This legislation strikes the proper balance between strengthening our economy and protecting the American people.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. MORAN of Virginia. Mr. Speaker, I support H.R. 5337, and I would like to applaud the floor managers of the bill for their efforts on the legislation. The CFIUS process is in need of reform, and this bill provides reforms that effectively balance the country's need for strong national security protections with its need for continued foreign investment.

While our national security objectives must be paramount in this area, I do have some concern about the time CFIUS could take under the bill's provisions to review an acquisition that it ultimately determines presents no national security issues. The bill allows for a CFIUS review period of up to 30 days, followed by an investigation of up to 45 days when certain conditions specified in the bill are determined to be present. The investigation period can then be extended under certain circumstances. Notably, there is a mandatory investigation of all acquisitions by state-owned companies even in the absence of any showing of a possible national security concern.

I would prefer to see the process shortened where it is apparent at an early stage that national security is not an issue, and I urge my colleagues to consider changes in this regard in conference. It would be unfortunate if CFIUS resources were diverted from acquisitions with real national security implications to those with no such implications. I am comforted on this point, however, by the fact that the review and investigation provisions would not preclude a person from petitioning CFIUS to dispense with the initial review period and to go directly to the investigative stage, thereby shortening the process in situations that do not present significant security risks. My understanding is that such a petition could be filed under the current CFIUS regime, and I do not read the bill as changing the law in that regard. I would assume that CFIUS would consider any such petition on a case-by-case basis and would decide whether or not to grant it depending on various factors affecting national security. Such factors, I assume, would include whether the acquirer had established its national security credentials in previous CFIUS proceedings or otherwise, whether in the case of a government-owned acquirer the government was a U.S. ally, and many other factors bearing one way or another on national security. I am also encouraged by the fact that the bill's review and investigation provisions prescribe a maximum, not a minimum, number of days.

Mr. Speaker, again I want to compliment the floor managers on a bill that puts national security first but that also will allow our continued need for foreign investment to be satisfied rather than ignored.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 5337, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OXLEY. 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 question will be postponed.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SHADEGG. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 454) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 454

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, July 27, 2006, or Friday, July 28, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Wednesday, September 6, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, August 3, 2006, Friday, August 4, 2006, or Saturday, August 5, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday,

September 5, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

Mr. FRANK of Massachusetts. 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.

UNITED STATES-ISRAEL ENERGY COOPERATION ACT

Mr. SHADEGG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2730) to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2730

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 ''United States-Israel Energy Cooperation Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) it is in the highest national security interests of the United States to ensure secure access to reliable energy sources;

(2) the United States relies heavily on the foreign supply of crude oil to meet the energy needs of the United States, currently importing 58 percent of the total oil requirements of the United States, of which 45 percent comes from member states of the Organization of Petroleum Exporting Countries (OPEC);

(3) revenues from the sale of oil by some of these countries directly or indirectly provide funding for terrorism and propaganda hostile to the values of the United States and the West;

(4) in the past, these countries have manipulated the dependence of the United States on the oil supplies of these countries to exert undue influence on United States policy, as during the embargo of OPEC during 1973 on the sale of oil to the United States, which became a major factor in the ensuing recession;

(5) research by the Energy Information Administration of the Department of Energy has shown that the dependence of the United States on foreign oil will increase by 33 percent over the next 20 years;

(6) a rise in the price of imported oil sufficient to increase gasoline prices by 10 cents per gallon at the pump would result in an additional outflow of $18,000,000,000 from the United States to oil-exporting nations;

(7) for economic and national security reasons, the United States should reduce, as soon as practicable, the dependence of the United States on nations that do not share the interests and values of the United States;

(8) the State of Israel has been a steadfast ally and a close friend of the United States since the creation of Israel in 1948;

(9) like the United States, Israel is a democracy that holds civil rights and liberties in the highest regard and is a proponent of the democratic values of peace, freedom, and justice;

(10) cooperation between the United States and Israel on such projects as the development of the Arrow Missile has resulted in mutual benefits to United States and Israeli security;

(11) the special relationship between Israel and the United States has been and continues to be manifested in a variety of jointly-funded cooperative programs in the field of scientific research and development, such as—

(A) the United States-Israel Binational Science Foundation (BSF);

(B) the Israel-United States Binational Agricultural Research and Development Fund (BARD); and

(C) the Israel-United States Binational Industrial Research and Development (BIRD) Foundation;

(12) these programs, supported by the matching contributions from the Government of Israel and the Government of the United States and directed by key scientists and academics from both countries, have made possible many scientific breakthroughs in the fields of life sciences, medicine, bioengineering, agriculture, biotechnology, communications, and others;

(13) on February 1, 1996, United States Secretary of Energy Hazel R. O'Leary and Israeli Minister of Energy and Infrastructure Gonen Segev signed the Agreement Between the Department of Energy of the United States of America and the Ministry of Energy and Infrastructure of Israel Concerning Energy Cooperation, to establish a framework for collaboration between the United States and Israel in energy research and development activities;

(14) Israeli scientists and researchers have long been at the forefront of research and development in the field of alternative renewable energy sources;

(15) many of the top corporations of the world have recognized the technological and scientific expertise of Israel by locating important research and development facilities in Israel;

(16) among the technological breakthroughs made by Israeli scientists and researchers in the field of alternative, renewable energy sources are—

(A) the development of a cathode that uses hexavalent iron salts that accept 3 electrons per ion and enable rechargeable batteries to provide 3 times as much electricity as existing rechargeable batteries;

(B) the development of a technique that vastly increases the efficiency of using solar energy to generate hydrogen for use in energy cells; and

(C) the development of a novel membrane used in new and powerful direct-oxidant fuel cells that is capable of competing favorably with hydrogen fuel cells and traditional internal combustion engines; and

(17) cooperation between the United States and Israel in the field of research and development of alternative renewable energy sources would be in the interests of both countries, and both countries stand to gain much from such cooperation.

SEC. 3. GRANT PROGRAM.

(a) AUTHORITY.—Pursuant to the responsibilities described in section 102(10), (14), and (17) of the Department of Energy Organization Act (42 U.S.C. 7112(10), (14), and (17)) and section 103(9) of the Energy Reorganization Act of 1974 (42 U.S.C. 5813(9)), the Secretary, in consultation with the BIRD or BSF, shall award grants to eligible entities.

(b) APPLICATION.—

(1) SUBMISSION OF APPLICATIONS.—To receive a grant under this section, an eligible entity shall submit an application to the Secretary containing such information and assurances as the Secretary, in consultation with the BIRD or BSF, may require.

(2) SELECTION OF ELIGIBLE ENTITIES.—The Secretary, in consultation with the Directors of the BIRD and BSF, may review any application submitted by any eligible entity and select any eligible entity meeting criteria established by the Secretary, in consultation with the Advisory Board, for a grant under this section.

(c) AMOUNT OF GRANT.—The amount of each grant awarded for a fiscal year under this section shall be determined by the Secretary, in consultation with the BIRD or BSF.

(d) RECOUPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish procedures and criteria for recoupment in connection with any eligible project carried out by an eligible entity that receives a grant under this section, which has led to the development of a product or process which is marketed or used.

(2) AMOUNT REQUIRED.—

(A) Except as provided in subparagraph (B), such recoupment shall be required as a condition for award and be proportional to the Federal share of the costs of such project, and shall be derived from the proceeds of royalties or licensing fees received in connection with such product or process.

(B) In the case where a product or process is used by the recipient of a grant under this section for the production and sale of its own products or processes, the recoupment shall consist of a payment equivalent to the payment which would be made under subparagraph (A).

(3) WAIVER.—The Secretary may at any time waive or defer all or some of the recoupment requirements of this subsection as necessary, depending on—

(A) the commercial competitiveness of the entity or entities developing or using the product or process;

(B) the profitability of the project; and

(C) the commercial viability of the product or process utilized.

(e) PRIVATE FUNDS.—The Secretary may accept contributions of funds from private sources to carry out this Act.

(f) OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY.—The Secretary shall carry out this section through the existing programs at the Office of Energy Efficiency and Renewable Energy.

(g) REPORT.—Not later than 180 days after receiving a grant under this section, each recipient shall submit a report to the Secretary—

(1) documenting how the recipient used the grant funds; and

(2) evaluating the level of success of each project funded by the grant.

SEC. 4. INTERNATIONAL ENERGY ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established in the Department of Energy an International Energy Advisory Board.

(b) DUTIES.—The Advisory Board shall advise the Secretary on—

(1) criteria for the recipients of grants awarded under section 3(a);

(2) the total amount of grant money to be awarded to all grantees selected by the Secretary, in consultation with the BIRD; and

(3) the total amount of grant money to be awarded to all grantees selected by the Secretary, in consultation with the BSF, for each fiscal year.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Advisory Board shall be composed of—

(A) 1 member appointed by the Secretary of Commerce;

(B) 1 member appointed by the Secretary of Energy; and

(C) 2 members who shall be Israeli citizens, appointed by the Secretary of Energy after consultation with appropriate officials in the Israeli Government.

(2) DEADLINE FOR APPOINTMENTS.—The initial appointments under paragraph (1) shall be made not later than 60 days after the date of enactment of this Act.

(3) TERM.—Each member of the Advisory Board shall be appointed for a term of 4 years.

(4) VACANCIES.—A vacancy on the Advisory Board shall be filled in the manner in which the original appointment was made.

(5) BASIC PAY.—

(A) COMPENSATION.—A member of the Advisory Board shall serve without pay.

(B) TRAVEL EXPENSES.—Each member of the Advisory Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions of subchapter I of chapter 57 of title 5, United States Code.

(6) QUORUM.—Three members of the Advisory Board shall constitute a quorum.

(7) CHAIRPERSON.—The Chairperson of the Advisory Board shall be designated by the Secretary of Energy at the time of the appointment.

(8) MEETINGS.—The Advisory Board shall meet at least once annually at the call of the Chairperson.

(d) TERMINATION.—Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Board.

SEC. 5. DEFINITIONS.

In this Act:

(1) ADVISORY BOARD.—The term ''Advisory Board'' means the International Energy Advisory Board established by section 4(a).

(2) BIRD.—The term ''BIRD'' means the Israel-United States Binational Industrial Research and Development Foundation.

(3) BSF.—The term ''BSF'' means the United States-Israel Binational Science Foundation.

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means a joint venture comprised of both Israeli and United States private business entities or a joint venture comprised of both Israeli academic persons (who reside and work in Israel) and United States academic persons, that—

(A) carries out an eligible project; and

(B) is selected by the Secretary, in consultation with the BIRD or BSF, using the criteria established by the Secretary, in consultation with the Advisory Board.

(5) ELIGIBLE PROJECT.—The term ''eligible project'' means a project to encourage cooperation between the United States and Israel on research, development, or commercialization of alternative energy, improved energy efficiency, or renewable energy sources.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy, acting through the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy.

SEC. 6. TERMINATION.

The grant program authorized under section 3 and the Advisory Board shall terminate upon the expiration of the 7-year period which begins on the date of the enactment of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

The Secretary is authorized to expend not more than $20,000,000 to carry out this Act for each of fiscal years 2006 through 2012 from funds previously authorized to the Office of Energy Efficiency and Renewable Energy.

SEC. 8. CONSTITUTIONAL AUTHORITY.

The Constitutional authority on which this Act rests is the power of Congress to regulate commerce with foreign nations as enumerated in Article I, Section 8 of the United States Constitution.

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

The Chair recognizes the gentleman from Arizona.

□ 1330

GENERAL LEAVE

Mr. SHADEGG. 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 on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 2730, the United States-Israel Energy Cooperation Act and urge my colleagues to support its passage. The U.S.-Israel Energy Cooperation Act will help curb America's reliance on foreign oil and increase our use of new energy technologies.

As the gentleman knows, the price of gasoline has risen to well above $3 a gallon across America. Indeed, it is drastically affecting the pocketbooks of all Americans and all American businesses. It affects every aspect of our economy; and, indeed, the rising cost of energy threatens the American economy. That is at least one of the reasons why the United States and Israel need to work together in partnership to look for ways that we can reduce our reliance on foreign sources of energy and particularly on foreign oil.

This bill utilizes the critical and close relationship between the United States and Israel on a common area of interest, that is, energy and energy independence by creating a vehicle for innovation and security.

Mr. Speaker, every American is aware that the United States is too dependent on foreign sources of energy. Every American should realize the danger this creates for us as a Nation. The United States Government predicts that by 2025 America will import almost 68 percent of its oil; and, increasingly, this oil comes from dangerous parts of the world. It comes from unstable areas, including the increasingly unstable Middle East.

Global fuel and consumption, however, is projected to increase by 100 to 150 percent over the next 20 years, driven largely by the rapidly growing Chinese and Indian economies; and this growth and this increase in demand will force prices even higher.

If the United States is to protect itself from the economic and the political threats created by this excessive dependence, we must reduce our reliance on foreign energy sources and on foreign oil as quickly and as efficiently as possible.

But there is a common interest between the United States and Israel in this work. Israel, too, is too dependent on foreign sources of energy; and this legislation takes care of that issue. It allows the United States Department of Energy to invest up to $20 million annually in joint energy projects between American and Israeli businesses, scientists and academics. Eligible products include research, development and commercialization of alternative energy sources, improved energy efficiency and renewable energy sources.

It is important, Mr. Speaker, to understand that legislation is not a handout, unlike other similar programs. Every single recipient of funds under this legislation is required, by the terms of the legislation, to pay back the American taxpayers in proportion to the Federal Government's share of the overall investment in the project. What that means is that if a successful project is developed as a result of these funds and if an energy source is found, according to rules provided by the Secretary of Energy, the Treasury of the United States will be repaid in proportion to the Federal Government's investment in the research involved or in the project which created this new energy.

H.R. 2730 has wide bipartisan support, including more than 100 Members of this House. It passed the Energy and Commerce Committee unanimously. I believe it is a critically important piece of legislation, and that that view is shared not only by those of us in this Congress but also by the people of Israel.

Not long ago, Mr. Speaker, the Prime Minister, Ehud Olmert, addressed a joint session of the United States Congress here in this Chamber. In his speech to the United States Congress just a few weeks ago, he expressed his support for this legislation, stating that ''through the United States-Israel Energy Cooperation Act, in collaboration with our U.S. counterparts, Israel will increase its efforts to find advanced scientific and technological solutions designed to develop new energy sources and encourage conservation.''

I would suggest it is not common for the Prime Minister of another nation to call on the United States to join them in the passage of a specific piece of legislation which will benefit both nations.

The United States and Israel are both at the cutting edge of research in energy technologies, but we must do

more to end our dependence on foreign energy, and we have every reason to cooperate. For example, in my own State of Arizona, an Israeli scientist is working with an Arizona company on a demonstration project involving a very fast-growing algae which can be used to power a biomass energy plan.

By passing this legislation, the United States and Israel are fostering a partnership dedicated to scientific breakthroughs and improvements in energy innovation. This modest investment in scientific research will help both the United States and Israel in our efforts to develop new energy technologies, and it will help both of our countries reduce our reliance on foreign sources of energy.

Mr. Speaker, I urge my colleagues to support this legislation.

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

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

I want to commend my friend from Arizona for his remarks. I certainly concur with everything he said.

Mr. Speaker, I rise today in strong support of the United States-Israel Energy Cooperation Act. As an original cosponsor of this legislation, I am pleased that Congress is moving it forward today. I would like to thank the gentleman from Arizona (Mr. SHADEGG) and the gentleman from California (Mr. SHERMAN) for their great leadership in introducing this bill, as well as Chairman BARTON and Ranking Member DINGELL for supporting it in our committee.

As the gentleman from Arizona pointed out, the bill did pass the Energy and Commerce Committee unanimously, which shows the strong bipartisan support that it has. We will all benefit from our mutual commitment to this legislation; and, more importantly, our country will benefit.

Today, the United States consumes nearly 21 million barrels of oil per day, demands 25 percent of global oil production and holds only 3 percent of the global oil supply. This has made our Nation dangerously dependent on unstable and hostile nations for fuel and illustrates just how important it is for the United States to continue to build upon partnerships with other nations for developing alternative energy sources. Simply put, initiatives like this will help strengthen United States national security.

Israel has always been a close friend and ally of the United States, and this legislation simply builds upon both nations' history of innovation and cooperation on scientific research. We have already worked together on the United States-Israel Binational Science Foundation and the United States-Israel Binational Industrial Research and Development Foundation.

As some of you may remember, during consideration of the Energy Policy Act of 2005, I had a provision successfully adopted into the law, section 986, which requires the Secretary of Energy to report regularly on energy collaboration between the United States and Israel. We received the first report in November of 2005, and today's legislation will certainly expand opportunities for us to work together on achieving energy independence through the development and deployment of environmentally friendly energy technologies.

As a result of H.R. 2730, the Secretary of Energy will establish a grant program for joint ventures composed of Israeli and U.S. businesses and academics devoted to improving and expanding research on alternative energy, improved the energy efficiency, or renewable energy sources.

Our Nation is long overdue for a national energy policy that provides reliable, secure, affordable and environmentally responsible supplies of energy for our growing economy. While the small grants authorized in this program certainly cannot alone wean us off our addiction on oil in the short term, working with the highly advanced scientific sector in Israel, we can move in the right direction and affirm our hopes for what can be discovered and created through the mutual cooperation of our two great nations.

Again, I want to say that it is imperative that the United States take steps to wean itself off of its dependence on oil, and Middle Eastern oil in particular. Our national security and our energy needs are intertwined, and this bill will go a great step in moving in that direction.

So, Mr. Speaker, I strongly support the U.S.-Israel Energy Cooperation Act and urge its adoption today.

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

Mr. SHADEGG. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for yielding me time.

I rise today in strong support of this bill introduced by my distinguished colleague and friend, Mr. SHADEGG of Arizona.

This measure establishes a grant program to fund joint ventures between American and Israeli businesses and scholars and calls for the creation of an International Energy Advisory Board comprised of U.S. and Israeli representatives working in tandem toward the diversification of our sources of energy.

Today, due to our reliance on the foreign supply of oil, the United States is in a troubling position that is quickly escalating. As reported by the Department of Energy, U.S. dependence on foreign oil will increase by 33 percent in the next 20 years.

What makes the situation even worse is that frequently the money invested in foreign oil to meet our energy needs is then manipulated to fund terrorists who aim to attack us and our closest allies.

Part of the solution to this problem is simple: eliminating our dependency on Middle Eastern sources of energy and developing alternative energy sources to meet our needs.

Although developing alternative energy sources, that is, forms of energy, is far from easy, it is necessary for our continued security. Working together with Israel on developing such alternatives and on improving energy efficiency makes perfect sense.

Israel is a close and much valued friend of the United States, one with whom we share a deep bond based on mutual values of freedom, justice and democracy and one with whom we stand side by side in our struggle against terror.

Israeli scientists have developed some of the world's most advanced technology, contributing greatly to breakthroughs in vital fields. One of Israel's many technological breakthroughs in the field of renewable energy sources includes a technique that significantly increases the efficiency of using solar energy to generate hydrogen for use in energy cells.

Mutual collaboration would yield great benefits for both the United States and Israel in an effort to develop technological solutions to our energy dependency problem.

Mr. Speaker, by supporting this bill, the United States Congress will enhance the cooperation between our two countries and will jump-start the creative process for the development of innovative approaches to a critical issue with domestic and national security implications.

And I thank the gentleman, the sponsor, for his time.

Mr. ENGEL. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. SHERMAN), my friend who worked hard on this legislation.

Mr. SHERMAN. Mr. Speaker, there is no greater problem in this world than our dependence on petroleum. There is no greater problem for our Nation.

There is no greater problem for our economy than the fact that we have to import so much oil, sending billions of dollars every year to other countries, thereby impacting our balance of payments.

There is no greater problem for families than paying for gasoline and paying to cool or heat their homes.

There is no greater problem for the environment than the pollution caused when we burn petroleum, and there is no greater problem for the environment than global warming and the production of carbon dioxide and other greenhouse gases.

There is no greater problem for our national security than our reliance on foreign petroleum, first, the physical security of that petroleum and, second, the fact that the rest of the world, if not the United States, finds it necessary in order to acquire petroleum to give money to such countries as Iran and others who use that money for nefarious purposes.

Therefore, there is nothing that we can do that is more important than

weaning the United States and the world off its dependence of petroleum. And the first step is research, and an important part of that research is cooperative research with other countries similarly dedicated to finding alternative energy.

□ 1345

There is perhaps no better partner than Israel. For the prime minister of Israel just a couple months ago, as the gentleman from Arizona pointed out, stood in this hall and said, ''Both Israel and the United States share a desire for energy security and prevention of global warming. Therefore, through the United States-Israel Energy Cooperation Act, in collaboration with our U.S. counterparts, Israel will increase its efforts to find advanced scientific and technological solutions designed to develop new energy sources and encourage conservation.''

As the prime minister pointed out, Israel and the United States have a strong mutual interest in advanced alternative energy research. Both countries are on the cutting edge of this scientific research. With modest investment, we can help stimulate joint efforts between American and Israeli private sector institutions and academic institutions to work toward the development of technology that reduces the world's dependence on petroleum.

In the 108th Congress, I introduced a very similar bill to the one that is before us today. It has been a pleasure to work with the gentleman from Arizona in introducing this bill last year, an improved version of the bill, and to work with so many, including the gentleman from New York, to see that that bill would reach this floor.

H.R. 2730 would allow the Department of Energy to invest up to $20 million annually to provide joint ventures between the U.S. and Israeli business and academic researchers both for alternative energy sources and for energy conservation. The Federal Government could recoup some or all of the monies so appropriated since, as the gentleman from Arizona pointed out, under each grant is an obligation for the grantee to pay the money back if the investment is successful and revenues are obtained.

Now, this legislation builds on existing cooperative efforts, including the United States-Israel Binational Science Foundation and the United States-Israel Binational Research and Development Foundation. These two entities have already made scientific breakthroughs in a variety of fields, including the life sciences, medicine, bioengineering, agriculture, and communications. Now it is time to redouble these efforts and to focus on energy. As the gentleman from New York pointed out, we have already had cooperative efforts with Israel on energy and he had added language in a bill passed last year to redouble those efforts. It is now time to pass the U.S.-Israel Energy Cooperation Act so that we would have a vehicle to move forward and work with Israel to use its cutting-edge scientific knowledge, and ours, to wean the world one step at a time off the need for consumption of petroleum.

Mr. SHADEGG. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I thank the chairman for yielding.

I want to support this bill, H.R. 2730, for four reasons. One, it strengthens our ties between our Nation and Israel. These are mutually beneficial ties, and it is important that we continue to strengthen those ties on every level.

I will also support this legislation because it promotes research across three very broad areas: One, alternative sources of energy, increases or improvements to energy efficiency, and then renewable sources of energy. Breakthroughs in any of these three can have a dramatic impact on the way we use fuel.

The third reason I am going to support this is that while it does authorize $20 million a year over a 7-year period, there are payback or buyback provisions in the bill that allow for companies who benefit from seed money if they develop commercial applications of this research, they will pay this money back.

And the fourth reason is that the authors have included a sunset provision in the bill that after 7 years it goes away.

So for these important reasons, I am going to support this bill and encourage my colleagues to support it as well.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I would like to thank the gentleman from New York, Mr. ELIOT ENGEL, not only for yielding but for being a leader on this issue and so many others.

Mr. Speaker, I rise in strong support of H.R. 2730, the United States-Israel Energy Cooperation Act. We need only glance at today's headlines about conflict in the Middle East and soaring oil prices to know why this legislation is so important to the future of the United States and Israel, so important to the future of the entire world.

This bill will provide the resources to enable top scientists, academic institutions, and entrepreneurs in the field of renewable energy to develop breakthrough technologies both in the United States and in Israel. These two allies, through this legislation, are making a major commitment to break our addiction to oil through the development of abundant, secure, clean, and renewable sources of energy. I believe the United States-Israel Energy Cooperation Act will be recognized in the coming years as a major step towards energy independence and it will serve as a model for international cooperation we so desperately need if the world is to move beyond our dangerous dependence on oil.

Mr. SHADEGG. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan, my colleague from the Commerce Committee, the chairman of the Subcommittee on Telecommunications and the Internet (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I thank the gentleman from Arizona for yielding.

I rise in strong support of this legislation. I would note that it passed without dissent in the Energy and Commerce Committee some time ago. But I also refer back to the Energy Policy Act of 2005, section 986, the one we remember so well. It did call for a report to Congress on U.S.-Israel cooperative energy research and projects, and this bill takes that one step further, and it funds cooperative joint ventures to promote energy efficiency, renewable energy, and alternative energy sources.

We have an energy crunch, a crisis. We should be working together. That is what this bill does. It expands the opportunities for companies and universities and different bodies in both countries to work together to develop new technologies, whether it be solar or other different projects, where consumers, citizens from both countries, will benefit. It is good bipartisan legislation. I would like to think that we can pass it without dissent this afternoon, move it to the Senate.

And, again, it was part of the energy bill that the President signed last year. This is a step in the right direction. It is good policy. That is why the Energy and Commerce Committee passed it out on such a strong bipartisan vote, and I would like to think that we will pass it without further ado this afternoon.

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

Mr. Speaker, I want to again commend the gentleman from Arizona (Mr. SHADEGG) for his leadership on this bill.

I think that all the points that have been made on both sides of the aisle have been very important and very relevant, and that is why this bill is really a no-brainer. It is good for the United States, first and foremost. It is good for our relationship with the beleaguered State of Israel. And we know that to move forward, we need to find alternatives to oil, and this bill goes a long, long way. I am convinced that the technology is out there.

I am convinced that we can be free of our addiction to oil, that we can take care of our energy needs without oil. I am doing other legislation with the gentleman from Georgia (Mr. KINGSTON) in that regard. And I believe that in the next decade, our attention is really going to have to be focused on finding alternative ways of energy for this country.

This bill is an absolute win for everybody, and I urge my colleagues to support it.

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

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

At this point, I will insert in the RECORD an exchange of letters between the chairman of the Commerce and Energy Committee and the chairman of the Science Committee on the issue of jurisdiction over this legislation.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, June 29, 2006.

Hon. JOE BARTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Science Committee in H.R. 2730, the United States-Israel Energy Cooperation Act. The Science Committee acknowledges the importance of H.R. 2730 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Science Committee, and that a copy of this letter and of your response will be included in the Committee report and in the CONGRESSIONAL RECORD when the bill is considered on the House Floor.

The Science Committee also expects that you will support our request to be conferees on any provisions over which we have jurisdiction during any House-Senate conference on this legislation.

Thank you for your attention to this matter.

Sincerely,

SHERWOOD BOEHLERT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, June 29, 2006.

Hon. SHERWOOD L. BOEHLERT,
Chairman, Committee on Science, House of Representatives, Washington, DC.

DEAR CHAIRMAN BOEHLERT: Thank you for your letter in regards to H.R. 2730, The United States-Israel Cooperation Act.

I acknowledge and appreciate your willingness not to exercise your jurisdiction over the bill. In doing so, I agree that your decision to forgo further action on the bill will not prejudice the Committee on Science with respect to its jurisdictional prerogatives on this legislation or similar legislation. Further, I recognize your right to request conferees on those provisions within the Committee on the Science's jurisdiction should they be the subject of a House-Senate conference on this or similar legislation.

I will include your letter and this response in the Committee Report and I look forward to working with you as the bill moves to the House Floor.

Sincerely,

JOE BARTON,
Chairman.

Mr. Speaker, I want to begin by thanking my colleagues Mr. SHERMAN and Mr. ENGEL for their work on this bill. Mr. SHERMAN was the lead cosponsor of the legislation. He has, as he mentioned, worked very hard on the issue in a prior Congress. I am pleased to have been able to work with him on this legislation in this Congress and now to bring it to fruition. I appreciate his comments that he feels the current bill is an improved version and, in any event, believe it is a very important step forward.

I also want to thank my colleague from New York for his cooperation and his support of this legislation.

I believe it is a strong piece of legislation that will help move America forward and help move Israel forward. It will enable us to partner together and to address a problem which confronts both nations in regard to our excessive dependence on foreign sources of energy.

I think it is also important to note the unique nature of this legislation, as has been discussed in the debate here today, and that is the payback provision. Lots of times, government funds research, that research is phenomenally successful, but the government never sees and the taxpayers never see a payback. I am pleased we were able to negotiate language which calls for, under this legislation, a payback provision so that if any of the work done under the auspices of these funding programs produces a financial success, the taxpayers are repaid proportionally according to their investment.

I think it is critically important legislation. I call on my colleagues to support its passage.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to support H.R. 2730, the United States-Israel Energy Cooperation Act, introduced by my colleagues Congressman SHERMAN and Congressman SHADEGG.

The bill uses two existing cooperative efforts, United States-Israel Binational Science Foundation (BSF) and the United States-Israel Binational Industrial Research and Development (BIRD) Foundation, to establish a $20 million/year grant program administered by the Department of Energy. This program is intended to encourage American and Israeli businessmen and academics to pursue projects that would reduce our dependence on current energy resources and explore ways to increase energy efficiency.

Research by the Energy Information Administration of the Department of Energy has shown that the dependence of the United States on foreign oil will increase by 33 percent over the next 20 years. We are familiar with our Nation's "addiction to oil," as President Bush phrased it in the State of the Union, and the need to wean ourselves off of foreign energy dependence and onto more efficient energy resources.

As we watch the Middle East transform before our eyes once again, we must remember that in Israel we not only have a strategic ally. Israel is also a leader in technology innovation and research, a resilient and strong economic partner, and a nation that shares our interest in the development of energy alternatives development. Israel has the highest proportion in the world of scientists and engineers within the working population, as well as the highest proportion of published scientific papers and patents.

The United States and Israel share an unease about depleting energy resources, as well as a concern of the environment, and the importance of conservation initiatives. Although our politics and diplomacy are clearly actively engaged on a different stage of history in the Middle East. We must explore opportunities to increase our energy security, and pursue scientific advancements with the American and Israeli private and public sectors.

This venture is in our economic interest and our national security interest.

I urge my colleagues to support this bill.

Mr. SHADEGG. 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 Arizona (Mr. SHADEGG) that the House suspend the rules and pass the bill, H.R. 2730, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "To authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes.".

A motion to reconsider was laid on the table.

FUEL CONSUMPTION EDUCATION ACT

Mr. SHADEGG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5611) to provide for the establishment of a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5611

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 at the "Fuel Consumption Education Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) today's gasoline prices are taking a severe toll on the pocketbooks of all Americans;

(2) a large number of factors contribute to the price of gasoline, including worldwide demand for crude oil, taxes, international conflicts, regional supply chains, environmental regulations, and refining capacity;

(3) individuals can take steps to address rising demand by using a few simple gas saving tips; and

(4) increased driving efficiency will lower the demand for gasoline and thereby lower prices in the short term.

SEC. 3. PARTNERSHIP.

(a) IN GENERAL.—The Secretary of Energy, through the existing programs at the Office of Energy Efficiency and Renewable Energy, shall enter into a partnership with interested industry groups, including groups from the automotive, gasoline refining, and oil industries, to carry out a public education campaign that provides information to United States drivers about immediate measures that may be taken to conserve transportation fuel. This public-private partnership shall include a five member advisory board, to be chaired by the Secretary or his designee, which shall include representatives from the Department of Energy, the oil industry, the automotive industry, and the Congress, to be appointed by the Secretary.

The Secretary shall appoint the advisory board not later than 30 days after the date of enactment of this Act.

(b) ACCESSIBILITY.—The public information campaign under this section shall be targeted to reach the widest audience possible. The education campaign shall include television, print, Internet website, or any other method designed to maximize the dissemination of transportation fuel savings information to drivers.

(c) FUNDING.—The Secretary is authorized to expend not more than $10,000,000 to carry out this section from funds previously authorized to the Office of Energy Efficiency and Renewable Energy, but shall provide no more than 50 percent of the cost of carrying out this section.

SEC. 4. PARTNERSHIP ON FUEL SUPPLY FOR EVACUATIONS.

(a) IN GENERAL.—The Secretary of Energy, through the exisiting programs at the Office of Energy Efficiency and Renewable Energy, shall enter into a partnership with interested industry groups and State and local governments, including groups from the gasoline refining and marketing industries, to carry out an education campaign that provides information to the State and local governments and the private sector about best practices to ensure adequate fuel supplies during emergency evacuations. This public-private partnership shall include a five member advisory board, to be chaired by the Secretary or his designee, which shall include representatives from the Department of Energy, the gasoline refining industry, the gasoline marketing industry, a State government, and a unit of local government. The Secretary shall appoint the advisory board not later than 30 days after the date of enactment of this Act.

(b) FUNDING.—The Secretary is authorized to expend not more than $3,000,000 to carry out this section from funds previously authorized to the Office of Energy Efficiency and Renewable Energy.

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

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. SHADEGG. 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 on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 5611, the Fuel Consumption and Education Act.

I would begin by noting that in the debate on the last bill and, indeed, in the 1-minute speeches which occurred in this Chamber just this morning, it was noted that the cost of gasoline across America is spiking. Indeed, it is imposing a severe financial burden on every single American family and on every single American business. Rightfully, the American people have asked Congress to solve this problem and to solve it quickly, and yet I think most Americans understand, indeed, survey data show that they understand, that there is no single silver bullet that we can enact and solve this problem overnight.

But, Mr. Speaker, there are steps we can take. And this legislation, the Fuel Consumption and Education Act, takes one of those important steps. The rising cost of gasoline is a hardship, and this bill goes right at how we might address that hardship, and that is to reduce unnecessary demand for gasoline and gasoline products through a cooperative effort to understand how we can reduce that demand.

Indeed, the problem of high cost is, in part, specifically that, a result of excessive demand and inadequate or insufficient supply. This bill establishes a fuel conservation public service education campaign aimed at lowering demand for gasoline in the short term. And, indeed, it can work. Using mass media to influence energy consumption behavior across the country has been proven to work in the past.

□ 1400

Let me give you some examples.

In January of 2000, increased energy demand led to rolling blackouts in California. A part of the effort to combat those rising energy costs and to avoid rolling blackouts was a government-funded, public-private cooperative campaign undertaken to help reduce demand. Over the course of the year, Californians reduced peak demand by 89 percent. That is a fact. That is not a mistake. Californians, through this education program, reduced peak demand by 89 percent. They reduced total consumption by 6.7 percent in that year.

There are many things that can be done to reduce consumption, from properly inflating the tires of a vehicle, to making sure that the engine is tuned, to making sure that the air cleaner for the vehicle is replaced when it should be, to making sure that the fuel filter for the vehicle is replaced when it should be.

Mr. Speaker, there are many steps that we can take, that the average consumer, the average automobile driver does not understand and does not routinely do. All of that causes demand to go up, and all of that forces prices higher.

I urge my colleagues to support this legislation. I believe it is critically important. I want to commend my colleague from Texas, Mr. CONAWAY, for introducing this legislation and bringing it forward. It is the kind of step that we can do immediately to address both our excessive demand and the high prices.

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

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

Mr. Speaker, I rise in strong support of H.R. 5611, the Fuel Conservation Education Act. Again, I find myself agreeing with my friend from Arizona in everything he said, which is why the bill is having strong support from all the members of the Energy and Commerce Committee on both sides of the aisle.

Mr. Speaker, during this time of record gasoline prices, over $3 a gallon in my home State of New York and in most States of this Union, we have to be smarter about the way we conserve energy. As individuals, we have a responsibility to make informed choices about what we drive, how we drive and what fuel we put in our cars.

In a recent Energy and Commerce Committee markup, our committee considered several bills to help consumers make decisions about how to improve the fuel economy of their cars. One of these was H.R. 5611, the Fuel Conservation Education Act, which we are debating today, which will direct the Department of Energy to establish a public-private partnership with industry on a conservation education program and campaign, teaching drivers about simple steps they can take to achieve real results. Education is clearly a necessary component of our national commitment to improving fuel economy.

During the same committee markup, our committee considered a bill by Congressman SHIMKUS, Congressman ALLEN and myself that would establish a National Tire Education Program. Right now, consumers have no way of knowing how efficient the replacement tires they purchase are or even that proper maintenance of tires will improve the fuel economy of these tires and of their automobile. It has been estimated that you can improve fuel economy by anywhere from 1 to 3 percent per year if tires are kept properly inflated. This could lead to savings of 1 to 2 billion gallons of fuel per year.

So it is all about education, and that is what this bill is about.

So, Mr. Speaker, while we must work on long-term solutions to our energy challenges that will have a significant impact on gasoline prices, we should also promote programs in the short term that will empower individuals to make informed choices about fuel economy. That is what this bill does, and that is why I urge the adoption of H.R. 5611 today.

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

Mr. SHADEGG. Mr. Speaker, I yield 8 minutes to the distinguished gentleman from Texas (Mr. CONAWAY), the author of this legislation.

Mr. CONAWAY. Mr. Speaker, I appreciate that high praise indeed. I appreciate members of the Energy and Commerce Committee moving this bill along and moving it to the floor today with bipartisan support. I also want to thank the cosponsors of the bill, FRED UPTON, RALPH HALL, ED TOWNS and GENE GREEN, who helped work on this modest attempt to address the usage of gasoline in this country.

Several speakers ahead of us this morning during the one minutes spoke very eloquently about the rising cost of

gasoline. I think yesterday there was a report that it hit a record $3.02 a gallon on average across the United States. It seems as though we as consumers will begin to make decisions at $3 a gallon that we won't make at $2 a gallon, decisions we ought to make at $2 a gallon, but the concern about the money is not there in our heads to make that happen.

This effort of a joint public-private educational effort has shown results in the past, as Mr. SHADEGG has already mentioned, in California, the dramatic results they had; people just making informed decisions, decisions that they ought to make day in and day out, but they don't.

There is a recent headline in the USA Today which said natural gas prices, not gasoline prices, but natural gas prices went down dramatically. Let me read one sentence out of that. ''Prices have fallen because natural gas supplies are far above normal after a mild winter and lower demand, leading to an inventory surge.''

Here is what we are trying to effect. If each one of us, each of us who drives a car in America this coming week and for the foreseeable future, would use just one gallon less of gasoline, you would see that impact. Inventories would begin to surge, and the prices would come down.

When I am out at town halls and other places in the district, even from a district that represents Midland and Odessa, the crude oil and natural gas production capital of the world, that may be a bit over the top, but, nevertheless, an awful lot of crude oil produced in West Texas, even there, people complain about high gasoline prices.

If all of us would collectively do small things, Mr. SHADEGG mentioned a couple of those, several of them, we could have a dramatic impact on total gasoline demand. As demand goes down, inventories would rise; and as those inventories go up, the law of supply and demand takes over and the prices go down.

We would have two benefits from that. One, the benefit we would get directly by actually spending less money on the gasoline for powering our cars; and then collectively we would benefit, the economy benefits as well as the ecology benefits.

2004, the last time we had statistics on that, we drove in America 2,962 billion miles, vehicle miles. You add all the cars up, the 243 million registered cars and trucks in this country, collectively we drove those many miles. With a volume of that size, modest reductions in the usage of gasoline or modest improvements in the efficiency of the usage of that gasoline can yield dramatic results.

Each one of us, on average, drives about 12,000 miles a year. It works out to about 234 miles a week. If we could begin to do the things that would improve the efficiency with which we drive those miles, or simply drive a few miles less, on average, it is about 17 miles to the gallon. If we just drove next week 17 miles less in our car than we did this week, if all of us did it, then the impact we want to achieve on this would begin to happen.

We are going to try to begin to convince the American gasoline users of this idea through media, print, television, Internet, Web sites, a variety of ways, to communicate the benefits of being smarter when you drive. Benefits like driving sensibly. If you are an aggressive driver, if you accelerate aggressively from stop signs and run the tachometer on your car above 2,000 RPMs, you will use more gasoline than you need to. So if you make a conscious effort to keep your tachometer below 2,000 RPMs a minute, you will use dramatically less gasoline. On average, the savings would be between 5 and 30 percent, which would save up to between 8 and 52 billion gallons of gasoline a year.

If you observe the speed limit, something that we all do here in this body, I am sure, religiously, but if you simply observe the speed limit, you could save economy fuel benefits between 7 and 23 percent, another 12 to 40 billion gallons of gasoline a year.

Excessive weight. These are some small things that most of us don't think about. But all that extra stuff that you haul around in the trunk of your car that ought to be stored in the garage, if you will take that weight out, you will improve your gasoline efficiency. In fact, the smaller your car, the greater that weight, then the differential is even bigger. So take all that extra weight out of the trunk of your car, and you will have savings there.

If you also keep your car tuned and the filters changed, there are dramatic savings in those regards as well. Keeping the tires inflated, our colleague on the other side has mentioned the importance of tires and the impact that they have.

So every one of these issues, each of us can choose to do our own. Particularly on our side of the aisle, we talk an awful lot about less government regulation, freedoms and personal choices. That is what we are talking about here. These are personal choices that you and I can make, not walking into work or not riding bicycles, not doing draconian kinds of things that really aren't going to work in the long run, but smart things that we can do, day in and day out, to begin to form a habit that allows us to use a little bit less gasoline than we would have otherwise used and also to keep money that we would spend on that gasoline.

So I encourage my colleagues to support this legislation. It is a modest attempt to address the problem. The overall problem of gasoline costs and usage in this country needs a long-term solution. This is not what that is about. This is about something we can begin to do today and tomorrow to affect this problem.

So I appreciate the Energy and Commerce Committee moving this bill forward, and I appreciate the sponsors that have helped with it.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I am a proud cosponsor of H.R. 5611. I serve on the Committee on Energy and Commerce, and I am glad our committee reported this bill to the floor.

It does basically two things: One, it creates these public-private partnerships so we can deal with the demand side. That benefits all Americans. I am honored to represent a district where we make a lot of gasoline that fuels our cars, but we also have to pay that high price at the pump. We can control our own destiny if we use public-private partnerships that this bill will allow between the Department of Energy and different groups. They will really help to show how we can lower our number of miles we need to drive and do a lot of other things, some of them are being done right now.

Making the Department of Energy more proactive with these private-public partnerships, will lower our demand side and hopefully lower our individual costs we have to pay for fuel. Also, if we lower demand, the price will come down. Because the reason we are paying over $3 a gallon, at least in my area and some areas of the country, is because of the high demand.

The other part of the bill I think is really good, and I am glad Mr. CONAWAY included it, the partnership on fuel supply for evacuations. I don't think there is any secret that in the Houston-Harris County area last year when Rita just barely missed us, it went to the east and hit both Congressman TED POE's district and Congressman KEVIN BRADY's, but we were concerned enough that we had almost 2 million people trying to evacuate, and the supply side for evacuations was not there.

The State of Texas and our local community is doing some planning now in anticipation. But, in hindsight, it really is the Department of Energy's responsibility to be able to look at this and make sure that in emergencies we have a plan in place for supply for evacuations but also after the fact.

In the Houston area, we have a number of refineries, and we actually shut those down because we thought Rita was going to be in the Houston Ship Channel and we were going to have 5 feet of water in those refineries. To get that refining capacity back up, we have to have some assistance; and I want the DOE to be a partner in that.

I support the bill and thank you, Mr. CONAWAY, for introducing it.

Mr. SHADEGG. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I thank the gentleman. I appreciate it.

I want to compliment Mr. CONAWAY from Texas for his introduction and

pushing this bill, H.R. 5611, to the forefront. It is an important part of what we are doing in this House.

We get to the point where Asia has used more oil last year than North America, and India is yet to come online fully in its oil consumption. There is only going to be more pressure on the oil produced around the world.

So this House has taken some important steps to try to steady our supply. We have invested in the policy changes for domestic production and expansion of our refinery capability. We have invested in alternative fuels, not only in research and development but trying to make sure there is refining capability for ethanol across the country.

Lastly, we talk about conservation, when I recall back to being a young child and my parents coming home and telling us about President Nixon's challenge to every American to lower their thermostat in their house to help conserve energy, and it worked.

What this bill does is really present some very commonsense options for all of us that we get to follow. It is a true partnership from all of the players who have really the most to gain by conservation. It will lower demand, number one; and it will reduce our dependency on foreign oil, number two. They are small, commonsense things that we can do individually that add up to big solutions. That is what is important about this bill.

Just a few examples, Mr. Speaker, if I may. Replacing your clogged air filter can improve your car's gas mileage by as much as 10 percent. You can improve gas mileage by around 3 percent by keeping your tires inflated to the proper pressure. You can increase your gas mileage by 2 percent by using the recommended grade of motor oil by your car's manufacturer.

These are commonsense, simple things. But Americans need to understand how important those small things are in adding up to big savings of barrels of oil consumed every year, which means, at the end of the day, lower prices, less dependence on foreign oil.

□ 1415

Every family has sat at the table and talked about the consumption of their budget by gas prices. If you stop to fill up your pump on the way to take your kids to school, or to go to work, or run an errand, you know how painful it is today.

If we continue on the path of this House with good energy policy and domestic supply and alternative fuels, and individual conservation, Mr. Speaker, we will ensure that we have an energy supply for the future that is both affordable and meets the demands of an American economy that is on the move.

Mr. ENGEL. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, this bill that we are debating right now was supposed to be a part of a comprehensive Republican Energy Week that we were going to have here at the end of July, showing how committed the Republican Party was to dealing with the energy crisis in our country.

And this is energy week for the Republicans, although I would spell ''weak,'' w-e-a-k, because that is really what this bill is. This is a conservation, efficiency, education bill.

Now, it turns out that if you go to the Department of Energy Web site, you find out that they are already doing almost everything that is in this bill. It is already on their Web site. What I think the American people understand is that they should not expect the Republican Party to actually stand up to do something about energy efficiency.

Because, after all, we put 70 percent of all of the oil which we consume into gasoline tanks. So you would think that they would be out here on the floor, we would be having a huge debate about how to increase the fuel economy for the automotive fleet in our country, which has gone backwards over the last 20 years, to a standard that we met in 1981.

Now, the problem is that America now imports 61 percent of all of the oil which we consume. We put 70 percent of that oil into gasoline tanks. Now, if we just improve the fuel economy standards for our country to 33 miles per gallon over the next 10 years, that would be all of the oil that we actually import from the Persian Gulf. Thirty-three miles per gallon is all of the oil from the Persian Gulf.

Instead, we are back down at 25 miles per gallon in the United States, with this huge challenge knowing that the United States only has 3 percent of the oil reserves in the world.

So this bill out here educating the public as to how to drive their vehicle better or inflate their tires, that is all fine. But it is already out there. The Department of Energy is already doing it. Consumers are already trying to save the price of gasoline at the pump, because they know that OPEC and the oil industry is tipping them upside down and shaking money out of their pockets every time they go in to refill their tank.

By the way, when it comes to appliances, when it comes to electric consumption in our country, the Bush administration, over the first 6 years, has yet to promulgate a regulation on making the devices which we use in our country more efficient. They keep putting it back and back and back. And what they do is they tell us that the first one might be issued in September of 2007, and the last of the backlogged standards will not come out until 2011 and will not go into effect until 2016.

That will be the energy efficiency legacy of the Bush administration, of the Republicans, because, ladies and gentlemen, all of the coal-fired, oil-fired, nuclear-fired power plants that are built in America are nothing more than that electrical generation which is built so that we can plug in toasters, refrigerators, stoves, computers, have light bulbs go on.

But the Bush administration does not want to ensure that the industries that make these devices have to make them more efficient. So as a result we have more pollution, more health problems, and when it comes to automobiles and the importation of 70 percent of the oil, which we consume, by the way it was only 30 percent of the oil that we consumed in 1975 at the first oil crisis.

We are now up to 61 percent getting deeper and deeper. Since the Republicans took over the Congress in 1995, we have gone from 45 percent dependence on imported oil to 61 percent dependence upon imported oil, a 16 percent increase. Goes up about 1½ percent every year that the Republicans control the House and the Senate, and it really accelerates when they take over the Presidency, which they have had for the last 6 years.

They are saying today that they are not going to do anything about the fuel economy standards for SUVs and for automobiles. They are not going to improve the efficiency over the next 10 years, next 20 years, no plan in place. Same thing is true for the appliances which we use, the devices which consume electricity, no plan. But you can go to the Web site. That is what their bill will do. You can find out how to make more efficient the inefficient devices which you now have. That is the plan.

Mr. Speaker, I will tell you it is about as dangerous an abdication of responsibility on any issue that our country has ever seen. We just had the new President of Iraq address the Congress today. Is there a connection between the volatility in the price of oil for Americans at the gas pump and his presence here today?

The pictures that we see every night in Lebanon? All of it is related to the unfortunately crazy, speculative marketplace that is now opening up on the price of oil, because people believe that chaos is breaking out. Who is the victim? Each and every American who has to pay these exorbitantly high prices for energy because there is no Republican energy plan.

This is energy week for the Republicans, w-e-a-k. That is what we have on the floor debated this afternoon. I urge a ''no'' vote on this ineffectual, redundant, unnecessary piece of legislation.

Mr. SHADEGG. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I guess it was about 2 months or so ago that my friend and colleague from the good State of Texas (Mr. CONAWAY) came up to me with a piece of legislation that he thought would really help consumers, an education plan that promoted, in fact, could save lots of gasoline that we would not have to import.

Mr. CONAWAY wanted to do this the right way. He said, you know, this is such a good idea, obviously it is going to be referred to the Energy and Commerce Committee. He wanted it to be bipartisan. And as a new Member, he was not quite sure what his relationship was with some of the members on our committee, particularly on the other side of the aisle.

He asked for some advice. And he went and shopped that piece of legislation before he introduced it. As it turned out, he got every person that he asked to be a cosponsor of the bill.

Now, Mr. TOWNS, Mr. GENE GREEN, a whole number of different Members. The bill moved through our committee. And it passed without dissent. Had a hearing. It passed without dissent and here it is today.

Mr. Speaker, we have an energy crisis. We do. There is a host of things that we as individuals can do ourselves to help our own family budget, particularly as it relates to the fuel efficiency of our vehicles.

Some of us know some of these things already: Going the speed limit, removing the excess weight. But a whole number of different things, and, yes, the Department of Energy talks about it on its Web site. I think we can do a better job. That is what this bill is about, how can we do better?

Working with industry, working with the Department of Energy, working with our constituents trying to promote a whole number of things that collectively make an awful lot of sense. But the bottom line is that we can save, perhaps, if we did them all, if we were in violation of all of these things, perhaps save us as much as 25 or 30 percent of the income that we otherwise use for gasoline.

Mr. Speaker, I would urge my colleagues to support this bipartisan legislation. I endorse wholeheartedly what our colleague, Mr. CONAWAY, does. I would like to think that it will pass with a very strong vote this afternoon.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to our Democratic whip, my friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I think this bill, the Fuel Conservation Education Act, is a worthwhile piece of legislation. I am going to support it. This bill calls for a public education campaign by the Department of Energy and industry groups to provide U.S. motorists with information about measures that they may take to conserve fuel. I think that is important information.

Many of the measures, from observing speed limits to keeping tires properly inflated, of course, are already well known.

I believe that even the cosponsors of the bill acknowledge that it is no substitute, however, for a real, proactive energy policy that seeks to wean our Nation from its dependence on foreign oil.

Thus, today, I want to take this occasion to call the Members' attention to legislation that seeks to do precisely that. I call it the PROGRESS Act, a program for real energy security.

I, along with others, unveiled this proposal yesterday, along with the dean of the House, Congressman DINGELL; the ranking Democrat on the Transportation Committee, Congressman OBERSTAR; and Congressmen UDALL, HERSETH, HOLT, BLUMENAUER, and SCHIFF.

In short, the PROGRESS Act seeks to initiate a robust, vigorous, focused national program, akin to the Manhattan Project, this one focused on energy independence.

The PROGRESS Act would establish a National Energy Security Commission, bringing together government, industry and academic leaders to develop consensus national goals on energy.

Well, that sounds very good, another commission. But it is, in fact, like the Base Closure Commission, because they will then submit through the President its proposals, and the Congress will have to act on those in an expedited fashion, as is true with Base Closure.

It would establish as well a new Manhattan Center for high efficiency vehicles, seeking to double the current average vehicles' efficiency, and to diversify fuel types. America, the greatest innovator on the face of the Earth, ought to be producing cars that are 60-, 70-mile-per-gallon cars, and selling them to India and China, as opposed to the other way around.

It would establish a national biofuels infrastructure development program, establishing a grant program to encourage the private sector to invest in wholesale and retail biofuel pumps, tanks, and related distribution equipment.

It will do us no good to produce biofuels if we cannot deliver them to biofuel-capable vehicles. The PROGRESS Act calls for a stimulus package to upgrade the pipeline for biofuels. You cannot ship them through pipelines, they are a different chemical make-up and they eat up pipelines.

The freight rail system, while also providing grants to promote conservation alternatives, such as public transit and commuter rail, the freight rail systems are critical.

This bill would also increase the use of alternative fuels in Federal fleets. Federal fleets are the largest users of petroleum products in the world. The largest single user in the world. Many of our vehicles are flex fuel vehicles. The problem is, there is no delivery of flex fuel infrastructure in place, and therefore they do not use it.

Mr. Speaker, I urge the Members to review the PROGRESS Act, this program for real energy security, which will be introduced tomorrow.

□ 1430

Energy independence is inextricably linked to our national security, our economic well-being and our environmental integrity. So, from a security point of view on national security, from an economics point of view in terms of the growth of our economy and from an environmental standpoint, we must apply America's technological capability to producing clean-burning alternative fuels that are energy efficient and sell them to China and India. Because if China and India do not have that capability as well, they will choke us to death. So it is not just what we do but what these two behemoth societies, growing industrial societies in our globe are doing. We must act now.

That is the point the gentleman from Massachusetts was making. I disagree with him on whether we are for or against this bill. I am going to vote for this bill. There is nothing wrong with this bill. Educating consumers is a good thing to do. To the extent that they are more knowledgeable in saving fuel, that is a positive step for us to take; and I am going to vote for it.

But the point that the gentleman from Massachusetts was making is it is not enough nor is it a substitute for very focused, comprehensive action. That is what the PROGRESS Act is all about. I hope that you will look at it, and I hope that you can help us pass it, perhaps not this year but in the very early part of the next session of the Congress of the United States.

Mr. SHADEGG. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise as one Member on this side of the aisle that in the past has supported Mr. MARKEY's calls for increased fuel efficiency standards and voted for his amendments but believe that it would be foolish to so vote and not also support this demand side plan presented by Mr. CONAWAY from Texas, which also has a proven track record, and urge my colleagues to support H.R. 5611, the Fuel Education Conservation Act.

I just want to point out one fact, that, over one year, Californians reduced peak demand by 89 percent and total consumption by 6.7 percent. I would submit, if we can do it in California, we can do it across America. So I would urge my colleagues to support the bill.

Mr. ENGEL. Mr. Speaker, I have no further speakers. Again, I urge our colleagues to support the bill, and I yield back the balance of my time.

Mr. SHADEGG. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rise in strong support of this bill. It is a constructive suggestion. And I am sorry to say that at least at one point in this debate it was proven that any issue, sadly, any issue that is brought to this floor can be made partisan.

It seems to me that the famous quote by Roosevelt applies here, and that is that it is always easy to point out how the strong man stumbled or how the doer of deeds might have done them

better. It is always possible to come in and say, well, this isn't good enough. You should have done this. You should have done that.

But, as that quote suggests, the credit belongs not to the critic but to the man who is in the arena struggling and trying to do the right thing. In this case, Mr. Speaker, that is my colleague, Mr. CONAWAY of Texas.

Now, some people say facetiously, oh, this is energy week for the Republicans; and they criticize that we haven't done enough. I would note that some of those people oppose drilling in ANWR where we might find additional resource. They oppose even rational proposals to do offshore drilling. They oppose rational proposals called for by the industry to incentivize additional refineries.

Indeed, I worked very hard to increase hydroelectric energy; and the same people who are today here criticizing this bill opposed the construction of additional hydroelectric production facilities. Indeed, they say we should tear down existing dams that produce hydroelectric energy.

One of the speakers on this bill said, well, this really is unnecessary. Indeed, it is a waste of time. Because in point of fact there is already an Energy Department Web site which tells consumers this information.

Well, unfortunately, that misapprehends what this bill does. This bill doesn't just create a Web site. This bill calls for a cooperative effort to advertise to American consumers what they can do.

Perhaps the gentleman who made that argument knows that every single person residing in his congressional district understands already that using their cruise control on the highway can help maintain a constant speed and save gas.

Perhaps the gentleman understands, or in his congressional district every single consumer understands, that aggressive driving can reduce mileage by 33 percent.

Presumably, in that particular Member's district, every single member observes the speed limit and understands that for each five miles per hour over the 60 miles an hour that you drive, you are increasing the cost of gasoline by 21 cents a gallon.

Perhaps, indeed, I assume, every single consumer in that congressional district understands that a single 100 pounds of extra weight in your vehicle can cost you an additional 2 percent each year.

Perhaps in that congressional district every consumer understands that fixing a car that is not timed properly can save you 4 percent of the gasoline you need to consume. Indeed, fixing a serious maintenance problem can save you 40 percent.

And perhaps every consumer in that congressional district understands that if you keep your tires properly inflated you will save 3.3 percent.

But I would suggest that not all Americans do understand those things. I would suggest that this is good legislation. I would suggest that it is indeed the right thing to do, to help educate consumers; and I am, quite frankly, stunned that an opponent would come to the floor and say we do not need to educate America's consumers on the cost of excessive consumption of gasoline.

This is good legislation. I commend the gentleman from Texas (Mr. CONAWAY) for his effort. I appreciate the support of some of my colleagues on the other side, and I urge that all of the Members pass this legislation.

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

The SPEAKER pro tempore (Mr. BONILLA). The question is on the motion offered by the gentleman from Arizona (Mr. SHADEGG) that the House suspend the rules and pass the bill, H.R. 5611, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A Bill to authorize a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes.''.

A motion to reconsider was laid on the table.

DELETING ONLINE PREDATORS ACT OF 2006

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5319) to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms, as amended.

The Clerk read as follows:

H.R. 5319

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 ''Deleting Online Predators Act of 2006''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) sexual predators approach minors on the Internet using chat rooms and social networking websites, and, according to the United States Attorney General, one in five children has been approached sexually on the Internet;

(2) sexual predators can use these chat rooms and websites to locate, learn about, befriend, and eventually prey on children by engaging them in sexually explicit conversations, asking for photographs, and attempting to lure children into a face to face meeting; and

(3) with the explosive growth of trendy chat rooms and social networking websites, it is becoming more and more difficult to monitor and protect minors from those with devious intentions, particularly when children are away from parental supervision.

SEC. 3. CERTIFICATIONS TO INCLUDE PROTECTIONS AGAINST COMMERCIAL SOCIAL NETWORKING WEBSITES AND CHAT ROOMS.

(a) CERTIFICATION BY SCHOOLS.—Section 254(h)(5)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(5)(B)) is amended by striking clause (i) and inserting the following:

''(i) is enforcing a policy of Internet safety for minors that includes monitoring the on-line activities of minors and the operation of a technology protection measure with respect to any of its computers with Internet access that—

''(I) protects against access through such computers to visual depictions that are—

''(aa) obscene;

''(bb) child pornography; or

''(cc) harmful to minors; and

''(II) protects against access to a commercial social networking website or chat room unless used for an educational purpose with adult supervision; and''.

(b) CERTIFICATION BY LIBRARIES.—Section 254(h)(6)(B) of such Act (47 U.S.C. 254(h)(6)(B)) is amended by striking clause (i) and inserting the following:

''(i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that—

''(I) protects against access through such computers to visual depictions that are—

''(aa) obscene;

''(bb) child pornography; or

''(cc) harmful to minors; and

''(II) protects against access by minors without parental authorization to a commercial social networking website or chat room, and informs parents that sexual predators can use these websites and chat rooms to prey on children; and''.

(c) DEFINITIONS.—Section 254(h)(7) is amended by adding at the end the following new subparagraph:

''(J) COMMERCIAL SOCIAL NETWORKING WEBSITES; CHAT ROOMS.—Within 120 days after the date of enactment of the Deleting Online Predators Act of 2006, the Commission shall by rule define the terms 'social networking website' and 'chat room' for purposes of this subsection. In determining the definition of a social networking website, the Commission shall take into consideration the extent to which a website—

''(i) is offered by a commercial entity;

''(ii) permits registered users to create an on-line profile that includes detailed personal information;

''(iii) permits registered users to create an on-line journal and share such a journal with other users;

''(iv) elicits highly-personalized information from users; and

''(v) enables communication among users.''.

(d) DISABLING DURING ADULT OR EDUCATIONAL USE.—Section 254(h)(5)(D) of such Act is amended—

(1) by inserting ''OR EDUCATIONAL'' after ''DURING ADULT'' in the heading; and

(2) by inserting before the period at the end the following: ''or during use by an adult or by minors with adult supervision to enable access for educational purposes pursuant to subparagraph (B)(i)(II)'' .

SEC. 4. FTC CONSUMER ALERT ON INTERNET DANGERS TO CHILDREN.

(a) INFORMATION REGARDING CHILD PREDATORS AND THE INTERNET.—Not later than 180 days after the date of enactment of this Act, the Federal Trade Commission shall—

(1) issue a consumer alert regarding the potential dangers to children of Internet child predators, including the potential danger of commercial social networking websites and chat rooms through which personal information about child users of such websites may be accessed by child predators; and

(2) establish a website to serve as a resource for information for parents, teachers and school administrators, and others regarding the potential dangers posed by the

use of the Internet by children, including information about commercial social networking websites and chat rooms through which personal information about child users of such websites may be accessed by child predators.

(b) COMMERCIAL SOCIAL NETWORKING WEBSITES.—For purposes of the requirements under subsection (a), the terms ''commercial social networking website'' and ''chat room'' have the meanings given such terms pursuant to section 254(h)(7)(J) of the Communications Act of 1934 (47 U.S.C. 254(h)(7)(J)), as amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I would 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.

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

There was no objection.

Mr. UPTON. Mr. Speaker, I would yield myself 5 minutes.

Mr. Speaker, I rise in strong support of H.R. 5319, the Deleting Online Predators Act of 2006, which was introduced by Representatives Fitzpatrick and Kirk, along with Representatives Miller of Michigan, Weldon of Pennsylvania, English of Pennsylvania, Davis of Kentucky, and Castle.

I would note that under the leadership of Chairman WHITFIELD and Chairman BARTON, the Oversight and Investigation Subcommittee has held multiple hearings exposing the appalling sexual exploitation of children on the Internet. This includes the dark underside of social networking Web sites, which have been stalking grounds for sexual predators who are preying on children all across the Nation; and we have had many and such cases in my home State of Michigan, way too many.

Federal law enforcement officials have described the sexual abuse and exploitation of our Nation's youth as an epidemic propagated by the unlimited access of the Internet. The statistics are alarming. The FBI has seen better than a 2,000 percent increase in its caseload of online sexual predators the last 10 years. And of the estimated 24 million child Internet users, one in five kids has received unwanted sexual solicitations. It is estimated that, at any given moment, 50,000 predators are prowling for children online, many of whom are lurking within social networks.

At a minimum, what our hearings have taught us is that both kids and parents need to be better educated about the dangers of social networking Web sites, and parents need to police their children's online use at home to guard against sexual predators.

However, to the extent that children are using the Internet outside the home, particularly at school or at a public library, parents have not been able to monitor their child's online use, and that is the situation that H.R. 5319 is designed to address.

Earlier this month, the Telecommunications and Internet Subcommittee held a legislative hearing on this bill; and as a result of many constructive suggestions that we heard from our witnesses and Members alike, particularly those representing schools and libraries, the legislation before us today I think reflects much improvement.

At its heart, the bill before us today would require schools which receive e-rate funding, and I would note that I am a strong supporter of e-rate funding, to enforce a policy of Internet safety for minors that includes monitoring their online activities and the protection measures to protect against access to commercial social networking Web sites or chat rooms, unless used for an educational purpose with adult supervision.

Additionally, this bill would require libraries which receive e-rate funding to enforce a policy of Internet safety that includes the operation of a technology protection measure that protects against access by minors to commercial social networking Web sites or chat rooms unless they have parental authorization and the library informs parents that sexual predators can use those Web sites and chat rooms to prey on kids.

The approach taken by this legislation is not dissimilar to the approach taken by the Children's Internet Protection Act through which Congress requires schools and libraries that receive e-rate funding to impose filtering technology to protect kids from online visual depictions of an inappropriate sexual nature.

Mr. Speaker, I support the e-rate. I continue to do so. I often visit a school, virtually every week. I have seen the tremendous educational value which the Internet has brought to students throughout our district, and I recognize the importance of the e-rate in making that a reality.

However, as with all technologies, the Internet is a double-edged sword, and Congress does have the responsibility to ensure that, to the extent that a Federal program is involved, like the e-rate, it is doing all that it can to ensure that children are protected from online dangers. This bill represents another step in making sure that online experiences at school and the library are safe.

I want to congratulate Mr. KIRK, Mr. FITZPATRICK, and Ms. BEAN for their leadership on this issue. I urge all of my colleagues to support this bill.

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

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume; and I rise in support of this legislation. I do so simply to move this process along and to indicate to families across the country that protecting children from online exploitation and from child predators is a serious issue that warrants attention.

This is an issue upon which Democrats and Republicans agree, because these issues affect families regardless of party affiliation. I do not, however, believe that this legislation will actually adequately address these issues, nor do I support the way in which this bill was brought to the floor today.

The hearing that we had on this bill highlighted several serious deficiencies and won't be effective in combating online predators. The Attorney General from Texas, for example, testified that just going after schools and libraries wouldn't achieve a whole lot. The initial bill would have had the Federal Government create a blacklist of forbidden Web sites. A law enforcement official and an Internet security expert testified that the bill would do little to protect children.

So how did the majority react to problems highlighted in the hearing? They decided to skip a subcommittee and a full committee markup. They opted to rewrite this bill without public input or consultation with the Democratic side, and they decided to rush it to the floor today.

Not surprisingly, the bill continues to have several flaws. It remains overbroad and ambiguous. I continue to have reservations about utilizing the e-rate funding mechanism as the legislative hook for Federal involvement in this area. That is because the e-rate program was not designed to be a cop on the beat in the front lines battling child predators. Rather, it was designed to enhance Internet access and bridge the digital divide.

□ 1445

As a result, it is a program which may not help us assist all K–12 schools at any time or individual schools in every funding cycle. In other words, if the goal is protecting children and combating child exploitation, why should these requirements only apply in schools receiving e-rate funding?

And this bill does nothing for families when the kids online are at home. If the goal is to address the issue of online predators, this bill proposes an ineffectual remedy.

Moreover, the whole process by which this bill was brought to the floor today puts in jeopardy the prospects of legislating successfully on a serious issue.

Mr. Speaker, I believe that parents need and deserve better education and tools to protect their children, and the Democrats stand ready to work with our colleagues when they feel they are ready to truly address this issue with proposals that are meaningful and enforceable.

In that spirit, I intend to vote for this bill in order to move the process forward, but ultimately, I think that

we will need to explore other additional solutions and further revisions.

Mr. DINGELL, the ranking member of the full Energy and Commerce Committee, will be here in a few moments in order to speak to these issues of concern as well. I thank you for your attention.

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

Mr. UPTON. Mr. Speaker, I yield 1 minute to the gentleman from the good State of Texas (Mr. POE).

Mr. POE. Mr. Speaker, I want to thank Mr. UPTON for his work on this bill.

As co-founder of the Victims Rights Caucus, I strongly support this bill. Our Attorney General Gonzales says that one out of every five children in America is approached sexually on the Internet. In recent months, Congress and the national news media have put intense focus on the problem of Internet predators. Parents obviously have a responsibility to monitor what their kids see at home, but they leave home. They go to school, they go to libraries, and this bill helps parents parent better.

Social networking sites such as MySpace and chat rooms have allowed sexual predators to sneak into homes and solicit kids, and this bill requires schools and libraries to establish those protections to prevent children from accessing MySpace and chat rooms while in school and libraries unless parents are there or unless there is supervision.

The bill also requires the Federal Trade Commission to issue consumer alerts and establish a Web site alerting and educating parents and teachers about Internet sexual predators. Those people live among us. They prey on our youngest, our children, and they will do anything in their power to solicit those children.

So this raises the awareness and the protection of our children, and I strongly support this bill.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK), a member of the committee.

Mr. STUPAK. Mr. Speaker, for the second straight day I come to the floor objecting strongly to the process by which bills are being brought to the floor on suspension without proper consideration.

Today, the House is considering two bills that were not properly considered by the Energy and Commerce Committee. Both the U.S.-Israel Energy Cooperation Act and the Deleting Online Predators Act were rewritten behind closed doors by the majority and were not marked up before going to the floor.

On the other hand, our committee marked up a bill today, and this is not a joke, but to protect consumers from misleading thread counts for wool suits. We mark up a bill to protect people from wool suits but not from online child predators.

Mr. Speaker, I take a back seat to no one when it comes to my dedication to tracking down, prosecuting and locking up child predators. I have helped lead the child predator investigation in the House, and I have participated in six hearings on this issue.

Unfortunately, child predators are not the target of today's bill. This bill will not delete online predators. Rather, it will delete legitimate Web content from schools and libraries. Schools and libraries that serve students are the target of this legislation.

The bill is an attempt to protect children in schools and libraries from online predators. It is important to note that during the six oversight hearings we had, hearing from 38 witnesses on the issue, there was not one mention of online child exploitation being a problem at schools or libraries. Perhaps this is because there is already a law on the books that requires schools and libraries who receive e-rate funding to monitor children's Internet use and to employ technology blocking children or preventing children from viewing obscene and harmful content.

Many schools and libraries already block Web sites such as MySpace. This legislation is largely redundant and raises many constitutional concerns.

The National School Boards Association opposes this bill saying, ''NSBA is concerned that the bill would not substantially improve safety of students, and would place an added and unnecessary burden on schools. Furthermore, the legislation does not address the real issue of educating children about the dangers of the Internet and how to use it responsibly and wisely.''

The American Library Association also opposes this bill, saying the bill ''denies access to constitutionally protected speech.''

This bill will not tackle the real threat to our children. Our committee learned from teens, experts and law enforcement that the real threat lies in children using these sites in their rooms without adult supervision.

This legislation will actually drive children to go to unsupervised places, unsupervised sites to go online, where they will become more vulnerable to child predators.

Finally, and importantly, legislation before us today does nothing to hold Internet service providers accountable. We learned from our hearings that ISPs vary widely in what they do to empower children and parents, how they report online predators to authorities, and actively seek and block illegal content from their networks.

The bottom line is that Members can vote for this bill, but we should not give parents the false hope that this bill will keep their children safe. This bill will increase the risk to children as we drive children away from supervised sites to unsupervised sites.

Finally, Mr. Speaker, I am profoundly disappointed that this issue that should not be a partisan issue is becoming one.

I will enter into the RECORD at this point the letter of opposition from the American Library Association.

AMERICAN LIBRARY ASSOCIATION,
Washington, DC, July 26, 2006.

To: United States House of Representatives.
Re opposition to H.R. 5319, the Deleting Online Predators Act (DOPA).

DEAR REPRESENTATIVE: On behalf of the American Library Association (ALA), I write to indicate our continued opposition to H.R. 5319, the Deleting Online Predators Act (DOPA). We understand this bill may come to the House floor this afternoon and ask that you oppose this bill as it presently reads.

No profession or community is more concerned about the safety of children than our Nation's librarians. Librarians in public libraries and school library media centers work continuously to assure that children have appropriate and safe access to the materials and information services they need so that each young person can become literate and educated with the skills and knowledge to succeed in the digital and online world.

ALA had hoped following the July 11th hearing on H.R. 5319 before the Commerce Committee's Subcommittee on Telecommunications and the Internet, that an amended version would seek to resolve some of the problems we expressed in ALA's testimony. Unfortunately, the revised language we received only last night does not make the necessary changes that we believe would better serve the public interest and contribute to true online safety for young people. We urge opposition to H.R. 5319 for several reasons:

1. The terminology used in DOPA is still overly broad and unclear. As written, this legislation would block access to many valuable websites that utilize this type of communication, websites whose benefits outweigh their detriments.

2. DOPA still ignores the value of Interactive Web applications. New Internet-based applications for collaboration, business and learning are becoming increasingly important, and young people must be prepared to thrive in a work atmosphere where meetings take place online, where online networks are essential communication tools.

3. Education, not laws blocking access, is the key to safe use of the Internet. Libraries and schools are where kids learn essential information literacy skills that go far beyond computer instruction and web searching. Indeed, DOPA would block usage of these sites in the very environments where librarians and teachers can instruct students about how to use all kinds of applications safely and effectively and where kids can learn how to report and avoid unsafe sites.

4. Local decision-making—not federal law—is the way to solve the problems addressed by DOPA. Such decisions are already being made locally, in part due to the requirements of the Children's Online Protection Act (CIPA) for E-rate recipients. This additional requirement is not necessary.

5. DOPA would restrict access to technology in the communities that need public access most. H.R. 5319 still, as presently drafted, would require libraries and schools receiving E-rate discounts through the Universal Service Program to block computer users from accessing Interactive Web applications of all kinds, thereby limiting opportunities for those who do not have Internet access at home. This unfairly denies the students and library users in schools and libraries in the poorest communities from accessing appropriate content and from learning how best to safely manage their own Internet access in consultation with librarians and teachers.

It should also be noted that key witnesses at the July 11th hearing testified that limiting access to social networking sites in E-rate schools and libraries will have little impact on the overall problem since young people access these collaborative sites from many locations and over a period of time.

If you have any questions, please call our office at 202–628–8410. Thank you for your consideration.

Sincerely,

LYNNE E. BRADLEY,
Director, Office of Government Relations, American Library Association—WO.

Mr. UPTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), the sponsor of the legislation.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I want to thank Chairman JOE BARTON and Subcommittee Chairman FRED UPTON for their leadership in shepherding this legislation, the Deleting Online Predators Act, from the Energy and Commerce Committee to the floor today. I want to especially thank Congressman MARK KIRK and all of the members of the Suburban Caucus for the commitment they have shown in addressing the needs of American families in the suburbs.

Monitoring our children's use of emerging technologies is a huge task for parents across the Nation, and the Internet remains the focus of many parents' concerns. The growth of the Internet has opened the door to many new applications that tear down the walls that once prevented communication across vast distances. One set of applications in particular has created a huge following online, but have also created an equal amount of danger, and they are social networking sites.

Social networking sites, best known by the popular examples of MySpace, Friendster and Facebook, have literally exploded in popularity in just a few short years. MySpace alone has over 90 million users and it is growing every day. While these sites were designed to allow their users to share virtual profiles of themselves to friends and like-minded users, the sites at most have become a haven for online sexual predators who have made these corners of the Web their own virtual hunting ground.

The dangers our children are exposed to by these sites is clear and compelling. According to a study conducted by the National Center for Missing and Exploited Children, in 1998, there were 3,267 tips reporting child pornography. Since then, the number has risen by over 3,000 percent to an outstanding 106,119 tips in 2004.

The Department of Justice recognizes child pornography as a precursor for pedophiles and is often linked to online predators. According to Attorney General Gonzales, one in five children has been approached sexually on the Internet. Mr. Speaker, one in five. Worse still, a survey conducted by the Crimes Against Children Research Center found that less than one in four children told their parents about the sexual solicitation they received.

On their face, these numbers are startling. Even more startling, however, has been the visual evidence offered to millions of Americans through the news outlets like NBS Dateline's ''To Catch a Predator'' series. Throughout his investigations, Chris Hansen proved time and again with disturbing regularity that child predators are ready and willing and able to approach the prey they stalk online.

What would have happened in these circumstances if the children these predators were to meet were not decoys and Chris Hansen was not there? How many assaults, rapes and ruined lives would have resulted in these encounters?

Mr. Speaker, the fact, however disturbing it may be, is that child predators have harnessed the power and anonymity that social networking sites provide to hunt their prey.

I want to make the intention very clear about my legislation. This legislation is directed at limiting the access of minors to chat rooms and social networking sites in public schools and libraries receiving Federal universal service funding. My legislation is not designed to limit speech or infringe on the rights of law-abiding adults.

Under H.R. 5319, schools may disable protection measures in order to allow use by students with adult supervision for educational purposes. In addition, libraries may disable protection measures to allow use by children with parental authorization. Nothing will ever prevent adults from using these sites in schools and libraries. Most importantly, children would remain able to use these sites at home under the supervision of their parents.

This legislation is not a substitute for parental supervision, which remains the first line of defense for our children's safety. That is why H.R. 5319 would require the Federal Trade Commission to create a Web site and issue consumer alerts to inform parents, teachers and school officials about the potential dangers on the Internet, specifically online sexual predators and their ability to contact children through social networking sites and chat rooms.

Mr. Speaker, this bill is only part of the solution. I fear that no one law can stop the threat from sexual predators. Instead, it will take the combined commitment of the Congress, the Department of Justice, as well as State and local law enforcement to track, investigate and prosecute these offenders. Congress must stand with law enforcement to provide them with the tools that they need to accomplish this goal.

Finally, I stood with Representative NANCY JOHNSON to add $3.3 million for the FBI's Innocent Images Program, the FBI's anchor program for its effort to stop online sexual predators. I wrote to Chairman WOLF to increase funding for the Internet Crimes Against Children Task Force and for the addition of 26 new U.S. Attorney positions to increase the rate of child exploitation prosecutions. I am committed to combating this growing threat, and I call on my colleagues to help me in this fight, and to do so now before the start of a new school year.

Mr. MARKEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise today in opposition to H.R. 5319, the Deleting Online Predators Act, because it sends the wrong message to our children, our parents, teachers and librarians. The bill would curb Internet usage as a means to protect children, a counterproductive method to achieving such an important goal.

Rather than restricting Internet usage, parents, teachers and librarians need to teach children how to use our ever changing technology. The information age in which we live offers so much potential to our children, if they know how to use it.

Last month, I met with Sister Elizabeth Thoman, one of my constituents, who founded the Center for Media Literacy. It is an organization that creates and implements innovative tools to educate children on the art of media literacy. Just like students need to know how to differentiate between good research and bad research on Web sites, they need to know how to utilize chat rooms and other media so they will not become victims of online predators. Her ''Media Lit Kit/A Framework for Learning and Teaching in a Media Age'' is offered in the Los Angeles Unified School District with much success. It is also available on her Web site free of charge.

Rather than adding an extra administrative task to already overworked teachers and librarians, we should be providing grant moneys to implement programs like Sister Thoman's so our children can learn right from wrong and good information from bad information.

Yes, safeguards for our children need to be in place.

□ 1500

MySpace.com is working to create tougher controls for adults to e-mail children. Yes, we need to fully fund police departments across the Nation to monitor online predators; and, yes, consumer alerts and learning tools need to be offered to parents and teachers alike to inform students of the dangers of the Internet; and, yes, parents and teachers and librarians need to take an active role in monitoring students; but a law aimed at universal service-run schools is not the answer. It is parents and teachers and librarians who should decide where children in their care should be able to access.

As another constituent in my district pointed out in a recent e-mail, school districts and libraries already have the power to block access to social networking sites and chat rooms, and many of them have done so already. I worry that a bill of this magnitude will send us down the slippery slope of legislating even more Web sites and infringing on our right to information.

We live in busy times, and I know many homes in my district and across the Nation are single-parent households, with some parents working two or even three jobs. I understand parents can't be with their children all the time, but it is the responsibility of parents and teachers and librarians to impose rules in their own homes and schools. Just like teaching children how to cross the street to avoid hazards, parents need to be able to teach their children how to cross an Internet Web site without getting hit.

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

I just want to say that as I learn more and more about this legislation, part of it was because of the gentleman from Illinois (Mr. KIRK) and the gentlewoman from Illinois (Ms. BEAN). We share a media market together, me in southwest Michigan, they, of course, in Chicago, and the concern by so many in talk radio and the news is really something else.

I have to say that just a couple years no one knew about the online predators like we do today, and that is why we have had a number of hearings in the Oversight Subcommittee chaired by Mr. WHITFIELD.

Mr. Speaker, I yield 5 minutes to one of the coauthors of the bill, along with Mr. FITZPATRICK of Pennsylvania, Mr. KIRK of Illinois.

Mr. KIRK. Mr. Speaker, to respond to my Democratic colleague, I agree with her that parents cannot be with their children all of the time, but sexual predators should not be with the children at any time, and that is the principle by which this legislation stands. Americans have a right to send their children to safe schools and libraries.

In Lake County, Illinois, we have seen what can happen when Internet predators make contact with children. Last October, Joseph Caprigno molested a 14-year-old boy that he met on the Internet. Caprigno, a 40-year-old man, arranged to meet the boy in a 7–11 parking lot through an Internet chat room.

In January, a 20-year-old man, Michael Zbonski, molested a 16-year-old he met on MySpace.com. Frighteningly, he not only communicated with this girl for 2 years via MySpace, he also admitted to sexual relationships with one of the victim's underage friends.

The Deleting Online Predators Act is a commonsense piece of legislation that empowers parents to play a more active role in their children's activities online. This bill calls on the Federal Trade Commission to issue consumer alerts and to establish a unique Web site to better educate parents as to the dangers posed from Internet predators. Parents are the first and most important line of defense against these predators, but it is imperative to arm them with timely and accurate information to protect their children.

This bill also requires schools to prevent children from accessing social networking sites and chat rooms unless they are doing so for legitimate educational purposes under adult supervision. We have invested hundreds of millions of dollars across America in locking school doors and controlling the access to children. This bill takes the commonsense step to make sure that predators cannot sneak in through the library computer.

Our legislation also requires public libraries to provide the same levels of protection to children. I believe this is an entirely appropriate action to help parents determine where their children go and what they do online. It seems foolish for the taxpayer to subsidize what amounts to a loophole that sexual predators can exploit.

Mr. Speaker, Lake County offers one other case that plainly demonstrates the need for this legislation. The Lake County State's Attorney recently filed aggravated criminal sexual abuse charges against two teachers who were accused of soliciting and arranging to molest underage students at a school where they were taught. Jason Glick and James Lobitz didn't just molest two underage students, they arranged to do so using school-owned computer equipment and resources during school hours. The cases against Jason Glick and James Lobitz are still pending, but by passing this bill today we send a message to parents that we will close every loophole sexual predators will use to roam the virtual halls at school.

Mr. Speaker, this is the second suburban agenda bill to pass the House. Tomorrow, Representative JON PORTER's bill will become law, allowing schools to check national felon databases before hiring a coach or a teacher. Tomorrow, we will take up a third suburban agenda item, accelerating the deployment of fully electronic medical records for all Americans.

Mr. Speaker, by tomorrow night, half of the suburban agenda legislation will have passed the House of Representatives. But today I want to thank Chairman BARTON, Chairman UPTON, and Congresswoman MELISSA BEAN for their help on a bipartisan basis in supporting this legislation. I also want to thank Howard Waltzman of the committee staff for his invaluable assistance. But, most importantly, I want to thank the gentleman from Pennsylvania (Mr. FITZPATRICK) for becoming an outstanding leader of protecting American children from online predators.

The SPEAKER pro tempore (Mr. REHBERG). Without objection, the gentleman from Michigan (Mr. DINGELL) will control the time of the gentleman from Massachusetts (Mr. MARKEY).

There was no objection.

Mr. DINGELL. Mr. Speaker, how much time remains on the two sides?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. DINGELL) has 9½ minutes remaining, and the gentleman from Michigan (Mr. UPTON) has 5 minutes remaining.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to my distinguished friend from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I hate to spoil this garden party, but this is not, in truth, suburban legislation, it is substandard legislation. And the reason for that is that it is, in effect, a good press release, but it is not effective legislation addressing a huge problem threatening our children.

The reason I say that is, after sitting through many hearings in the Commerce Committee about this enormous problem, I reached one conclusion. After listening to those thousands of children who are being abused on these horrendous occasions across this country, I concluded that this legislation would not save one single child one single time.

What we learned is that the problem is not in our schools. These kids are not hanging in the library with these sexual predators. They are hanging around in their dens, in their basements, in their living rooms, and in their upstairs bedrooms. That is where we have to get to the problem.

If you look at the problem here on this chart, only 10 percent of the abused kids are online and hardly any of them from schools. A tiny, tiny, infinitesimal portion. This will not solve the problem.

Now, there are things we can do, but, unfortunately, this legislation doesn't do a single one of them. I used to prosecute cases, so I know a little bit about law enforcement. I raised three kids, so I know a little bit about the terror of worrying about your children. But what this legislation does not do is the three things we need to do.

Number one, we have to give resources to law enforcement to prosecute these horrendous monsters. We had detective after detective come to our hearings and say, give us some money; we can prosecute these people. This doesn't give them a penny.

Number two, we need to protect the data. What the detectives told us is that this data, once it disappears, they can't find the culprits. Now we could require the data to be maintained for a year or two, like we are trying to do. This bill doesn't do that.

Third, what this bill could do is provide some real meaningful tools for our schools to educate our children on how to avoid these monsters on the Internet. This doesn't do that.

The three effective things that we could do to really save our kids is not done in this legislation.

Now, why is this such a pathetic wave at trying to do something? Why has Congress failed so miserably here? There is a reason for that. The reason is we want press releases, without having to do the hard work to do legislation. That is why we didn't go through the Commerce Committee to have a markup on this bill so they could rush

this thing to the floor and have their suburban agenda.

Well, speaking as a parent who represents 650,000 people, and probably 200,000 parents in suburbia, I think suburban parents, urban parents, rural parents, big-city parents and little-city parents deserve real legislation to stomp out the monstrosity that is going on on the Internet and not these little press releases. We can't go home and just say that we are heroes without having really done something.

When I go home, I am going to tell my constituents that, yes, maybe there are some headlines, but there wasn't real relief. And I look forward to the day when this Congress gets down to the nitty-gritty and really does something about this terrible problem.

Mr. DINGELL. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I oppose these Internet predators. My good friend, for whom I have great respect, the chairman of this subcommittee from Michigan, opposes them. Everybody else in the Chamber opposes them. Every right-thinking and decent American opposes this practice. What we need, however, is good legislation which will address the problem. What we need is legislation which will be effective.

The Committee on Energy and Commerce had a number of hearings on these matters. It is interesting to note that, in the process of that, you can't find anything about there being a problem at schools and libraries. Now, this legislation has attracted both the strong opposition of the schools and the libraries and the Chamber of Commerce, which points out to us that this bill needs more work. In other words, Mr. Speaker, this bill is not ready for prime time.

The unfortunate thing about this legislation is that, rather than dealing with the real problem, which is kids and young people who are making these communications with sexual predators from their own home or their own den or from their own basement or from their own room, it deals with schools and libraries. Now, that is very fine if we had some record which would show that this is a real problem or that there is not a better cure somewhere else, which in fact there is.

The regrettable thing about this legislation is its rush to the floor. I can't tell whether it is a bunch of Republicans who are panicky about the next election or whether it is a situation in which everybody is trying to rush to get out of town to go on an August vacation. But the simple fact of the matter is this legislation is not going to do anything to stop the abuses about which there is a very legitimate complaint.

So here we are passing legislation, I suspect, to help some of my panicky Republican colleagues save themselves in a difficult election, or which will let people go home and say, oh, look what we did. But this process has not only been flawed, it has guaranteed that the matters that we discuss now do not really address the situation which confronts us.

□ 1515

And worse than that, we are going to be right back here at some future time, after the folks at home tell us what a sorry job we did in dealing with this matter. Because the problem of sexual predators continuing to work the young people is going to continue under this legislation, unabated; and we are going to come back here with red faces and say how we have made a mistake and we have to do more.

The simple fact of the matter is this legislation was sprung on us. I am told that it was written last night. We barely saw it before the process on the floor started. And the committee process, which enables us to look at legislation in a sound and responsible way, and the committee process, which enables us to work together to put good legislation on the floor, legislation which is carefully thought out and which the wisdom of all of the Members is brought to bear on the question, is not something which we find in the process in which we are now engaged.

So now we are on the floor with a piece of legislation poorly thought out, with an abundance of surprises, which carries with it that curious smell of partisanship and panic, but which is not going to address the problems.

We have a piece of legislation on which we have less than an hour to talk, and we have no opportunity whatsoever to amend the proposal. We can vote ''yes'' or we can vote ''no.'' Well, most Members, I suspect, will do the politically wise thing, and I will join them in it, and that is, I am going to hold my nose and vote for this legislation in the full awareness that it is not going to address the problem at all and that it is a political placebo for a very, very, serious problem.

This is, essentially, a shin plaster on a cancer. This is a piece of legislation which is going to be notorious for its ineffectiveness and, of course, for its political benefits to some of the Members hereabout.

It is, in a nutshell, Mr. Speaker, going to be as useful as side pockets on a cow in addressing the problem about which we are all deeply concerned, where we have a duty to our constituents to legislate strongly and well and where we have a duty to have an open process to hear the comments of our people, those that we serve, about what the legislation does to find out how we do the best job of serving the American people. Those events are absolutely not to be found in the history of this legislation.

I really regret that my colleagues on the other side have chosen to behave this way, but it seems to be a characteristic of this House under the leadership with which we are afflicted. Good legislation is withheld, poor legislation is written, and the opportunity for the people to be heard or for the legislation to be protected is totally unavailable.

The process stinks. The legislation is weak. The legislation will be ineffective, it will accomplish nothing, and we will all share red faces about this bumbling endeavor.

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

Mr. UPTON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I would just like to say to the gentleman from the great State of Michigan, and my good friend, Mr. MARKEY, as well, that I know that both Chairman BARTON and myself look forward to working with both gentlemen on strengthening this legislation down the road and looking to close as many loopholes as we can to protect our children. Because the bottom line is this, better than a 2,000 percent increase in the FBI caseload of online predators.

This is not the end-all. We know that. But we know that sexual predators should not have the ability to use our schools or our libraries; and we should take away that avenue, if we can, for their evil deeds. And that is precisely what this legislation is intended to do.

And I would note that even though this was introduced some 2 months or so ago, we have nearly 40 cosponsors of the legislation. MELISSA BEAN has been a great leader from the Democratic side of the aisle, as well as the Republicans that have been mentioned earlier during the debate and that have participated. And I know that in the oversight and investigation hearings that we have had, not only as well as in New Jersey but the legislative hearing that we had with many witnesses, including the Attorney General from Texas, who did a marvelous job of explaining what was going on in Texas, they all strongly endorsed the intent and the legislation as it was introduced.

I think we have a better bill today than perhaps was introduced by taking into consideration the many constructive comments that were made by my friend, Mr. MARKEY, Mr. DINGELL, and others on the committee.

With school starting for many as early as next month, August, knowing that the Congress, at least the House, is likely to adjourn this week, the Senate still has another week, I would like to think that with a strong vote this afternoon the Senate may take up this legislation perhaps next week, perhaps, and we actually may get the bill to the President's desk so that it will be in place for kids as they start school.

So that is one of the reasons, I think, why this legislation was, indeed, rushed to the floor. But, again, I know that we took in many good comments by those at the legislative hearing that we had, and I think that the proof will be in the pudding.

Mr. Speaker, I yield, for a brief minute, to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, I will just say, also, this legislation responds to a

rapidly growing phenomenon in America. Over 25 million American children have their personal data on these sites. These sites are now the number one sites on the Internet, and we are applying a tried and true principle of our jurisprudence, now 800 years old, that when you make money off of children, as these sites do, we have always recognized a higher duty of care in the protection of children, and that is the principle that this legislation stands for.

Mr. UPTON. Mr. Speaker, I would say, too, I believe it was over the Fourth of July week break that ''Dateline'' had the big expose; and I know our office was flooded with calls and letters, as I was home in Michigan. There were a good number of parents and others that expressed their concern about some of these different online services that were there; and if we can close the loophole on schools and libraries, I think that it is a good thing.

I think that, because of that, I would hope that most Members, when we vote on this later this afternoon, in all likelihood would vote ''yes'' on the bill. Again, it is bipartisan, and that is why it is here before us this afternoon.

Mrs. BIGGERT. Mr. Speaker, I rise today as a cosponsor of H.R. 5319, the Deleting Online Predators Act.

As a mother of four and a grandmother of six, the safety of our children is a priority of mine. When most of us were children, our parents told us to never talk to strangers. Now as parents and grandparents, our message must change with technology to include strangers on the Internet.

We all were horrified by the story of the teenage girl from Michigan who traveled across the world to the West Bank town of Jericho to meet a man she had been communicating with on the networking Web site, MySpace.com. Even worse are stories that involve internet pedophiles preying on children from all over the Nation, including my district.

Naperville, a city that has twice been voted by Money Magazine as the Top City in the Nation to Raise Children, has witnessed two high profile cases in the last three months involving young teenagers and men they have met on MySpace.com.

It is easy to see why networking Web sites are popular among teens. A recent poll by the Pew Internet & American Life Project shows that 87 percent of those aged 12 to 17 use the Internet on a regular basis. Of this 87 percent, approximately 61 percent report having personal profiles on networking Web sites like MySpace, Facebook or Xanga. These profiles contain photographs, e-mail addresses, hobbies as well as other personal information that would be easy for a child predator to manipulate.

With more than 90 million users, MySpace.com and other networking Web sites have become new hunting grounds for child predators. Something clearly has to be done. This bill is a good start. At least let's give parents some comfort that their children won't fall prey while using the Internet at schools and libraries that receive Federal funding for Internet services. That is why I urge all Members to support H.R. 5319, the Deleting Online Predators Act.

Mr. SHAYS. Mr. Speaker, I rise in strong support of H.R. 5319, the Deleting Online Predators Act.

I am a cosponsor of this legislation, which requires schools and libraries to monitor the internet activities and implement technology to protect children from accessing commercial social networking sites like MySpace.com and chat rooms that provide an avenue for dangerous individuals to make personal contact with unsuspecting underage children.

The popularity of social network sites have soared, especially among our children, in recent years. These sites allow users to post photos, chat and interact with other users online.

However, the popularity of these sites have also become a haven for child predators. A recent Department of Justice study found that one in five children received an unwanted solicitation online.

This legislation takes an important step towards protecting our children from these online predators. The bill will still allow teens to access social networking sites under their parent's supervision, and yet protects them when they are online alone. The rise in online solicitations by child predators must be countered by a strong response, and H.R. 5319 takes such action.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 5319, a bill that would amend the Communications Act of 1934 to require schools and libraries that receive universal service support to prohibit and block access to social networking websites and chat rooms. In doing so, H.R. 5319 will protect adolescents from communicating with potentially harmful strangers. The bill will prevent adolescents from accessing obscene or indecent material and also from illegal, online sexual advances from strangers. Thus, the bill will help to safeguard our children, and put simply, will prevent them from accessing any material that is potentially harmful.

As many of you may know from watching ''Dateline'' NBC's ''To Catch a Predator,'' the United States has a countless number of sexual predators. It is very hard to profile a sexual predator, and it is also very hard to cure one. This is why H.R. 5319 is a necessity; it will tackle this mammoth issue by preventing any kind of potentially harmful communication with strangers in school networking sites and chat rooms. I believe that it is hard to keep sexual predators away from our children, but with this bill, it will be easy to keep our children away from sexual predators.

I strongly support H.R. 5319, and I urge my colleagues to join me in supporting it.

Mr. UPTON. 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 Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 5319, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. FITZPATRICK of Pennsylvania. 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 question will be postponed.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT A NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK SHOULD BE ESTABLISHED

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 928) expressing the sense of the House of Representatives that a National Historically Black Colleges and Universities Week should be established, as amended.

The Clerk read as follows:

H. RES. 928

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education;

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition; and

Whereas the Senate, in S. Res. 528 passed on July 13, 2006, designated the week beginning September 10, 2006, as ''National Historically Black Colleges and Universities Week'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the achievements and goals of historically Black colleges and universities in the United States;

(2) supports the designation of an appropriate week as ''National Historically Black Colleges and Universities Week''; and

(3) requests the President to issue a proclamation designating such a week, and calling on the people of the United States and interested groups to observe such week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities.

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

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 928.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 928, recognizing the contributions

of Historically Black Colleges and Universities; and I want to thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my colleague, for introducing this resolution. Ms. JOHNSON certainly recognizes the important role that Historically Black Colleges and Universities play in the postsecondary education environment.

The HBCU community is extremely diverse. The community of Historically Black Colleges and Universities includes 2- and 4-year institutions, public and private institutions, as well as single sex and co-ed institutions. Even with this diversity of student body, geographical location and population served, the principal mission of all these institutions is unified, and that is to provide a quality education for African Americans. It is also important to remember that these institutions, in many instances, serve some of our most disadvantaged students.

The contributions made by Historically Black Colleges and Universities deserve recognition. While comprising less than 3 percent of the Nation's 2- and 4-year institutions, Historically Black Colleges and Universities are responsible for producing a significant number of all bachelor's, master's and professional degrees earned by African Americans. In many instances, Historically Black Colleges and Universities do not have access to the resources or endowment income that other institutions can draw upon. Yet they are still able to provide quality education to an underserved population.

Since 1995, we have worked to improve the Nation's support for Historically Black Colleges and Universities. The Higher Education Amendments of 1998 made improvements to the programs designed to aid Historically Black Colleges and Universities in strengthening their institutions and graduate and professional programs. These changes included allowing institutions to use Federal money to build their endowments and to provide scholarships and fellowships for needy graduate and professional students.

Between 1995 and 2006, congressional funding for the strengthening Historically Black Colleges and Universities program rose from $109 million to $238 million, a 118 percent increase. And what is more, funding for Historically Black Colleges and Universities graduate programs increased from $19.6 million to $57.9 million, an increase of 195 percent.

It is important that we pause to recognize the contributions of Historically Black Colleges and Universities and their graduates by celebrating Historically Black Colleges and Universities Week. My State of Louisiana is home to five of such institutions: Grambling State University, Southern University A&M College, Southern University at New Orleans, Dillard University, and Xavier University. These institutions have dramatically improved the quality of life and economic opportunities on the gulf coast. These institutions provide valuable leadership and excellence in education, and they certainly should be commended.

I was pleased to see that the White House Initiative on Historically Black Colleges and Universities is coordinating a 3-day national conference in September where they will continue to discuss the progress of gulf coast recovery efforts.

I urge my colleagues to recognize the important contributions made by Historically Black Colleges and Universities and their graduates and to vote ''yes'' on this worthy resolution.

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

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

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

Mr. OWENS. Mr. Speaker, I want to congratulate the distinguished Member from Texas, EDDIE BERNICE JOHNSON, and all the cosponsors of this important legislation.

I am quite pleased to be able to state, at this point, after my 23 years in Congress, I will be retiring at the end of this year, that my association with Historically Black Colleges and Universities is one of the most uplifting experiences of my career.

I came in 1986, early, and I am proud of the fact that it was as a result of bipartisan support that the Historically Black Colleges and Universities were funded for the first time by the Federal Government. So this designation today is not empty ceremonial action.

I am pleased to support the congressional acknowledgement of the importance of Historically Black Colleges and Universities, but Congress has already done something to help these institutions. There is great substance behind this designation.

Historically, Black Colleges and Universities will have the benefit of, have the designation of September 10, 2006, as National Historically Black Colleges and Universities Week as a result of this legislation. But I just want to highlight some of the things that Congress has already done before I yield to the sponsor of the bill.

HBCUs continue to serve, as you said before, a critical role in our Nation; and HBCUs have had the support of Congress over the last 20 years, since 1986.

□ 1530

In 1986, Black Colleges and Universities faced a time of significant, almost desperate, financial turmoil. Several old schools had been shut down by 1986. Of the approximately 4,000 such institutions of higher learning in America, all the institutions of higher learning, only 135 both historic and predominantly black are black founded and administered, and at that time, only about 107 Historically Black Colleges existed.

After conducting a hearing at Atlanta University, where 13 of these college presidents testified, the Owens title IIIB amendment received both authorization and appropriation in 1986. Since 1986, with the support of both parties, the Congress has provided $3.9 billion. I want to repeat: 3.9 billion has flowed as direct aid to black colleges. This is a wise investment for a small but vital sector of our much-needed accelerated mobilization for education.

Later on, I will indicate some of the kinds of money that has been received by these colleges, one or two which would not still be in existence had they not had the Federal funding.

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

Mr. BOUSTANY. Mr. Speaker, I thank the gentleman for the passion he brings to this debate and for the hard work he has done to help Historically Black Colleges and Universities.

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

Mr. OWENS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas, the sponsor of the bill (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am pleased to be able to offer this resolution recognizing National Historically Black Colleges and Universities Week, and I want to thank Mr. OWENS for all of his efforts over the years and thanks to all the cosponsors.

For over 170 years, our Historically Black Colleges and Universities have been on the forefront of preparing our Nation's youth for a bright path and successful future. Many struggling, almost closing, and some did close, but determined to finish their mission.

Originally founded for the purpose of providing educational opportunities for African Americans, HBCUs have profoundly changed the American economic and social climate. The fact is that until 1964, HBCUs represented one of the only opportunities African American students had to obtain a degree in higher education. HBCUs have changed the face of this Nation and have opened the doors for many generations of African American students.

Today America's HBCUs continue to provide excellent educational opportunities for all Americans. Over 200,000 diverse students across the United States attend HBCUs today.

I am proud to represent Paul Quinn College, the oldest historical black college west of the Mississippi River. For over 130 years, Paul Quinn has provided their student with the tools to become successful leaders. Because of their unique resources, HBCUs continue to be extremely effective in graduating African American students and preparing them to compete in the global economy. While they may start behind going into the college, they have always been able to compete equally and competitively on the graduate level. HBCU graduates over half of all American professionals, and 50 percent of all African American school teachers graduate from HBCUs. Additionally, the

Historically Black Colleges and Universities remain extremely successful in graduating African American Ph.D.s and scientists.

The fact is that we cannot move forward as a country until all of our children have the opportunity to succeed academically. Each day, HBCUs help us bridge that achievement gap. Celebrated the week of September 10, National Historically Black Colleges and Universities Week allows us to reflect upon the impact these institutions have had on our history and to celebrate their continued commitment for outstanding education.

I would like to thank the House leadership and the Education and the Workforce Committee for allowing me to bring this important resolution to the floor, and I request the support of all my colleagues of Resolution 928.

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

I commend the gentlewoman again for bringing this resolution to the floor.

Let me just say that as we recover on the gulf coast, and I mentioned the Historically Black Colleges and Universities in my home State of Louisiana, they played a vital role in the leadership in helping us recover.

So, again, I thank the gentlewoman from Texas for bringing this valuable resolution to the floor.

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

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

I want to just note the fact that as Congresswoman JOHNSON mentioned, the Paul Quinn College is one of the oldest HBCUs in the country. Since 1996, they have received $15.753 million from title IIIB of the Higher Education Assistance Act, title IIIB, which funds HBCUs.

Texas, in general, has received money for several colleges: Huston-Tillotson, which is relatively small; Prairie View A&M University received $38 million since 1986; St. Phillip's College has received $42 million since 1986. The largest of all rewards, I think, has been to the big Texas Southern University, which has received $47 million since 1986.

This is not an empty resolution, as I said before. Congress can be proud of the fact that it has been involved in maintaining these colleges, which were financially strapped in 1986 and still struggle financially.

I think Alabama receives the most aid of the colleges. They have a long list. Alabama State University, $37 million; Alabama A&M University, $35 million. Miles College, I would like to note, is one of the colleges that was almost about to go under. Because my office in 1986 and 1987 had many conversations with the administration of Miles College, and if there had not been a title IIIB funding, Miles College may not be here. They have received $21 million over the last 20 years. In Alabama, also, we have the smallest university that has received aid. I do not think they exist anymore. That is Selma University. They had received $3 million over the course of the funding period.

Also, I think significant, in Florida the largest amount of money has been received by Florida A&M University; $59.268 million has been received. Georgia does very well with Albany State College, $31 million; Clark Atlanta University, $33 million. These are relatively small colleges that are known throughout the whole country. Morehouse College, $25 million; and Spelman College, $26 million.

In Louisiana, as mentioned before, most of these colleges receiving aid from title IIIB were colleges affected by Katrina and the subsequent flood: Dillard University, over the years, has received $25.846 million; Grambling State University, $47.179 million; Southern University, $24 million; Southern University A&M College, $57 million; Southern University at New Orleans, $34 million; and Xavier University, $31 million.

So I think we have certainly supported those colleges up to date, and they need extra help, as everybody knows, now.

We also have Virginia, which has done very well: Hampton University, which had one of the largest private endowments, has still received $33 million; Norfolk State University, $44 million; and Virginia State University, $30 million.

So we have an impressive record over the 20-year period of title IIIB funding for Historically Black Colleges and Universities. And I will submit this list for the RECORD.

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

Mr. DAVIS of Illinois. Mr. Speaker, let me just, first of all, thank the gentleman from New York for yielding. And I also want to thank and commend the gentlewoman from Texas for her introduction of this resolution. I want to commend the gentleman from New York because for as long as I have been a Member of Congress, he has been the chief spokesperson for the Congressional Black Caucus on issues of higher education.

Mr. OWENS, you have represented us well and done an outstanding job, and I commend you.

This is one of the most delightful moments that I have had since I have been a Member of Congress because had it not been for a Historically Black College, I would not be here. There is no doubt in my mind. I left home on my 16th birthday to attend what was then Arkansas A&M College at Pine Bluff, which is now the University of Arkansas at Pine Bluff. Following me were six of my brothers and sisters who also attended the University of Arkansas at Pine Bluff. Three nephews, one niece, and a half dozen first cousins.

We lived in the southeast corner of the State, which was a rural area in Arkansas. The money that Representative OWENS talked about is so important because when I got there, I had $20 in my pocket and a $50 scholarship. The scholarship, of course, was good as long as you maintained a B average, and if you ever fell below, then you no longer had the $50 scholarship.

It was not uncommon for friends of mine and myself to actually skip classes on light days and go out and pick cotton so that we would have money to purchase our books.

So the Historically Black Colleges and Universities, as all black colleges and universities, have played a significant role. They provide a rich heritage and lay the foundation for men and women of color. W.E.B. Du Bois, who is considered the father of sociology due to his thesis called the ''Study of the Philadelphia Negro,'' is a product of Fisk University in Nashville, Tennessee, a Historically Black College. Dr. Martin Luther King, Jr., all of his eloquence and analysis of social problems came from his experiences not only in the black church, but also came from the education that he received at Morehouse, located in Atlanta, Georgia, a Historically Black College.

Thurgood Marshall, the first black Chief Justice of the United States Supreme Court, is the product of Lincoln University in Chester, Pennsylvania, which is historically known as the first Historically Black College founded in 1854.

These institutions are not only necessary for individuals who come from certain economic backgrounds, but they contain a great deal of the history and culture. So when Representative OWENS talks about how important the money is that we have been able to provide for them, many of them provide the kind of nurturing environment that students often cannot get from a big university. So they get the special help.

This, Mr. OWENS, and the work that you have done and the introduction of this resolution by Representative EDDIE BERNICE JOHNSON make all of the work that we do to try to keep these institutions alive and vibrant.

And I also want to thank my CBCF intern, who is currently attending Fisk University, Dante Pope, and is a singer with the renowned Fisk Jubilee Singers, who traveled all over the world to raise money so that Fisk could continue to exist.

I thank all of those who will support this resolution.

□ 1545

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

Mr. OWENS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I will comment on Mr. DAVIS' comments about going to the University of Arkansas at Pine Bluff. Since 1986, the University of Arkansas at Pine Bluff has received $31 million from the title IIIB congressional funding, and I think that his story is a story of many of my generation.

I was a child in a family of eight. Our father worked in a furniture factory as a laborer. He never made more than minimum wage, and I think the minimum wage at that time was less than $3. He was often laid off. We were very poor, and I had determined that I would never go to college.

I was a lucky one. The Ford Foundation had an experiment at that time going where they would allow youngsters who had talent to take a test, and they could come out of college even from the 10th or 11th grade and get 2 years of college before they were eligible for the Korean War draft. The Korean War draft was under way at that time, and they were going to give bright youngsters a chance to get at least 2 years of college.

I took the test, and I had all of my expenses paid to Morehouse College in Atlanta, Georgia. For the first 2 years, all of my expenses were paid, and I was on a partial scholarship for the second 2 years.

But that was a pattern which was not experienced by most of my colleagues at college. They had to struggle much harder to maintain themselves. Tuition was kept very low. The entire regimen of the college understood the students were poor and was geared to many of the problems that we had financially at home and the problems we had coming from schools that often had not prepared us for college work. So it is just personal experience that is certainly very relevant here.

I would like to note that at the time of the funding for the Historically Black Colleges title IIIB, I said that these few jewels in the crown all deserve to be preserved. The fact that there are only 135 Historically Black Colleges of 170 total black colleges in the United States right now, in a constellation of 4,000, they deserve to be preserved, and they serve a great purpose.

Such schools before 1986 were welcome to apply for competitive higher education grants, but they had to compete with Harvard, Yale and 4,000 other institutions. There was no direct channel for Federal funding to this special category. The historic and unique struggle for the creation and maintenance of such schools was accorded no official recognition.

Fortunately, we went to Atlanta and had a hearing. As a result of that hearing, 13 college presidents testified; and we won the support of the Education and Labor Committee members and later on the support of members of the Appropriations Committee. In that very same year, 1986, we authorized and had an appropriation which started the process of funding the Historically Black Colleges.

I will submit for the RECORD a statement prepared for the National Association of Equal Opportunity in Higher Education along with my list of actual funding for each college.

[Statement from National Association for Equal Opportunity In Higher Education]

OUR CHAMPION: CONGRESSMAN MAJOR OWENS

Congressman Major Owens has been a tremendous champion for blacks in higher education and has served a distinguished 24-year congressional tenure. Elected to the United States House of Representatives in 1982 from New York's 11th Congressional District. Representative Owens is a member of the vitally necessary Education and the Workforce Committee, which guides all Federal involvement in education, job training, labor law, employee safety and pensions, programs for the aging and people with disabilities, and equal employment opportunities. As Chairman of the Subcommittee on Select Education and Civil Rights for six years, Representative Owens' record for passing legislation was second only in New York to Adam Clayton Powell.

In 1986, Historically Black Colleges and Universities (HBCUs) faced a time of significant financial turmoil. Several old schools had been forced to shut down. Of the approximately 4 thousand U.S. institutions of higher learning only 107 had been established specifically to educate Blacks and most were located in the South.

''These few jewels in the crown all deserve to be preserved,'' counseled Congressman Major Owens, the only graduate of an HBCU (Morehouse College, '56) on the Education and Labor Committee. While such schools were welcomed to apply for competitive higher education grants along with Harvard, Yale and the four thousand other institutions, there was no direct channel for Federal funding to this special category. The historic and unique struggle for the creation and maintenance of such schools was accorded no official recognition. When Congressman Owens offered Title IIIB as a modest but vital possible funding stream, the first obstacle encountered was a gross lack of familiarity in Washington.

Fortunately, then Chairman of the Education and Labor Committee, Augustus Hawkins, was curious and supportive and agreed to allow Owens to hold a hearing in Atlanta, Georgia, at Atlanta University's Robert W. Woodruff Library. The first witness was then mayor of Atlanta, Andy Young. The presidents of thirteen other Southern Black colleges followed Mr. Young in testifying. Chairman Hawkins and other Education and Labor Committee members became enthusiastic converts following that historic session. Beyond the expectations of Congressman Owens there was a smooth passage of the authorizing legislation with five graduate schools added to the original list. As a major force on the Appropriations Committee, Congressman Lou Stokes obtained an immediate appropriation. Funds are disbursed on the basis of a formula and every HBCU is guaranteed an annual allocation.

Since the passage of the legislation in 1986, HBCUs went from zero dollars in Federal funding to receiving a total of $3,988,099,314.00 billion dollars. In his year of retirement, Congressman Owens has worked diligently to introduce legislation that would afford Predominately Black Institutions similar support to other Title IIIA schools.

Congressman Owens has been a stalwart guardian and advocate of predominately and historically black colleges and universities throughout his congressional tenure. He is the leader of the CBC's Braintrust on Education and in this regard has been and continues to be the opinion shaper on higher education issues impacting Black America. The entire Nation owes him a great deal of gratitude for keeping important issues regarding black colleges and blacks in higher education at the center of the national education policy debate. As Congressman Owens completes his final term, we commend and honor him for his tremendous contributions to the black higher education community. Thank you, Mr. Owens!

HBCU GRANT AWARDS—ALL YEARS (PROVIDED BY THE U.S. DEPARTMENT OF EDUCATION)

Name and total award:

AL

Alabama A&M University, $35,025,655.
Alabama State University, $37,542,317.
Bishop State Community College—Carver, $8,735,616.
Bishop State Community College—Main, $26,169,993.
Concordia College, $11,346,530.
Drake State Technical College, $10,042,970.
Gadsden State Community College, $4,000,000.
Lawson State Community College, $21,071,295.
Miles College, $21,329,445.
Oakwood College, $22,003,819.
Selma University, $3,812,613.
Shelton State Community College—Fredd, $10,796,218.
Stillman College, $21,147,196.
Talladega College, $22,110,197.
Trenholm State Technical College, $15,591,117.
Tuskegee Institute, $27,846,409.
Tuskegee Institute/School of Veterinary Medicine, $27,846,409.

AR

Arkansas Baptist College, $12,014,978.
Philander Smith College, $20,686,358.
Shorter College, $4,600,000.
University of Arkansas—Pine Bluff, $31,215,415.

CA

Charles R. Drew Postgraduate Medical School, $31,215,415.

DC

University of the District of Columbia, $14,154,703.

DE

Delaware State College, $22,548,466.

FL

Bethune-Cookman College, $28,805,940.
Edward Waters College, $17,018,109.
Florida A & M University, $59,268,976.
Florida Memorial College, $27,232,176.

GA

Albany State College, $31,594,007.
Clark Atlanta University, $33,405,088.
Clark College, $1,910,402.
Fort Valley State College, $27,642,764.
Morehouse College, $25,258,383.
Morehouse School of Medicine, $25,258,383
Morris Brown College, $18,302,808.
Paine College, $17,802,444.
Savannah State College, $30,008,363.
Spelman College, $26,518,676.

KY

Kentucky State University, $24,646,607

LA

Dillard University, $25,846,205.
Grambling State University, $47,179,192.
Southern University—Shreveport, $24,513,595.
Southern University A&M College, $57,825,446.
Southern University at New Orleans, $34,052,351.
Xavier University (LA), $31,083,299.

MD

Bowie State College, $27,868,586.
Coppin State College, $26,592,478.
Morgan State University, $39,864,381.
U. of Maryland at Eastern Shore, $24,913,973.

MI

Lewis College of Business, $8,600,000.

MO

Harris Stowe State University, $16,561,308.
Lincoln University (MO), $22,686,379.

MS

Alcorn State University, $31,713,845.
Coahoma Junior College, $20,371,062.
Hinds Community College—Utica, $17,332,613.
Jackson State University, $49,271,302.
Mary Holmes College, $7,373,526.
Mississippi Valley State University, $29,887,936.
Rust College, $18,899,685.
Tougaloo College, $27,068,054.

NC

Barber-Scotia College, $10,257,592.
Bennett College, $21,724,937.
Elizabeth City State University, $23,121,455.
Fayetteville State University, $30,642,331.
Johnson C. Smith University, $21,726,429.
Livingstone College, $17,552,027.
North Carolina A&T State University, $41,453,835.
North Carolina Central University, $33,105,047.
Saint Augustine's College, $20,257,510.
Shaw University, $25,273,249.
Winston-Salem State University, $30,923,188.

OH

Central State University, $23,180,576.
Wilberforce University, $17,022,616.

OK

Langston University, $33,625,920.

PA

Cheyney University of Pennsylvania, $18,145,471.
Lincoln University (PA), $20,185,526.

SC

Allen University, $11,285,912.
Benedict College, $26,898,694.
Claflin College, $21,109,208.
Clinton Junior College, $2,500,000.
Denmark Technical College, $18,814,336.
Morris College, $19,589,202.
South Carolina State College, $34,425,031.
Voorhees College, $18,607,148.

TN

Fisk University, $21,687,270.
Knoxville College, $6,060,849.
Knoxville College/Morristown Campus, $2,200,000.
Lane College, $19,874,712.
Lemoyne Owens College, $17,950,926.
Meharry Medical School, $17,950,926.
Tennessee State University, $44,357,510.

TX

Huston-Tillotson College, $20,628,663.
Jarvis Christian College, $12,074,442.
Paul Quinn College, $15,753,746.
Prairie View A&M University, $38,062,884.
Southwestern Christian College, $8,600,000.
St. Phillip's College, $42,621,299.
Texas College, $12,617,407.
Texas Southern University, $47,668,765.
Wiley College, $12,716,011.

VA

Hampton University, $33,604,102.
Norfolk State University, $44,940,874.
St. Paul's College, $12,022,412.
Virginia State University, $30,584,815.
Virginia Union University, $21,436,802.
Virginia University of Lynchburg, $1,000,000.

VI

University of Virgin Islands, $18,468,085.

WV

Bluefield State College, $25,888,689.
West Virginia State College, $27,965,546.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise in strong support of Ms. JOHNSON's bill, House Resolution 928. This bill, which expresses the sense of the House of Representatives that our Nation adopt a week each year to honor our Nation's Historically Black Colleges and Universities, is a measure that would serve as an outstanding tribute to Historically Black Colleges and Universities.

There are four HBCUs in the State of Florida: Florida Memorial in Miami; Florida Agriculture and Mechanical University in Tallahassee, of which I am a graduate; Edward College, which is in the heart of my district; and Bethune Cookman College, a great institution in Daytona Beach, a school I work very closely with.

The importance and the outstanding work HBCUs do around the country is most noteworthy. In addition to educating African American students nationwide, they provide resources for our communities, such as mentoring and tutoring programs for our youth.

Nationwide, HBCUs enroll 14 percent of all African American students in higher education, even though they make up just 3 percent of our Nation's 4,000 institutions of higher education. HBCUs have awarded master's degrees and first professional degrees to about one in every six African American men and women, and awarded 24 percent of all baccalaureate degrees earned by African Americans nationwide.

I commend Ms. JOHNSON in her efforts on behalf of the Historically Black Colleges and Universities, and I strongly support House passage of this bill.

I also want to commend you, Mr. Ranking Member and Mr. Education, for all the work that you have done to help black colleges throughout the years. I do know that we have representatives on the Hill today, and they have been so important working with black colleges. I want to welcome them to their Capitol.

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

Mr. OWENS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just wanted to comment that I have a statement here called ''Black Colleges: Tiny But Still Jewels in the Crown,'' which I would like to submit also for the RECORD, which talks about the role that black colleges play in the larger need for an overall national mobilization for education.

I again want to thank the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, and the other sponsors and cosponsors of this important bill, which in recognizing Historically Black Colleges and Universities will recognize the contribution that black colleges can make in general to higher education throughout America.

[From the Congressional Black Caucus Foundation Newsletter]

BLACK COLLEGES: TINY BUT STILL JEWELS IN THE CROWN

(By Major R. Owens)

In 1986 Black colleges and universities faced a time of significant, almost desperate, financial turmoil. Several old schools had been shut down. Of the approximately four thousand such U.S. institutions of higher learning only abut 135 are Black founded and administered. After conducting a hearing in Atlanta University, where thirteen college presidents testified, the Owens' title IIIB amendment received support for both authorization and appropriation. Since 1986, with the support of both parties, the Congress has provided 3.9 billion dollars in direct aid to Black colleges. This is a wise investment for a small but vital sector in our much needed accelerated mobilization for education.

Our nation must more fervently embrace its duty to the mission of indispensable leadership for our earth civilization. Education must be at the core of the comprehensive plan, strategy, mobilization which accomplishes this vital goal. Economic competitiveness, cultural creativity, governance genius, freedom of outlook, the determination to pursue happiness, stubbornness in philosophy and ideology, and the continuing commitment to the spiritual and moral belief that we are born to serve a purpose beyond day-to-day individual survival; these are objectives which cannot be achieved without a massive and ongoing dynamic emphasizing education.

Military shock and awe can defend us from fanatics and guarantee that we never lose a violent war. Winning, prevailing in the effort to keep humankind moving more rapidly away from our savage animal roots toward a paradise on earth can be achieved only if we accept education as the heart and blood of our political and social body. Aspiring toward such a healthy national physique must make use of every organ and resource we possess. The brainpower in our inner cities and poor rural areas we can no longer allow to be wasted. Like the small veins in the heart or the tiny hormone producing glands in the throat, Black colleges have an unseen but critical role to play.

The brainpower deposited among the uneducated poor and minorities is the great untapped human resource of America. To better recognize the need for this resource consider the following: A generally accepted barometer of degrees of global competitiveness is the size of a nation's ''middle class.'' Beyond mere income, ''middle class'' should be defined as the segment of society able to earn a decent living for themselves and also capable of contributing something of value to society. Those who are not in this class would be persons lacking the capacity to support themselves and even in extreme cases becoming dysfunctional threats to society. Of its 1.2 billion populace China is predicted to have one fourth or 300 million people in its middle class by the end of this decade. India will have the same number or more—and they speak English. Add the very potent middle classes of Russia, Japan and Europe and you will see an overwhelming imbalance against the potential middle class of the United States. These are the workers who will be our well-prepared competitors in the global market-place. These ''middle class'' citizens will challenge our present lead in hi-tech products and services.

Consider the following:

Our total population is only 300 million. To maintain a position of global competitiveness our entire populace must become ''middle class.'' Japan and Ireland have achieved

this level. It is not an impossibility but a massive education mobilization must be mounted for the U.S. to catch up. And one great untapped brainpower resource is in the Black community. Black colleges and universities can be the catalysts for saving and developing this diamond mine.

Republican and Democratic bi-partisan support for Black colleges over the last twenty years has paid off and this investment could yield far more profitable results if we expand it.

Mr. BOUSTANY. Mr. Speaker, I yield 1 minute to my friend, the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend from Louisiana. I appreciate it very much.

I just rise to thank MAJOR OWENS for his steadfastness, not only in this particular area but in the area of education generally. The time is coming when MAJOR will not shepherd any longer any of these measures, but certainly all of us are grateful to him.

Also, I am grateful to my classmate and colleague for bringing this legislation to the floor. Quite frankly, Mr. Speaker, I can join the list. I heard DANNY DAVIS, my good friend from Illinois, speak of his experiences.

In 1953, I left Sanford, Florida, on a train for Nashville to attend Fisk University, one of the Historically Black Colleges that has been recognized. I left there and came here to Howard University and left there and went to Florida A&M University, where I achieved my JD degree.

Ms. BROWN, my colleague and classmate, spoke momentarily about Florida's schools. I have taught at Florida Memorial, been a Board of Trustee member at Bethune, and I am a graduate of Florida A&M University.

If it were not for those Historically Black Colleges, I would not be here. That may be something that a lot of people wish didn't happen, but it happened, and I am proud of it, and I thank my colleagues.

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

Mr. Speaker, I want to thank all my colleagues on the other side of the aisle for the hard work that they are doing to ensure that all Americans have access to education. I urge my colleagues to recognize the important contributions made by Historically Black Colleges and Universities and their graduates and to vote ''yes'' on this worthy resolution.

Mr. JEFFERSON. Mr. Speaker, I am here today to speak in support of establishing a National Historically Black Colleges and Universities Week. I am not only the product of an HBCU—Southern A&M College in Baton Rouge—but I represent three of these colleges in my district, Xavier, Dillard and Southern University in New Orleans.

These universities are the leaders in Louisiana in graduating African-Americans. Xavier graduates more black pharmacists than any university in the country and has a near 100 percent bar passage rate. The university also sends more African-Americans than any other university to medical school. Dillard University is nationally known for its nursing program and Southern University educates nearly 100 percent New Orleans residents who may not have received a college degree if SUNO was not open. These universities, as well as the other schools in the Southern University system and Grambling State University, have been vital in producing the best and brightest African-Americans in the American workforce. For their work in educating African-American students for over 100 years and their continued need for those who may not have the opportunity to go to college otherwise, they certainly should be recognized.

The Historically black institutions in my district were the hardest hit of our university system in New Orleans after Hurricane Katrina. SUNO is operating out of a trailer campus and Dillard will reopen this spring in the Hilton Hotel again. And all of the universities are struggling to recruit and retain students. We need the continued support of Congress to recognize the importance of these institutions in our community. Graduates of these universities often stay in New Orleans to work as teachers, doctors, or nurses in underserved communities because they want to give back to the community in which they have fostered an education. We need this to continue. Furthermore, these universities are critical to the recovery of our professional workforce in New Orleans. We could not rebuild our community without the support of the students who come to learn in our city or the professors who commit to stay in our city.

This resolution is important to me personally because without Southern A&M College, I might not be here today. But beyond that, the continued need for the opportunity that HBCU's provide and the local need for these universities to be involved in the recovery of the Gulf Coast region makes this resolution even more timely and necessary and I encourage all of my colleagues to support it.

Mr. BOUSTANY. 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 Louisiana (Mr. BOUSTANY) that the House suspend the rules and agree to the resolution, H. Res. 928, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5682, UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 947 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 947

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 947 provides for a structured rule, with 1 hour of general debate equally divided and controlled between the chairman and ranking minority member of the Committee on International Relations, and waives all points of order against consideration of this bill, and provides for a motion to recommit with or without instructions.

This rule also makes in order several amendments brought forward to the Rules Committee, two of which are Democrat amendments, two are Republican, and two are bipartisan amendments, so the rule is fair in allowing a wide range of debate on issues that will be affecting nuclear technology, U.S. foreign policy and our strategic partnership between the world's two largest democracies, India and the United States.

Mr. Speaker, there was a time when I acted in a great many plays, one of which was the children's theater ''Willy Wonka and the Chocolate Factory.'' And Willy Wonka has a song

that he sings in there called ''Pure Imagination,'' with the wonderful lyrics like ''there is no life I know that compares with pure imagination,'' which may work well for the stage or for a children's book after which it was based but not in the reality of our partnership between India and the United States.

There we must face reality, and the reality is India has had nuclear technology for four decades, they are a nuclear power, they have been in the possession of that technology since 1974 when they conducted their first nuclear test, they have never signed the nuclear nonproliferation treaty, nor do they have the international Atomic Energy Agency safeguards, and since that time they have sought to increase the development of nuclear energy to support the needs of their large population.

In June of last year, President Bush announced an agreement with Prime Minister Singh of India on increasing cooperation on various fronts, including civilian energy production, which will hopefully ensure that India will join with the rest of the world and with us in the nonproliferation mainstream.

This underlying bill, H.R. 5682, builds upon those principles outlined in the President's agreement with India and grants the President certain prerogatives to waive restrictions of the Atomic Energy Act of 1954 to facilitate transfers of civilian nuclear technology and materials, while specifically preserving the right of the Congress to ultimately approve or disapprove those waivers by requiring an unamendable joint resolution of approval by Congress in order for any of the formal detailed agreements to be entered into force.

□ 1600

In that regard, the Committee did well in protecting the rights and prerogatives of Congress. The bill also increases congressional oversight of nuclear cooperation with India by requiring detailed annual reports on India's activities.

Finally, the legislation requires the President, prior to requesting a waiver of the Atomic Energy Act prohibitions to certify to Congress very specific conditions that have been met by India, which would include: A credible plan for a separation of India's civilian and military facilities, increased safeguards and inspection of India's nuclear facilities, strengthened controls on India's export of nuclear technology, and an agreement that India will work with the United States towards the FMC treaty, which will also certify that the NSG has consensus agreement on the guideline modifications that will be enacted.

Mr. Speaker, as the ranking member on the International Relations Committee said at the Rules Committee hearing yesterday on this bill, it is perhaps the single most important bill in this area of international relations that this Congress will have acted upon.

Our country has much to gain by working cooperatively with India in exchange for tighter controls than by not engaging them on these matters at all.

Without this agreement, India could move unilaterally into a nuclear realm without our Nation's consent or cooperation. Since September 11, 2001, India has demonstrated that it is an important partner with the United States in combating the war on terror. It is a nation of strategic and economic interests, and it is one in which we need to further our cooperation with India.

One of the most concise yet persuasive concepts for us to consider as well is that by facilitating civilian nuclear energy in India through cooperative agreements with our country, we will also have a significant influence on the international impact of oil, of emissions and jobs.

This is one of those bills, unlike some of the others we do, that does not expand the scope of government, it does not impose a mandate, has congressional authority, and if you are watching or reading one of the newspapers passed around this Hill today was supported by eight different veterans groups today.

Mr. Speaker, H.R. 5682 is a bipartisan bill. It enjoys a broad range of support. I urge the adoption of the rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. I thank my friend from Utah (Mr. BISHOP) for the time.

Mr. Speaker, I rise today in strong support of the U.S.-India Nuclear Cooperation Promotion Act. As our colleague, Chairman HYDE, said yesterday in the House Rules Committee, this is the single most important piece of legislation that has come through the International Relations Committee this year.

We must do everything in our power to pass it today. India, the world's largest democracy, and the United States, the world's oldest democracy, must come together and strengthen their friendship. After centuries of an unsteady relationship, there has been dramatic improvement starting with the Clinton administration and continuing today.

This bill tells India that we believe in them, and that we want to support them just like they have consistently supported us. The civilian nuclear initiative will deepen the U.S.-India strategic partnership. The initiative reflects U.S. trust in India as a global tactical partner, and indicates our admiration for India's democratic traditions, her commitment to tolerance and her commitment to freedom.

I, as well as many of our colleagues, have had the great pleasure of traveling to the country of India on several different occasions. Any person who goes to India recognizes the crucial necessity of clean energy.

This legislation will provide productions of clean energy, and can potentially reduce further pollution on the environment through decreasing the dependency on fossil fuels.

Civil nuclear cooperation is vital to the development of a clean and safe environment for our Indian friends. As our distinguished colleague, the ranking member of International Relations, Tom Lantos, said in the Rules Committee yesterday, India is a nuclear nonproliferator.

India has pledged to identify and separate her civil and military nuclear facilities and programs and place the civil portions under IAEA safeguards. I would urge my colleagues who have some hesitancy about this legislation to pay particular attention to that particular part of the legislation.

This bill will bring India closer to the international nonproliferation mainstream. India has ensured that 65 percent of her current and planned power reactors will come under IAEA safeguards. This, in the legislation, would rise to as high as 90 percent in future years as India constructs new reactors.

Without this initiative, 81 percent of India's current power reactors and all future power programs would remain unclear. Energy power and clean air are necessities for the Republic of India, especially because the excessive harm of global warming that is affecting India and indeed the world every day.

The amount of carbon dioxide emitted through the combustion of fossil fuels, otherwise known as the carbon footprint, is constantly upsetting this region.

Their need for alternative sources of energy is staggering, and we must pass this legislation to make a change in this region possible. India, America's strongest ally in the Southeast Asia region, is on the verge of an energy crisis. India is the sixth largest energy consumer in the world.

But in order to maintain their strong economic growth, India's energy consumption will need to increase substantially. The facts are astounding, and civilian nuclear cooperation is the only way India's energy can remain secure.

On a note of personal privilege, Mr. Speaker, I would like to thank Sonal Patel, a young woman who is interning in my office this summer. She worked hard on this issue, and she and other young Indian nationals who are interning here on the Hill this summer worked very actively, along with my friends, Mr. CROWLEY, Mr. PALLONE and others, to bring to the floor the legislation dealing with the condemnation of the horrible bombing incidents that took place in India.

This is a year where many of our interns are demonstrating staff-like work, and certainly, she qualifies in that category. The facts are astounding, and civilian nuclear cooperation is the only way India's energy can remain secure.

Mr. Speaker, I urge my colleagues to vote for the rule and the underlying bill.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 7 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairwoman of the subcommittee, and one of the experts we have here in the House on international relations.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend for yielding me time.

Mr. Speaker, as an original cosponsor of this legislation, as well as the co-chair of the Congressional Caucus on India and Indian Americans, I rise in strong support of House Resolution 5682, the United States and India Nuclear Cooperation Promotion Act.

I would like to thank Chairman HYDE and Ranking Member LANTOS for their dedicated work on this important issue, and for their willingness to work with me as well as other Members of the House International Relations Committee to ensure that the bill before us today achieves that delicate balance between strengthening our democratic ally, India, and expanding our bilateral strategic efforts, while promoting U.S. nonproliferation priorities.

Given the overwhelming positive committee vote on this measure, I am confident that we have achieved this balance, Mr. Speaker. By providing the legal foundation for full civilian nuclear cooperation, this bill supports the strategic objectives for our global partnership with India, and that was signed a year ago by President Bush and Prime Minister Singh.

As India stands firm with the United States and our efforts to confront and eliminate the scourge of global terrorism, and to prevent the spread of dangerous nuclear technology, this bill seeks to reward and recognize India's commitment, while building upon our bilateral cooperation and strategic relationship to address broader U.S. national security priorities.

Mr. Speaker, this is not a proposal that we would offer to just any nation. It is a venture we would only enter with our most trusted and proven democratic allies. As such, the bill we will be considering today clearly notes that India is a special case. It outlines the record of achievement that distinguishes India from the pack, and that has earned India this special treatment.

Notably, I am referring to section 2 of the bill, Mr. Speaker, which defines certain criteria that are crucial to the U.S. and which India has met. Section 2 recognizes that India is a country that has demonstrated responsible behavior with respect to the nonproliferation of technology related to weapons of mass destruction programs, and the means to deliver them; that India is working with the United States in key foreign policy initiatives related to nonproliferation.

India's commitment to cooperate with us on such major issues as the spread of nuclear weapons material and technology to groups and countries of concern, such as Iran, advances the strategic security interests of us in the United States.

However, to reiterate, Mr. Speaker, this bill seeks to go beyond the status quo, and it builds upon existing commitments and cooperation. Section 3 of the bill focuses our policy on securing India's full and active involvement in dissuading, isolating, and if necessary, sanctioning and containing Iran for its efforts to acquire chemical, biological and nuclear weapons capability, and the means to deliver those deadly unconventional weapons.

This section also establishes, as U.S. official policy, the need to secure India's participation in the Proliferation Security Initiative, including a formal commitment to the statement of interdiction principles.

It also calls for the achievement of a moratorium by India, by Pakistan, and by China, of fissile materials for nuclear explosives purposes. Furthermore, Mr. Speaker, this bill ensures that Congress can exercise its congressional oversight, and it outlines a number of steps that the President must determine and report to the Congress that have taken place before we consider the final agreement.

Among other conditions, the certification under section 4 requires that India provide the U.S. and the International Atomic Energy Agency with a credible plan to separate its nuclear facilities, and that India file a declaration with the IAEA regarding the civilian sites.

It calls for India and the International Atomic Energy Agency to have concluded an agreement that subjects these nuclear facilities to perpetual safeguards. The President must also certify that India is taking concrete steps to prevent the spread of dangerous nuclear-related technology, such as by enacting and enforcing comprehensive export controls and regulations that are in keeping with the highest regional and international standards, such as those of the Nuclear Suppliers Club.

More importantly, Mr. Speaker, Congress will be able to review and approve the final framework agreement for U.S.-India nuclear agreements. Lastly, H.R. 5682 calls on the U.S. Government to provide Congress with detailed annual reports on implementation of this deal and on U.S. nonproliferation policy throughout South Asia.

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In short, nuclear cooperation under this proposed legislation could enhance not just U.S. security but actually international security as a whole.

In light of the vital implications of this legislation, Mr. Speaker, I urge my colleagues in joining me and voting ''yes'' on the U.S. and India Nuclear Cooperation Promotion Act. I thank my good friend for the time.

The SPEAKER pro tempore (Mr. KLINE). Without objection, the gentleman from Massachusetts (Mr. MCGOVERN) will control the time of the gentleman from Florida (Mr. HASTINGS).

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY), a member of the International Relations Committee, one of the distinguished former co-chairs of the House India Caucus.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the rule for the India Nuclear Cooperation Promotion Act, and I thank the gentleman from Massachusetts for yielding me this time.

This rule provides debate for relevant amendments to the proposed civilian nuclear cooperation deal between the United States and India. I strongly support the passage of this bill, as do many former Clinton administration officials.

Former Defense Secretary Richard Cohen said, and I quote, ''The most important strategic agreement that we will have reached in recent times has been that of the United States and India on this non-nuclear agreement.''

Former Assistant Secretary of State for South Asia Rick Inderfurth said, and I quote, ''It is the right call for us in the world, really. This is a way to bring India into a global nonproliferation regime, rather than leaving it on the outside.''

Former Ambassador and career Foreign Service Officer Terestia Schaffer said, and I quote, ''The nuclear system will be much more robust and potentially more effective with India on the inside than on the outside.''

And today former Ambassadors to India Tom Pickering and Frank Wisner wrote an op/ed supporting the deal, which I would like to ask unanimous consent to have added to the RECORD.

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

There was no objection.

[From the Washington Times, July 26, 2006]

TRIUMPHANT INDIA POLICY

(By Tom Pickering/Frank Wisner)

When the House of Representatives votes today on civil nuclear cooperation with India, President Bush, marching hand-in-hand with Congress, will be a step closer to a foreign policy trophy commensurable with Nixon's opening to China: a flourishing strategic partnership with India. Cementing this partnership would overcome decades of unrealistic and futile attempts to force India to abandon its nuclear arsenal while sandwiched between two nuclear-armed rivals.

The House International Relations Committee earlier voted by an overwhelming bipartisan majority of 37–5 to approve the civil nuclear cooperation bill (H.R. 5682), and the Senate Foreign Relations Committee has approved a companion bill by 16–2. The terms of the legislation have been scrupulously crafted in a collaborative endeavor between the executive and legislative branches to answer nonproliferation concerns, among other issues.

Civil nuclear cooperation with India would catalyze alignment of the two great democracies for the 21st century. Prospects for enactment are sanguine during the 106th Congress. It demonstrates how much a president can accomplish in foreign and national security affairs if Congress gets a ticket for the take-off as well as for the landing, to borrow from former Sen. Arthur Vandenberg, Michigan Republican.

Virtually every member of Congress understands the centrality of India to U.S. national security interests. India appreciates the horror of international terrorism because it has suffered on a scale reminiscent of September 11, 2001: hundreds of casualties recently in Mumbai from bombs planted on six commuter trains; an attack on India's parliament; and recurrent horrors in Kashmir.

When India's prime minister addressed the U.S. Congress last year, he vowed: ''We must fight terrorism wherever it exists, because terrorism anywhere threatens democracy everywhere.'' During a return trip to India, President Bush responded: ''He is right. And so America and India are allies in the war against terror.''

India generally supports the U.S. over Iran's nuclear ambitions, peace in the Middle East, reconstruction of Afghanistan, and spread of democracy in Nepal and elsewhere. The two countries are co-founders of the Global Democracy Initiative.

India is a secular democracy, featuring religious pluralism. It is a majority Hindu nation with a Muslim president, a Sikh prime minister, and a Christian leader of its largest political party. Its permanent interests on energy, free enterprise, the environment and nonproliferation, and a balance of power in Asia converge with those of the United States.

The U.S-India strategic partnership has been frustrated more than 30 years by a rigid statutory prohibition on sharing civil nuclear technology with India, whereas sharing is permitted with China and other less friendly or responsible nations. India has felt estranged and demeaned. The pending legislation would pluck the ''cinder in the eye'' of the U.S.-India relationship on terms eminently fair to both.

India would join the international nonproliferation framework. It would place all of its civilian reactors under International Atomic Energy Agency (IAEA) inspections to prevent diversion of nuclear assistance to military use. It would upgrade its export controls on missile and nuclear technology to the standards of the Missile Technology Control Regime and the Nuclear Suppliers Group. It would continue its moratorium on nuclear testing, and negotiate in tandem with the United States a multilateral Fissile Material Cut-Off Treaty.

The legislation has elicited the enthusiastic support of two directors general of the IAEA, the G–8, and Great Britain, France and Russia. IAEA Director General and Nobel Prize winner Mohamed ElBaradei has effused: ''The agreement . . . would bring India closer as an important partner in the nonproliferation regime. It would be a milestone, timely for ongoing efforts to consolidate the nonproliferation regime, combat nuclear terrorism and strengthen nuclear safety.''

Contrary to detractors, the prospective U.S.-India civil nuclear cooperation has not diminished international opposition to the nuclear adventurism of Iran or North Korea. It has not provoked any nation to consider withdrawal from the Nuclear Nonproliferation Treaty, because the legislation harmonizes with its terms and objectives. It has not ignited an arms race in South Asia.

By any sensible nonproliferation measure, the legislation for civil nuclear cooperation with India will make the world safer. India's already commendable export control record would further improve. It has not proliferated to third countries, unlike the A.Q. Khan network. Its indigenous development of nuclear weapons was consistent with its international obligations and an understandable response to the NPT's tilt in favor of five defined nuclear-weapons states: China, Russia, the United States, Great Britain and France. And nuclear assistance to India's civilian sector will not ''free up'' indigenous uranium to boost its military arsenal because India's uranium reserves are enough for both programs, as Secretary of State Condoleezza Rice has told Congress.

In sum, to vote for civil nuclear cooperation with India is to vote on the right side of history, for nonproliferation, and in the U.S. supreme national interests.

Mr. CROWLEY. Mr. Speaker, NPT, the Nonproliferation Treaty, is something that we all hold in great respect. But I believe, as do many of my colleagues, the ''T'' needs to stand for tent. We need to find a way to bring India into the tent of nonproliferators, as she has always been a nonproliferating country. She has never once proliferated beyond her borders, unlike some of her neighbors.

If you want to have a similar deal as has been struck between the United States and India, you need to act as GARY ACKERMAN says, like India.

I urge all my colleagues to support the rule and final passage of a clean bill.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I rise in strong support of H.R. 5682 and the rule for this legislation, the U.S. and India Nuclear Cooperation Promotion Act of 2006.

I want to also compliment the distinguished chairman of the House International Relations Committee, Mr. HYDE, and ranking member, Mr. LANTOS, for their leadership in bringing forward this important implementing legislation.

I also want to commend the administration for recognizing that we can learn from our mistakes, a mistake whereby we have failed in the past to link our foreign policy with our energy policy, and this is a very good first step to correcting such mistakes.

This is a very far-reaching agreement whereby the world's oldest democracy will join with the world's largest democracy to work together on foreign policy and energy policy. This is a model for the future where we can work on energy, cooperative agreements, and also fit within our strategic framework.

India for the past 32 years has been a nonproliferator, and we should reward India for that historic effort. In recent years, India has certainly been a critically important ally in the global war on terror. It has proven to be a reliable and secure state when it comes to nonproliferation. We need to build on this relationship and this new-found trust, and this implementing legislation that will allow us to do this is a critical first step in deepening this cooperation.

India, in working with the IAEA to increase inspections of existing and future reactors and maintaining India's moratorium on weapons testing, and given their assurances to work with us to prevent proliferation throughout the region, will prove to be a great example for other countries in the region to follow.

This is not only just a good bill for India. It is also good for American business. It allows us to increase energy trade, which really has not happened in the past three decades with India.

This is great for the environment. It helps us reduce carbon emissions by some 300 million tons, more than half the total Kyoto protocols; and it is going to reduce India's dependence on foreign sources of energy such as natural gas, which it is heavily dependent upon.

This is a very important piece of foreign policy and energy policy. I urge its passage. I urge passage of the rule so that we can move forward.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to my good friend and colleague on the Rules Committee, the distinguished gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank my friend, the gentleman from Florida, for yielding me the time.

Mr. Speaker, I am not going to talk about the underlying bill. We will do that a little later on today. But, instead, I want to take a couple of minutes to speak about the rule and about what I believe is a flawed process that Members of this House are forced to operate within.

It is easy in this Congress to get as much time as you want to debate trivial issues. We spend hours and hours honoring sports teams, we name post offices, we do all kinds of things like that. But when it comes to serious issues, all of a sudden there never seems to be the time.

There were a number of amendments that were proposed in the Rules Committee last night. Some of them were not made in order, and I regret the fact that those amendments were not made in order. But a number of those that were made in order have been limited to 10 minutes, 10 minutes, to talk about issues dealing with nuclear proliferation and arms control, 10 minutes to talk about issues that impact U.S. treaty obligations, 10 minutes to talk about how we prevent this world from being extinguished in one terrible nuclear flash.

That is what the leadership of this House thinks about issues of arms control and nuclear nonproliferation, 10 minutes; 5 minutes pro, 5 minutes against.

My colleagues, Congressman BERMAN and Congresswoman TAUSCHER, have an amendment that restricts exports of

nuclear reactor fuel to India until the President determines that India has halted the production of fissile material for the use in nuclear weapons. It is a serious issue. Regardless of whether you believe it should be part of this underlying bill or not, it is an issue that deserves debate and that the more debate that it gets on the floor the more of an indication we are going to send to our negotiators and to the Government of India that these issues are important to those of us in this Congress.

Congressman MARKEY and Congressman UPTON had an amendment that essentially would require the President to determine that the U.S. has received India's support in preventing Iran from acquiring weapons of mass destruction before the U.S. engages in nuclear cooperation with India.

The President and Members of this Congress take to this well constantly to talk about how we are concerned about Iran possibly acquiring weapons of mass destruction. This seems like a reasonable amendment. It was not made in order, so now we are forced to use it as a motion to recommit. We get 10 minutes to debate that, 5 minutes in favor, 5 minutes against.

We need to get our priorities straight in this House. We give resolutions honoring sports teams 40 minutes, 40 minutes; and we can only give 10 minutes to deal with amendments that are dealing with issues of whether or not we are going to see this arms race proliferate throughout this world? We need to get our priorities straight.

For that reason, Mr. Speaker, I am going to vote against this rule. Regardless of how you want to vote on the final passage of this bill, we should demand, all of us, Republicans and Democrats, that serious issues that get debated, get debated with enough time on this floor, at least as much as we give to these trivial issues like honoring sports teams.

Mr. BISHOP of Utah. Mr. Speaker, I reserve my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2½ minutes to my good friend, the distinguished gentleman from Ohio (Mr. KUCINICH) and former mayor of Cleveland.

Mr. KUCINICH. I rise in opposition to the rule and the underlying bill. This proposal would threaten global security and unilaterally modify the Nuclear Nonproliferation Treaty.

This administration has pursued contradictory policies with respect to the NPT, both misusing and disregarding the NPT to suit its stumbling interests. Regarding Iran, for example, the administration cited Iran for minor breaches of the NPT and are trying to rally support based on that for a military attack. At the same time, the administration itself undermines the NPT by this proposal which would help develop nuclear weapons.

The NPT requires that nuclear weapons states keep their weapons to themselves and allows nonweapons states to receive civilian nuclear technology only in exchange for their refusal to produce nuclear weapons. Yet this deal, in this deal the U.S. will provide India with civilian nuclear technology even though India is not a signatory to the NPT, is known to possess nuclear weapons and has no intention of limiting its nuclear weapons cache or production capability.

Moreover, since the U.S. will supply India with uranium fuel, India will be able to use more of its own limited uranium reserves to produce nuclear weapons. It is estimated India will be able to produce dozens more nuclear weapons per year under this deal.

We are going in the wrong direction here. At this time of great crisis in the world, we should be looking towards nuclear disarmament, nuclear abolition, saving the world, not ramping up for Armageddon by nuclear proliferation.

Mr. BISHOP of Utah. Mr. Speaker, on the rule for the bill that was passed out by a bipartisan vote of 37–5, I reserve my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield to my good friend from New Jersey, the distinguished gentleman, Mr. PALLONE, 1 minute.

Mr. PALLONE. Mr. Speaker, I rise in support of the rule and in support of the bill.

India has been a strong U.S. ally and should be viewed as a credible and worthy nation of our help and support. India is ready to accept all the responsibilities of the world's leading states with respect to advanced nuclear technology.

India has no record of proliferating dual-use nuclear technology to other countries. It understands the danger of the proliferation of weapons of mass destruction and has agreed to key international nonproliferation requirements. India has committed to separate its military and peaceful programs and adhere to international nuclear and missile control restrictions. It is actively working with the Nuclear Suppliers Group and the International Atomic Energy Agency to place all of its nuclear facilities under international safeguards.

This nuclear agreement strengthens energy security for the U.S. and India and promotes the development of stable and efficient energy markets in India. Development and expansion of U.S.-India civil nuclear cooperation should over time lessen India's dependence on imported hydrocarbons, including those from Iran.

Today, the world's two largest democracies have established a remarkable strategic partnership. A civil nuclear cooperation would be a great accomplishment. Its implementation is important for national security and for U.S.-India relations. I urge my colleagues to vote an ''aye'' on this bill.

I want to commend the chairman and the ranking member for their hard work in constructing a bill that both the administration and the House could support. Their version will set the process by which Congress will in the future review and vote on the final framework agreement to implement the nuclear cooperation deal.

Based on their shared values of diversity, democracy and prosperity, the United States and India have a natural connection. Recently, we fostered a transformed relationship that is central to the future success of the international community; and this important legislation would solidify this relationship.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am going to yield myself such time as I may consume; and I am going to take just a small amount of time hoping that colleagues who have demonstrated an interest would have time to get to the floor.

Mr. Speaker, one of the things that has not been mentioned by anyone that I believe that this legislation will assist in is providing safe reactors.

I had the misfortune and at the same time distinguished privilege to serve as the lead election monitor of the elections in Belarus, and while there I had an opportunity to see the horrible effects of a nuclear disaster. Some folks who remember Chernobyl think of it as Ukrainian and Russian in terms of the damage that was done, but the downwind aspects of that disaster fell on Belarusians, and it was devastating, and the effects of that are still showing.

□ 1630

We have had, with the exception of the Three Mile Island incident in Pennsylvania, extremely safe nuclear reactors in the United States, and our technology, indeed, some of technology in the world, may very well provide for even safer reactors. Thus, bringing India under the aegis of the IAEA can only assist in providing safe reactors.

Additionally, as we well know, Indian scientists are extremely resourceful. The residual from nuclear technology has produced the waste that the world needs to determine how best to handle. I believe, without knowing, nor do I think this legislation standing alone will cause that to occur, but I believe that Indian scientists, working with others throughout the world, may very well assist in developing the technology that will handle the nuclear waste that is such a tremendous problem, not only for this country, but indeed the world.

So there are other benefits that may be derived from this legislation, in addition to civilian pursuits that will help to reduce the carbon footprint.

Mr. Speaker, I did take enough time to let one of my colleagues arrive, and that said, I am very pleased to yield 2 minutes to my classmate and good friend, the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, there seems to be something missing from the debate today. It is like the elephant in the room, no one wants to talk about it. Whatever happens to the United States' own commitment to nonproliferation?

Yesterday, I went before the Rules Committee, and I had an amendment that was quite simple. It stated that until the President has implemented and observed all of our NPT obligations and revised its own policies relating to them, no item may be transferred to India, including exports of nuclear and nuclear-related material, equipment or technology. Unfortunately, my amendment was not included in this restrictive rule.

As many of my colleagues have stated, this objection is not about the deal or our alliance with India. This is about how the Bush administration has made a mockery of the NPT and encouraged other countries to go around the treaty. Basically, the bill says that if a country ignores the NPT, the United States will cut a deal down the road.

If anything, the U.S. is contributing to global nuclear proliferation with this agreement.

Vote against the rule because in a world that is becoming more, not less, violent by the day we must face the facts. Until the United States lives up to its nonproliferation obligations, how can we possibly ask others to do so?

Today, I will vote against this misguided bill. I will vote against the rule. I urge my colleagues to do the same.

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

Just to illustrate what the Rules Committee actually did do, there were 10 amendments that were proposed to the Rules Committee, one withdrawn, two not germane. The one recently referred to was ruled not germane because it referred to all NPTs, not specifically this particular one. Of the seven that were remaining, six were actually made in order.

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

Mr. HASTINGS of Florida. Mr. Speaker, without further closing, in light of the fact that I have already, I yield back the balance of our time.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate my good friend, the gentleman from Florida (Mr. HASTINGS), and his presentation. I am very proud that I was able to go through this entire discussion and I hope to say ''nuclear'' correctly. It was the biggest fear I had.

I support the rule; I urge all those to support this rule and the consideration for H.R. 5682.

Mr. Speaker, I yield back my time and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. KLINE). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: Suspending the rules on H.R. 5337, by the yeas and nays; suspending the rules on H.R. 5319, by the yeas and nays; agreeing to H. Res. 947, by the yeas and nays.

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

NATIONAL SECURITY FOREIGN INVESTMENT REFORM AND STRENGTHENED TRANSPARENCY ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5337, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 5337, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 8, as follows:

[Roll No. 404]

YEAS—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns

Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—8

Capito
Davis, Jo Ann
Deal (GA)
Evans
Istook
Lewis (GA)
McKinney
Wexler

□ 1704

Mr. FRANKS of Arizona changed his vote from ''nay'' to ''yea.''

So (two-thirds of those voting having responded 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.

DELETING ONLINE PREDATORS ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5319, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 5319, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 15, not voting 7, as follows:

[Roll No. 405]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Conyers
Grijalva
Hinchey
Honda
Kucinich
Lee
Lofgren, Zoe
McDermott
Payne
Schakowsky
Scott (VA)
Serrano
Stark
Watson
Woolsey

NOT VOTING—7

Capito
Davis, Jo Ann
Deal (GA)
Evans
Istook
McKinney
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1715

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

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

So (two-thirds of those voting having responded 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.

PROVIDING FOR CONSIDERATION OF H.R. 5682, UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on adoption of H. Res. 947, 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 resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 311, nays 112, not voting 9, as follows:

[Roll No. 406]

YEAS—311

Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Everett
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella

Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pallone
Paul
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Salazar
Schakowsky
Schiff
Schmidt
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—112

Abercrombie
Allen
Andrews
Baird
Baldwin
Barrow
Becerra
Berman
Berry
Bishop (GA)
Blumenauer
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Case
Cleaver
Clyburn
Conyers
Cooper
Costello
Cummings
DeFazio
DeGette
Delahunt
Dingell
Doggett
Doyle
Etheridge
Farr
Fattah
Ford
Frank (MA)
Green, Al
Grijalva
Harman
Hastings (FL)
Hinchey
Holt
Honda
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kucinich
Langevin
Larson (CT)
Lee
Lipinski
Lofgren, Zoe
Lowey
Lynch
Markey
Matsui
McDermott
McGovern
McNulty
Meehan
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pascrell
Pastor
Payne
Peterson (MN)
Price (NC)
Rahall
Rothman
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schwartz (PA)
Serrano
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Watson
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

NOT VOTING—9

Capito
Davis, Jo Ann
Deal (GA)
Evans
Green, Gene
Istook
McKinney
Saxton
Wexler

□ 1723

Mrs. MALONEY and Ms. SCHAKOWSKY changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 406, had I been present, I would have voted "yea."

Mrs. JONES of Ohio. Mr. Speaker, on rollcall No. 406, had I been present, I would have voted "yea."

CORRECTING THE ENROLLMENT OF S. 203

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 456) providing for a correction to the enrollment of the bill, S. 203.

The Clerk read as follows:

H. CON. RES. 456

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, S. 203, the Secretary of the Senate shall make the following correction: After section 702 insert the following new section (and amend the table of contents accordingly):

SEC. 703. NEW JERSEY COASTAL HERITAGE TRAIL ROUTE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Public Law 100–515 (16 U.S.C. 1244 note) is amended by striking section 6 and inserting the following:

''SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this Act.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used only for—

''(A) technical assistance; and

''(B) the design and fabrication of interpretative materials, devices, and signs.

''(2) LIMITATIONS.—No funds made available under subsection (a) shall be used for—

''(A) operation, repair, or construction costs, except for the costs of constructing interpretative exhibits; or

''(B) operation, maintenance, or repair costs for any road or related structure.

''(3) COST-SHARING REQUIREMENT.—

''(A) FEDERAL SHARE.—The Federal share of any project carried out with amounts made available under subsection (a)—

''(i) may not exceed 50 percent of the total project costs; and

''(ii) shall be provided on a matching basis.

''(B) FORM OF NON-FEDERAL SHARE.—The non-Federal share of carrying out a project with amounts made available under subsection (a) may be in the form of cash, materials, or in-kind services, the value of which shall be determined by the Secretary.

''(c) TERMINATION OF AUTHORITY.—The authorities provided to the Secretary under this Act shall terminate on September 30, 2007.''.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available, the Secretary of the Interior shall prepare a strategic plan for the New Jersey Coastal Heritage Trail Route.

(2) CONTENTS.—The strategic plan shall describe—

(A) opportunities to increase participation by national and local private and public interests in the planning, development, and administration of the New Jersey Coastal Heritage Trail Route; and

(B) organizational options for sustaining the New Jersey Coastal Heritage Trail Route.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Speaker, this concurrent resolution directs the Clerk of the Senate to make a simple enrollment correction to S. 203, passed by the House of Representatives on Monday by an overwhelming vote of 323–39.

I urge adoption of the resolution.

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

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

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

Mr. PALLONE. Mr. Speaker, the majority has already explained the purpose of H. Con. Res. 456, which would correct an inadvertent error in the House-passed version of S. 203 involving the New Jersey Coastal Heritage Trail Route.

Correcting this error would ensure the proper inclusion of language from H.R. 472, introduced by my colleague from New Jersey, Mr. LOBIONDO. I was proud to join the rest of the New Jersey congressional delegation in being an original cosponsor of this bill, which would reauthorize appropriations for the route and requires the Secretary of the Interior to develop a strategic plan.

The Coastal Heritage Trail extends for nearly 300 miles from Perth Amboy south to Cape May, then along the Delaware Bay to the Delaware Memorial Bridge. It is a partnership between the National Park Service and the State of New Jersey, with the help of other organizations working to preserve the natural and cultural heritage of the New Jersey coastline.

The Coastal Heritage Trail program has done a great deal to help New Jersey residents and tourists better understand the Shore area, and it is critical that it be reauthorized.

Mr. Speaker, we support H. Con. Res. 456. I urge its adoption by the House today.

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 Mexico (Mr. PEARCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 456.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 86. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3549. An act to amend the Defense Production Act of 1950, to strengthen Government review and oversight of foreign investment in the United States, to provide for enhanced Congressional oversight with respect thereto, and for other purposes.

RETURNED AMERICANS PROTECTION ACT OF 2006

Mr. HERGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5865) to amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. PAYMENTS FOR TEMPORARY ASSISTANCE TO UNITED STATES CITIZENS RETURNED FROM FOREIGN COUNTRIES.

(a) INCREASE IN AGGREGATE PAYMENTS LIMIT FOR FISCAL YEAR 2006.—Section 1113(d) of the Social Security Act (42 U.S.C. 1313(d)) is amended by inserting '', except that, in the case of fiscal year 2006, the total amount of such assistance provided during that fiscal year shall not exceed $6,000,000'' after ''2003''.

SEC. 2. DISCLOSURE OF INFORMATION IN THE DIRECTORY OF NEW HIRES TO ASSIST ADMINISTRATION OF FOOD STAMP PROGRAMS.

Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended—

(1) by redesignating the second paragraph (7) as paragraph (9); and

(2) by adding at the end the following new paragraph

''(10) INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN ADMINISTRATION OF FOOD STAMP PROGRAMS.—

''(A) IN GENERAL.—If, for purposes of administering a food stamp program under the Food Stamp Act of 1977, a State agency responsible for the administration of the program transmits to the Secretary the names and social security account numbers of individuals, the Secretary shall disclose to the State agency information on the individuals and their employers maintained in the National Directory of New Hires, subject to this paragraph.

''(B) CONDITION ON DISCLOSURE BY THE SECRETARY.—The Secretary shall make a disclosure under subparagraph (A) only to the extent that the Secretary determines that the disclosure would not interfere with the effective operation of the program under this part.

''(C) USE AND DISCLOSURE OF INFORMATION BY STATE AGENCIES.—

''(i) IN GENERAL.—A State agency may not use or disclose information provided under this paragraph except for purposes of administering a program referred to in subparagraph (A).

''(ii) INFORMATION SECURITY.—The State agency shall have in effect data security and control policies that the Secretary finds adequate to ensure the security of information obtained under this paragraph and to ensure that access to such information is restricted to authorized persons for purposes of authorized uses and disclosures.

''(iii) PENALTY FOR MISUSE OF INFORMATION.—An officer or employee of the State agency who fails to comply with this subparagraph shall be subject to the sanctions under subsection (l)(2) to the same extent as if the officer or employee were an officer or employee of the United States.

''(D) PROCEDURAL REQUIREMENTS.—State agencies requesting information under this paragraph shall adhere to uniform procedures established by the Secretary governing information requests and data matching under this paragraph.

''(E) REIMBURSEMENT OF COSTS.—The State agency shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph.''.

Mr. HERGER (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 5865. The purpose of the bill is to increase the funds in the program aiding Americans currently fleeing the crisis in the Middle East from $1 million to $6 million. It is important to help these Americans get out of harm's way and to provide them with the assistance they need to return to their homes in the United States.

However, when we considered this bill on the House floor, we learned that provisions within it allowed it to pass only on the condition that the program, established under the Social Security Act, is terminated. I thank my colleague Mr. MCDERMOTT for his comments on this matter and his criticism of this condition.

I am pleased that the Senate added an amendment to allow this valuable program to continue after this year. This is absolutely essential to the well-being of all Americans who may find themselves in such a situation in the future and look to their government for help. The United States received enough criticism already for mobilizing less quickly to assist our citizens in leaving war-ravaged areas of Lebanon. It is our job to protect them and help them return home, and I am pleased to give my support to this new version of the bill.

I urge my colleagues to vote in favor of H.R. 5685 to let the American people know that their representatives in Congress are concerned about their safety. Let us send a clear message that we will do all we can to help them get out of harm's way should they find themselves in such a crisis situation overseas.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HERGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on the bill, H.R. 5865.

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

There was no objection.

□ 1730

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 5682.

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

There was no objection.

UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 947 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5682.

□ 1731

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India, with Mr. DUNCAN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

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

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

Mr. HYDE. Mr. Chairman, I rise in support of H.R. 5682, the U.S.-India Nuclear Cooperation Promotion Act of 2006, which the Committee on International Relations ordered reported by a vote of 37–5 on June 28. This, therefore, is truly a bipartisan effort.

This bill is based on the administration's original proposal, H.R. 4974, which Mr. LANTOS and I introduced last fall at the request of Secretary Rice. Current law does not permit civil nuclear trade with India. That legislation would have authorized the President to waive a number of provisions of the Atomic Energy Act of 1954, as amended, to allow him to negotiate an agreement establishing civil nuclear cooperation with India.

This agreement will permit the U.S. to sell technology to India for nuclear power development. In return, India will open up for inspection its civilian nuclear program to international inspections and also agree not to test nuclear weapons and abide by nuclear export controls.

H.R. 5682 takes the President's bill as a starting point and amends it in several key ways. The most important of these is that the process of congressional consideration has been reversed, meaning that the agreement cannot go into effect unless Congress approves it. This seemingly small change actually has great ramifications for the role of Congress as it ensures that we will retain a substantive role in the negotiation and implementation of this historic and far-reaching agreement.

Other major improvements in this bill include strengthening the conditions which the President must certify. The original, vague generalities have been made more specific and require a number of conditions to have already been met instead of being open-ended. The most important of these include:

That India has provided the United States and the International Atomic Energy Agency with a credible plan to separate its civilian and military facilities;

India has concluded a safeguards agreement with the IAEA regarding its civilian nuclear facilities;

India and the IAEA are making ''substantial progress'' toward concluding an Additional Protocol, which is a set of enhanced safeguards and inspection measures that the United States is urging all countries to negotiate for themselves;

India and the United States are working toward a multilateral Fissile Material Cutoff Treaty;

India is working with the United States to prevent the spread of enrichment and reprocessing technology;

India is taking steps to secure its nuclear and other sensitive materials and technology through enhanced export control legislation and harmonizing its export control laws, regulations and procedures with international standards; and the Nuclear Suppliers Group, also known as the NSG, has voted to change its guidelines to allow civil nuclear trade with India.

As many of you know, the NSG is a voluntary group of countries that export nuclear materials and technology and that coordinate their export policies regarding other countries. Currently, those guidelines do not permit nuclear trade with India.

In addition, the legislation requires detailed annual reports on the implementation of the U.S.-India agreement and on U.S. nonproliferation policy with respect to South Asia. There are also sections on Sense of Congress and Statements of Policy that, although containing many useful provisions, I will not take the time to describe in detail now.

Taken together, the committee believes that this bill represents a judicious balancing of competing priorities and will help lay the foundation for an historic rapprochement between the United States and India, while also protecting the global nonproliferation regime.

Having described the major components of the bill, let me take a brief moment to address some of the arguments made by supporters and opponents.

I have yet to hear any objection raised by any Member regarding the desirability of improving U.S.-India relations in general. She is the largest democracy in the world, with 1.1 billion people.

The announcement on July 18 of last year by President Bush and Indian Prime Minister Singh of a new global partnership between our two countries has been almost universally praised in this country and is rightly regarded as an historic achievement and one that is long overdue.

That partnership embraces many elements, from combating the AIDS epidemic to collaboration on scientific research to closer cooperation and ensuring stability in South Asia and other regions. Among other benefits, the agreement on nuclear cooperation that this bill will make possible will help India address its pressing energy needs by allowing it to build several nuclear reactors to supply electricity and lessening the need for petroleum.

A major argument in favor, however, is that a closer relationship with India is needed to offset the rising power of China. There is much to this view, and it is clear that the U.S. will need to draw upon new resources to handle the challenges of this new century.

In the end, this is a good deal for both the U.S. and India. While the world has known that India possesses nuclear weapons, India has not had a seat at the table of nuclear stakeholders. The agreement calls for the U.S. to sell technology to India for nuclear power development. In return, India will open its 14 civilian nuclear reactors to international inspections, agree not to test nuclear weapons and abide by nuclear export controls. This brings India into the mainstream with other accountable countries, giving rise to the same benefits and responsibilities as such other countries.

It is important to note that this deal would improve international nuclear security and at the same time expand relations between the U.S. and one of the most important emerging nations in the world. It will enable India to make energy cheaper, cleaner and more accountable. It would create more customers for U.S. firms and, in the end, both countries will benefit.

I urge support of this important legislation.

I want to acknowledge the indispensable collaboration of Mr. LANTOS and his marvelous staff, matched only in talent and zeal by my marvelous staff. This is truly a product of very desirable bipartisanship, and I thank them and salute them for their contribution.

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

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

Mr. Chairman, I rise in support of the legislation. This is no ordinary vote. Historians will regard what we do today as a tidal shift in relations between India and the United States. This will be known as the day when Congress signaled definitively the end of the Cold War paradigm governing interactions between New Delhi and Washington.

A few weeks ago, by a vote of 37–5, the International Relations Committee resoundingly approved this legislation backing the civilian nuclear accord with India. This was nothing short of a vote of confidence in the long-term future of relations between India and the United States.

President Clinton laid the foundation for this process with his historic trip to India 6 years ago. He demonstrated that the United States was launching a new era of mutual respect and cooperation.

A year ago, this vision was brought to full realization as the President and Prime Minister Singh issued a joint statement on an array of new initiatives spanning the fields of high technology, space exploration, counterterrorism, defense cooperation and energy security.

Today, Mr. Chairman, the House of Representatives steps forth into the spotlight to offer its judgment on one critical element of this new relationship, the United States and India Nuclear Cooperation Promotion Act of 2006, the first key step to create the statutory authority to expand nuclear research, civilian nuclear power and nonproliferation cooperation New Delhi.

Our legislation represents a nonproliferation victory for the United States. As part of the agreement, India has committed to continue its moratorium on its own nuclear tests. It will also adhere to international nuclear and missile control restrictions, and India has agreed to place its civil nuclear facilities for the first time under international safeguards.

Mr. Chairman, this, of course, is not a perfect agreement. No agreement between two sovereign nations can ever

be perfect, because the agreements arise from hard negotiations. Compromise was necessary on all sides. But we must not let the siren song of perfection deafen us to this chance for dramatically strengthening an important and valued ally.

□ 1745

Mr. Chairman, I understand the criticisms of this agreement on nonproliferation grounds. But I would like to assure the House that the International Relations Committee has thoroughly examined these issues during our five extensive hearings since last September on this initiative.

And, Mr. Chairman, our bill addresses those concerns thoroughly. It requires the President to make several determinations to Congress. Among these, the President must determine that India has concluded a credible plan to separate civilian and military nuclear facilities; that India has concluded a safeguards agreement with the International Atomic Energy Agency that will apply safeguards in perpetuity to India's civil nuclear facilities, materials, and programs; that India is harmonizing its export control laws and regulations to match those of the so-called Nuclear Suppliers Group, and that India is actively supporting U.S. efforts to conclude a fissile material cut-off treaty.

It is worth repeating, Mr. Chairman, that the International Relations Committee came to the determination that this agreement advances our Nation's nonproliferation goals, and our committee approved the bill by an overwhelming, bipartisan vote of 37–5.

Mr. Chairman, this legislation has been carefully crafted to protect our nonproliferation interests, and to ensure direct congressional oversight. Members will recall that the administration wanted Congress to approve the India deal in advance, without seeing the details of a still-to-be-negotiated nuclear cooperation agreement.

There would have been no effective subsequent review by the Congress. We rejected that approach. Our agreement ensures that Congress will have the final word on whether or not the agreement for cooperation with India can become law. Under our approach, Congress must vote a second time before there can be any civilian nuclear cooperation with India.

Congress must approve the completed cooperation agreement. But congressional oversight does not end there, Mr. Chairman. Our legislation also requires that the President make detailed annual reports on U.S. nonproliferation policy with respect to South Asia and the implementation of the U.S.-India agreement. And it includes certain guarantees that India will adhere to international standards for maintaining a safe civilian nuclear program.

Mr. Chairman, it is my deep pleasure to see the United States and India finally emerging from decades of distrust and aloofness. Today, we are at the hinge of history, as we seek to build a fundamentally new relationship based on our common values and our common interests.

Our legislation, which is before this House, is a concrete and meaningful element of this new and dynamic relationship. I urge my colleagues to give their full support to this legislation and to help usher in a new day in U.S.-India relations.

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

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, I thank Mr. HYDE and Mr. LANTOS for their hard work on this bill. I think they have covered the details of the bill rather well.

The reason I wanted to take 1 minute was to say that I met with Prime Minister Singh in Delhi, India, along with some of his cabinet members, oh, a couple of months ago.

And although I have not always been in accord with some of things India has done, I am sure that they want to work with us on this nuclear agreement. They have assured me, and I am confident they will keep their word, that there will be a clear demarcation between civil use of nuclear energy, nuclear technology we might sell to them and their nuclear weapons program.

And there is about 800 million people in India that are living on less than $2 a day. And when you go through Delhi and you see how they are living, under horrible, horrible conditions, little children running around with no place to go, burning cow chips for the heat that they need to stay warm at night, you realize the need for energy that they have and they need it so badly.

So this nuclear technology we are going to sell them for civil use will be very helpful, not only for job creation over there, but for making the quality of life better for all the people in India.

Mr. LANTOS. Mr. Chairman, I yield to the gentleman from Illinois (Mr. DAVIS) for the purpose of making a unanimous consent request.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I rise in support of H.R. 5682, the United States and India Nuclear Cooperation Promotion Act of 2006.

Mr. Chairman, "India," Mark Twain wrote, "is the cradle of the human race, the birthplace of human speech, the mother of history, the grandmother of legend, and the great grandmother of tradition." Now, this remarkable country is asking for our assistance as it develops its civilian nuclear program.

The possibilities for nuclear technological innovation in India are limitless. Domestic infrastructure improvements in water supply, power generation, and other industries will substantially improve the quality of life for over one billion Indian people.

Cooperating with India as it develops stable nuclear technology will strengthen the bond between India and the United States. Offering our expertise will increase the environmental protections in production and promote the responsible discard of nuclear waste. Bringing India's nuclear program under international guidelines will ensure a safer nuclear program.

The security and stability of India's nuclear program security is of the utmost importance. The International Atomic Energy Agency and the Indian Government have been working together to apply safeguards in accordance with International Atomic Energy Agency practices as well as formulating a plan to ensure the separation of civil and military facilities, materials, and programs. Furthermore, India is supporting international efforts to prevent the spread of enrichment and reprocessing technology. India is ensuring that the necessary steps are being taken to secure nuclear materials and technology through the application of comprehensive export control legislation and regulations through harmonization and adherence to Missile Technology Control Regime and Nuclear Suppliers Group guidelines.

India is a flourishing democracy that seeks to develop its nuclear program for purely peaceful reasons. It should be congratulated for that. Cooperating with India as it develops a civilian nuclear program will help India fulfill its civilian energy needs while creating a strategic partner for the United States in a volatile region.

Mr. LANTOS. Mr. Chairman, I yield 2¼ minutes to the gentleman from California (Mr. BERMAN) our distinguished colleague who has made invaluable contributions to the development of this legislation.

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

Mr. BERMAN. Mr. Chairman, I want to commend the chairman and the ranking member of the committee, both Mr. HYDE and Mr. LANTOS, and their staffs for their hard work on this legislation.

There is no question that this bill is a major improvement over the administration's legislative proposal, as Mr. LANTOS mentioned. Because of the changes they have made, we will have an opportunity to decide whether or not to approve the nuclear cooperation agreement by a majority vote after the agreement is negotiated, after we see the IAEA safeguards agreement with India, and after the Nuclear Suppliers Group has reached a consensus.

Notwithstanding that, I do remain deeply concerned about this nuclear deal, because I fear that it will complicate our efforts to prevent the spread of weapons of mass destruction. Not because I think India is going to be a major proliferator, but because once you change the long-established nonproliferation rules for the benefit of one country, even a friendly democracy like India, then it becomes much easier for the other countries to justify carveouts for their special friends.

I would not be so concerned about setting a bad precedent if there was some compelling nonproliferation gain, but I just do not see it here. Later today, Representative TAUSCHER and I will offer an amendment to provide

that missing piece of the proposal. Our amendment, based on a proposal by former Senator Sam Nunn, would allow exports of nuclear reactors and other technology to India after a nuclear cooperation agreement has been approved by the Congress.

But it would restrict exports of uranium and other nuclear reactor fuel, until the President determines that India has halted the production of fissile material for use in nuclear weapons. Otherwise, we incentivize this.

Mr. Chairman, I come at this as someone who is unabashedly pro-India. I strongly support efforts to strengthen the U.S.-India strategic partnership. I also accept the fact that India has nuclear weapons, will never give up those weapons, and will probably never sign the Nuclear Nonproliferation Treaty.

Mr. Chairman, I welcome civilian nuclear cooperation with India, as long as it is done in a responsible way that does not undermine our credibility as a leader in the fight against proliferation. I believe the Tauscher-Berman amendment will help to achieve that goal.

Mr. HYDE. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I rise in strong support of this legislation, allowing for a nuclear cooperation agreement with India. The last two administrations have forged closer ties with India. And India is a nation now of over 1 billion people. The last two administrations frankly have overcome the chilly relations of the Cold War with India.

And last July's joint statement committed each country to a global partnership which has accelerated our cooperation on many issues, including on counterterrorism. As we saw 2 weeks ago, when a series of commuter train bombings hit Mumbai, killing over 200 Indian people, India is a frontline state in the struggle against Islamist terrorism.

Congress has played a leading role promoting U.S.-India relations. There is an India Caucus which I cochaired in the 107th Congress. In 2001, I led a congressional delegation to India's earthquake-shattered Gujarat region. Other Members have focused on India. But nothing we have done is as significant as the civilian nuclear cooperation agreement that we are debating today.

As our distinguished chairman has noted, the International Relations Committee has given this agreement close and extensive review. We held five hearings, which is certainly warranted given the high stakes.

Supporters and detractors alike recognize the great significance of this policy shift that the Bush administration has engineered. I would like to commend Chairman HYDE. He took a weak administration legislative proposal, one dismissive of congressional prerogative and turned it around. I want to commend Ranking Member LANTOS, too, for his detailed work on this challenging issue.

While nuclear energy is controversial in the United States, it is not in India. Like in several other countries, nuclear energy is widely viewed as a critical technology, one central to uplifting hundreds of millions of impoverished Indians. So India will develop its nuclear energy sector, not as easily or as quickly without this deal, but it will nonetheless. And India will not relinquish its nuclear weapons at this point in time, which is understandable, given its security situation.

So right now, many Indians view the United States as blocking India's technological and developmental aspirations by our opposition to their acquiring nuclear material and technology. With its growing economy, India is consuming more and more oil. It is competing on the world market, competing with American consumers for limited hydrocarbon resources.

This gives Americans an interest in helping India expand its nuclear power industry, which this legislation does. It also encourages India to move away from burning its abundance of highly polluting coal. By passing this legislation, we also take a step toward internationalizing India's nuclear industry, which I believe would make it safer.

Young Indian scientists and engineers in the nuclear field are interested in collaborating with their American counterparts. Today they are isolated. I would rather know more rather than less about India's nuclear work. Some have raised legitimate concerns about the impact of this agreement upon the Nuclear Nonproliferation Treaty and the Indian nuclear weapons arsenal. I am not prepared, at this point, to call this agreement a nonproliferation plus, as some do, but neither is it the clear setback some opponents describe.

For one, this agreement forces a separation between India's civilian and military nuclear programs. This is a good step. The agreement also is likely to increase India's cooperation with us in confronting countries seeking to break their NPT commitment by developing nuclear weapons.

In my view, this agreement is more likely a wash in the nonproliferation category, while its broad benefits, primarily cultivating a more influential relationship with India, are big pluses.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to distinguished Democratic whip, my good friend from Maryland (Mr. HOYER).

□ 1800

Mr. HOYER. I thank Mr. LANTOS for yielding the time, Mr. Chairman. I support this important bipartisan legislation, and I urge my colleagues to do the same.

It is critical to note that this bill creates a two-vote process for Congress to approve this Civil Nuclear Cooperation Agreement with India. While the bill allows the necessary waivers to the Atomic Energy Act for this pact, it also requires that the President submit a final agreement to Congress for a second up or down vote. I want to congratulate the gentleman from California for getting us a process that gives us that opportunity.

In short, I believe a Civil Nuclear Cooperation Agreement with India will serve America's strategic interests and strengthen global nonproliferation regimes by bringing the majority of India's nuclear reactors under International Atomic Energy Agency oversight for the first time.

In addition, this bill will strengthen the relationship between our two great democracies. A civilian nuclear agreement will help India's burgeoning economy continue to grow, and it will provide India with a clean source of energy.

Now, it is true that India is not a signatory to the Nuclear Nonproliferation Treaty, an international accord that I strongly support. But it is also true that India has honored the spirit of that treaty and has been a responsible nuclear nation for the past 32 years, unlike Pakistan, North Korea and Iran, I might observe.

Under this bill, the President is allowed to waive provisions of the Atomic Energy Act only after he sends Congress a determination that India has a credible plan to separate civil and military nuclear facilities. The President must also send to Congress a determination of an agreement between India and the IAEA requiring that agency to safeguard in perpetuity India's civil nuclear facilities, materials, and programs. In addition, the legislation requires detailed annual reports on the implementation of this agreement.

Mr. Chairman, I believe the House bill represents a policy that recognizes our Indian allies' responsible actions over more than three decades and our two nations' strong and deepening relationship. I thank the gentleman from California and Mr. ROYCE for their work on this bill and rise, as I said at the outset, in support of it.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in support of this legislation which will further the cause of civilian nuclear cooperation with India, and I would like to thank Mr. LANTOS and Chairman HYDE for the work that they put into this, again demonstrating the bipartisan cooperation that is possible even in the arena of international affairs which sometimes gets rather testy.

Let me note that the United States-India relations got off to a very bad start shortly after India became independent of Great Britain. India basically sided with Russia in the Cold War. Well, the Cold War is over, and we should be making up for lost time, which is exactly what this bill is all about.

This is dramatically in the interests of both of our countries. Economically,

a prosperous, democratic India with an expanding middle class is a dream market for American entrepreneurs, manufacturers and, yes, technologists. This agreement is designed to provide India the energy it needs to achieve its economic goals but in a way that will not damage America or other western democracies' economy by fencing off and consuming limited energy resources or using high-pollution energy resources of their own.

The high-temperature gas reactor, my subcommittee had a hearing on this, noting that there are new nuclear alternatives like the high-temperature gas reactor and other type of nuclear power systems that offer a safe method of providing India the energy it needs to uplift the standard of living of its people. This legislation is pro-prosperity, pro-energy; and, if we are vigilant, it will not be contrary to the interests of the nonproliferation movement. But it is up to us to work with India to make sure that nonproliferation remains a high priority for our countries, both of us together.

Finally, let me note, Mr. Chairman, that we need to have a strong relationship for it with India, yes, with Japan and, yes, with the former Soviet Union, if we are to have peace in this world. There is a danger looming in the future. Hopefully, China will some day democratize. Until then, we must have alliances with the world's democracies like India in order to preserve the peace of the world.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 3 minutes to my good friend from New York (Mr. ACKERMAN), a distinguished colleague and valued member of the International Relations Committee.

Mr. ACKERMAN. Mr. Chairman, today the House has an opportunity to make an historic choice of great proportions. For 30 years, Mr. Chairman, U.S. policy toward India has been defined and constrained by our insistence on punishing India for its sovereign decision not to sign the Nuclear Nonproliferation Treaty.

The truth be told, had India conducted its nuclear tests earlier, it would have been treated the way we treat France and Britain and Russia and China and ourselves. In short, it would have been grandfathered in as a member of the nuclear weapons club. But they did not test earlier, and they have been treated differently. And nothing that we have tried over the last three decades has convinced them to give up their nuclear status, and nothing that we would say over the next three decades would convince them, either.

The time has come for the United States to deal with the reality of South Asia as it is and not as a fanciful wish. India lives in a difficult neighborhood, next to Pakistan, which continues to produce nuclear weapons unchecked, and China, whose commitment to a fissile material cutoff is suspect, at best. If India didn't exist in that neighborhood, we would have to invent them.

India has been a responsible nuclear power and deserves to be treated that way. The bill before us does just that.

Critics have expressed concerns regarding the bill's impact on our nonproliferation policy; and, clearly Iran, Pakistan and North Korea are looking for clues as to what it means for them and their nuclear programs.

What do you tell Pakistan and Iran and North Korea? Well, you tell them this: If you want to be treated like India, be like India. Be a responsible international actor with regard to weapons of mass destruction technologies. Don't sell your nuclear technologies to the highest bidder. Don't provide it to terrorists. Be a democracy, a real democracy like India, and work with us on important foreign policy objectives and not against us.

Iran and North Korea signed the NPT and are now running away from their freely entered into obligation and away from IAEA inspections. India did not sign the NPT, and yet is embracing the IAEA and embracing global nonproliferation. India's attitude should be recognized and commended and congratulated.

There are two options before us today: One, don't pass the bill. We do that, and we allow India to pursue its national interests unimpeded, as it has been doing outside of the nonproliferation mainstream.

The other is to make a deal with India and give to the United States and the international community a window in perpetuity into two-thirds of India's nuclear facilities and all of its future nuclear facilities, under safeguards, in compliance, transparent.

I think the choice is clear: If you want the IAEA to inspect India's civilian nuclear facilities, then you are for the bill. If you want India to be obligated to adhere to the missile technologies control regime for the first time, then you are for the bill. If you want them to comply for the first time with the nuclear suppliers' groups guidelines for the first time, then you are for the bill. If you want to send a clear message to nuclear rogue states about how to behave, then you are for the bill. And, if you want a broad, deep, and enduring strategic relationship with India, then you are for the bill.

Mr. Chairman, it is time for a 21st century policy towards India, one that supports and encourages India's emergence as a global, responsible power and solidifies U.S.-India bilateral relations for decades to come. The bill before us today is that new policy. I urge our colleagues to vote ''yes'' on H.R. 5682.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, I rise today as an original cosponsor of the civilian nuclear agreement. As a member of the International Relations Committee and past cochair of the Congressional Caucus on India and Indian Americans, this is an issue I have enthusiastically supported. I want to thank Chairman Henry Hyde, Ranking Member Tom Lantos, Chairman Ed Royce, Caucus Cochairs Gary Ackerman and Joe Crowley, and all other members of the committee who have crafted well-balanced, bipartisan legislation.

Some incorrectly believe this agreement will have a negative impact on nonproliferation. In contrast, it will greatly strengthen our current nonproliferation system. India has long been outside of the international nonproliferation regimes. Under this agreement, India will place 14 of 22 existing and planned nuclear facilities under IAEA safeguards.

For 30 years, India has protected its nuclear programs. It has not allowed proliferation of its nuclear technology. India is the world's largest democracy, with the 11th largest economy. It is treated uniquely because of its history of maintaining a successful nuclear nonproliferation regime. I saw firsthand on a visit to India in December the vibrant future of India as America's partner in the codel led by Dan Burton.

Passage of this agreement promotes meaningful mutual economic benefits for India and America. Secretary Rice has noted that as many as 5,000 direct jobs and 15,000 indirect jobs could be created as a result of this agreement. In addition, India will be better positioned to compete in the global economy, and trade between our countries will continue to grow at a record pace, such as in 2005 when we recorded a 30 percent increase in exports to India.

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

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to my good friend from Nevada (Ms. BERKLEY) so she may engage in a colloquy.

Ms. BERKLEY. Mr. Chairman, I would like to thank Mr. LANTOS and Mr. ROYCE for engaging in this colloquy with me.

I fully appreciate the importance and significance of this historic piece of legislation. However, I rise today to discuss two amendments that were adopted by the committee.

I am sure that you are all aware that for over 20 years Nevada has fought to keep nuclear waste out of Yucca Mountain. This is a most compelling issue for the people of the State of Nevada. I am very pleased that the committee agreed with my arguments that, before we enter into any agreement to support a proliferation of nuclear power, we should know where the nuclear waste is going to be stored.

Nevada certainly doesn't want to store the nuclear waste that is generated in our own country, much less the nuclear waste that is generated in other countries, and that includes India.

I am pleased that an amendment that I sponsored ensuring that spent fuel

from India's civilian nuclear reactors cannot be transferred to the United States without congressional oversight, that was passed by the committee. Another amendment that requires the President to issue an annual report describing the disposal of nuclear waste from India's civilian nuclear program was also approved by the committee.

I believe these are critical provisions that the final bill simply must contain. Both of these provisions passed without objection during the committee markup of this legislation. I would ask the chairman whether he can assure me that he will work to maintain these provisions in the final bill as the legislative process goes forward.

I yield to the distinguished subcommittee chairman.

Mr. ROYCE. I thank the gentlewoman for yielding.

I supported the gentlewoman's amendment in committee. And while not necessarily concurring with all the views that she expressed in committee, I supported her amendment; and hers are helpful amendments which I will work to maintain in the final bill.

Ms. BERKLEY. I thank the chairman.

I yield to the ranking member of the committee.

Mr. LANTOS. I want to thank the gentlewoman for her excellent work on this legislation. I will do my utmost to work to keep this provision in the legislation.

Mr. ROYCE. Mr. Chairman, I reserve the balance of my time for closing.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2½ minutes to my good friend from South Carolina (Mr. SPRATT), the distinguished ranking member on our Budget Committee.

□ 1815

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding.

I would like to engage my colleagues and managers of this bill, Mr. ROYCE and Mr. LANTOS, in a colloquy on the issue of India's nuclear testing moratorium.

Section 129 of the Atomic Energy Act provides that, ''No nuclear materials and equipment or sensitive nuclear technology shall be exported to any non-nuclear weapon state that is found by the President to have detonated a nuclear device.'' It is my understanding that section 4(a)(3)(A) of H.R. 5682 waives this restriction for any nuclear test that occurred before July 18, 2005, effectively allowing nuclear cooperation in spite of India's past nuclear tests, but not for any detonation or tests after that day.

Therefore, if India were to do so, continued nuclear cooperation would be in jeopardy. Is that an accurate assessment?

Mr. ROYCE. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, the gentleman from South Carolina is indeed correct. It is our intent that section 129 of the Atomic Energy Act should apply prospectively to India. Should India conduct a nuclear test in the future, one likely consequence would be the discontinuation of nuclear fuel and technology sharing by the United States with India.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I agree with my friend, Congressman ROYCE. Nuclear tests by India would put the U.S.-India nuclear cooperation agreement in serious jeopardy.

Mr. SPRATT. I thank my colleagues for that clarification. As a further point of clarification, India's prime minister has reported to his parliament that, ''the United States will support an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supply over the lifetime of India's reactor.'' A sizeable fuel reserve could conceivably minimize the impact of a U.S. decision to cut off fuel supplies should India conduct a nuclear test.

Mr. ROYCE and Mr. LANTOS, is it your understanding that aiding in the development of a fuel reserve is not intended to facilitate a decision by the government of India to resume nuclear testing? I yield to the gentleman.

Mr. ROYCE. That is our understanding.

Mr. LANTOS. And I agree with that interpretation.

Mr. SPRATT. Finally, would the gentlemen then agree with me that any fuel reserve provided to the Indians for use in safeguarded, civilian nuclear facilities should be sized in a way that maintains continued fuel supply as a deterrent to Indian nuclear testing? I yield to the gentlemen.

Mr. ROYCE. Any fuel reserve should be intended to give India protections against short-term fluctuations in the supply of nuclear fuel.

Mr. LANTOS. I agree with Mr. ROYCE on this point.

Mr. SPRATT. I thank Mr. ROYCE and Mr. LANTOS for that clarification and commend you for your excellent work on this important legislation.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 2¼ minutes to our distinguished colleague from American Samoa (Mr. FALEOMAVAEGA), my good friend.

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

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in support of H.R. 5682, the U.S. and India Nuclear Cooperation Promotion Act, and I want to certainly commend Chairman HENRY HYDE and Ranking Member TOM LANTOS for their leadership in moving this legislation forward. This proposed legislation is a classic example of what bipartisanship is all about, and I, again, commend our chairman and ranking member and their staffs for their statesmanship and initiative in bringing this bill to the floor for consideration.

I also want to compliment my colleague from New York (Mr. ACKERMAN) for giving our colleagues a little historical perspective about this whole question of non-proliferation, and I want to share with my colleagues a historical perspective of why India did not and could not sign the nuclear nonproliferation treaty.

Mr. Chairman, while some of our critics may argue that India has not signed the NPT, I submit that had it not been for our own country's indifference, I call it benign neglect, if you will, India may have been a member of the nuclear club and our discussion about the NPT would have been a moot point.

In the early 1960s, despite having a civilian nuclear program, India called for a global disarmament, but nations with nuclear weapons turned a deaf ear. In 1962, China attacked India claiming it was responding to border provocation. The United States responded by saying it might protect India against a future attack, but when China exploded its first nuclear bomb in 1964, the U.S. welcomed China as a member of the nuclear club, and we also supported China becoming a permanent member of the United Nations Security Council.

It may be of interest to our colleagues, Mr. Chairman, that India had a civilian nuclear program in place prior to the NPT being open for signatures in 1968, and at the time, India was only months away from possessing nuclear weapons. So while critics may argue that India has not signed the NPT, I agree with India's position that the NPT is, and has always been, flawed and discriminatory.

Therefore, it is little wonder that India exploded its first nuclear device in 1974. Recent U.S. State Department declassified documents on U.S. foreign policy show that India had little choice given the hostile attitude assumed by our country towards India during the Nixon-Kissinger years.

I commend President Bush and Prime Minister Singh for bringing this initiative to the table. I also applaud the effort of Under Secretary of State Nicholas Burns who was our chief negotiator in development of this agreement. He did an outstanding job and showed true statesmanship.

I also want to thank Mr. Sanjay Puri, a great leader in our Indian American community for all that he has done to rally support for this bill.

I urge my colleagues to support this legislation.

Mr. Chairman, I rise in support of H.R. 5682, the U.S. and India Nuclear Cooperation Promotion Act and I commend Chairman HENRY HYDE and Ranking Member TOM LANTOS for their leadership in moving this legislation forward. This proposed legislation is a classic example of what bipartisanship is all about and I again commend our chairman and ranking member and their staffs for their statesmanship and initiative in bringing this bill

to the floor for consideration. I want to share with my colleagues a historical perspective why India did not and could not sign the Nuclear Non-proliferation Treaty.

Mr. Chairman, while some of our critics may argue that India has not signed the Nuclear Non-Proliferation Treaty, NPS, I submit that had it not been for our country's indifference or, benign neglect, if you will, India may have been a member of the nuclear club and our discussion about the NPT would be a moot point. In the early 1960s, despite having a civilian nuclear program, India called for global disarmament but nations with nuclear weapons turned a deaf ear.

In 1962, China attacked India claiming it was responding to border provocation. The U.S. responded by saying it might protect India against a future attack. But when China exploded its first nuclear bomb in 1964, the U.S. welcomed China as a member of the nuclear club and we also supported China to become a permanent member of the United Nations Security Council. It may be of interest to our colleagues that India had a civilian nuclear program in place prior to the NPT being opened for signature in 1968 and, at the time, India was only months away from possessing nuclear weapons. So while critics may argue that India has not signed the Nuclear Non-Proliferation Treaty, NPS, I agree with India's position that the NPT is, and has always been, flawed and discriminatory. Therefore, it is little wonder that India exploded its first nuclear device in 1974. Recent U.S. State Department declassified documents on U.S. foreign policy show that India had little choice given the hostile attitude assumed by the United States towards India during the Nixon/Kissinger years.

In 1965, believing India was weakened from its war with China, Pakistan attacked India. In response, the U.S. remained neutral while China outspokenly supported Pakistan. Concerned for its own security and having little reason to rely on the U.S., India announced in 1966 that it would produce nuclear weapons within 18 months. But, in 1967, the U.S. joined with the Soviet Union in crafting a nuclear non-proliferation treaty which to this day states that only the United States, Russia, the United Kingdom, China, and France are permitted to own nuclear weapons because only these five nations possessed nuclear weapons at the time the treaty was open for signature in 1968.

As we all can agree, India then and India today lives in one of the world's toughest regions and it is a bit Eurocentric for the U.S. to treat India as if she is beholden to us for the safety, protection, and well-being of her people. It is no grand gesture on our part that we now offer India civil nuclear cooperation. Instead, U.S.-India civil nuclear cooperation is long overdue and, quite frankly, the deal is as good for us as it is for India.

Mr. Chairman, I commend President Bush and Prime Minister Singh for bringing this initiative to the table. I also applaud the efforts of Under Secretary of State Nicholas Burns who was our chief negotiator in the development of this agreement. As the lead negotiator, Secretary Burns has represented our Nation's interest with distinction and true statesmanship, and I am honored to have worked with him during these critical months leading up to today's historic deliberation of this important bill.

I also want to thank Mr. Sanjay Puri, a great leader in our Indian-American community for all that he has done to rally support for this bill.

I urge my colleagues to vote in favor of H.R. 5682.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of this legislation and of the growing strategic partnership between the United States, the world's oldest democracy, and India, the world's largest. The hard work by Members and the staff on the IR Committee under the leadership of the chairman and ranking member have produced a bill that better attempts to address legitimate nonproliferation concerns and respects congressional authority to approve agreements.

During the markup, the committee adopted an amendment I offered to minimize the risk that our nuclear exports would assist India's nuclear weapons programs.

Under this amendment, the President would be required to submit to Congress a report on the steps he is taking to ensure our exports do not contribute to India's nuclear weapons program. In addition, my amendment declared that it is U.S. policy to encourage India not to increase its production of fissile material in military facilities.

Taken together with the other statements by the administration, this amendment makes clear that it is U.S. policy to promote the prompt negotiation of a fissile material production cutoff treaty; that pending entry into force of such a treaty, to press for the earliest possible achievement of a multilateral moratorium to accomplish this purpose; and to urge India to refrain from increasing its rate of production of fissile materials for nuclear weapons.

Mr. Chairman, the final bill must contain these provisions, and I would ask my colleague and the manager of the bill, Mr. ROYCE, whether he can assure me that he will work to maintain these provisions and their stated intent in the final bill as the legislative process goes forward.

Mr. ROYCE. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, yes. I supported the gentleman's amendment in committee, and I will work with him to maintain it in the final bill.

Mr. SCHIFF. I thank the gentleman.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to thank the gentleman for his excellent work on this legislation, and I intend to work to keep this provision in the legislation.

Mr. SCHIFF. I thank both of you gentlemen. I intend to support the legislation.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY), my very dear friend and our most distinguished colleague.

Mr. MARKEY. Mr. Chairman, this agreement pours nuclear fuel on the fire of an India-Pakistan nuclear arms race. This agreement will free up 40 to 50 bombs worth of nuclear fuel for Indian nuclear bombs, and the consequence of that will be that Pakistan will respond, and Pakistan will respond with A.Q. Khan under house arrest in Islamabad, the Johnny Appleseed of nuclear weapons spread from Iran to Libya to North Korea.

And how do we know that? We know that because in Monday's Washington Post we learned from an outside source that Pakistan is building a facility that can create 50 plutonium nuclear bombs a year. We should be debating that out here on the House floor tonight.

This House has 2 days to reject a sale of 36 F–16 bombers that can take the 50 nuclear bombs which Pakistan can make each year in a radius of 1,500 kilometers, but we are not going to debate that. We are not going to debate Pakistan's nuclear program, which Congress was not told about, the American public was not told about.

Who is in Pakistan? A.Q. Khan is in Pakistan. Osama bin Laden is in Pakistan. Al Qaeda is in Pakistan.

This agreement is going to fuel an arms race, a nuclear arms race in southeast Asia, and it is going to spread across the world, and instead of debating an F–16 bill, 36 of them to Pakistan, with this abomination of a nuclear program which they have, we are instead fueling it with this India program which Pakistan knows is cynical because it will free up 50 bombs worth of civilian domestic Indian nuclear fuel for their bomb program.

We must halt, we must stop this nuclear arms race in southeast Asia. We must vote ''no'' on this proposal. It is absurd. We should be debating Pakistan's nuclear program, Pakistan's F–16 program tonight, or else we will look back on this as an historic failure.

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

I think we are all very concerned about the reports on Pakistan's programs that appeared this week. I think it was Monday in the Washington Post, but I think it is important to also note that that report stated that the construction on this facility in Pakistan to make these bombs began sometime in the year 2000. So this is not something that I think can be characterized as a reaction to this new initiative with India.

I do have concerns about a nuclear arms buildup in Asia. Again, this is something that the administration should be doing more on, working towards a fissile material cutoff treaty.

However, I would just respond by pointing out that this agreement gives us a chance to be engaged with India on their program instead of being on the outside as we have been for decades.

Mr. Chairman, I yield for the purposes of a unanimous consent request to the gentleman from Iowa (Mr. LEACH), the chairman of the Asia Subcommittee.

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

Mr. LEACH. Mr. Chairman, at the outset I would like to recognize Chairman HYDE and the distinguished Ranking Member, Mr. LANTOS, for their leadership in improving the Administration's draft proposal for facilitating civil nuclear cooperation between the United States and India.

In particular, I appreciate their efforts to lessen the nonproliferation risks inherent in this initiative and to ensure that Congress remains a full partner with the Executive Branch as we move forward with this endeavor.

Nonetheless, while the issue at hand is a close call, in my judgment this particular initiative does not strike the right balance between two competing American national security interests: the important goal of improving relations with a rising India and the critical priority of preventing the spread of nuclear weapons and fissile material in an era hallmarked by the global threat of terrorism. Let me explain why.

There is nothing more difficult than to attempt to put perspective on events of day because so many issues can only be understood clearly, if at all, with the passage of time. For example, if we ask what is new on the Asian landscape over the last several years there is a tendency to emphasize troubling developments: the scourge of terrorism, North Korea, tensions over Taiwan, and America's growing trade deficit with China. But on the positive side little is more consequential than America's deepening ties with India.

The growing warmth between our two countries has its roots in the common values and the increasingly congruent interests of democratic societies committed to the ideal of liberty, social tolerance, representative government and the fight against terrorism, as well as other transnational threats—such as the spread of weapons of mass destruction, illicit narcotics, and the scourge of HIV/AIDS. In this regard all Americans condemn the recent horrific bomb attacks in Kashmir and Mumbai, and we stand with the people and government of India in their opposition to anarchistic acts of terror.

Our deepening government-to-government relationship is complemented by a rich mosaic of expanding people-to-people ties. In many ways, the more than 2 million Indian-Americans have become a living bridge between our two great democracies, bringing together our two peoples, as well as greatly enlarging our understanding of one another.

From a Congressional perspective, it should be underscored that America's commitment to this robust and multi-faceted relationship is fully bipartisan. As underscored by the debate on this measure, there is virtually no dissent in Washington from the precept that India and the United States should become increasingly close strategic partners with compelling incentives over time to develop convergent perspectives on a host of regional and global policy concerns.

By any objective measure, U.S.-India relations have never been on more solid footing. From new agreements on defense cooperation to expanded high technology trade and space cooperation, the relationship has been moving forward in an impressive fashion. On the economic front, America is India's largest trading partner and largest foreign investor. In many ways, however, what is impressive is how marginal, not how significant, is our trade. Economic and commercial ties between the U.S. and India are at an incipient, not end stage, and arguably deserve priority emphasis at this point in our relationship.

In this context, many in Washington and elsewhere around the world were caught by surprise with the Administration's offer last July to extend full civilian nuclear cooperation to India; a proposal which presented Congress with a fait accompli, notwithstanding the fact that implementation would require legislative action.

By background, when Prime Minister Singh was set to visit Washington last summer, the Administration was weighing two policy options to help ensure maximum success for this important summit with the President.

One option would have been to announce unequivocal U.S. support for India's claim to a permanent seat on the United Nations Security Council; a stance clearly in the interest of India and also compatible with the interests of the United States. Bizarrely, however, the Administration position then and now has been that Washington is unprepared to take a firm position in support of Indian membership until the U.S. achieves certain goals related to UN administrative and management reform, none of which are as critical as the case for Security Council enlargement to reflect the new balance of power in world affairs.

Frankly, I am flabbergasted by the Administration's ideological rigidity, as well as its lack of preparation to support India on this issue. I regard the U.S. position as awkward philosophically, illogical, and incompatible with sound strategic judgment.

Instead of supporting India's aspirations for Security Council membership, the Administration instead chose to peremptorily re-write the rules of the global nonproliferation that have well-served U.S. interests for over three decades.

To be sure, I acknowledge that there are a number of credible rationales for this agreement: to earn trust and goodwill with policymakers in Delhi, and the Indian public; to help accelerate the development of a strategic partnership between our two countries; to promote the use of nuclear power as an environmentally-friendly alternative to the use of coal and other scarce fossil fuels; and to emulate an Eisenhower-style atoms-for-peace initiative.

Nevertheless, as strong as the case for this initiative may be, I remain deeply concerned that the agreement negotiated by the Administration fundamentally undermines the Nuclear Non-Proliferation Treaty (NPT), the linchpin of U.S.led international efforts to stem the spread of nuclear weapons.

Administration officials assert that the exceptional treatment being accorded to India is unique and un-replicable. Once an exception to treaty law is made, however, the door is opened for a whole spectrum of governments, including close friends and alliance partners, to come forward to make comparable claims for special treatment—whether they be Brazil, Egypt, Japan, Saudi Arabia, South Korea, Pakistan, and even Taiwan.

If India were the only consideration, it would be a no-brainer to support this agreement. Unfortunately, at issue is the rule of law as it applies to us and others as well.

In particular a number of other countries, with whom we currently do not have amicable relations, such as Iran and North Korea, can be expected to similarly press the international community to recognize their legitimacy as nuclear weapons states. And if we unilaterally declare the right to ignore international law, other countries, including nuclear weapon states, can not be expected to go along with an exclusive American right to take exception to treaties.

This agreement thus creates opportunity for countries to use commercial or geopolitical rationales to expand forms of nuclear cooperation otherwise prohibited by existing international norms (such as the NPT) or procedures (such as those developed by the multilateral Nuclear Suppliers Group).

For example, in the immediate wake of the President's announcement of a policy shift, before either the Congress or the multilateral NSG could consider the proposal, Moscow moved to preempt Washington by announcing it would provide New Delhi with uranium reactor fuel in contravention of NSG guidelines.

In other words, the mere announcement of an Executive Branch-initiated proposal has had the effect of undercutting the NPT and precipitated another nation-state to implement key aspects of Washington's initiative.

Similarly, the government of Pakistan announced it would be obligated to match any expansion in India's nuclear weapons program.

The reason we have an NPT is to restrain nuclear weapons development. Based on news reports this past week from Pakistan, it is clear that one of the consequences of breaking international law is the precipitation of an arms race on the Indian Subcontinent. But as unfortunate as this arms race is, the consequence of the U.S.-led unraveling of the NPT is the spiraling of nuclear weapons development elsewhere.

Mr. Chairman, in a philosophical context this agreement is a reflection of an Administration approach to foreign policy rooted in the so-called doctrine of American Exceptionalism, which neo-cons do not define as refining a shining city on a Hill but as the right of a superpower to place itself above the legal and institutional restraints applied to others.

In the neo-con world, values are synonymous with power. The implicit assumption in that American security can be bought and managed alone, in many cases without allies, and without consideration of contrasting international views or the effect of our policies on others. Treaties like a Comprehensive Test Ban, which every President since Eisenhower has propounded, have been rejected, as have negotiations to strengthen the verification provisions of the Biological Weapons Convention.

Now the Administration proposes to weaken the NPT, perhaps fatally, which despite its weaknesses has helped limit the number of nuclear weapon states to a relative handful instead of 20 or 30 or even more.

As much as I support the Administration's desire to more rapidly advance a warming of relations with India, I cannot in good conscience support a weakening of the global nonproliferation regime or the breaching of United States obligations under international law. I therefore cannot support the legislation in its current form.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Democratic leader, my friend and neighbor.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentleman from California for yielding, for his tremendous leadership in making our country strong and respected throughout the world.

I am pleased to join him in paying tribute to the chairman of the committee, HENRY HYDE. What a wonderful honor that this bill is named for him. He, too, has been a champion to promote a values-based diplomacy for our country. We have all fought many years with him in support of human rights throughout the world. This is probably one of the last bills that will be completed on issues that relate to national security and the respect with which we are held in the world. So appropriately, it is named for Mr. HYDE.

Both Mr. HYDE and Mr. LANTOS have presented the House with legislation that is a vast improvement, frankly, over the bill that the President requested earlier this year, and it is a tribute to their leadership that we can all come together on this legislation this evening.

The bill before us establishes a two-step process for the India nuclear agreement. It is a process and legislation, which I support, that allows Congress to reserve final judgment on the agreement until the specifics are known. It requires that before Congress votes on the agreement, India and the International Atomic Energy Agency will have had to establish a process through which IAEA safeguards will be applied forever to India's civilian nuclear facilities, programs and materials.

Therefore, if an agreement is ultimately approved, Congress will retain the ability to monitor it through the required annual reports on U.S. nonproliferation policies in South Asia and on the implementation of the U.S.-India nuclear deal.

□ 1830

This legislation is important because it recognizes that the prospect of greater nuclear cooperation with a nation that has not signed the Nuclear Nonproliferation Treaty raises serious concerns. As one who came to Congress intent on improving international nonproliferation regimes, I appreciate those concerns. One of the most significant, the issue of the production by India of fissile material, is addressed by an amendment to be offered by the gentleman from California (Mr. BERMAN).

The Berman amendment, which I support, conditions the provision of nuclear fuel by the U.S. on a presidential determination that India has halted fissile material production. But even if the Berman amendment is not adopted, I hope that the agreement that will be presented to Congress for approval when negotiations are concluded contains a promise by India to halt the production of fissile material. Such a promise would improve the agreement and go a long way to convincing those who cannot support today's legislation that their concerns have been heard and that the Bush administration and the government of India has sought to respond to them.

The legislation before us clearly endorses the philosophy behind India's nuclear initiative; a judgment that security would be promoted by bringing India into the nuclear nonproliferation mainstream. On balance, I believe that judgment to be correct, and I thank you, Mr. LANTOS and Mr. HYDE, for putting that balance here.

Although not bound by the NPT, India has a strong record of supporting nonproliferation goals. They have never ever violated the NPT. India has demonstrated by its actions a commitment to safeguarding nuclear technology. That commitment will be strengthened by India's adherence to the Nuclear Suppliers Group guidelines and the Missile Technology Control Regime guidelines as required by the nuclear initiative.

A close relationship with the democratic India is critical for the United States. There is a wide range of significant issues on which our shared values and shared interests will enable productive collaboration for the betterment of the world. This legislation reflects the strength of our current relationship with India and our hopes for its future. It is an expression of trust on matters relating to nuclear technology based on 3 decades of experience.

I urge my colleagues to support it. Even though there may be some questions and some amendments which may pass or not prevail today, on balance, I believe this legislation as presented here is worthy of our support.

I hope that the agreement that comes back to us is one that will be without controversy and will again be a reflection of the close bond between India and America. It was but a week ago when we were all gathered here to extend our sympathy to the people and the government of India because of the tragedy at Mumbai. Many of us expressed the love that we have for India and appreciation for the gifts that India has given to America, a vibrant dynamic Indo-American community which has contributed enormously to the economic success of our country and to our competitiveness in the world.

They have also contributed much to us in terms of our own social justice. We owe much to India as the source of nonviolence as a philosophy, espoused and practiced by Mahatma Gandhi. I said last week that when Reverend Martin Luther King, Jr. and Coretta Scott King went to India to study nonviolence, they received a gift from India that would serve our country well and be important and fundamental to our own civil rights movement; that nonviolence was a strength that again improved America, and for which we all should be indebted to India and we should never forget.

I also personally join Mr. LANTOS, because I know of his history on the subject in expressing appreciation to India for its hospitality to His Holiness the Dalai Lama, a great leader in the world. And I am enormously appreciative of the fact that his, I don't want to call it government in exile, but whatever the term of art is, in Darussalam in India.

The list goes on and on, we can name them over and over, again whether it is again the contributions of the Indo-American community, the philosophy that sprang from India that is so important to us, or the support for human rights. But on target for today is India's commitment, which it has never violated, to support the principles of the Nuclear Nonproliferation Treaty, which although it is not a party to that treaty, has been a supporter of its principles.

Again, for that reason, I hope that all of our colleagues will vote in support of this legislation so that we can go to the next step and that we can go into the future continuing a long and beneficial relationship with India for us all.

Mr. LANTOS. Mr. Chairman, before yielding time, I want to express my regret to all of my colleagues that the stringent requirements will enable me to yield no more than 1 minute to each of our speakers.

Mr. Chairman, I am very pleased to yield 1 minute to a distinguished member of the committee, my good friend from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, India is a democracy that understands the role of this Congress. They have negotiated a deal that dramatically loosens the controls on their nuclear weapons program, and they know that it is the role of this Congress to make that deal one step tighter.

Our job is to protect the nonproliferation interests of the United States. The job of India is to say that any amendment we offer is a ''killer amendment.'' Do not be fooled. They know and they expect that this Congress will do its job and make this deal one step better when it comes to controlling nuclear weapons.

India did not sign the Nuclear Nonproliferation Treaty. We should not punish India for becoming a nuclear power, but this deal in its present form facilitates building additional nuclear weapons by India. It will allow them to build twice as many nuclear weapons per year as they are doing now.

That is why I will be offering an amendment that will help India's civilian nuclear program, without helping their military program.

Mr. ROYCE. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from California.

Mr. Chairman, I rise in strong support of the India Nuclear Cooperation Promotion Act, and I want to commend Chairman HYDE and Ranking Member LANTOS for the work they put into crafting this bipartisan legislation that we have before us today. And I would like to thank the current chairs of the caucus on India and Indian Americans, Representative GARY ACKERMAN from Queens and my good friend ILEANA ROS-LEHTINEN from Florida for the support they have given to the passage of this agreement. I must also recognize the Indian-American community for the incredible advocacy work they have done to educate Members of Congress on the importance of this agreement.

I want it to be clear that this vote sets the stage for allowing the cooperation, but the actual exchange of civilian nuclear cooperation will not take place until Congress is provided with the details of the relevant negotiations and takes a second up-or-down vote.

We will be taking an historic step in our relations today by passing this agreement. This is about nuclear power access, not nuclear weapons enhancement. By passing this agreement, we will be bringing an India that has remained outside the nonproliferation regime for the past 32 years under the nonproliferation tent.

Some of my colleagues have argued we are destroying the Nuclear Nonproliferation Treaty, also known as the NPT, by passing this agreement. But while I have the deepest respect for the treaty and those who support it, we must be realistic in understanding why this deal needs to be done.

India cannot sign the NPT unless it were to give up its nuclear weapons, which is unrealistic to ask a nation who finds themselves surrounded by nuclear-armed nations they have fought wars against. India has been punished for the past 32 years for testing a nuclear weapon, and during these 32 years of NPT limbo they have not externally proliferated, while remaining a true democracy with a strong rule of law.

We need to use India as an example of what a nation should be doing to gain the respect and inclusion by the international community. I urge my colleagues to end India's nuclear isolation and allow them to be brought into the nonproliferation tent with the rest of the responsible states who seek safe and efficient civilian nuclear technology.

I support this legislation because I support the relationship that our two countries should and will be sharing. If we expect India to be our ally in the 21st century, we must treat them as an equal, which is what this cooperation will provide. I trust my colleagues will recognize what our future with India holds and vote for final passage of this legislation.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. MEEKS), our distinguished colleague.

Mr. MEEKS of New York. Mr. Chairman, I too want to congratulate Chairman HYDE and Ranking Member LANTOS for the strong bipartisan bill.

This initiative really talks about and reflects confidence in India as a global strategic partner. You know, the world is flat, and we have to have these partners in the world. What this does is, it says to India, because it is one of the world's largest democracies, that we understand and we recognize that.

Also, we have to remember that this is about civil nuclear power. India has over a billion people and we have to figure out how we also make sure that we protect and preserve our environment. So what this does is recognize that the production of clean energy can reduce further pollution of the environment and decrease dependency on fossil fuels.

In fact, if you look at the Indian CO_2 emission, a threefold increase in India nuclear capacity by 2015 would result in a reduction of over 170 million tons annually, or approximately the total current CO_2 emissions of the Netherlands. So I strongly support this bill.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield the balance of my time to my good friend from California, Congresswoman BARBARA LEE.

The Acting CHAIRMAN (Mr. GUTKNECHT). The gentlewoman from California is recognized for 2½ minutes.

Ms. LEE. Mr. Chairman, I want to thank the gentleman for yielding and for his leadership and for really crafting a bill that I think is much better than what it was prior to the hearing, but I must rise to oppose this bill.

I had the privilege to visit India a few years ago with Mr. CROWLEY, and I witnessed firsthand the brilliance, the spirit, and the commitment to democracy of the Indian people. And like many of my colleagues, I strongly believe that it is in our country's best interest to strengthen our relationship with India. But to suggest that we can only do so at the expense of the international nonproliferation standards, as this legislation before us would, I think that is both dishonest and it is dangerous.

Let us be clear. This is not about India. As far as I am concerned, there is no country, and I mean no country, for which it would be acceptable to sacrifice our international standards. The problem with the deal, as it is currently written, is that it will do lasting harm to more than 30 years of international efforts to stop the spread of nuclear weapons.

This deal creates a double standard that undermines our efforts with countries like Iran and North Korea from developing nuclear weapons. It creates incentives for withdrawing from the Nuclear Nonproliferation Treaty. Why have countries like Brazil and South Korea spent all these years playing by the rules and not building nuclear weapons in exchange for civilian technology when India gets both?

It sets a dangerous precedent. In explaining Beijing's rationale for potentially pursuing a deal with Pakistan, Professor Shen Dingli of China's Fudan University has already argued this. He said, ''If the United States can violate the nuclear rules, then we can violate them also.'' We should be fighting to save what is left of the international nonproliferation framework, not just throwing it away.

We should insist that India formally commit to the goals and restrictions on the international nonproliferation framework and sign the Nonproliferation Treaty. Short of that, we should at least insist on specific nonproliferation safeguards, as specified in an amendment that I offered, which of course was not ruled in order. It would have required, however, India to commit to the basic principles consistent with the NPT. Again, unfortunately, this amendment was not made in order.

We should not pass any type of a nuclear deal, a nuclear, quite frankly business deal, without these safeguards. I don't think we should throw them away. We need to go back to the drawing board and we need to make sure that international nonproliferation goals are adhered to.

□ 1845

Mr. ROYCE. Mr. Chairman, you know, while the United States is, in fact, leading the way on this agreement, it is a multilateral agreement in the sense that the NSG, 45 nations, must concur with this agreement; and Congress must approve a nuclear cooperation agreement that the administration is negotiating with India before technology is actually transferred.

So I also want to make the point here that Congress is going to have a second crack at this agreement when it comes back. But here is the choice that we face: Either we continue to try to box in India and hope for the best, or we make this move, we engage India, and we hope to use our influence to move this increasingly important country in our direction. And this will help make India a true partner, a true partner as we enter what will be a decades-long struggle, I fear, against Islamist terrorism.

This is not an ideal agreement, and the administration should be more aggressively pursuing an international fissile material cutoff. But this agreement is a good one which works through a difficult nonproliferation situation to strengthen an important relationship for us.

That is why I ask my colleagues to approve this legislation. Frankly, it is a chance to strengthen an important relationship for us at a time when we need more strong relationships, especially with regional powers such as India; and, I will remind my colleagues, it strengthens a relationship with a democracy, based on the rule of law, a democracy that has a good record on nonproliferation.

This deal is controversial in India. The coalition government of Prime Minister Singh has come under intense attack from the political extremes and from political opponents. He has been charged with selling out India, opening its nuclear facilities to international inspection, agreeing to check India's nuclear weapons production.

So far the center has held. Let's not deliver India's Marxist and xenophobic forces a victory. They would like us to kill this deal. Let's pass this legislation. As Chairman HYDE argued and as the ranking member explained, let's pass this legislation. Let the administration negotiate a nuclear sharing agreement with India, and then look again and decide whether or not to proceed.

I urge my colleagues to support this legislation.

Ms. HARMAN. Mr. Chairman, I oppose the India Nuclear Cooperation Promotion Act (H.R. 5682). The bill has substantially improved since it was first introduced in this body, but it still has a long way to go. I am particularly concerned about the failure of the bill to slow down a potentially catastrophic arms race in South Asia.

This bill would allow the President to enter into a nuclear cooperation agreement with India, the world's largest democracy and an important strategic ally of the United States. Under the proposed agreement, the United States would transfer fissile material and nuclear technology to India in exchange for India's promise to separate its civilian and military nuclear programs, subject its civilian programs to a host of international inspections and controls, and continue its moratorium on nuclear weapons testing.

As is an all too common habit of this administration, the key parameters of this agreement were negotiated with little or no congressional input. Congress was forced to add in protections against proliferation of nuclear technology and to ensure nuclear safety largely after the fact.

To this end, the House International Relations Committee has done an outstanding job in reasserting Congress' constitutional prerogatives. Thanks to the hard work of the Committee, the bill now requires that the President report to Congress on the progress that India has taken toward separating its civilian and military programs, toward placing its civilian programs under international supervision, otherwise living up to its end of the bargain. Congress then must vote to grant the President the authority to enter into this agreement. I welcome these improvements.

I also commend Congressman HOWARD BERMAN for his tireless efforts to give arms control protections in the agreement some teeth. Mr. BERMAN was instrumental in adding provisions that would automatically cease U.S. transfers of fissile material if India transferred missile or nuclear technology to third parties in violation of the Missile Technology Control Regime or the Nuclear Suppliers Group regulations. These provisions are vital to ensuring that U.S. nuclear technology and materials do not end up in the hands of terrorists or rogue nations.

But as far as this bill has come, it has not come far enough. The bill still allows the President to transfer fissile material to India without ensuring that India first cease its domestic production. It would therefore allow India to use U.S.-provided uranium for its civilian programs, while diverting all of its domestic production of uranium to the development of nuclear weapons. If India chose to divert its domestic material to its military programs, some commentators have estimated that it could build an additional 50 nuclear weapons every year.

This bill could thus fuel an already accelerating arms race in South Asia. India and Pakistan have engaged in intermittent hostilities for years, and both already have nuclear weapons. Adding hundreds of new nuclear weapons to this equation will unacceptably increase the risk of a nuclear exchange. Pakistan has already hinted that it would increase its production of nuclear weapons if this agreement is approved. We must do all in our power to stop this train while it is still in the station.

I am sympathetic to India's needs for clean, affordable power. I also recognize that India is a crucial ally of the United States. But we cannot allow an arms race to spiral out of control.

Both India and the administration have time to allay these concerns before Congress will hold its final vote on this agreement. I look forward to reviewing the President's report, and will withhold final judgment on this agreement until then.

Mr. STARK. Mr. Chairman, I rise in opposition to H.R. 5682, the United States and India Nuclear Cooperation Promotion Act.

Were India to sign the Nuclear Nonproliferation Treaty (NPT), the primary international tool for limiting the proliferation of nuclear weapons, I would gladly support the agreement. My district is home to a large Indian-American population, whose opinions I value and whose support I have long enjoyed. I regret having to disagree with many of them today.

But I am—and have always been—an ardent proponent of nuclear nonproliferation. I believe that the fewer nuclear weapons that exist in the world, the better. Unfortunately, America's unilateral agreement will encourage an arms race on the Indian subcontinent, promote weak export controls around the world, and undermine the NPT.

This week, it was revealed that Pakistan is constructing a new plutonium-production reactor that will massively increase its bomb-making capacity. Rather than adding fuel to the fire by offering India a deal that will allow and encourage it to also increase weapons production, the United States should work to end the production of all fissile material in South Asia.

A unilateral agreement with India could also undermine the cohesiveness of the Nuclear Suppliers Group. If the United States exempts India from nuclear nonproliferation controls, China would likely feel it appropriate to make a similar agreement and export civilian nuclear technology to Iran or North Korea.

I am aware that as part of the agreement, India has opted to allow some of its reactors to be inspected. This concession, however, is largely symbolic. The reactors that will continue to be off limits could make more plutonium for weapons than India will ever need. Furthermore, the precedent of working outside the NPT is dangerous. If India can secure the benefits of NPT membership without adhering to the treaty's limitations, other countries will have little incentive to remain in the NPT.

I urge my colleagues to stand up for nonproliferation and join me in voting "no."

Mr. BLUMENAUER. Mr. Chairman, having visited India following the Southeast Asia tsunami, I am more convinced than ever of the benefits of a stronger U.S.-India partnership. There is no relationship more important than that between the world's largest democracy, India, and the world's oldest democracy, the United States. I believe that, as the world's largest democracy and a responsible regional power, India deserves a permanent seat on the UN Security Council. Support for such an arrangement would have been a sensible centerpiece to a new strategic partnership.

However, I am skeptical about elements of the proposed nuclear cooperation agreement between the U.S. and India. I am particularly concerned that this attempt to create an exception to international nonproliferation norms for India may make our efforts in Iran more difficult, or even encourage other countries to make their own exceptions to the rules for assistance to the supposedly civilian nuclear programs of less responsible countries.

I am pleased that the legislation crafted by the leadership of our House International Relations Committee minimizes the risks associated with this agreement and provides for close congressional oversight, though I support additional amendments to strengthen it. I do not wish to stand in the way of this legislation's progress and intend to follow developments closely for the up-or-down vote that this bill authorizes.

I believe that the more pressing issue is developing an effective strategy for cooperation to address India's growing energy needs. Increased reliance on nuclear energy will only have a marginal impact on India's consumption of fossil fuels and levels of global warming pollution emitted. To make an immediate impact, we should be helping India with conservation, renewable energy technologies, and strategies to reduce pollution such as coal gasification.

Mr. CARDIN. Mr. Chairman, I rise in support of H.R. 5682, the U.S. and India Nuclear Cooperation Promotion Act.

India is the largest democracy in the world today, and is rightly viewed as an emerging global power in the 21st century. I was pleased to listen to Indian Prime Minister Manmohan Singh address a Joint Session of Congress in July 2005 and describe his vision of future cooperation between India and the United States. I will continue to encourage our government to strengthen our ties to India, in areas such as high-technology, immigration, trade, space, and the military.

Today the United States and India can take an important step to lay the foundation for our countries to greatly expand nuclear research, nuclear power, and nonproliferation cooperation with each other. India is facing enormous challenges in providing sufficient energy to its growing population. India has more people living in abject poverty than do Latin America and Africa combined.

This legislation establishes a two-step process under which the United States may enter into a nuclear cooperation agreement with India. I am pleased that the Committee on International Relations has significantly amended this legislation, as compared to the version initially proposed by the Administration. The legislation today preserves the important oversight role of Congress. Under this

legislation, the President must make a number of determinations before India can be exempted from restrictions contained in the Atomic Energy Act of 1954 (AEA). Most notably, the President must determine that India has provided the International Atomic Energy Agency (IAEA) with a credible plan to separate civilian and military nuclear programs, and that India and the IAEA have concluded an agreement requiring the permanent application of IAEA safeguards to India's civil nuclear facilities.

Once the President has made the determinations required by this legislation, Congress must approve a joint resolution to ratify the final negotiated text of a nuclear cooperation agreement with India. I also support the provision in the bill that requires additional consultation between the Administration and Congress, including regular detailed reports on nonproliferation matters and the implementation of this agreement.

I look forward to working with the Administration to implement this nuclear cooperation program between the United States and India, consistent with this legislation and the intent of Congress.

Mr. HOLT. Mr. Chairman, I rise today to oppose H.R. 5682. I do this reluctantly, because I am a strong supporter of India. But I cannot turn my back on my life's work on nuclear non-proliferation.

Prior to coming to Congress, I worked at the U.S. Department of State as an arms control expert. I spent each day there trying to reduce the threat our nation faced from proliferation of nuclear weapons. I also learned first hand how effectively the international non-proliferation regime monitors existing nuclear states and prevents sensitive nuclear technology from falling into the wrong hands. I also worked for 10 years at the Princeton Plasma Physics Laboratory to research and develop fusion energy, because it would be an abundant source of energy that would not lead to the proliferation of nuclear weapons.

I am also a lifelong supporter of India. In fact, I first traveled to India more than 30 years ago. When I came to Congress, the first caucus I joined was the Congressional Caucus on India and Indian-Americans. Since then, my interest in India and my respect for its citizens have only grown. That is why I believe it is essential that our nation increase its cooperation with India.

India is our friend and a strong ally. The ties that bind our nations go to the core of our democratic values. India is the world's largest democracy, she possesses a vibrant economy, and she has an unwavering commitment to ending terrorism. America is fortunate to have an ally that shares our common vision and we need to grow our relationship by increasing cooperation on other economic, educational, and security concerns. But I have strong reservations about making individual exceptions in our nation's laws for nuclear export to India or any other state.

The non-proliferation regime we have is far from perfect, but it has proven to be remarkably successful in deterring the spread of nuclear material. The Nuclear Nonproliferation Treaty (NPT) of 1970 is the centerpiece of international nuclear nonproliferation structure. The NPT ensured that today we are dealing with only a handful of problematic states, such as Iran, rather than the dozens of nuclear states that might have existed otherwise. These historical successes highlight the essential role that the international non-proliferation regime has played and why it must not be undermined.

The United States was instrumental in creating the NPT, and now is not the time to stop our leadership on this important issue. The United States should not send the wrong message to the global community. We must continue to be a leader on nuclear non-proliferation if we hope to prevent Iran, North Korea, or others from acquiring nuclear weapons.

During the 2004 presidential campaign, both President Bush and Senator KERRY agreed on one thing: nuclear proliferation and nuclear terrorism are the gravest threat that our country faces. The threat of nuclear terrorism is underscored today because of the recent actions of Iran and the continued work by North Korea to develop nuclear technology.

That is why we need to be doing more to strengthen and support the international nuclear non-proliferation structure, not weaken it. Some non-proliferation experts have raised concerns that this bill would violate Article I of the NPT. Additionally this bill would create an exception to the rule, and thereby create a new rule.

I have been impressed by India and I do believe that she has been one of the most responsible nuclear states in the world. And unlike her neighbor, India has not engaged in wholesale proliferation of nuclear technology.

The bill before us today would make changes to the Atomic Energy Act which would allow for the transfer of U.S. nuclear technology and material to India. This would be the first time the conditions for nuclear cooperation in the Act were changed for an individual state. We should not make these changes lightly. We need to understand the implications of what we are doing for the international nuclear non-proliferation regime.

As well, we must also be clear. This is not the final vote the House will take on this important issue. Under the provisions contained in this bill, Congress will again have to review and vote to support nuclear cooperation once the final text of the cooperation agreement is finalized. For that reason, I remain unsure why Congress is considering or approving these significant changes to our nuclear non-proliferation structure. The Nuclear Suppliers Group still needs to give its approval to this proposed nuclear cooperation agreement. As well, India needs to complete its negotiations with the International Atomic Energy Agency on a new safeguards agreement. These are not just minor points, not just iotas in the agreement. They are central to the issue. What would be wrong with waiting for the final text to be negotiated and these important steps to be taken before we change our nation's laws to allow for nuclear material transfer?

That said, I remain troubled that providing nuclear technology to India would create a double standard. Historically, the United States has only provided nuclear technology to states that are parties to the NPT. This bill would allow for cooperation with India, despite the fact the India has not signed or ratified the NPT, and had previously developed a secret nuclear weapons program.

Additionally, I am worried that this legislation does not require India to cap or even limit its fissile material production. The United States, the United Kingdom, Russia, and France have all publicly announced that they are no longer producing fissile material for military use. Even China is believed to have stopped producing fissile material. Without a requirement to limit fissile material production, the United States is tacitly endorsing further production. We should not help any state in the world increase its stockpile of nuclear weapons, especially at a time when we are reducing our own stockpile.

I am also concerned that this legislation does not require that all of India's nuclear reactors be placed under international safeguards. That means that some of India's reactors will be used for military purposes and kept outside safeguards and the nonproliferation regime. The whole purpose of safeguards is to ensure that fissile material is not diverted to build nuclear weapons secretly. We need full scope safeguards on all of India's reactors to ensure that U.S. technology or nuclear material is not being diverted for military purposes. In effect, we would be giving approval to the existence of undeclared, uninspected production of fissile material.

Further, India is not required to classify her new reactors as civilian rather than military. Some have argued that nuclear cooperation is needed to help meet India's growing energy needs. If that is the case then every single new reactor should be civilian energy producing facilities. We should be doing more to discourage India from expanding her military nuclear program, rather than making it easier.

This bill makes some improvements on the legislation that the Administration submitted, and I am glad that some of my colleagues who share my concerns tried to improve it. Yet, even with these changes I do not think it wise to shred one of the few nonproliferation instruments we have. I am sorry that before they came to us the Administration did not negotiate a better agreement which would not jeopardize decades of nonproliferation work. I am also sorry we have not approached this matter to obtain the active partnership of such a respected and important country as India in the effort to prevent nuclear proliferation around the world. India teamed with us and other countries could be a most influential leader in reducing the threat of nuclear weapons around the world. I remain convinced that nuclear cooperation could be achieved with India, however this is not the proper way to do so.

For these reasons, I cannot support this bill which would undermine the NPT and our nation's long history of nuclear nonproliferation. I would oppose this deal if it was with any country outside of the NPT because I would have the same concerns. But I also know that despite my vote on this bill it will be approved by wide margins. I hope I am proven wrong, that this bill will not undermine our nation's nonproliferation efforts, but I regret that I cannot see how that can be.

Mr. JINDAL. Mr. Chairman, I rise to speak in support of H.R. 5682, the United States and India Nuclear Cooperation Promotion Act of 2006. The bill would facilitate the sharing of civilian nuclear technology in an attempt to decrease competition for scarce energy resources and strengthen relations between the two nations.

With the receding of the global divisions established during the Cold War era, there has been increasing recognition that significant benefits can be obtained from closer cooperation between the U.S. and India. H.R. 5682 reflects broad agreement that peaceful nuclear cooperation with India can serve U.S. foreign policy and national security objectives and also minimize potential risks to the nonproliferation regime. This ranges from shared

strategic interests, such as enhanced stability and security in South Asia and the international system as a whole, to more specific priorities, such as combating global terrorism.

Today, the chief threat to our security and the security of our allies worldwide is posed by violent acts of terrorism by extremists and rogue nations engaged in nuclear experimentation to the detriment of the principles of freedom worldwide. As we witnessed recently by the bombing of Mumbai's subway system earlier this month, global terrorism is a threat that India shares with the United States. We need India's ongoing partnership in the fight against terrorism. Furthermore, by engaging in this agreement with India, we are able to strengthen the international nonproliferation regime by placing a majority of India's nuclear plants under international inspection. This is a more practical and realistic shift in U.S. nuclear policy that should be viewed as a victory for nonproliferation advocates compared to our previous policy of forced abandonment which yielded little towards achieving greater international security.

For our own sake, if for no other reason, it is imperative that we help countries like India and China curb their increasing consumption of oil and natural gas for domestic and commercial use. This, in turn, will help us curtail the cost of oil and natural gas, while helping India develop its own nuclear power sources sufficient to meet their growing demand. The result is that prices worldwide will decrease as overall supply of oil and natural gas increase, thus helping our own economy by preserving many of the industries that have been forced to close their doors because of high production costs.

Our relationship with India is unique—the United States and India are the oldest and largest democracies in the world. While we cannot foresee that China will share common political principles in the near future, because India's history is rooted in Democracy they are an ideal partner for achieving our goals of creating international and economic security. Passing H.R. 5682 is an important step toward cementing the great strides we have made in the past year in establishing this strategic partnership.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise today in support of H.R. 5682, the United States and India Nuclear Cooperation Promotion Act.

India is a strategic friend and ally of the United States. Indian Americans have made an indelible mark upon the culture and diversity of our nation and I was proud to sponsor H. Res. 227 that recognized the contributions of Indian Americans to our nation, which the House passed earlier this year.

India and the United States have a strong history of cooperation. Directly after the September 11, 2001 terrorist attacks, India was one of the first countries to offer immediate aid to the United States. As the two largest pluralistic, free-market democracies in the world, it is only natural for the United States and India to seek to strengthen our bilateral relationship.

Last July, President Bush and Prime Minister Sing issued a Joint Statement declaring a new era of respect, reciprocity and cooperation, spanning the fields of high technology, space exploration, counter-terrorism, defense cooperation and energy security.

This legislation lays the statutory foundation to expand nuclear research, nuclear power and nonproliferation cooperation with India that would allow full trade in civil nuclear energy. In exchange for such trade, India has agreed to separate its military and civilian nuclear programs over the next eight years, placing 14 of its 22 reactors under permanent international safeguards, as well as all future civilian thermal and breeder reactors. It has also agreed to maintain its unilateral moratorium on nuclear testing and to work with the United States toward a fissile material cutoff treaty.

Mr. Chairman, the United States should seize this opportunity to forge a strategic alliance with India to expand civil nuclear energy production in that country. In closing, I thank the leadership for allowing this legislation to come to the floor today and urge an aye vote.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the United States and India Nuclear Cooperation Promotion Act of 2006. With the receding of the Cold War's global divisions and the new realities of globalization and trans-national terrorism, for more than a decade there has been increasing recognition in both countries of the significant benefits to be obtained from closer cooperation across a broad spectrum. To that end, on July 15, 2005 President Bush and Prime Minister Manmohan Singh issued a joint statement announcing a ''global partnership'' between the two countries that embraces cooperation across a wide range of subjects.

I am in support of this bill because this legislation reflects broad agreement consensus among Members of Congress that peaceful nuclear cooperation with India can serve multiple U.S. foreign policy objectives, but must be approached in a manner that minimizes potential risks to the nonproliferation regime. Among the most important considerations are ensuring that Nuclear Suppliers Group (NSG) guidelines and consensus decision-making are upheld and that a U.S. nuclear cooperation agreement and subsequent U.S. nuclear exports are consistent with decisions, policies, and guidelines of the NSG. Equally important is the need to ensure that U.S. cooperation does not assist the Indian nuclear weapons program directly, or indirectly, in order to avoid contributing to a nuclear arms race in South Asia and because of U.S. obligations under the Nonproliferation of Nuclear Weapons (NPT).

There are two other noteworthy provisions in this bill which I consider very crucial in the United States' relationship with India regarding nuclear weapons. The bill contains reporting requirements and a provision that calls for termination of exports in the event of violations of certain commitments and seeks to uphold existing statutory Congressional oversight of U.S. nuclear cooperation and exports. At a time when the world appears to be considering nuclear energy as a viable and desirable alternative to carbon-based energy sources, oversight of its expansion is crucial.

The President took a bold step by cutting a deal with India on nuclear cooperation and it is now up to Congress to make the necessary fixes without undermining the deal. India has proven itself deserving of an understanding of cooperation with the United States regarding nuclear weapons. India has been punished for the last thirty-two years, but over that time they have shown a responsible foreign policy, and a commitment to democracy and rule of law. This deal would also provide India with some of its energy needs to continue to grow her economy and lower the use of coal burning power plants.

We cannot forget about our Indian American citizens during our talks of a nuclear cooperation with India. There are about two million Indian Americans living in the United States and the majority of them support this nuclear deal. We must let the Indian American community know that we hear them, we stand with them, and are both working towards the mutual goals of democracy. This deal will strengthen our long term relationship with India in hopes that they will continue to be one of our strongest allies in the War on Terrorism. This agreement will benefit the United States as well as India in monitoring nuclear weapons in helping to stabilize our world's economy and safety and I urge my colleagues to support this bill.

I will be introducing an amendment that urges Congress to continue its policies of engagement, collaborations, and exchanges with India and Pakistan. My bipartisan amendment is consistent with many U.S. foreign policy objectives. It will also draw the United States closer to this vitally important and strategic democracy.

Mr. KNOLLENBERG. Mr. Chairman, I support the legislation before the House of Representatives today, H.R. 5682, the United States and India Nuclear Cooperation Promotion Act of 2006. A civil nuclear cooperation agreement will make citizens of America and India more safe and secure, while providing increased stability around the world.

Since coming to Congress, I have felt that it is appropriate for the United States and India to have a close relationship. Last year, when President Bush and Indian Prime Minister Singh announced that the two countries would seek cooperation on its civil nuclear programs, I was immediately encouraged and supportive of their efforts. The improved relations stemming from this agreement will lead to untold benefits for the American and Indian people and enhance our mutual interests.

The U.S.-India relationship is strong and growing stronger because of our shared principles and goals. We remain the two largest democracies in the world, committed to political freedom protected by a representative government, and we share a commitment to free-market principles. These principles—bolstered by one of the world's largest consumer markets and a growing skilled labor force—have helped India in its development into a global economic power.

However, that growing economy depends on energy. Nuclear energy, unlike other energy sources, is truly a ''green'' energy source. It does not emit any carbon dioxide emissions or greenhouse gases. It also requires less geographic area to produce energy than other energy sources. Nuclear power is under-utilized and we should promote, not hamper, its growth.

Since the establishment of the Indian nuclear program in 1974, there has been no international oversight of India's nuclear program. A civilian nuclear cooperation agreement will provide India with much of the energy it needs while also bringing their civilian nuclear program under international review. With this agreement, the majority of India's civilian program will be under supervision of the International Atomic Energy Agency.

We always must be mindful of nuclear proliferation and nuclear materials falling into the

wrong hands. The Indian government remains committed to peace and stability in the region and the world and they realize the danger of allowing the proliferation of nuclear technology and material.

Sadly, this danger is all too real to the people of India because—like the U.S.—India has not been immune to terror attacks. The train bombing earlier this month and the attack on their parliament 5 years ago remains a constant reminder of terror and has forced them to reevaluate their civilian nuclear program and their status in the international community.

Mr. Chairman, H.R. 5682 will strengthen the U.S.-India relationship, promote a clean energy source, and make global nuclear materials more secure. For all these reasons, I strongly support the bill and encourage my colleagues to do so as well.

Mr. FOLEY. Mr. Chairman, I rise in strong support of H.R. 5682, the U.S. and India Nuclear Cooperation Promotion Act. At a time when world energy reserves and production are just barely keeping up with current capacity, I believe that this bill is the right policy for both our countries.

India is currently the sixth largest energy consumer in the world and continues to grow exponentially in its population. With only 3 percent of India's energy consumption being derived from nuclear energy, it is depending heavily on foreign energy sources. By helping India with its civilian nuclear power industry, and thereby reducing its dependency on other fuel sources, Americans ultimately should experience lower energy costs as available fuel sources increase.

This bill also will further strengthen India's commitment to nuclear nonproliferation. India has committed to following International Atomic Energy Agency safeguards, allowing for additional inspections, and has produced a plan to separate its civilian and military nuclear facilities.

In this uncertain world, and with India in the middle of a volatile region, it is imperative that the world's largest democracy have access to a constant and inexpensive source of energy. Mr. Chairman, I believe this legislation will help solidify our ongoing and deepening relationship with our friends in India and I urge all of my colleagues to support it.

Mr. HOLT. Mr. Chairman, there will be a time when the history of the spread of nuclear weapons of mass destruction is written and we will look back and see when the last thread of the nuclear non-proliferation regime was shredded. We can all talk at length about the details of this cooperative agreement. We can talk about what a good friend India is and how responsible they have been. We can talk about the so-called reality of an imperfect ability to control the militarization of nuclear reactions. But the history will say that with this agreement the world lost the last bit of an international tool to control the spread of nuclear weapons of mass destruction. The regime will have been killed. All we will have left is our ability to jawbone with our allies and threaten our enemies. Countries will work out whatever deals they can, two by two. This is a very dangerous moment.

If we really believe that nuclear proliferation and loose nukes are the greatest threat to world peace and security, as I do, then we should be holding on to every tool we can find to prevent that threat. We should also be working with India to strengthen the nuclear non-proliferation regime, not collaborating with India to destroy it.

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

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

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 109–599, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 5682

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 ''United States and India Nuclear Cooperation Promotion Act of 2006''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) preventing the proliferation of nuclear weapons, other weapons of mass destruction, the means to produce them, and the means to deliver them are critical objectives for United States foreign policy;

(2) sustaining the NPT and strengthening its implementation, particularly its verification and compliance, is the keystone of United States nonproliferation policy;

(3) the NPT has been a significant success in preventing the acquisition of nuclear weapons capabilities and maintaining a stable international security situation;

(4) countries that have never become a party to the NPT and remain outside that treaty's legal regime pose a potential challenge to the achievement of the overall goals of global nonproliferation, because those countries have not undertaken the NPT's international obligation to prohibit the spread of dangerous nuclear technologies;

(5) it is in the interest of the United States to the fullest extent possible to ensure that those countries that are not NPT members are responsible with any nuclear technology they develop;

(6) it may be in the interest of the United States to enter into an agreement for nuclear cooperation as set forth in section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) with a country that has never been an NPT member with respect to civilian nuclear technology if—

(A) the country has demonstrated responsible behavior with respect to the nonproliferation of technology related to weapons of mass destruction programs and the means to deliver them;

(B) the country has a functioning and uninterrupted democratic system of government, has a foreign policy that is congruent to that of the United States, and is working with the United States in key foreign policy initiatives related to non-proliferation;

(C) such cooperation induces the country to implement the highest possible protections against the proliferation of technology related to weapons of mass destruction programs and the means to deliver them, and to refrain from actions that would further the development of its nuclear weapons program; and

(D) such cooperation will induce the country to give greater political and material support to the achievement of United States global and regional nonproliferation objectives, especially with respect to dissuading, isolating, and, if necessary, sanctioning and containing states that sponsor terrorism and terrorist groups, that are seeking to acquire a nuclear weapons capability or other weapons of mass destruction capability and the means to deliver such weapons; and

(7)(A) India meets the criteria described in this subsection; and

(B) it is in the national security interest of the United States to deepen its relationship with India across a full range of issues, including peaceful nuclear cooperation.

SEC. 3. STATEMENTS OF POLICY.

(a) IN GENERAL.—The following shall be the policies of the United States:

(1) Oppose the development of a capability to produce nuclear weapons by any non-nuclear weapon state, within or outside of the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483; commonly referred to as the ''Nuclear Non-Proliferation Treaty'' or the ''NPT'').

(2) Encourage states party to the NPT to interpret the right to ''develop research, production and use of nuclear energy for peaceful purposes'', as described in Article IV of the NPT, as being a qualified right that is conditioned by the overall purpose of the NPT to prevent the spread of nuclear weapons and nuclear weapons capability, including by refraining from all nuclear cooperation with any state party that has not demonstrated that it is in full compliance with its NPT obligations, as determined by the IAEA.

(3) Strengthen the Nuclear Suppliers Group guidelines concerning consultation by members regarding violations of supplier and recipient understandings by instituting the practice of a timely and coordinated response by NSG members to all such violations, including termination of nuclear transfers to an involved recipient, that discourages individual NSG members from continuing cooperation with such recipient until such time as a consensus regarding a coordinated response has been achieved.

(b) WITH RESPECT TO SOUTH ASIA.—The following shall be the policies of the United States with respect to South Asia:

(1) Achieve a moratorium on the production of fissile material for nuclear explosive purposes by India, Pakistan, and the People's Republic of China at the earliest possible date.

(2) Achieve, at the earliest possible date, the conclusion and implementation of a treaty banning the production of fissile material for nuclear weapons to which both the United States and India become parties.

(3) Secure India's—

(A) full participation in the Proliferation Security Initiative;

(B) formal commitment to the Statement of Interdiction Principles;

(C) public announcement of its decision to conform its export control laws, regulations, and policies with the Australia Group and with the Guidelines, Procedures, Criteria, and Control Lists of the Wassennaar Arrangement;

(D) demonstration of satisfactory progress toward implementing the decision described in subparagraph (C); and

(E) ratification of or accession to the Convention on Supplementary Compensation for Nuclear Damage, done at Vienna on September 12, 1997.

(4) Secure India's full and active participation in United States efforts to dissuade, isolate, and, if necessary, sanction and contain Iran for its efforts to acquire weapons of mass destruction, including a nuclear weapons capability (including the capability to enrich or process nuclear materials), and the means to deliver weapons of mass destruction.

(5) Seek to halt the increase of nuclear weapon arsenals in South Asia, and to promote their reduction and eventual elimination.

(6) To ensure that spent fuel generated in India's civilian nuclear power reactors is not transferred to the United States except pursuant to the Congressional review procedures required under section 131 f. of the Atomic Energy Act of 1954 (42 U.S.C. 2160 f.).

(7) Pending implementation of a multilateral moratorium, encourage India not to increase its production of fissile material at unsafeguarded nuclear facilities.

SEC. 4. WAIVER AUTHORITY AND CONGRESSIONAL APPROVAL.

(a) IN GENERAL.—Notwithstanding any other provision of law, if the President makes the determination described in subsection (b), the President may—

(1) exempt a proposed agreement for nuclear cooperation with India (arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153)) from the requirement in section 123 a.(2) of such Act, and such agreement for cooperation may only enter into force in accordance with subsection (f);

(2) waive the application of section 128 of the Atomic Energy Act of 1954 (42 U.S.C. 2157) with respect to India, provided that such waiver shall cease to be effective if the President determines that India has engaged in any activity described section 129 of such Act (42 U.S.C. 2158), other than section 129 a.(1)(D) or section 129 a.(2)(C) of such Act, at any time after the date of the enactment of this Act; and

(3) with respect to India—

(A) waive the restrictions of section 129 a.(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2158 a.(1)(A)) for any activity that occurred on or before July 18, 2005; and

(B) section 129 a.(1)(D) of such Act.

(b) DETERMINATION BY THE PRESIDENT.—The determination referred to in subsection (a) is a determination by the President that the following actions have occurred:

(1) India has provided the United States and the International Atomic Energy Agency with a credible plan to separate civil and military nuclear facilities, materials, and programs, and has filed a declaration regarding its civil facilities with the IAEA.

(2) India and the IAEA have concluded an agreement requiring the application of IAEA safeguards in perpetuity in accordance with IAEA standards, principles, and practices (including IAEA Board of Governors Document GOV/1621 (1973)) to India's civil nuclear facilities, materials, and programs as declared in the plan described in paragraph (1), including materials used in or produced through the use of India's civil nuclear facilities.

(3) India and the IAEA are making substantial progress toward concluding an Additional Protocol consistent with IAEA principles, practices, and policies that would apply to India's civil nuclear program.

(4) India is working actively with the United States for the early conclusion of a multilateral Fissile Material Cutoff Treaty.

(5) India is working with and supporting United States and international efforts to prevent the spread of enrichment and reprocessing technology.

(6) India is taking the necessary steps to secure nuclear and other sensitive materials and technology, including through—

(A) the enactment and enforcement of comprehensive export control legislation and regulations;

(B) harmonization of its export control laws, regulations, policies, and practices with the policies and practices of the Missile Technology Control Regime and the Nuclear Suppliers Group; and

(C) adherence to the MTCR and the NSG in accordance with the procedures of those regimes for unilateral adherence.

(7) The NSG has decided by consensus to permit supply to India of nuclear items covered by the guidelines of the NSG and such decision does not permit civil nuclear commerce with any other non-nuclear weapon state that does not have IAEA safeguards on all nuclear materials within its territory, under its jurisdiction, or carried out under its control anywhere.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—The President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate information concerning any determination made pursuant to subsection (b), together with a report detailing the basis for the determination.

(2) INFORMATION TO BE INCLUDED.—To the fullest extent available to the United States, the information referred to in paragraph (1) shall include the following:

(A) A summary of the plan provided by India to the United States and the IAEA to separate India's civil and military nuclear facilities, materials, and programs, and the declaration made by India to the IAEA identifying India's civil facilities to be placed under IAEA safeguards, including an analysis of the credibility of such plan and declaration, together with copies of the plan and declaration.

(B) A summary of the agreement that has been entered into between India and the IAEA requiring the application of safeguards in accordance with IAEA practices to India's civil nuclear facilities as declared in the plan described in subparagraph (A), together with a copy of the agreement, and a description of the progress toward its full implementation.

(C) A summary of the progress made toward conclusion and implementation of an Additional Protocol between India and the IAEA, including a description of the scope of such Additional Protocol.

(D) A description of the steps that India is taking to work with the United States for the conclusion of a multilateral treaty banning the production of fissile material for nuclear weapons, including a description of the steps that the United States has taken and will take to encourage India to identify and declare a date by which India would be willing to stop production of fissile material for nuclear weapons unilaterally or pursuant to a multilateral moratorium or treaty.

(E) A description of the steps India is taking to prevent the spread of nuclear-related technology, including enrichment and reprocessing technology or materials that can be used to acquire a nuclear weapons technology, as well as the support that India is providing to the United States to further United States objectives to restrict the spread of such technology.

(F) A description of the steps that India is taking to secure materials and technology applicable for the development, acquisition, or manufacture of weapons of mass destruction and the means to deliver such weapons through the application of comprehensive export control legislation and regulations, and through harmonization and adherence to Missile Technology Control Regime, the Nuclear Suppliers Group, the Australia Group, Wassennaar guidelines, and United Nations Security Council Resolution 1540, and participation in the Proliferation Security Initiative.

(G) A description of the decision taken within the Nuclear Suppliers Group relating to nuclear cooperation with India, including whether nuclear cooperation by the United States under an agreement for cooperation arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) is consistent with the decision, practices, and policies of the NSG.

(H) A description of the scope of peaceful cooperation envisioned by the United States and India that will be implemented under the Agreement for Nuclear Cooperation, including whether such cooperation will include the provision of enrichment and reprocessing technology.

(I) A description of the steps taken to ensure that proposed United States civil nuclear assistance to India will not directly, or in any other way, assist India's nuclear weapons program, including—

(i) the use of any United States equipment, technology, or nuclear material by India in an unsafeguarded nuclear facility or nuclear-weapons related complex;

(ii) the replication and subsequent use of any United States technology in an unsafeguarded nuclear facility or unsafeguarded nuclear weapons-related complex, or for any activity related to the research, development, testing, or manufacture of nuclear explosive devices; and

(iii) the provision of nuclear fuel in such a manner as to facilitate the increased production of highly-enriched uranium or plutonium in unsafeguarded nuclear facilities.

(d) RESTRICTIONS ON NUCLEAR TRANSFERS TO INDIA.—

(1) IN GENERAL.—Pursuant to the obligations of the United States under Article I of the NPT, nothing in this Act, or any agreement pursuant to this Act, shall be interpreted as permitting any civil nuclear cooperation between the United States and India that would in any way assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or nuclear explosive devices.

(2) NSG TRANSFER GUIDELINES.—Notwithstanding the entry into force of an agreement for cooperation with India pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) and approved pursuant to this Act, no item subject to such agreement or subject to the transfer guidelines of the NSG may be transferred to India if such transfer would violate the transfer guidelines of the NSG as in effect on the date of the transfer.

(3) TERMINATION OF NUCLEAR TRANSFERS TO INDIA.—Notwithstanding the entry into force of an agreement for nuclear cooperation with India (arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153)), exports of nuclear and nuclear-related material, equipment, or technology to India shall be terminated if India makes any materially significant transfer of—

(A) nuclear or nuclear-related material, equipment, or technology that does not conform to NSG guidelines, or

(B) ballistic missiles or missile-related equipment or technology that does not conform to MTCR guidelines,

unless the President determines that cessation of such exports would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security.

(4) PROHIBITION ON NUCLEAR TRANSFERS TO INDIA.—If nuclear transfers to India are restricted pursuant to this Act, the Atomic Energy Act of 1954, or the Arms Export Control Act, the President should seek to prevent the transfer to India of nuclear equipment, materials, or technology from other participating governments in the NSG or from any other source.

(e) APPROVAL OF AGREEMENT FOR NUCLEAR COOPERATION REQUIRED.—

(1) IN GENERAL.—Subject to subsection (h), an agreement for nuclear cooperation between the United States and India submitted pursuant to this section may become effective only if—

(A) the President submits to Congress the agreement concluded between the United States and India, including a copy of the safeguards agreement entered into between the IAEA and India relating to India's declared civilian nuclear facilities, in accordance with the requirements and procedures of section 123 of the Atomic Energy Act of 1954 (other than section 123 a.(2) of such Act) that are otherwise not inconsistent with the provisions of this Act; and

(B) after the submission under subparagraph (A), the agreement is approved by a joint resolution that is enacted into law.

(2) CONSULTATION.—Beginning one month after the date of the enactment of this Act and every month thereafter until the President submits to Congress the agreement referred to in paragraph (1), the President should consult with the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the status of the negotiations between the United States and India with respect to civilian nuclear cooperation and between the

IAEA and India with respect to the safeguards agreement described in subsection (b)(2).

(f) JOINT RESOLUTION OF APPROVAL.—For purposes of this section, a joint resolution referred to in subsection (e)(1)(B) is a joint resolution of the two Houses of Congress—

(1) the matter after the resolving clause of which is as follows: ''That the Congress hereby approves the Agreement for Nuclear Cooperation Between the United States of America and the Republic of India submitted by the President on _____.'', with the blank space being filled with the appropriate date;

(2) which does not have a preamble; and

(3) the title of which is as follows: ''Joint Resolution Approving an Agreement for Nuclear Cooperation Between the United States and India''.

(g) CONSIDERATION OF JOINT RESOLUTION OF APPROVAL.—The provisions of paragraphs (2) through (6) of section 130 i. of the Atomic Energy Act of 1954 (42 U.S.C. 2159 i.) shall apply to a joint resolution under subsection (f) of this section to the same extent as such provisions apply to a joint resolution under section 130 i. of such Act. No amendment to, or motion to recommit, a joint resolution under subsection (f) of this section is in order.

(h) SECTION 123 OF ATOMIC ENERGY ACT OF 1954 NOT AFFECTED.—Notwithstanding subsection (e)(1), this section does not preclude the approval, under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), of an agreement for cooperation in which India is the cooperating party.

(i) SUNSET.—The procedures under this section shall cease to be effective upon the enactment of a joint resolution under this section.

(j) REPORTS.—

(1) POLICY OBJECTIVES.—The President shall, not later than January 31, 2007, and not later than January 31 of each year thereafter, submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on—

(A) the extent to which each policy objective in section 3(b) has been achieved;

(B) the steps taken by the United States and India in the preceding calendar year to accomplish those objectives;

(C) the extent of cooperation by other countries in achieving those objectives; and

(D) the steps the United States will take in the current calendar year to accomplish those objectives.

(2) NUCLEAR EXPORTS TO INDIA.—

(A) IN GENERAL.—Not later than one year after the date on which an agreement for nuclear cooperation between the United States and India is approved by Congress under section 4(f) and every year thereafter, the President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing United States exports to India for the preceding year pursuant to such agreement and the anticipated exports to India for the next year pursuant to such agreement.

(B) NUCLEAR FUEL.—The report described in subparagraph (A) shall also include (in a classified form if necessary)—

(i) an estimate for the previous year of the amount of uranium mined in India;

(ii) the amount of such uranium that has likely been used or allocated for the production of nuclear explosive devices;

(iii) the rate of production of—

(I) fissile material for nuclear explosive devices; and

(II) nuclear explosive devices; and

(iv) an analysis as to whether imported uranium has affected such rate of production of nuclear explosive devices.

(C) UNSAFEGUARDED NUCLEAR FACILITIES.—The report described in subparagraph (A) shall also include (in a classified form if necessary) a description of whether United States civil nuclear assistance to India is directly, or in any other way, assisting India's nuclear weapons program, including—

(i) the use of any United States equipment, technology, or nuclear material by India in an unsafeguarded nuclear facility or nuclear-weapons related complex;

(ii) the replication and subsequent use of any United States technology in an unsafeguarded nuclear facility or unsafeguarded nuclear weapons-related complex, or for any activity related to the research, development, testing, or manufacture of nuclear explosive devices; and

(iii) the provision of nuclear fuel in such a manner as to facilitate the increased production of highly-enriched uranium or plutonium in unsafeguarded nuclear facilities.

(3) NEW NUCLEAR REACTORS OR FACILITIES.—Not later than one year after the date of the enactment of this Act and annually thereafter, the President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing any new nuclear reactors or nuclear facilities that the Government of India has designated as civilian and placed under inspections or has designated as military.

(4) DISPOSAL OF SPENT NUCLEAR FUEL.—Not later than one year after the date on which an agreement for nuclear cooperation between the United States and India is approved by Congress under section 4(f) and every year thereafter, the President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing the disposal of spent nuclear fuel from India's civilian nuclear program.

(k) DEFINITIONS.—In this Act:

(1) IAEA.—The term ''IAEA'' means the International Atomic Energy Agency.

(2) MTCR.—The term ''MTCR'' means the Missile Technology Control Regime.

(3) NPT.—The term ''NPT'' means the Treaty on the Non-Proliferation of Nuclear Weapons.

(4) NPT MEMBER.—The term ''NPT member'' means a country that is a party to the NPT.

(5) NSG.—The term ''NSG'' means the Nuclear Suppliers Group.

The Acting CHAIRMAN. No further amendment is in order except those printed in part B of the report. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I have a preferential motion at the desk.

The Clerk read as follows:

Mr. OBEY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I regret very much that this legislation is before us this afternoon. In my view, this is a badly conceived and most especially a badly timed action which will weaken the nonproliferation regime over the long haul and, in the end, wind up encouraging the production of more nuclear weapons by Pakistan, China and India.

It also is, in my view, spectacularly badly timed because it will give Iran a greater excuse, as if they needed any, but it will give Iran a greater excuse than they now have to continue to proceed with their own nuclear program. I believe it is a profound mistake.

I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, we are being told that we shouldn't worry, that this won't lead to a nuclear arms race.

Now, India is not a signatory to the nuclear nonproliferation treaty. This agreement is in violation of the Nonproliferation Act of 1978 here in Congress. All of their facilities are not being put under full-scope safeguards.

Experts say that when we supply the nuclear fuel for their civilian program, it is going to free up nuclear fuel for their nuclear weapons program. It makes sense. But we are told, don't worry.

Now, right now, India makes about seven nuclear bombs a year, on average. That is the magnitude. That is the scope of their program. But experts say it will free up 40 to 50 bombs' worth of nuclear material if they wanted to build more nuclear bombs. We are told, don't worry.

But here is what else is going on. This week in the world, A.Q. Khan, under house arrest in Islamabad, this nuclear merchant that should be on trial in the world court for what he has done in spreading nuclear weapons materials around the world but yet the Bush administration has turned a blind eye to him and allowed Musharraf just to keep him under house arrest in a palace. Well, A.Q. Khan and his people now have a new program, it turns out, on the front page of the Washington Post this week, that will make it possible for them to build 40 to 50 plutonium nuclear bombs per year. Now they are going to do it. They are going to do it because they only have two to three nuclear bombs capacity per day right now, and they can scale up to 40 to 50.

Now what is interesting about these two charts about India and Pakistan, they are each now going to be capable of going from between two and seven up to 40 to 50.

We are told, don't worry. Well, I am worrying; and I think we should all worry. The Bush administration has not made public at all the fact that they have known for at least 2 years that Pakistan has this clandestine plutonium nuclear bomb program. It is the place where we should all be concerned that that al Qaeda operative buys a nuclear bomb and moves it into the Middle East, moves it to New York City, moves it to Washington, D.C. And instead we are told, don't worry.

Well, what kind of signal are we sending to the world when Iran, which is a signatory to the Nuclear Proliferation Treaty, is on trial at the Security Council to comply with the nonproliferation treaty because they are violating it, and we are turning a blind eye to what India and Pakistan, nonsignatories to the nonproliferation

treaty, are doing or will do if this deal goes through? We will make a mockery of the nonproliferation regime in the world.

And we know that President Bush doesn't care about it. Otherwise, we would know more about this Pakistani program which they have had satellite evidence of its existence for the last 2 years. We know that he doesn't care about it. Otherwise, he would be forcing India to put the full nuclear program in India under safeguards. He would be extracting a ban on the production of fissile material in India, in the same way that the United States and Russia and China and England and France now don't produce any more fissile material.

But, no, the President is allowing an exemption. This deal is like throwing a tinder onto an already raging fire in the most dangerous part of the world and pretending that there is no relationship between what we do here today and the response of Pakistan and Iran and other nations around the world.

Mr. ROYCE. Mr. Chairman, I rise in opposition to the motion.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, I would make several points.

One, in terms of the program that is being laid out in the Washington Post, I think it was this Monday, explaining Pakistan's ambitions with respect to its nuclear buildup, that is clearly not something that can be characterized as a reaction to this new initiative with India. The reason I say that is because a careful reading of that Washington Post report shows that the construction of this very facility site began in the year 2000. The construction of the facility began 6 years ago.

I will also point out that the supposition that it could be used for 40 to 50 nuclear bombs a year, the information we have is that is probably two or three. Yet the very existence of the facility itself shows why a fissile cutoff is, frankly, not practical to enforce, to attempt to enforce on India, except through negotiation.

And I think, lastly, in conclusion, the attempt to equate Pakistan's efforts, now 6 years old, and tie that and say that that is in response to a deal that we are negotiating with India of less than a year old is clearly not germane to the argument that we have before us today.

So I oppose the motion of the gentleman from Wisconsin.

The Acting CHAIRMAN. The question is on the preferential motion offered by the gentleman from Wisconsin (Mr. OBEY).

The preferential motion was rejected.

AMENDMENT NO. 1 OFFERED BY MR. ROYCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 109–599.

Mr. ROYCE. Mr. Chairman, as the designee of Mr. HYDE, I offer the Hyde-Lantos amendment which is made in order by the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ROYCE:

Page 3, line 12, strike ''may be'' and insert ''is''.

Page 4, beginning line 21, strike ''this subsection'' and insert ''paragraph (6)''.

Page 11, line 3, strike ''and'' and all that follows through line 8 and insert a period.

Page 15, line 22, insert ''nuclear'' before ''cooperation''.

Page 16, line 3, after ''violate'' insert ''or be inconsistent with''.

Page 16, beginning line 6, strike ''Notwithstanding the entry into force of an agreement for nuclear cooperation with India (arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153))'' and insert ''Notwithstanding the entry into force of an agreement for nuclear cooperation with India pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) and approved pursuant to this Act''.

Page 17, line 8, strike ''Subject to subsection (m), an'' and insert ''An''.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Chairman, I ask unanimous consent that the Hyde-Lantos amendment made in order by the rule be modified in the form which I have caused to be placed at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. ROYCE:

Page 2, line 4, strike ''United States'' and insert ''Henry J. Hyde United States''.

Page 3, line 12, strike ''may be'' and insert ''is''.

Page 4, beginning line 21, strike ''this subsection'' and insert ''paragraph (6)''.

Page 11, line 3, strike ''and'' and all that follows through line 8 and insert a period.

Page 15, line 22, insert ''nuclear'' before ''cooperation''.

Page 16, line 3, after ''violate'' insert ''or be inconsistent with''.

Page 16, beginning line 6, strike ''Notwithstanding the entry into force of an agreement for nuclear cooperation with India (arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153))'' and insert ''Notwithstanding the entry into force of an agreement for nuclear cooperation with India pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) and approved pursuant to this Act''.

Page 17, line 8, strike ''Subject to subsection (m), an'' and insert ''An''.

Mr. ROYCE (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. MARKEY. Mr. Chairman, I object.

The Acting CHAIRMAN. Objection is heard.

The Clerk will continue reading.

The Clerk continued to read.

Mr. MARKEY. Mr. Chairman, I ask unanimous consent to withdraw my objection.

The Acting CHAIRMAN. Without objection, the reading is dispensed with.

There was no objection.

The Acting CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Chairman, the only change in this amendment is to name this bill after our distinguished chairman, HENRY HYDE. The underlying amendment contains a series of technical and conforming changes which were needed to ensure the bill was properly drafted.

I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I strongly support naming this historic legislation after our distinguished chairman as a small token of our respect and appreciation for his enormous contributions to the national security of the United States and to the sound conduct of U.S. foreign policy.

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Mr. MARKEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

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

If all that the manager's amendment included was the naming of this legislation after HENRY HYDE, then I would be at the front of the line to ensure that I would be praising him to the heavens. And I want the gentleman from Illinois to understand that because he does deserve all the accolades which he is receiving.

But there is just a little bit more in this manager's amendment than naming it after the distinguished gentleman from Illinois.

The reason that I am opposed to this amendment is that it would strike part of one of the seven conditions being placed on the India nuclear deal.

Here is the full language of the condition. It is No. 7: ''The Nuclear Suppliers Group has decided by consensus to permit supply to India of nuclear items covered by the guidelines of the NSG and such decision does not permit civil nuclear commerce with any other non-nuclear weapon state that does not have IAEA,'' International Atomic Energy Agency, ''safeguards on all nuclear materials within its territory, under its jurisdiction, or carried out under its control anywhere.''

The manager's amendment would strike the words ''and such decision does not permit civil nuclear commerce with any other non-nuclear weapon state that does not have International Atomic Energy Agency safeguards on all nuclear materials within its territory, under its jurisdiction, or carried out under its control anywhere.'' The impact of that change in the language is that it would free the

Nuclear Suppliers Group to also allow nuclear commerce with other nations that have not agreed to full-scope IAEA safeguards on their nuclear facilities, such as Pakistan.

I see absolutely no justification for opening the door to China to come into the Nuclear Suppliers Group with a proposal to give Pakistan the same deal that the administration is proposing to give India. That is a bad idea. It invites a further weakening of the international nuclear nonproliferation regime and an expansion of commerce with countries that do not allow full-scope international safeguards. We should be very careful here. We should be very cautious.

The ostensible justification for the initiation of the war in Iraq is that we did not want the next terrorist attack to come in the form of a mushroom cloud. As we make these changes, they seem slight. They are not. They are historic in terms of the safeguards that we have in place to ensure that we are securing these nuclear materials, that proper procedures are in place to make sure that countries and subnational groups that should not have them in their possession are denied them.

This is a weakening amendment, and I urge the Members to oppose it.

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

Mr. ROYCE. Mr. Chairman, I yield myself the balance of my time.

It is my understanding that a member of the committee, the gentleman from California (Mr. SHERMAN) offered an amendment in committee that was passed on voice vote. However, upon further reflection, I understand the Member has asked that the amendment language be removed. And what is happening here is that the committee is honoring that request. I would note, however, that the heart of the section 4(b)(7), and this is the section that the gentleman is concerned about, which states that the President must determine that the Nuclear Suppliers Group has decided by consensus, that remains intact, and that is the practice at the NSG.

And let me just quote from the bill: ''The NSG has decided by consensus to permit supply to India of nuclear items covered by the guidelines of the NSG.''

So the heart of the determination remains intact. And, again, the removal of that particular language was at the request of a member of the committee, Mr. SHERMAN of California, who offered the original amendment that was accepted in committee.

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

The Acting CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from California (Mr. ROYCE).

The amendment, as modified, was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. STEARNS

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 109–599.

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. STEARNS:

In section 2(6)(D), strike ''and'' after the semicolon.

In section 2(7)(B), strike the period at the end and insert ''; and''.

In section 2, add at the end the following new paragraph:

(8) the United States Government, pursuant to the restrictions in this Act, shall not participate in, or contribute to, the manufacture or acquisition of nuclear weapons or nuclear explosive devices.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

My amendment to this bill would clarify and reinforce the intent of Congress that nuclear cooperation into which the governments of the United States and India would enter is for peaceful and productive purposes and not military purposes. And I think a lot of us who view this bill have some concerns.

Now, the intent of this amendment is obviously woven throughout this legislation, but I thought an elevated position by a sense of Congress in what we are talking about perhaps would alleviate some of the colleagues, particularly the gentleman from Massachusetts. It bears reiterating that this country stands for peace and not war.

While India has agreed to allow monitoring at 14 of their nuclear reactors to ensure fuel is not used for weapons, my colleagues, there are eight other reactors and an unknown number of future reactors that can produce material for military purposes, free of any oversight or control. It is, indeed, obviously, an improvement in the status quo for India to open up any of its reactors to oversight, but the dangers inherent in further assisting India's nuclear development are clear.

These are unsettling times in nuclear proliferation. Iran and North Korea, for example, have violated their responsibilities under the Nuclear Nonproliferation Treaty and are producing or attempting to produce significant arsenals of nuclear weapons. Pakistan was aided and abetted with nuclear capability.

Support for today's legislation, and for broader cooperation with India, crosses party lines. We all understand that. We all support India. It is a burgeoning multiethnic, multireligious, free market democracy, has a firm rule of law and respect for personal liberties. These are all good. As such, India presents a hearty example, like the United States, for the world to follow. Clearly, the nation of India is and should be our friend, and we respect it.

However, my colleagues, India has refused to sign, as mentioned before, the 1968 Nuclear Nonproliferation Treaty. It refuses to accept full scope of the International Atomic Energy Agency safeguards over all its nuclear facilities, and India continues to produce fissile materials for its growing nuclear arsenal. These have been brought to our attention.

But, moreover, India is no stranger to violating international nuclear commitments to use nuclear assistance for civilian purposes. In 1974, it detonated a nuclear bomb manufactured using plutonium from a Canadian-supplied nuclear reactor, with heavy water provided by the U.S. Both countries had provided India with nuclear technology based on commitment to peaceful use.

Now, my colleagues, the former chairman of the Armed Services Committee, Sam Nunn, wrote recently in The Wall Street Journal: ''There is every reason to suspect that Pakistan and China will react to this deal by ratcheting up their own suspicions and nuclear activities, including making additional weapons material and weapons.''

So, Mr. Chairman, we should avoid fanning the flames here of a regional nuclear arms race. I think all of us remember President Reagan's words when he mentioned in a radio address on April 17, 1982, ''A nuclear war cannot be won and must never be fought . . . ''

So I think this amendment is basically a sense of Congress, a straightforward sense, to give us more assurance that what we are trying to do here is to help them in a peaceful way. We seek friendship and peace with all nations, particularly India, but we will not purchase this friendship with nuclear arms.

Mr. ROYCE. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his amendment.

During consideration of this agreement in committee, members expressed some of the same concerns raised by the gentleman from Florida, and we added language to the underlying bill to alleviate those concerns. I offered an amendment, a successful amendment, in committee that explicitly states that nothing in this bill shall violate our article I NPT obligation, not to, in any way, assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or nuclear explosive devices.

Now, the gentleman's amendment further clarifies that the aiding of India's strategic program is not Congress's intent. And with that, we are quite prepared to accept the gentleman's amendment.

Mr. STEARNS. That is very good. I appreciate that. Can I just ask you a question? Nowhere in the bill does it

mention anything about private corporations or corporations in the United States of America.

The Acting CHAIRMAN. The gentleman from Florida's time has expired.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. LANTOS. Mr. Chairman, I am pleased to accept the gentleman's amendment.

This amendment restates longstanding U.S. policy that the United States will not support the manufacture or acquisition of nuclear weapons. This is, of course, longstanding U.S. policy. And we all agree that it should continue.

I urge all of my colleagues to support this amendment.

Mr. Chairman, I yield 2 minutes to my good friend from California, distinguished former ambassador of the United States, Congresswoman DIANE WATSON.

Ms. WATSON. Mr. Chairman, I thank Congressman LANTOS for yielding.

The United States has few, if any, better friends than India. And I feel strongly that the United States and India are destined to be great partners as they seek to meet the challenges of the 21st century. One of these challenges is the need to develop new sources of energy. The Indian economy is growing by leaps and bounds, offering new opportunities not only for India itself but for India's partners as well. India will need to develop tens of thousands of megawatts of new power capacity in the next few years to meet this need and lift India's poorest from poverty.

But there is another 21st century challenge that India and the United States must meet together, and that is the challenge of nuclear proliferation, particularly the threat of nuclear weapons in the hands of extremist governments and terrorist movements.

India is, and has been, a trusted partner in meeting this challenge. As much as any ally of the United States, India knows the dangers posed by terrorism. We were so sadly reminded of this again, only a few weeks ago, when extremists murdered over 200 Indian commuters in Mumbai. My sincerest sympathies go out to the people of Mumbai and all of India. Together, I have no doubt we will eventually defeat the ideologies that spark such terror attacks as well as defeat the poverty and marginalization which fuels it.

I have no doubt that India is a reliable steward of nuclear technology. But my concerns extends beyond India. I do not fear India with nuclear power. I do fear a world where both India and the United States must face a nuclear Iran or a nuclear North Korea. Our key tool for constraining the nuclear design of Iran and North Korea has been the Nuclear Nonproliferation Treaty. But I fear that this legislation will damage the NPT to the point that we will make it harder to stop the Iranian and North Korea nuclear programs.

The U.S./India partnership is too strong to be harmed by one piece of legislation. I believe that, if we continue working with India, we can find ways to address our mutual security concerns and energy needs. But I feel this legislation fails to meet either challenge.

Furthermore, I have concerns about our own constitutional processes here in the United States. Acceptance or rejection of any arrangement with India must include a full role for the United States Congress. The President cannot change American law without Congress's consent. I believe any such agreement with any foreign country must be approved by Congress.

□ 1915

Mr. LANTOS. Mr. Chairman, I yield the balance of my time to our distinguished colleague, the gentleman from New York (Mr. ENGEL).

The Acting CHAIRMAN. The gentleman from New York is recognized for 2½ minutes.

Mr. ENGEL. Mr. Chairman, I thank my good friend, Mr. LANTOS. I want to commend you and Chairman HYDE for your leadership on this very, very important bill.

I strongly support the bill. I support Mr. STEARNS' amendment, because I think it dovetails very nicely with the bill, and I support a new strategic partnership with India. This is extremely important for the United States in the 21st century.

India being the largest democracy and the United States being the oldest democracy have so much in common, and this is a chance for us to prove it. We have similar geopolitical interests in the region. We understand the fact that India and the United States have much in common. What may have kept us apart during the Cold War no longer is relevant.

We have a strong Indian-American community in the United States, further strengthening the ties between our two great nations; and we have a common battle in the fight against terrorism. India, of course, experienced that terrible bombing on the railroad; and we in the United States understand what terrorism is as well.

India is a nuclear power. It is a reality. It is a fact of life. And the fact that India is willing to cooperate with the United States with nuclear power is a plus for us.

We should not treat friends and adversaries alike. People who say, well, you know, if you are going to help India, how can you tell Iran not to have nuclear power? That analogy is, frankly, ridiculous, because India has shown time and time again it is a peaceful, loving nation, with the same interests as the United States, whereas Iran is continuing its mischief. We know that Iran and North Korea should not be treated the same as India.

So I think what the Congress is doing, what Mr. LANTOS and Mr. HYDE have done with their bill, is a very tremendous asset to this country's future in working with India. India has more than a billion people, and India is growing in leaps and bounds in every step of the way.

This strategic partnership will not only be with nuclear, but it will be with all things, because we will continue to build up trust with India, we will continue to build up a working relationship with India.

Again, we don't have wishes to quarrel with any country, but when it comes to the region in Asia, India has the same concerns, and there are many, that we do, and that is why it pays to work with India and particularly with nuclear power.

I support Mr. STEARNS' amendment, I support the underlying bill, H.R. 5682, and I urge my colleagues to vote ''yes'' on both.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 109–599.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas:

In section 2(6)(D), strike ''and'' after the semicolon.

In section 2(7)(B), strike the period at the end and insert ''; and''.

In section 2, add at the end the following new paragraph:

(8) the South Asia region is so important that the United States should continue its policy of engagement, collaboration, and exchanges with and between India and Pakistan.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proud to offer this amendment, along with my distinguished colleague, Mr. BURTON of Indiana. Might I say that I also add my support for the manager's amendment which draws upon the change that focuses on naming the bill after Chairman HYDE. I add my appreciation for his service as well.

Mr. Chairman, I also rise to speak on behalf of H.R. 5682 as I offer my amendment and offer the amendment with Mr. BURTON, and that is that this particular legislation, the United States and India Nuclear Cooperation Promotion Act, is an opportunity. It is an opportunity for further negotiation. It is an opportunity for friendship and the continuation of that friendship. It is a recognition that even though India has not signed the nonproliferation agreement, it has peacefully utilized nuclear energy for the many years of its utilization. It is a democracy.

So my amendment speaks to the whole concept of the importance of South Asia; and it says that former President Clinton got it right when we traveled with him to that region, Members of Congress, a small delegation of eight. We went to India and we went to Pakistan because we believed in the cohesion and the importance of that particular region.

Might I note that in particular, as it relates to this legislation, the Nuclear Supply Group, NSG, still is maintained in this bill, and the guidelines and consensus decisionmaking are upheld. So, again, I emphasize that it is an opportunity.

My amendment builds on that opportunity. Its language is direct. What it says is that South Asia is an important region and that it is in our national interests to continue our policy of engagement, collaboration, exchanges with and between India and Pakistan, particularly since this has served the Nation well. It goes on to emphasize the importance of that relationship.

Why is that relationship important? Because we have seen in these latter years the working relationship between them and the United States. Pakistan has been a loyal and unwavering ally in our global war on terror and has played a decisive role in helping to remove the Taliban regime from Pakistan and the capture of hundreds of wanted al Qaeda terrorists. Pakistan has suffered thousands of casualties and has been a victim of numerous terrorist acts.

In addition, the founder of Pakistan, Dr. Jinnah, premised the basis of this country on democratic principles. The alliance of the United States with the nation in South Asia should continue and the U.S. should emphasize in its foreign policy the importance of the region, India, Pakistan, Bangladesh. South Asia is important to the United States and the amendment further supports the need for encouraging celloboration and engagement with and between India and Pakistan by the U.S.

Mr. Chairman, I am happy to yield to the distinguished gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Let me just say I support the amendment.

I have been concerned about the problems between India and Pakistan for a long, long time, particularly in the area of Kashmir. They are talking now. Prime Minister Singh and President Musharraf have been trying to work out some differences. I know it is a very thorny issue and one that is going to take some time, but they are talking. They have opened up not only a dialogue but a small opening in the area between Pakistan and India in the Kashmiri area.

This is a problem that must be solved. It should be solved. It could be a flash point for another war over there. Since India and Pakistan are both nuclear powers, anything we can do to reduce that threat and make sure peace reigns is very important.

I support the gentlewoman's amendment and am proud to be a cosponsor.

Mr. ROYCE. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, I thank the gentlelady for yielding; and I just wanted to say I thank her and Mr. BURTON for their amendment. I think it is very important that the United States be engaged on the subcontinent, and I think the gentlewoman from Texas and the gentleman from Indiana should be commended for their good work on this amendment. We are prepared to accept that amendment.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the distinguished ranking member from California.

Mr. LANTOS. Mr. Chairman, I want to commend my good friend from Texas for yet another constructive step. She makes so many in this body. I am strongly in support of her amendment and urge my colleagues to do likewise.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the distinguished gentlemen.

Just for the record, I know there has been mention of an arms race. We don't see an arms race with India. The recent comment of a spokesperson from Pakistan indicated they do not want an arms race in the region.

So I would say that this is an important step. We need to engage. We need to work with India and Pakistan together. I ask my colleagues to support this amendment.

Mr. Chairman, the United States' relationship with India and Pakistan is of paramount importance to our nations' political and economic future. With the receding of the Cold War's global divisions and the new realities of globalization and trans-national terrorism, we have embarked on a new era of promise, possibility and uncertainty. This means the United States, the world's only superpower, bears an especially heavy responsibility to remain engaged in all regions of the world, with all nation-states.

Mr. Chairman, my amendment is simple. My amendment is important. My amendment is necessary. And my amendment is bipartisan. Due to the strategic political and economic importance of the South Asia region, it is imperative to our national interest to continue our policy of engagement collaboration, and exchanges with and between India and Pakistan, particularly since this has served the nation well in the past.

My amendment, which is endorsed and cosponsored by Congressman BURTON, and which is not opposed by either the Majority or Minority of the Committee on International Relations, simply states that the "South Asia region is so important that the United States should continue its policy of engagement, collaboration, and exchanges with and between India and Pakistan."

Peaceful nuclear cooperation with India can serve multiple U.S. foreign policy objectives so long as it is undertaken in a manner that minimizes potential risks to the nonproliferation regime. This will be best achieved by sustained and active engagement and cooperation between India and the United States.

Similarly, Pakistan has been a critical ally in the global war on terror. Pakistan has been a good friend to the people of the United States. Although H.R. 5682 signals no change in this country's relationship with Pakistan, it is not difficult to understand why it may give pause to some supporters of Pakistan. This is another reason why it is vital for the United States to continue to engage both Pakistan and India in ongoing political engagement, economic and technological collaborations, and personal exchanges, which will bring the United States closer to these two vitally important democracies in the South Asia region and will bring India and Pakistan closer to each other.

As a founding Co-Chair of the Congressional Pakistan Caucus, I am wholeheartedly committed to the political, economic, and social amelioration of Pakistan for the Pakistani people and the ascendancy of Pakistan in the international community. Pakistan has been a loyal and unwavering ally in our global war on terror, which has played a decisive role in helping to remove the Taliban regime from Afghanistan and the capture of hundreds of wanted al-Qaeda terrorists. Pakistan has suffered thousands of casualties and has been a victim of numerous terrorist acts on their own soil because of their steadfast alliance with our nation in the global war on terror.

In order to get a proper perspective on Pakistan, I believe we must take a look back at the luminary individual who is singularly responsible for its creation. Pakistan, one of the largest Muslim states in the world, is a living and exemplary monument of Muhammad Ali Jinnah. Becoming an architect of a dream first articulated by poet-philosopher Muhammed Allama Iqbal, a brilliant young lawyer named Muhammad Ali Jinnah valiantly dedicated his life to achieving an independent Pakistan for Indian Muslims. Revered as the father of Pakistan, Muhammad Ali Jinnah inspired the adulation of his people through his eloquence, perseverance and dauntless courage. For over 30 years, Muhammad Ali Jinnah was the prominent leader of Indian Muslims who articulately gave expression, coherence, and direction to their legitimate aspirations and transformed their dreams into a concrete reality. A visionary leader who was ahead of his time, Muhammad Ali Jinnah was a great constitutionalist and nation-builder who called for the equal rights of all Pakistani citizens without regard to their religion.

In the past six decades, the people and nation of Pakistan has come a long way. The bonds of friendship which began with Muhammad Ali Jinnah continue today with President Musharraf. I am grateful to the people and government of Pakistan, who in the aftermath

of the devastation and loss of innocent life which occurred on 9/11, and on the eve of the 5 year anniversary of 9/11, continue to support our efforts to stamp out international terrorism. Similarly, I think it is critical that we continue our policy of engagement, collaboration, and exchanges with and between the people and the governments of Pakistan and India.

I urge my colleagues to support my amendment.

The Acting CHAIRMAN. Does anyone claim time in opposition to the amendment?

If not, the question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SHERMAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 109–599.

Mr. SHERMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SHERMAN:

In section 4(b), add at the end the following new paragraph:

(8) The amount of domestic uranium used in India's military program during a 12-month period ending on the date of the determination is equal to or less than the amount of domestic uranium used in India's military program during the 12-month period ending on July 18, 2005.

In section 4, insert after subsection (o) the following new subsection (and redesignate subsequent subsections accordingly):

(p) ANNUAL CERTIFICATION; TERMINATION OF COOPERATION.—Nuclear cooperation with India shall be terminated unless one year after making the determination described in subsection (b)(8), and annually thereafter, the president certifies that during the previous 12-month period the amount of domestic uranium used in India's military program is equal to or less than the amount of domestic uranium used in India's military program during the 12-month period ending on July 18, 2005.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, India is a democracy and it knows that this Congress has a role to play. They negotiated a deal which is better than the deal they need. That deal which they negotiated with our State Department is very loose on the issue of nonproliferation of nuclear weapons. India knows, or at least expects, that this Congress will do its job and make the agreement better, tighten the agreement so that it does not help India to build additional nuclear weapons.

The question is whether this Congress will do its job or surprise the Indians and simply be a rubber stamp for the agreement that has already been negotiated. I hope we do our job, and here is why.

India did not sign the Nonproliferation Treaty. They are not in violation of it. They exploded nuclear weapons. I do not believe that we should punish India for its decision to become a nuclear power, but we should not facilitate India in building additional nuclear weapons.

India's problem is this: They can only produce a limited amount of uranium from domestic sources, basically 300 tons. What they get out of this deal is nuclear fuel and uranium.

How does India use its 300 tons, which it produces domestically? They use half of it for their civilian reactors already existing. They certainly lose money if they fail to run those reactors as scheduled at full capacity. But they are doing just that. They are running their existing civilian reactors at less than capacity because they only use 150 tons of uranium for that purpose. The other 150 tons goes to India's nuclear weapons program.

What will this bill do if we fail to amend it? It will allow India to buy uranium for all of its civilian needs from other countries. The result will be that India will be able to use all 300 tons of its domestic production for the construction of nuclear weapons.

That is not what we mean to do. We mean to help India develop its civilian program. But since uranium is fungible, we also do not mean that our help to India in giving it fuel for its civilian program is not supposed to, so we are told, help India double its production of nuclear weapons. That is why this bill needs an amendment.

What my amendment would do is simply require that, for the deal to go forward, India keeps doing what it has been doing, using 150 tons of its uranium for its existing civilian plants instead of diverting that 150 tons toward its military production. That is to say, we would make sure that this deal did not hamper, but did not help, India's nuclear weapons program.

I hope the amendment will enjoy support.

Mr. ROYCE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the International Relations Committee, the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, this is a killer amendment. If you vote for it, you vote to kill this entire initiative, because this imposes limits on India's nuclear weapons program, but India already possesses nuclear weapons and is extremely unlikely to give them up. Recognizing this fact is recognizing reality.

This is a restriction imposed by the Sherman amendment that we impose on no other nuclear power, with the exception of North Korea, which may have nuclear weapons. This, as I have said, is a deal killer. Both India has said so and the administration has said so, and a vote for this amendment is a vote to kill the agreement.

So, with respect, I urge defeat of this amendment.

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Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding me time.

Mr. Chairman, I oppose this amendment. Mr. Chairman, this amendment was presented to the Committee on International Relations and was overwhelmingly defeated because it is a killer amendment. It would kill the entire nuclear cooperation agreement with India.

Legislation already provides that we should be proceeding with a multilateral moratorium or treaty to ban the production of fissile material. The legislation before us already states this. The underlying legislation requires detailed reporting on the steps India and the United States are taking to complete such a ban. It also requires reports on India's production of fissile material, so that we can try to conduct oversight over this important issue.

The Fortenberry amendment that the House is considering today will strengthen this reporting even further. In reality, however, this amendment is intended as a deal killer. I urge all of my colleagues to rely on the underlying text, and I firmly oppose this amendment.

Mr. SHERMAN. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, this is a great amendment. Because right now this is how much nuclear material is needed by India to produce nuclear electricity in their country. It is used for electricity. However, once we provide them all of this nuclear material for their nuclear electricity, it is going to free up the same amount to make nuclear bombs.

So they can go from 7 a year to 40 to 50 nuclear bombs a year. Well, they are saying they do not want to do that. And the proponents of this treaty are saying, they are not going to do that. What the Sherman amendment says is, the President must certify each year that they do not do that. That is why the Sherman amendment is the deal maker, because it proves what is being said is actually the truth.

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

Mr. SHERMAN. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, as Congressman MARKEY just said, as this proposal now stands, there is nothing stopping India from using more and more of its domestic uranium for weapons program. Without the safeguards provided by the Sherman amendment, India could produce dozens more nuclear weapons per year under the U.S.-

India deal, which would surely lead to an arms race with neighboring rival Pakistan.

Mr. Chairman, I am a great supporter of India and of stronger U.S.-India relations. India is the world's largest democracy. It has contributed measurably to the legacy of peace of the great leader Mahatma Ghandi. India's longstanding goal of universal nuclear disarmament has not been acknowledged enough in this debate.

This proposal will be harmful to security in India, in the region and the world. And this proposal will be harmful to the people of India in that it could escalate an arms race between India and Pakistan.

I support Representative SHERMAN's amendment, which requires the President to certify annually that India is not dedicating more domestic uranium to its weapons program, as a condition for the U.S. to cooperate with India on nuclear technology.

Pakistan wants a deal with the U.S. on nuclear technology, but the U.S. has refused. Instead, Pakistan has turned to China for this technology. To add fuel to the fire, it was just reported that Pakistan has begun building a powerful new reactor for producing plutonium, signaling a major expansion of the country's nuclear weapons capabilities.

Instead of giving India more uranium to develop nuclear weapons, the United States should take leadership in preventing an arms race in the region. A good first step would be to pass the Sherman amendment.

Mr. SHERMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me respond to the arguments. They say that India claims this is a killer amendment. This a negotiating tactic. Any amendment I don't like is a killer amendment. I use the negotiating tactic myself.

We are told this imposes a requirement on India that we do not impose on the other nuclear powers. All the other nuclear powers sign the nonproliferation treaty. India deliberately puts itself in a class by itself.

We are told that this bill, this amendment is designed to be a killer amendment. I don't think the gentleman meant that as an attack on my belief and integrity. I voted for the bill. I do not intend to kill the bill.

The Democratic leader was on this floor endorsing another amendment that India says is a killer amendment. I do not think she intends to kill the bill. She said she was going to vote for it. Those of us who want to improve the bill want to improve it. And if we are nothing more than a rubber stamp for a deal which by its terms will allow India to double its nuclear weapons production, all in the name of generating electricity, then we are not doing our job. Please vote for the amendment.

Mr. ROYCE. Mr. Chairman, I rise in opposition to this amendment. I will note that the base text of this bill, in section 402, already asks for a classified report on India's domestic uranium usage. But the gentleman's amendment would make such a certification a condition for the deal.

Let me also say that people recognize that India has great demand for expanding its energy grid to create electricity for its people. Let me say that the gentleman has taken a unique approach to this issue for which he should be commended. We sympathize with his concerns.

However, I do not see the amendment as even workable. I do not know that such a determination with a high degree of confidence could even be made. So I am concerned about terminating the agreement with India on such a certification that cannot even be made with any certitude.

Mr. Chairman, for some of these reasons, this amendment was defeated in committee by a vote of 10–32 when it was offered. I urge the House to do the same.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SHERMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. BERMAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 109–599.

Mr. BERMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BERMAN:

In section 4(d), add at the end the following new paragraph:

(5) LIMITATION ON NUCLEAR TRANSFERS TO INDIA.—Notwithstanding any other provision of law, and notwithstanding the entry into force of an agreement for nuclear cooperation with India pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) and approved pursuant to this Act, nuclear transfers to India shall not include source material and special nuclear material (as defined in section 11 of such Act (42 U.S.C. 2014)) unless the President determines that India—

(A) is adhering to a unilateral moratorium on the production of fissile material for nuclear weapons;

(B) is adhering to a multilateral moratorium on the production of fissile material for nuclear weapons; or

(C) has signed and is adhering to a multilateral treaty prohibiting the production of fissile material for nuclear weapons.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentleman from California (Mr. BERMAN) and the gentleman from California (Mr. ROYCE) each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I yield 2½ minutes to my co-author of this amendment, the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank Mr. BERMAN for his hard work with me on this issue. I commend Chairman HYDE, for whom I have tremendous affection, for having this bill named after him.

Mr. Chairman, the amendment that Mr. BERMAN and I are offering is the single strongest step Congress can take to ensure that the civilian nuclear cooperation agreement with India does not lead to a nuclear arms race in South Asia.

Our amendment would allow exports of nuclear reactors and other technology to India, our good friend. But it would prevent the export of nuclear reactor fuel until India has ceased production of fissile material for use in nuclear weapons. The United States and the other original nuclear weapons states have all agreed to a voluntary moratorium on fissile material production.

But under the bill as currently written, India will receive all of the benefits of a nuclear state under the nonproliferation treaty without being obligated to halt the production of fissile material, without having to sign a comprehensive test ban treaty, or to take other steps toward disarmament.

Requiring that India commit to ceasing the production of bomb material, in exchange for all of the benefits of nuclear trade, without asking for it to take any other responsibilities of a nuclear power is the bare minimum we should require to improve United States' national security.

The bill before us makes drastic exceptions to established nonproliferation rules. Currently India's production of weapons-grade plutonium is constrained by the requirements of its nuclear power reactors and its limited supply of natural uranium. But the civil-military separation plan offered by India excludes from national international inspection military facilities and spent fuel.

This provides India with a substantial capability to increase its nuclear weapons arsenal. If the bill goes ahead as is, the foreign supply of nuclear fuel to India would free up their existing limited capacity of highly enriched uranium and plutonium for weapons.

It is therefore responsible and prudent for Congress to ensure through this legislation that as a simple price of having access to sensitive nuclear technology, India declare a moratorium on productions of fissile material, just as the U.S. and other nuclear powers have.

Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the International Relations Committee (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I announce my difficulty in opposing my good

friends, Mr. BERMAN and Mrs. TAUSCHER. They are both very learned in this field.

However, this amendment is very similar to Mr. SHERMAN's amendment and should be defeated for virtually the same reasons. India already possesses nuclear weapons, and is very unlikely to dispose of them or be divested of them.

This is a restriction that the U.S. imposes on no other nuclear power. Therefore, instead of proliferating good will it would proliferate bad will to impose this on India.

This is the proverbial deal killer, as the Sherman amendment was. A vote for this amendment is a vote to kill the agreement even if the bill passes. So, with considerable regret I must urge the defeat of this amendment.

Mr. ROYCE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I regret but I must strongly oppose this amendment offered by my good friend from California. This amendment was carefully considered by the International Relations Committee and was overwhelming defeated on a bipartisan vote.

It is a killer amendment, which would destroy this historic piece of legislation, and I think it would be irresponsible for us to hazard that strong probability.

Mr. Chairman, I urge all of my colleagues to oppose this amendment.

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

Mr. BERMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first I point out that while this amendment was defeated decisively, it was not defeated overwhelming.

Secondly, and I say this with great respect both to Chairman HYDE and Ranking Member LANTOS, who not only do great work here, but made this a significantly better bill by virtue of their efforts.

Let's review the bidding here. The U.S. went into this discussion saying, India, we want you to cut off fissile material production. India said no. The administration backed off its position.

I now offer an amendment that simply denies the fuel until such time as they cut off their fissile material production. The administration says it is a killer amendment. The language that they proposed in a weakened form now, they call a killer amendment.

Let's test the proposition here. Give a good vote to this amendment. As Mr. SHERMAN and Mr. MARKEY pointed out, we are incentivizing, if we provide the fuel, we are incentivizing a massive potential increases in India's nuclear weapon production.

What is China going to do? I am not that worried about India. But India has minimal deterrent capabilities against China right now. What is China going to do? China right now has halted its fissile material production. Will they continue to do that once this passes?

What will they do with Pakistan in the Nuclear Suppliers Group? At least, thank heavens, we will have a chance to see this agreement when it is finally negotiated after the Nuclear Suppliers Group has decided.

□ 1945

But don't just accept the words it is a killer amendment. Give this a good vote. Let India know we are very serious about this. Reinforce the administration's commitment to this issue which wavered in the negotiation of India. This issue goes far beyond U.S.-India relationships. It goes on with what happens with the nuclear powers and with the spread of nuclear weapons. It will have ramifications far beyond the U.S.-India relationship.

This is a modest amendment. This is the amendment Sam Nunn proposes. This allows reactor technology and all of the other facets of a civilian nuclear cooperation to go ahead. It just says no fuel until you have decided to cut off fissile material production.

Mr. ROYCE. Mr. Chairman, I would like to yield 1 minute to the chairman of the International Relations Committee.

Mr. HYDE. I was simply going to suggest to my good friend, Mr. BERMAN, that while you are looking for patterns of conduct, think of the Libya example. Mr. Khadaffi might just turn in all their weapons. That is entirely possible.

Mr. BERMAN. Well, I do. But it wasn't because we gave Libya civilian nuclear cooperation. But I wouldn't compare India and Libya. They are very different countries. And the gain for Libya was a great gain for nonproliferation, I agree. But now we are in a different situation. Think of China, think of Pakistan, think of Iran, think of North Korea.

Mr. ROYCE. Reclaiming my time, Mr. Chairman.

I rise in opposition to the Berman amendment. I would like to commend the gentleman from California for bringing this issue before the House today, and I know that he does so having studied this issue very closely.

The gentleman's amendment would prevent the full realization of this agreement until India has put in place a cap, either unilaterally or multilateral, on its fissile material production. That is a highly unlikely or even an implausible scenario given the dynamics in the region in South Asia.

This should, frankly, be a goal, and the administration should be doing more on that front. But it should not be a mandate for this agreement.

This amendment is not without merit. I offered a successful amendment in committee that states that nothing in this bill shall violate our Article I NPT obligation not to in any way assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or nuclear explosive devices. So I think Congress has made it clear that this is not the intent of the agreement.

The gentleman is right that the language in the underlying bill is not as strenuous as his proposal, but there is also an international component to this agreement. We are opening the door for this cooperation with India not only for the United States but for other countries as well, and I don't see how the gentleman's amendment would prevent the nuclear supplier group from approving such trade for other countries, excluding only the U.S.

Let me also say I do believe that fulfilling this relationship with India is in the interest of the United States. Indeed, and here is my final point, if this amendment were to pass, it could in fact be detrimental to U.S. interests from that perspective.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. ROYCE. I yield to the gentleman from California.

Mr. BERMAN. I thank the gentleman for yielding.

But the Nuclear Suppliers Group operates on a consensus. If this amendment is in the agreement, the United States will not support a consensus position that allows another country to send nuclear fuel to India.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. BERMAN).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BERMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. FORTENBERRY

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in part B of House Report 109–599.

Mr. FORTENBERRY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. FORTENBERRY:

In section 4(o), add at the end the following new paragraph:

(5) GROWTH IN INDIA'S MILITARY FISSILE MATERIAL PRODUCTION.—

(A) IN GENERAL.—Not later than one year after the date on which an agreement for nuclear cooperation between the United States and India is approved by Congress under section 4(f) and every year thereafter, the President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that—

(i) measures the effectiveness of the civil nuclear cooperation agreement in achieving the goals and objectives described in section 2; and

(ii) assesses the relative level of India's nuclear fissile material production compared to the previous year.

(B) CONTENTS.—The report described in subparagraph (A) shall also include information relating to—

(i) the amount of natural uranium India has mined and milled during the previous year;

(ii) the amount of electricity India's civilian reactors have produced during the previous year;

(iii) the amount of domestic natural uranium India has used to produce electricity during the previous year;

(iv) the amount of fissile material India has produced for military purposes during the previous year;

(v) the amount of domestic natural uranium and domestic enrichment capacity India has used to produce such fissile material;

(vi) the amount of domestic uranium India has otherwise stockpiled for possible civil or military use;

(vii) an identification of any changes with regard to these quantities from the previous year; and

(viii) any additional qualitative factors determined to be relevant with respect to subparagraph (A), as appropriate, such as the location of production facilities.

(C) PREPARATION; FORM OF REPORT.—The report should rely on public information to the extent possible. The report shall include a classified annex if necessary.

(D) HEARINGS.—The Committees specified in subparagraph (A) may, after consideration of each report under this paragraph, hold hearings with government and non-government witnesses as each Committee determines necessary to evaluate each report.

MODIFICATION TO AMENDMENT NO. 6 OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. Mr. Chairman, I ask unanimous consent to modify the amendment with the modification placed at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. FORTENBERRY:

In section 4(o), add at the end the following new paragraph:

(5) GROWTH IN INDIA'S MILITARY FISSILE MATERIAL PRODUCTION.—

(A) IN GENERAL.—Not later than one year after the date on which an agreement for nuclear cooperation between the United States and India is approved by Congress under section 4(f) and every year thereafter, the President shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that—

(i) measures the effectiveness of the civil nuclear cooperation agreement in achieving the goals and objectives described in section 2; and

(ii) assesses the relative level of India's nuclear fissile material production compared to the previous year.

(B) CONTENTS.—The report described in subparagraph (A) shall also include information relating to—

(i) the amount of natural uranium India has mined and milled during the previous year;

(ii) the amount of electricity India's civilian reactors have produced during the previous year;

(iii) the amount of domestic natural uranium India has used in its declared civilian reactors to produce electricity during the previous year;

(iv) the amount of fissile material India has produced for military purposes during the previous year;

(v) the amount of domestic natural uranium and domestic enrichment capacity India has used to produce such fissile material;

(vi) the amount of domestic uranium India has otherwise stockpiled for possible civil or military use;

(vii) an identification of any changes with regard to these quantities from the previous year; and

(viii) any additional qualitative factors determined to be relevant with respect to subparagraph (A), as appropriate, such as the location of production facilities.

(C) PREPARATION; FORM OF REPORT.—The report should rely on public information to the extent possible. The report shall include a classified annex if necessary.

Mr. FORTENBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Acting CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 947, the gentleman from Nebraska (Mr. FORTENBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, I yield myself as much time as I may consumed.

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

Mr. FORTENBERRY. Mr. Chairman, thank you for the opportunity to offer this amendment to H.R. 5682, the United States and India Nuclear Cooperation Promotion Act of 2006. The purpose of this amendment is to provide Congress with the ability to assess, to the extent possible, whether U.S. civilian nuclear cooperation with India may potentially contribute to growth in India's military fissile material production. The amendment is straightforward. It simply calls for a report each year to ensure that the United States is not unintentionally complicit in the growth of India's nuclear weapons capabilities.

First of all, let me express my appreciation to Chairman HYDE and Ranking Member LANTOS and the House International Relations Committee staff for their efforts to address a wide variety of concerns expressed by members of the International Relations Committee.

Given the global significance of this potential agreement, I believe it is important to remain diligent in the conduct of our oversight responsibilities.

Mr. Chairman, civil nuclear cooperation with India is a bilateral initiative with wide-ranging multilateral implications. The nonproliferation, energy and environmental objectives of this proposed agreement with India are laudable; and the Committee on International Relations has emphasized the need to ensure that such an agreement would not result in unintended consequences which may undermine its purpose and directly or indirectly result in boosting India's military nuclear capabilities.

It is my expectation that the International Relations Committee will avail itself of this opportunity to hold as many hearings as necessary to examine the content of this report and the potential implications for the U.S. compliance with Article I of the Treaty on the Nonproliferation of Nuclear Weapons as referenced in the bill.

This is particularly important in light of the recent news regarding the discovery of a reactor project which would enable Pakistan to make many more nuclear weapons each year. This news highlights very real concerns about a potential arms race in South Asia. It is up to Congress to ensure that any U.S.-India civil nuclear agreement remains just that, a civil nuclear agreement which will have no impact on the production of nuclear weapons.

Mr. Chairman, I understand that Chairman HYDE and Ranking Member LANTOS are in support of this amendment, and I am grateful for their support.

Mr. Chairman, I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, I thank the gentleman for yielding.

As we have noted before, the underlying bill in section 402 already asks for a classified report on India's domestic uranium usage. The gentleman from Nebraska's amendment asks for an additional report building on the report in the underlying bill. We are willing to accept that amendment.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. FORTENBERRY. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to commend my friend from Nebraska. We are pleased to accept his amendment. It strengthens the underlying legislation. I urge all of my colleagues to support it.

Mr. FORTENBERRY. I thank the gentleman and appreciate all of his hard work.

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

The Acting CHAIRMAN. Does anyone claim time in opposition to the amendment?

The question is on the amendment, as modified, offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment, as modified, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 109–599 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. STEARNS of Florida.

Amendment No. 4 by Mr. SHERMAN of California.

Amendment No. 5 by Mr. BERMAN of California.

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

AMENDMENT NO. 2 OFFERED BY MR. STEARNS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 414, noes 0, not voting 18, as follows:

[Roll No. 407]

AYES—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Boustany
Davis, Jo Ann
Deal (GA)
Evans
Ford
Gonzalez
Istook
Jones (OH)
Kelly
McHenry
McKinney
Miller (FL)
Murphy
Nussle
Olver
Pryce (OH)
Sweeney
Wexler

□ 2017

Mr. GEORGE MILLER of California changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SWEENEY. Mr. Chairman, on rollcall No. 407, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. MILLER of Florida. Mr. Chairman, on rollcall No. 407, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. MURPHY. Mr. Chairman, on rollcall No. 407, I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. SHERMAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SHERMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 268, not voting 9, as follows:

[Roll No. 408]

AYES—155

Abercrombie
Allen
Baca
Baird
Baldwin
Barton (TX)
Becerra
Berman
Berry
Bishop (NY)
Blumenauer
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carson
Clay
Clyburn
Coble
Conyers
Costello
Cummings
Davis (CA)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Fortenberry
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Goode
Green, Al
Grijalva
Gutierrez
Harman
Hefley
Hinchey
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Leach
Lee
Lewis (GA)
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Michaud
Millender-McDonald
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pitts
Platts
Pomeroy
Price (NC)
Ramstad
Ross
Rothman
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Serrano
Sherman
Slaughter
Smith (NJ)
Solis
Spratt
Stark
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Woolsey
Wu

NOES—268

Ackerman
Aderholt
Akin
Alexander
Andrews
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman

Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gibbons
Gillmor
Gingrey
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moran (VA)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Oxley
Pallone
Pearce
Pence
Peterson (PA)
Pickering
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Salazar
Schmidt
Schwarz (MI)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Davis, Jo Ann
Deal (GA)
Evans
Ford
Gonzalez
Istook
McKinney
Nussle
Wexler

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2028

Messrs. WU, GUTIERREZ, and POMEROY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. BERMAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. BERMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 241, not voting 7, as follows:

[Roll No. 409]

AYES—184

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Barton (TX)
Becerra
Berman
Berry
Bishop (NY)
Blumenauer
Boehlert
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Cooper
Costa
Costello
Cummings
Davis (CA)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emerson
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Fortenberry
Frank (MA)
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Green, Al
Green, Gene
Grijalva
Harman
Hefley
Herseth
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Leach
Lee
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Michaud
Millender-McDonald
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Otter
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pitts
Platts
Price (NC)
Ramstad
Ross
Rothman
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Serrano
Sherman
Sherwood
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wolf
Woolsey
Wu

NOES—241

Ackerman
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carter
Castle
Chabot
Chocola
Cole (OK)
Conaway
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emanuel
Engel
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gibbons
Gillmor
Gingrey
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Higgins
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lantos
Latham
LaTourette
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Ortiz
Osborne
Oxley
Pallone
Pearce
Pence
Peterson (PA)
Pickering
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Smith (WA)
Sodrel
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Davis, Jo Ann
Deal (GA)
Evans
Istook
McKinney
Nussle
Wexler

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2036

Mr. MEEK of Florida changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. GUTKNECHT, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India, pursuant to House Resolution 947, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were 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. MARKEY

Mr. MARKEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MARKEY. In its current form, I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Markey moves to recommit the bill H.R. 5682 to the Committee on International Relations with instructions to report the same back to the House forthwith with the following amendment:

In section 4(b), add at the end the following new paragraph:

(8) India is fully and actively participating in United States efforts to dissuade, isolate, and, if necessary, sanction and contain Iran for its efforts to acquire weapons of mass destruction, including a nuclear weapons capability (including the capability to enrich or process nuclear materials), and the means to deliver weapons of mass destruction.

Mr. MARKEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MARKEY. Mr. Speaker, this recommittal motion requires that nuclear cooperation with India can only commence after the President has determined that India is fully and actively participating in United States' efforts to dissuade, isolate and, if necessary, sanction and contain Iran for its efforts to acquire weapons of mass destruction, including a nuclear weapons capability, including the capability to enrich or process nuclear materials and the means to deliver weapons of mass destruction.

The motion does not kill or delay this bill in any way. If the House approves this motion, the Committee on International Relations will report the amended bill back to the House forthwith, meaning immediately. We will go to final passage of the legislation.

As the Members know, the U.S. Government has made a determination that Iran's nuclear program is a cover for a military program; and the International Atomic Energy Agency has found Iran to be in violation of their international safeguards commitments. The U.N. Security Council is about to consider what action to take in response.

Even Russia and China have now said that they would support action at the Security Council, potentially even sanctions, a position that could not have been imagined previously. India is now the only global power that has yet to get on board with the United States policy on Iran.

Clearly, preventing Iran from acquiring nuclear weapons is a paramount U.S. national security goal. A nuclear-armed Iran is a threat to our national security; and it is a threat to the security, indeed, the very survival of our closest ally in the Middle East, the State of Israel.

Let me at this time, Mr. Speaker, yield 1 minute to the gentleman from Michigan (Mr. UPTON).

The SPEAKER pro tempore. The gentleman has not been recognized for a period of controlled debate and may not allocate or reserve time. The gentleman may reclaim his time after 1 minute.

Mr. UPTON. Mr. Speaker, I don't often speak or vote for motions to recommit, but occasionally they do pass. And I would note that if this motion to recommit does pass, the bill still comes to us in its final form.

The gentleman from Massachusetts (Mr. MARKEY) and I tried to offer this amendment in the Rules Committee. I must say that in our testimony in the Rules Committee upstairs yesterday, I thought we had pretty good support on both sides of the aisle for this amendment from those that were there.

Iran is a bad player. This bill helps India. Why don't we have India on our side as we work against Iran in the world community? That is what this motion to recommit says. It says that the President has to certify that India is on our side as they work for nuclear capability in the world community and to keep Iran on the other side. Why aren't we working together, India and the United States, as we look at Iran in terms of more of the mischief that they are promoting around the world?

Mr. MARKEY. I thank the gentleman.

I yield 30 seconds to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I strongly support this motion. In committee deliberations, we have made it clear to India that they must make a choice between Tehran and Washington. They have done so twice at votes in Vienna at the International Atomic Energy Agency. This recommittal motion dramatically strengthens the underlying legislation. I urge all of my colleagues to vote for it.

Mr. MARKEY. I thank the gentleman.

Could I ask the Chair how much time is remaining.

The SPEAKER pro tempore. The gentleman from Massachusetts has 1½ minutes remaining of the 5.

Mr. MARKEY. I yield myself the remainder of my time.

As the gentleman from Michigan and the gentleman from California have pointed out, there has been a series of statements made by the Indian government that have left a great deal of ambiguity with regard to how strong they will stand with us in our effort to take Iran to the Security Council to ensure that Iran does not use its uranium and plutonium programs in order to develop a clandestine nuclear weapons program.

The recommittal motion that I am propounding here this evening just follows up on the statements that have been made out of the Indian government so that they can understand what we expect from them, and we will send a signal from this Congress to our negotiators as to what we expect from them in eliciting from the Indian government. So I hope on a bipartisan basis we can all agree that this Iranian nuclear program is the very top foreign policy and defense threat not only to our country but to countries throughout the Middle East.

I urge an ''aye'' vote on the recommittal motion.

□ 2045

Mr. ROYCE. Mr. Speaker, I rise to oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Mr. Speaker, during the course of the committee's five hearings on this agreement members closely scrutinized the relationship between India and Iran, and I think it is fair to say that our committee helped influence India's thinking on Iran. And I think we should all remember that we are getting India's cooperation on Iran. We got two IAEA votes out of India, including a critical vote to get the Iran file to New York. That is the fact about cooperation.

We share the gentleman's concern about Iran, but our point is that India is cooperating on Iran. And as we continue to engage India, and this agreement is about India's growing energy needs, as we engage India, we move them away from states like Iran. Rejection of the agreement itself, frankly, could push India, theoretically, back towards countries like Iran.

Also, we have Mr. MARKEY's theme in the bill itself. The bill itself says to ''secure India's full and active participation in United States efforts to dissuade, isolate, and, if necessary, sanction and contain Iran for its efforts to acquire weapons of mass destruction, including a nuclear weapons capability, and the means to deliver weapons of mass destruction.'' If India breaks this agreement, then we, the United States, will break our agreement with India.

And I think also it is important to remember that India and the administration both say that they are cooperating on Iran quietly behind the scenes. Why? Because this is the most effective way to do it. And we have seen the positive results. But diplomacy cannot be certified. The purpose of this agreement is to help establish broad cooperation, to establish a partnership between India and the United States. You do not compel a partner to cooperate. So this amendment is both unworkable and contrary to the spirit of the new relationship we are trying to establish with India.

How important is that relationship? Well, we have had two administrations, the Clinton administration and the Bush administration, forge closer ties with India and overcoming what we remember only too well, the chilly relations of the Cold War. And last July's joint statement committed each country to a global partnership which has accelerated our cooperation on many issues, including counterterrorism, including Iran.

The International Relations Committee have given this agreement close and extensive review. While nuclear energy is controversial in the United States, it is not in India. Like in several other countries, nuclear energy is widely viewed as a critical technology for their electricity, one central to uplifting hundreds of millions of impoverished Indians. So India will develop its nuclear energy sector, not as easily or as quickly without this deal, but it will nonetheless. So this deal needs to go forward.

With its growing economy, India is consuming more and more oil. It is competing on the world market, competing with American consumers, for limited hydrocarbon resources. This gives Americans an interest in helping India expand its nuclear power industry, which this legislation does. It also encourages India to move away from burning its highly polluting coal, which is in our interest.

By passing this legislation, we also take a step toward internationalizing India's nuclear industry, which I believe would make it safer. The agreement also is likely to increase India's cooperation with us in confronting countries seeking to break their NPT commitment by developing nuclear weapons, as it already has with Iran.

India must take more steps, including developing a credible plan to separate its civilians and military nuclear facilities under the agreement. Congress must approve a nuclear cooperation agreement that the administration is negotiating with the Indians before the technology is actually transferred. And as I said, should India break the conditions of the agreement, the U.S. breaks off the agreement itself.

So either we continue to try to box in India and hope for the best, or we make this move, we engage India and hope to use our influence to move this increasingly important country in our direction, making India a true partner as we enter what will be a decades-long struggle against Islamist terrorism.

That is why I ask my colleagues to please oppose this motion to recommit and please vote for the U.S. and India Nuclear Cooperation Promotion Act.

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.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 192, noes 235, not voting 6, as follows:

[Roll No. 410]

AYES—192

Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Clay
Cleaver
Clyburn
Coble
Conyers
Costa
Costello
Cramer
Cummings
Davis (CA)
Davis (FL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Fortenberry
Frank (MA)
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Israel
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Melancon
Michaud
Millender-McDonald
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Ross
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Wilson (NM)
Woolsey
Wu
Wynn

NOES—235

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chandler
Chocola
Cole (OK)
Conaway
Cooper
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (IL)
Davis (KY)
Davis, Tom
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jenkins
Jindal
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Pallone
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Smith (WA)
Sodrel
Souder

Stearns
Strickland
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Walden (OR)
Walsh
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Davis, Jo Ann
Deal (GA)
Evans
Istook
McKinney
Wexler

□ 2108

Mr. DENT changed his vote from ''aye'' to ''no.''

Mr. JOHNSON of Illinois changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 359, noes 68, not voting 6, as follows:

[Roll No. 411]

AYES—359

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
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Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
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Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
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McKeon
McMorris
Meehan
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Mollohan
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Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
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Sabo
Salazar
Sánchez, Linda T.
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Sensenbrenner
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Sherman
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Simmons
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Smith (TX)
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Snyder
Sodrel
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Sweeney
Tancredo
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Thompson (MS)
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Towns
Turner
Udall (CO)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
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Wynn
Young (AK)
Young (FL)

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Baldwin
Becerra
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Costello
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Lynch
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Paul
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Sanders
Schwartz (PA)
Serrano
Slaughter
Smith (NJ)
Solis
Stark
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Udall (NM)
Velázquez
Waters
Watson
Waxman
Weldon (PA)
Woolsey
Wu

NOT VOTING—6

Davis, Jo Ann
Deal (GA)
Evans
Istook
McKinney
Wexler

□ 2117

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL 5 P.M., AUGUST 11, 2006 TO FILE REPORT ON H.R. 5637, NON-ADMITTED AND REINSURANCE REFORM ACT OF 2006

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services have until 5 p.m. on Friday, August 11, 2006, to file a report on H.R. 5637, Non-admitted and Reinsurance Reform Act of 2006.

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

There was no objection.

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 tomorrow.

EXPRESSING SENSE OF CONGRESS THAT VENEZUELA SHOULD SUPPORT STRATEGIES FOR ENSURING SECURE AIRPORT FACILITIES

Mr. BURTON of Indiana. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 400) expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money, as amended.

The Clerk read as follows:

H. CON. RES. 400

Whereas the United States is strongly committed to working with countries in Latin America and the Caribbean that have a shared interest in promoting regional stability;

Whereas the United States is strongly committed to working with countries in Latin America and the Caribbean that are combating the scourge of drugs and the violence and social degradation caused by narcotics trafficking;

Whereas the Bolivarian Republic of Venezuela is a party to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 UN Drug Convention);

Whereas Venezuela is a key transit point for drugs leaving Colombia—the world's primary source of cocaine and South America's top producer of heroin;

Whereas drug trafficking through Venezuela significantly increased in 2005;

Whereas weak law enforcement, corruption, and a weak judicial system in Venezuela allow criminal organizations to act with impunity;

Whereas the Department of State's International Narcotics Control Strategy Report of 2006 reports that Colombian cartels, guerrilla groups, and paramilitary organizations and Venezuelan criminal organizations (among other smugglers) routinely exploit a variety of routes and methods to move hundreds of tons of illegal drugs into Venezuela every year, and organized crime in Venezuela has begun to set up operations in foreign countries to receive and distribute drugs in addition to providing transportation services;

Whereas in September 2005, the Government of the United States determined that Venezuela had failed demonstrably to meet its counternarcotics obligations and that Venezuela could no longer be certified as an ally in the war on drugs;

Whereas the promulgation by Venezuela of two new laws in October 2005, the ''Law against Organized Crime'' and the ''Law against the Trafficking and Consumption of Narcotics and Psychotropic Substances'', brought Venezuelan law into compliance with the 1988 UN Drug Convention; however, it is not certain, according to the Department of State, whether Venezuela's political and judicial institutions are up to the task of vigorous and impartial implementation of such new laws;

Whereas on April 11, 2006, a commercial plane originating in Venezuela was seized in Mexico at the airport of Ciudad del Carmen, carrying 5.6 tons of cocaine with an estimated street value of $100 million;

Whereas seizure statistics at the Simon Bolivar International Airport in Caracas are not available because the Government of Venezuela does not publicize such statistics;

Whereas estimates indicate that as much as 90 percent of the cocaine and heroin trafficked through the Simon Bolivar International Airport over the last 12 months was not intercepted;

Whereas the Government of Venezuela continues to fail to effectively utilize several airport security systems provided by the United States specifically aimed at increasing the Simon Bolivar International Airport counternarcotics capabilities;

Whereas the Government of Venezuela has not taken any steps unilaterally to prosecute any corrupt airport officials relating to cases of money laundering or drug trafficking at the airport despite credible intelligence estimates that there is potentially millions of dollars in narcotics proceeds passing through Simon Bolivar International Airport and Venezuela; and

Whereas the Government of Venezuela and the Venezuela National Anti-Drug Office (ONA) have officially reported only two seizures of currency in 2006, one for $13,865 in United States currency and the other for 7,000 euros: Now, therefore, be it

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

(1) Congress—

(A) strongly condemns the actions and inactions of the Government of the Bolivarian Republic of Venezuela which have created fertile ground for criminal drug trafficking organizations;

(B) strongly condemns the failures on the part of the Government of Venezuela to stem the flow of illicit narcotics through its territory; and

(C) strongly condemns the complicity of senior Venezuelan Government law enforcement officials and transportation officials who are effectively enabling large scale shipments of both cocaine and heroin at the Simon Bolivar International Airport and other transit points; and

(2) it is the sense of Congress that—

(A) it should continue to be the policy of the United States to support cooperation between Venezuela and partners in the Andean region to combat trafficking in narcotics and other controlled substances;

(B) steps should continue to be taken to restore bilateral law enforcement cooperation between Venezuela and the United States Drug Enforcement Administration;

(C) it should continue to be the policy of the United States to work with the international community, including the Organization of American States (OAS), to assist with a thorough review of the measures in place at the Simon Bolivar International Airport in Caracas;

(D) it should continue to be the policy of the United States to work with other member states of OAS to bring Venezuela into compliance and fully adhere to OAS conventions and comprehensive treaties to prevent, punish, and eliminate narco-terrorism, which constitutes ''a serious threat to democratic values and to international peace and security'';

(E) the Secretary of Transportation should provide to Congress not later than 180 days after the date of the adoption of this resolution, on behalf of the Department of State, Department of Homeland Security, Department of Justice, and the Department of Transportation, a report with an assessment of the process undertaken by the Government of Venezuela toward restoring airport security measures and controls that meet international standards of safety; and

(F) the Secretary of State should provide to Congress not later than 180 days after the date of the adoption of this resolution a report on Venezuela's compliance with its responsibilities under international counternarcotics treaties.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. BURTON) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

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

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

There was no objection.

Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MACK).

Mr. MACK. Mr. Speaker, I rise today in strong support of the resolution that is in front of us. Hugo Chavez every step of the way has gone against the grain when it comes to the ideals that we believe in as Americans. The ideals of freedom and democracy, liberty, the rule of law, and the trusting of people.

Hugo Chavez from the beginning has tried to make an enemy of the United States. In his own words, he talks about anti-American, anti-freedom. In his own words, out of his own mouth. Today's resolution is about drug trafficking.

Over 30 percent of the cocaine that comes into the United States comes through Venezuela. That is a huge number. We can no longer allow Hugo Chavez to manipulate the minds and the hearts and the dreams of not only his own people, but the people of the United States.

Mr. Chairman, whether it is siding with Iran in trying to purchase military aircraft and weapons, his desire for nuclear technology, trying to intimidate the media in his own country, Hugo Chavez is not a friend of the United States.

In fact, he is doing everything he can to turn away from freedom and democracy. I strongly support the resolution in front of us. I hope that Hugo Chavez will wake up and understand that it is better to be a friend with the United States, it is better to be a friend and believer in the ideals of freedom, security and prosperity. I hope one day that he will understand that he has made major mistakes and that it is time to come back to what was once a Venezuela that believed in freedom and democracy.

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

Mr. Speaker, I rise in opposition to the resolution. While I have disagreements with some of the provisions in the preamble, and with the accusatory tone of some of the ''resolves'' clauses, what concerns me most is the timing of its consideration. Because a draft agreement between the Drug Enforcement Agency of the United States, and the Venezuelan antidrug office hangs in the balance.

Now, there has been considerable time and effort invested by both sides in this initiative, which I believe and I know others do, would be mutually beneficial to both Venezuela and the United States. But the passage of this resolution puts that at risk.

Because we all know that what we do here tonight will be interpreted in Caracas as a political statement to embarrass and intimidate the Chavez Government. That is simply the reality. And to think otherwise would be naive in the extreme.

Let us be candid. And my friend and colleague from Florida touched on many aspects of the relationship. But every one on the planet knows that the relationship between the Presidents of the United States, and Venezuela is poor. Prior to the coup in 2002, it was practically nonexistent.

But when it appeared to the Venezuelans that the Bush administration appeared to applaud the coup, that relationship proceeded to deteriorate to the point where it can only be described as bitter and hostile.

The rhetoric has become incendiary and insulting. And every action on either side is perceived to be motivated by hostility and political calculation. The unfortunate result is that what has evolved is a relationship that is hardened into profound mutual animosity that is having long-lasting and real world implications, whether it implicates terrorism, or drugs or anything.

We all know that while this resolution will be hardly noticed in this country, its language condemning the Chavez Government will provoke headlines in Venezuela, that will be used by Chavez's opponents in the forthcoming presidential campaign, and undoubtedly there will be a reaction from the Chavez Government.

Without a working, transparent and viable relationship between the Drug Enforcement Agency and Venezuela, there will be serious consequences to both countries. As I just said, I have no doubt that what we do here today will be interpreted in Caracas as yet another insult, which will provoke more inflammatory rhetoric, and make any potential constructive relationship on this particular issue much more difficult to achieve.

Now, let me be very clear. I know that that is not the intention of the chairman who has offered this resolution. But I am also confident, and I hope I am wrong, that this draft agreement will be the victim of this poisonous relationship and atmosphere that exists.

Let me emphasize, I am not giving up on the agreement. Earlier today I had a conversation with my friend and colleague from New York, Representative MEEKS. We agreed that this is simply too important. This agreement is simply too important not to make a final effort.

And we will go down, and we will encourage the government of Venezuela to finally sign the agreement, which hopefully will restore a working relationship between the DEA and the anti-drug office in Venezuela.

□ 2130

But I am not hopeful. Because I believe that the language in this resolution, whether it is intended or not, will exacerbate the tension that clearly exists. And the tragedy is that the people in both countries will pay a price, and that is sad.

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

Mr. BURTON of Indiana. Mr. Speaker, before I yield to my vice chairman of the committee, Mr. WELLER, let me just make a couple of points.

First of all, I have high regard for my Democrat friend from Massachusetts. He and I are friends. We have a strong disagreement on this issue.

Let me just make a couple of points.

First of all, we were told by the Venezuelan government and the DEA was told by the Venezuelan government that they were going to work to reach an agreement on this draft agreement some time ago. Then they asked for an extension to July 8. And we were going to bring this resolution to the floor some time ago, and we decided, okay, we will wait until July 8. My friend from Massachusetts and Mr. MEEKS asked me to hold up on this. I think Mr. MEEKS asked. I can't remember. Mr. DELAHUNT did. And we held the resolution until July 8. We pulled it off the calendar and held it until July 8.

July 8 came, and we were told by the DEA that they refused to sign it, and Hugo Chavez said that he was not going to give us a time frame within which he would even consider signing it. So they asked for more time, we gave them more time, and when the time came they refused to sign, it and they won't give us a date to sign it now.

Now we are not trying to embarrass the government of Venezuela, but they have done such things as accused our DEA agents, who are fighting the drug war for the people of this country, of being spies for the United States. They have done everything they can to hamper the DEA's operation down there. And there have been $100 million of cocaine that was confiscated at the Mexican airport that came from the Caracas Venezuela airport. And so we have not had any cooperation whatsoever.

I don't know much about what kind of publicity this is going to generate in Venezuela, but the fact of the matter is Mr. Chavez needs to be put on notice that the American people are not going to stand idly by and let Venezuela be a transit point for drugs into this country and killing American people.

Mr. Speaker, I will now yield to my colleague, Mr. WELLER, for 2½ minutes.

Mr. WELLER. Mr. Speaker, I rise today in strong support of H. Con. Res. 400 and commend my chairman, Mr. BURTON, for his leadership on this issue.

This important resolution expresses this Congress's concern and frustration about the rising proliferation of narcotics from Venezuela and reaffirms the United States' commitment to stability and freedom in the Western Hemisphere.

Venezuela historically has the potential to be a key ally in the global war against the narcotics trade. However, its government is not stepping up to the plate. According to the State Department, approximately 150 metric tons of cocaine and increasing quantities of heroin move through its territory annually. Mr. Speaker, Venezuela is becoming a safe haven for the drug trade and those who profit from it.

Corruption is a growing problem in the Venezuelan government, and the airports are not immune. Simon Bolivar International Airport is becoming a haven for crime, where personal property theft, muggings and ''express kidnappings'' have become the norm. One of the nation's main transportation hubs, this airport has millions of dollars of narcotics flowing through it annually, and in the past year an estimated 90 percent of the cocaine and heroin trafficked through this airport have not been intercepted. These illicit drugs are headed to locations through our hemisphere and pose a significant threat to the health and safety of U.S. citizens.

The Government of Venezuela has failed to adhere to its obligations under international narcotics agreements; and, despite credible evidence that the airport is a transit point for the trade, they have not taken any unilateral steps on their part to prosecute corrupt airport officials involved in drug trafficking.

Mr. Speaker, the Government of Venezuela has repeatedly assured us they would sign the new DEA Implementing Accord, an affirmation that Venezuelan and U.S. law enforcement would cooperate to combat trafficking and distribution of narcotics. The signing date for this accord has come and gone with no satisfactory explanation and no new firm signing date. With this resolution, we are expressing our apprehension over the lack of law enforcement cooperation the Government of Venezuela will allow and our concern about the growing use of Venezuelan territory as a transit route for drug trade in our hemisphere.

Mr. Speaker, the United States and Venezuela cooperated successfully historically in the past; and we need to continue to do so in the future. Narcotrafficking is a direct threat to democracy, a threat to peace, a threat to security within the Western Hemisphere, and together the U.S. and Venezuela must work together to combat it.

I sincerely hope that Venezuela will step up to its responsibility as a leader in our hemisphere by restoring cooperation with U.S. law enforcement and fulfilling its obligation to combat narcotrafficking within its own borders.

Mr. DELAHUNT. Mr. Speaker, I yield as much time as he may consume to my friend and colleague who serves on the Western Hemisphere Subcommittee and has spent considerable time in Venezuela and is familiar with the nuances of that relationship, my friend, Mr. MEEKS.

Mr. MEEKS of New York. Mr. Speaker, I understand the concerns of the chairman; and I believe I understand his intent for introducing this piece of legislation. But the bottom line is we have got to make sure that we accomplish something here.

The real deal here is not about the chatter between President Chavez and President Bush and the statements that have gone back and forth. The bottom line here is, what do we do to make sure that we are stopping the flow of drugs?

While we are here debating the merits of this resolution, the experts are still in Venezuela completing the specifics of an agreement that would reestablish the relationship between the Drug Enforcement Agency and the appropriate Venezuelan authorities. The fact that we are debating it on the floor today, as Mr. DELAHUNT says, it really threatens our relationship and makes it so that the possibility of getting this thing done becomes remote at best.

We don't need to continue to politicize this issue. What we need to do is to make sure that we are staying out of it, actually, and allowing the experts to really sit down to work to complete their job.

The Department of State's Bureau of International Narcotics and Law Enforcement Affairs of 2006 reported and identified 20 countries as major drug transit or major illicit drug-producing countries, despite increased drug seizures during the past 4 years; and these are the real facts.

In an effort to reduce the proliferation of drugs throughout the region and into the United States, the presidents of Venezuela and Colombia have started a process of military modernization to shore up the fence along their countries' borders; and Venezuela has extradited a number of leading armed actors from the ELN and the FARC to Colombia.

In fact, I spoke with DEA officials in my office, and I know they want this agreement signed so that they can continue to do their jobs. I also have been in communication with the Venezuelans; and they have expressed, I believe, a sincere desire to finally get this agreement signed.

Our actions today condemning the Venezuelan government for being complicit in efforts to secure airport facilities to prevent trafficking of controlled substances, narcotics and laundered money does not fit the action of negotiating in good faith to finalize this agreement. We cannot play into the hands of being somewhat obstructionist and widen the gap between our two governments, which already has a very strained relationship.

In the resolution itself, Mr. Speaker, it urges Venezuela to support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics and laundered money. However, when the data-sharing agreement is signed, according to the DEA mandate, title 21, chapter 13, subchapter 1, part E, this concern will be addressed and covered. So passage of this resolution will either prevent or substantially delay this agreement from being signed.

The resolution also, you know, there is some truth, but sometimes the truths are half-truths. It states, drug trafficking through Venezuela significantly increased in 2005, when in fact over 25 percent of drug seizures occurred at the Simon Bolivar Airport in 2005, and 2005 also witnessed a 58 percent increase in drug seizures compared to the previous year. In addition, drug seizures are up in Venezuela compared to this time last year by as much as 30 percent.

The resolution further identified that on April 11 of this year, a commercial plane originating in Venezuela was seized in Mexico at the airport of Ciudad del Carmen, carrying 5.6 tons of cocaine with an estimated street value of $100 million. Well, Mr. Speaker, the truth of the matter is, according to Mexico's Defense Department, the army was waiting for the plane on Monday at the Airport del Carmen 550 miles east of Mexico City after receiving information from the Venezuelan Government and U.S. authorities; and this is according to Mexican Army General Carlos Gaytan.

Mr. Speaker, I have a newspaper article that I would ask unanimous consent to have added to the RECORD indicating the very same with quotations from the general.

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

There was no objection.

MEXICO ARMY SEIZES HUGE COCAINE HAUL ON PLANE

MEXICO CITY.—Mexican soldiers seized 5½ tons of cocaine worth more than $100 million from a commercial plane arriving from Venezuela, Mexico's Defense Department announced Tuesday.

The army was waiting for the plane on Monday at the airport of Cuidad de Carmen, 550 miles east of Mexico City, after receiving information from Venezuelan and U.S. authorities, Gen. Carlos Gaytan told a news conference.

The cocaine was stacked in 128 black suitcases marked private.

Soldiers arrested Colombian Miguel Vazquez, 47, who was the plane's co-pilot, but the pilot escaped, Gaytan said. There were no passengers.

The soldiers also arrested two Mexicans who were waiting at the airport with another plane.

Gaytan said airport officials initially stopped soldiers from approaching the plane, claiming there was an oil leak and that it might explode. The officials are being investigated to see if they were in league with the traffickers, said Mexico's top drug prosecutor, Jose Luis Santiago Vasconcelos.

U.S. and Mexican officials say that cocaine and heroin is increasingly passing from Colombia through Venezuela to Mexico where it is smuggled into the United States. While drug traffickers used planes to smuggle large quantities of drugs in the 1990s, most Mexican traffickers now use land and sea routes.

A U.S. State Department report released in March said that Venezuela has become a key transit point for drugs because of ''rampant corruption at the highest levels of law enforcement and a weak judicial system.''

Venezuelan President Hugo Chavez suspended cooperation with the U.S. Drug Enforcement Administration in August, accusing its agents of spying.

Mr. MEEKS of New York. Mr. Speaker, we are also told that statistics on drug seizures at the Simon Bolivar International Airport in Caracas are not available, but the truth of the matter is no one must have asked for the information. Because I called and asked for the information, and they provided me with the following, and I have charts that I would like to present for the RECORD.

There is a chart identifying where seizures took place in 2005, two charts define how much cocaine and heroin was seized at the airport and at Santiago Marino Airport since 2002. I have a chart identifying nationality of individuals involved in drugs and have been caught since 2002. And I have several charts identifying the type of drug and the quantity confiscated in Venezuela in 2005, the number of security agencies and personnel involved in drug confiscation throughout Venezuela, persons from Venezuela arrested for drugs in Venezuela, and the number of foreigners arrested for drugs in Venezuela. So I have all of these that I would also like to submit at the end for the RECORD. Their information is available. They have been sharing this with us.

This resolution further threatens the delicate relationship between our two countries. And, consequently, for me, I am really concerned. I happen to represent an international airport, JFK, John F. Kennedy International Airport; and I understand the importance of keeping drugs out. To me, that is what the bottom line is. This isn't about us against them. For me, it is about securing our country so that we can keep the drugs from coming in and doing what we have to do.

The resolution basically I think, and I hope I am wrong, as Mr. DELAHUNT said, what it will do is it will assure that we won't have an agreement. And if we don't have an agreement, then what we have accomplished is that there can be more drugs getting into this country.

We have got to do just the opposite. We have got to make sure that we do everything that we possibly can to secure and to prevent drugs from entering into the United States of America. I think that this is the wrong way of doing it, so therefore I will oppose this resolution and ask all Members that, if you truly want to stop drugs, we need to get an agreement with Venezuela.

Mr. BURTON of Indiana. Mr. Speaker, before I yield to my colleague from California, let me just take 1 minute.

First of all, when my colleague and good friend (Mr. MEEKS) says that we have a delicate relationship with Venezuela, I would like to point out to him that President Chavez is in Tehran today. He is over there talking to the ayatollahs who he has invited to Venezuela. He has been buying thousands of AK–47s. He is trying to expand his military operation down there. He goes on television every Sunday for 5 hours, and he calls the President of the United States a donkey and other names.

So if you are talking about a delicate relationship being in jeopardy, let me just say the reason for the delicate relationship being in jeopardy is because Mr. Chavez is shooting off his mouth. I have met with him several times with you folks, and he always says he is going to tone down the rhetoric, and he never does.

Regarding the $100 million of cocaine that came out of Venezuela into the Mexican airport, we have talked to intelligence sources and they said there was no information coming from Venezuela about that shipment. They said that is totally false.

Mr. Speaker, I yield to my good friend from California (Mr. ROYCE) for 2 minutes.

□ 2145

Mr. ROYCE. Mr. Speaker, I thank the chairman for yielding.

Let me say that last week the Subcommittee on International Terrorism that I chair held a hearing on Venezuela's link to terrorism. On May 15, the State Department designated Venezuela as not cooperating fully with U.S. anti-terrorism efforts. Mr. Speaker, from what we heard from the Department officials, it is not that Venezuela is not cooperating fully, it is that Venezuela is not cooperating at all.

Disconcerting was the testimony we heard from the State Department that Venezuelan passports can be forged with child-like ease and that the U.S. is detaining at our borders an increasing number of third country aliens carrying false Venezuelan documents. According to a 2003 U.S. news report, thousands of Venezuelan identity documents are being distributed to foreigners from Middle Eastern nations including Syria, Pakistan, Egypt and Lebanon.

It is not just anti-terrorism in which we see no cooperation, as pointed out in this resolution, it is also counternarcotics, and today, Hugo Chavez, President Chavez, is in Moscow signing a multibillion dollar agreement for advanced fighter jets for attack helicopters, for 100,000 Kalashnikov assault rifles and a license to build a Kalashnikov factory in Venezuela. He is trying to negotiate two or three submarines, and frankly, these are not helpful in terms of regional stability.

It is not helpful that he is traveling to Iran and to North Korea, and it is not helpful when he says he is trying to create a common ideological front against the United States.

Frankly, these weapons are to allow his self-described socialist revolution to become a military force to be reckoned with in Latin America. This resolution is an important one, and I urge its adoption.

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

I intend to yield to the gentleman from Ohio, but I am very glad that my friends raise the issue of Iran and Tehran, because the gentleman that spoke here today, that spoke in this, to this House, in this institution, has yet to denounce the military cooperation agreement between Iran and Iraq that exists as we speak.

Let me remind my friends, too, that the foreign minister of Iraq by the name of Zebari made this statement to the international community: We should not press Tehran about their nuclear program because they tell us that it is for peaceful purposes. We do not need a guarantee, let us just simply accept, accept what they say.

I am really glad you brought up Tehran because what I am beginning to see is an emerging relationship, if not an alliance, between Iraq and Iran. It is clear that there is a huge Iranian influence in Iraq today, a place where we have lost over 2,500 men and women, where we have expended hundreds of billions of dollars. And yet what do we hear? Nothing about Iran. We hear no condemnation of Hezbollah, none whatsoever.

I am glad you brought up Iran. Go back and check about that bilateral military cooperation agreement. I know one does not currently exist between Iran and Venezuela, but it does between our friends in Iraq and Iran. We have really created a hegemony in the Middle East, Iran.

But also, I think it is important that because the chairman spoke about the DEA, and I am sure they have gone through and I understand they have verified or they have had serious consultations. As a matter of record, if the chairman tells me, I will accept it, does the Drug Enforcement Administration believe that the passage of this resolution will accelerate the signing of this agreement?

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, in answer to your question, I do not think anything is going to accelerate this until Mr. Chavez decides what he wants to do, and Mr. Chavez was given, if the gentleman will let me finish, Mr. Chavez and you, my good friend, asked for us to give them an extension to July 8. We did that, and on July 8, they did not sign it, and they would not give us a date after that. You know that.

So what we are trying to do is point out to the United States and the Venezuelan people that they reneged on their commitment.

Mr. DELAHUNT. Reclaiming my time, there was, and I would remind my friend that there was a very tense issue between Venezuela and the United States regarding air traffic between our countries. Quiet diplomacy, patience, restraint resulted in the resolution of that problem. So that today between Venezuela and the United States, there is air travel, it is working. So accord can happen.

I share the frustration of my friend from Indiana. I know that he is someone who is a very can-do kind of guy, and at times, one might describe his temperament as somewhat impetuous. Unfortunately, diplomacy does not necessarily work that way.

Now, I understand, too, that the State Department INL had this to say. I am quoting from our own State Department. This is after all of the problems that you described between the DEA and the anti-drug officer of Venezuela. This is a quote. ''In spite of the political tensions, DEA continued working with its law enforcement contacts, developing information and leads that have contributed,'' listen carefully, ''have contributed to record seizures by Venezuelan law enforcement.'' The DEA is acknowledging that there have been record seizures, according to their own official report, the INL. ''After decertification, political sniping faded and government officials expressed renewed willingness to cooperate. Government of Venezuela officials have linked cooperation to the signing of a new bilateral counternarcotics working arrangement.''

That is what we all want, and if we can achieve that, we have done something positive. We know the rhetoric is going to fly back and forth. We know there is going to be finger-pointing and all kinds of nasty words spoken on either side, but what is most important, what is most important is that we protect our own children.

I think the decertification process, I wonder if we have any standards for ourselves. In the last 6 years, have we taken steps to adequately decline, to adequately reduce the demand that fuels the narcotics coming in to this country?

Mr. Speaker, with that, I yield the balance of my time to the gentleman from Ohio (Mr. KUCINICH), my friend.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman.

When you look at the resolution, and it says in part, ''steps should continue to be taken to restore cooperation between Venezuela and the United States Drug Enforcement Administration,'' I think everyone in this Congress would readily agree with that, but the language and condemnation actually separates us from that goal.

I think this is a consistent problem that we face here in the Congress. We desire a certain type of behavior from another government and then we tear them to shreds with our rhetoric. So it may be that we need to think again about our approach towards diplomacy and the approach that we take in these resolutions.

I understand the intention of my friend from Indiana who is a good man and who has been consistent in challenging illegal drug trafficking into the country, but I also understand that we need to look at the approach we are taking and see if this kind of approach is where a resolution is going to be most effective.

Echoing what Mr. DELAHUNT said, we need to also take a look very deep into our souls about what is driving this demand in this country for cocaine.

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

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank my friend for yielding.

Concerning, Mr. Speaker, the relationship between Hugo Chavez and Iran, let me explain why this is actually problematic, and we had an effort to bring pressure at the IAEA. We had the board of governors in an attempt by countries to pressure Iran not to go forward with its nuclear proliferation program. It was Venezuela, along with Cuba and one other country, I think it was Belarus, that voted against that effort.

Why are these points important? In the fall, there will be a seat on the Security Council that will open up. Venezuela is actively lobbying for that seat.

In light of this type of conduct, it is quite important that we point out the facts about the current efforts with Venezuela.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I have listened to with great interest the rhetoric coming from the other side, and now I intend to get to the facts of the matter. So I hope my friend from Massachusetts will indulge me and listen to me as attentively as I have listened to him.

First of all, let me just show, we have here a map from the maritime authorities, the Joint Interagency Task Force, showing from January 1 to December 31, 2005, the number of maritime trips involving drug activity originating in Venezuela, and it is 385 times.

Suspected air activity from January 1 to December 31, 2005, again from the Joint Interagency Task Force, 137 trips involving drug trafficking originating in Venezuela.

Let me just go through some of the issues that are very, very important to this debate.

First of all, DEA agents in August 2005 were accused of being spies for the United States and not doing their job as DEA agents. The fact of the matter is that was not the case. Nobody has proven or really indicated with any degree of authority that our DEA agents are doing anything more than trying to interdict drugs coming into the United States.

We received credible reports that traffickers are paying Venezuelan airport authorities a percentage of the money and drugs transported through the Simon Bolivar International Airport. Furthermore, the government of Venezuela has not taken any steps, any at all, unilaterally to prosecute any corrupt airport officials.

There are estimates that as much as 2,000 kilograms of cocaine and 200 kilograms of heroin were seized at the Simon Bolivar International Airport over the last 12 months. There are almost estimates there are 10 times that amount of cocaine, perhaps 20 times that amount of heroin, could be smuggled through that airport.

Seizure statistics at the Simon Bolivar Airport are not produced by the Venezuelans. The Venezuelan government does not track those statistics. Information regarding any seizures at the airport were not shared by the Venezuelan government with the DEA last year.

□ 2200

On April 11, 2006, a commercial plane, which we talked about earlier, originating in Caracas was seized in Mexico carrying 5.6 tons, tons of cocaine with an estimated street value of $100 million. Counternarcotics experts who we consulted agreed a 5.6 ton load of cocaine is not a test run. We can only speculate how this route was exploited by traffickers previously, how many millions of dollars and hundreds of tons of cocaine came through that route. And we know, as I said, there were 137 trips on that route last year.

The Venezuelan government has claimed the interdiction in Mexico was the result of a Venezuelan tip-off. That is what they said. So we checked. We have received assurances from our intelligence sources and other intelligence sources that those claims are categorically false. The Mexican police and government found that when that plane landed. They were not tipped off by anybody in Venezuela. Quite the contrary. The belief is that the Venezuelan people who are working at the airport were involved in the transport of these drugs amounting to $100 billion.

It is widely reported that the government of Venezuela is providing safe haven and logistical support to members of the Revolutionary Armed Forces of Colombia, FARC, the FARC guerrillas, which is designated as a foreign terrorist organization and was in 1997. And there is strong evidence that the Venezuelans are supporting the Revolutionary Armed Forces of Colombia, the FARC, with ammunition, safe houses, documentation, training, and weapons.

There is no formal mechanism to designate entities as drug trafficking organizations, but links between the FARC and drug trafficking were evident as far back as the mid to late 1980s, according to our State Department. It is precisely through this support for the FARC that we have estimates of as much as half of the Colombian cocaine moving to the United States and Europe as passing through Venezuela. Almost half of the cocaine coming into this country is coming through Venezuela.

You know, I have had the opportunity, with Mr. DELAHUNT and Mr. MEEKS, to go down and meet with President Chavez in Venezuela, and at the U.N. in New York. He is a very engaging fellow. He is Clintonesque, if you will, in the way he meets people. He was very engaging. I was impressed with the fella. When we talked to him about toning down the rhetoric that would lead to a better relationship, or a relationship between Venezuela and the United States, he said he was going to do that. But he didn't.

Every week on television, for 5 hours, and I watched the tapes and I have listened to the translations, he maligns and beats up on not only the President but the Secretary of State. He says very demeaning things about Condoleezza Rice, our Secretary of State, and they are things that don't lead to any kind of a relationship between us and the Venezuelan leadership.

In addition to that, he is tied in very closely and he considers Fidel Castro, a Communist leader who wanted to revolutionize all of South America, he sent Che Guevara down there back in the 1980s to try to destroy any semblance of democracy throughout our hemisphere, and Che Guevara was killed. Now Chavez' mentor is Fidel Castro.

He is also tied in with Daniel Ortega and Mr. Morales of Bolivia, and all of these people want to move the South American continent to the left. And these are things we cannot tolerate. So the drug trafficking is only part of it.

Regarding Chavez' current trip, he is going to North Korea, he is going to Tehran, and he is meeting with what we consider the cabal of terrorists. He has also invited these people to visit him in Venezuela. In addition, as my colleague from California said a while ago, he is buying all kinds of military equipment, which really isn't necessary because there is no big threat to him down there, all kinds of military equipment to build up a huge military operation in South America and Venezuela.

We have got big problems down there. We want to talk to Mr. Chavez. We want to work with Mr. Chavez, but when we say to him we have an agreement that we have worked out, and his people hammered out the agreement with us, and he said he needed more time, until July 8, and you asked me for more time, Mr. DELAHUNT, we gave them more time, and when July 8 came, they would not sign the agreement nor would they give us a date certain when they would sign the agreement, and that is why this resolution is here on the floor tonight.

We want to have peace in our hemisphere. We want to work with all the presidents in our hemisphere, but we don't want revolution and we certainly don't want drugs coming through Venezuela into the United States damaging American women and children and hurting their families.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I will yield for one question, yes.

Mr. DELAHUNT. First of all, my friend made a misstatement about Chavez going to North Korea, but that is irrelevant to the revolution.

Mr. BURTON of Indiana. He is not going to North Korea?

Mr. DELAHUNT. He is not going to North Korea, but let me focus on something.

Mr. BURTON of Indiana. He is not going to Tehran, either?

Mr. DELAHUNT. He has been to Tehran, like Mr. Maliki has been to Tehran, and Mr. Zebari and Mr. Chalabi, all of the friends of the neoconservative movement, they have lived in Tehran for a considerable period of time.

But let us talk about this today. The rhetoric that we have heard about is about terrorists, it is about, this is not within the purview of this thing. But I have to tell you something, when this plays down in Caracas, like I said in my opening remarks, it is just going to make it impossible.

Mr. BURTON of Indiana. Reclaiming my time, and I just want to say this. If there is a problem that has evolved out

of this discussion tonight, it lays at the feet of Hugo Chavez. It lays at his feet. Because there was an agreement that was hammered out between his people and the DEA here in the United States. He asked for more time, we gave them more time. He wouldn't sign it nor would he give us a date certain when he would sign it.

How long do you wait? How long do you wait for drugs to continue to come into the United States before we get an agreement saying we are going to allow the DEA to do their job?

Mr. DELAHUNT. Today is the 26th of July, Mr. Speaker. The 26th of July. You know that I, and hopefully accompanied by others, was going to go to Caracas this August, have a conversation, and come back with a signed agreement. That is the hope. But with this language in this particular resolution, I will tell you what we have done. We have buried that agreement. And that is a tragedy because drugs will come into this country. That is the sadness.

Mr. BURTON of Indiana. Well, I didn't yield any more time to my colleague, he just started talking. But that is okay, I have a high regard for him.

Let me just say once again that we have gone the extra mile on this agreement with Mr. Chavez. He wouldn't sign it, nor would he give us a date certain when he would sign it. We adhered to my colleague and others' requests to extend the time period, he wouldn't sign it, and that is why we have this resolution tonight.

I don't know how it is going to play in Caracas, all I can say is it is time we get an agreement, and the DEA needs to be able to do its job.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Con. Res. 400, to express my concern that the government of Venezuela do what it can to secure its airport facilities from the trafficking of illegal goods. It is always essential to restrict the transport of these substances and the transport of laundered money from their sales.

International certifications in airport facilities help to ensure that such restrictions are in place. Recent evidence shows a general lack of enforcement in Venezuela of the measures necessary to avoid the trafficking of narcotics and other controlled substances. Especially in light of the discovery in April of a Venezuelan plane filled with narcotics en route to Mexico, we must seriously question the compliance of Venezuela's airports with such standards. I ask that my colleagues join me in requesting that the government of Venezuela exercise more effort in the future to ensure the security of their airport facilities.

This resolution would also express our wish to work closely with Venezuela and the other nations of this region that are so severely affected by this issue to combat the trafficking of narcotics and other controlled substances. It is not only out of concern for the welfare of our own Nation if illegal substances and laundered money are allowed safe passage here; we must also express our concern for the welfare of Venezuelans and others around the world. The control of harmful substances is an international effort in which we must all take part.

It should be the policy of the United States to work with the international community in ensuring adherence to the Organization of American States conventions and comprehensive treaties on narco-terrorism. This concurrent resolution serves to respect this and to assist in a review of the Simon Bolivar International Airport in Caracas in particular, in light of recent events.

I thank my colleagues on the Western Hemisphere Subcommittee of the Committee on International Relations for drafting this resolution and urge my other colleagues in the House to support this legislation.

Mr. BURTON of Indiana. 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 Indiana (Mr. BURTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 400, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE IRAN AND LIBYA SANCTIONS ACT OF 1996

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5877) to amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006.

The Clerk read as follows:

H.R. 5877

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

SECTION 1. EXTENSION OF AUTHORITIES UNDER THE IRAN AND LIBYA SANCTIONS ACT OF 1996.

Section 13(b) of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''on the date that is 10 years after the date of the enactment of this Act'' and inserting ''on September 29, 2006''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of H.R. 5877, a bill I introduced yesterday with Chairman HYDE of the House International Relations Committee; Mr. LANTOS, coauthor of the Iran Freedom Support Act and ranking member of the International Relations Committee; and my ranking member on the Subcommittee on the Middle East and Central Asia, Mr. ACKERMAN.

This bill is a simple housekeeping measure to, on one hand, prevent the original Iran and Libya Sanctions Act from lapsing; and, on the other hand, to afford additional time for the House and Senate to reach an agreement on the final text of the comprehensive Iran legislation, the Iran Freedom Support Act.

The focus of the Congress continues to be that articulated through the Iran Freedom Support Act, which is to address the totality of the Iranian threat and strengthen our approach to this rogue state; to hold Iran accountable for its threatening policies; and to induce greater cooperation from our allies to compel Iran to cease and desist in its pursuit of nuclear weapons capabilities.

To achieve that end, Mr. Speaker, we need H.R. 5877, which would extend the original ILSA until September 29 of this year, affording us the additional time to finalize the text of the Iran Freedom Support Act to be sent to the President for his signature.

I ask for a ''yes'' vote on this bill.

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

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

Mr. Speaker, the Iran and Libya Sanctions Act is scheduled to lapse within days, and the legislation before the House will extend it until September 29. This reauthorization for a brief duration is necessitated by the fact that the House and Senate are still negotiating language on a new legislative construction of the Iran Libya Sanctions Act.

We hope to complete this process soon with the passage of new legislation that will strengthen sanctions against Iran and remove from law the outdated references to sanctions on Libya, sanctions which anyway no longer apply because Libya has fulfilled the required conditions.

I urge passage of this legislation.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, as the work of the committee continues on this temporary reauthorization, I think it is important to have a few reflections. This is the 10th anniversary of the original sanctions law, and I think it would behoove us to ask what those sanctions have accomplished. This legislation seeks to renew for a period of 2 months a confusing, ineffective and, at best, counterproductive, at worst, counterproductive sanctions policy against Iran.

Iran justly remains a focal point of security concerns for our Nation. It supports those who use violence as a means of settling political disputes. It

is threatening rhetoric with respect to Israel. And there is world concerns about its desire to ramp up nuclear production. All these things, in my judgment, make it mandatory the United States seek immediate talks with Iran.

We must reach out to parties in the region to begin to negotiate an end to the violence and the beginning of a peace process leading to a permanent resolution. Now, our leaders haven't taken that approach. They are seeking to isolate Iran, and instead we are starting to isolate ourselves.

These sanctions are indirect. They are not targeted at objectionable behavior. According to Anthony Wayne, the Assistant Secretary For Economic and Business Affairs, U.S. Department of State, testifying before the Senate Committee on Banking, Housing and Urban Affairs on June 28, 2001, talking about the Libya and Iran Sanctions Act, he says that ''it focuses on investment in order to limit revenue, rather than focusing directly on actions by Iran to procure weapons of mass destruction and support terrorism.'' He goes on to say that ''it goes against some of the friendly countries whose cooperation we need in working towards nonproliferation and counterterrorism goals.''

So these sanctions haven't been effective. There is a question about whether any sanctions are going to be effective here. These sanctions add to the price of gasoline in the United States. We are paying for these failed sanctions every time we fill up our tank.

Iran has the third largest oil reserves after Saudi Arabia and Canada, according to the U.S. Energy Information Administration, equaling 132.5 billion barrels. Iran has the second largest natural gas reserves after Russia, equaling 16 percent of the world's reserves. The administration hasn't done anything meaningful to break our country of its dependence on petroleum, so the reality is that sanctions against investments in Iran's oil and gas fields will cause U.S. consumers to pay higher prices for gasoline and natural gas.

High prices protect the Iranian government from economic consequences of decreased investment. A military strike against Iran, which this country seems to be nodding towards, could send oil to $130 per barrel, according to CNN, making the $3 a gallon currently look like the good old days.

Now, we have to take a new direction. The same geniuses who brought us the war in Iraq, who are standing by while violence overwhelms the Middle East, these same geniuses have this plan to keep sanctions on Iran, which will drive up the price of oil, so Iran can make more money selling their oil to other countries, and the oil industry in the U.S. isn't complaining about it because they are making record profits.

□ 2215

We need to take a new approach. That approach is to engage Iran directly and to stop isolating them and to bring them to a peaceful resolution of the issues that are currently inflaming so much of the world. This is a time for us to take a new direction. I don't think that we are headed that way, but I think that when we are looking at renewal of a sanctions regime we ought to be talking about whether or not it is in the best interests of this country to take the direction we are taking.

Ms. ROS-LEHTINEN. Mr. Speaker, I am attaching an exchange of letters between Chairman HYDE and Chairman THOMAS concerning the bill H.R. 5877. "To amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006".

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 26, 2006.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing regarding H.R. 5877, a bill ''To amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006,'' which is scheduled for floor consideration on Wednesday, July 26, 2006.

Because H.R. 5877 would amend the Iran and Libya Sanctions Act of 1996 (ILSA) to have the effect of extending the application of an import ban, it falls within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that this legislation is being expedited in order to ensure that ILSA does not lapse while the Congress is considering additional changes to ILSA such as those contained in H.R. 282, the Iran Freedom Support Act, which was passed by the House of Representatives on April 26, 2006. This action is also being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on H.R. 5877, H.R. 282, or similar legislation.

I would appreciate your response to this letter, confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, July 26, 2006.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 5877, a bill ''To amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006,'' which is scheduled for floor consideration on Wednesday, July 26, 2006.

I concur that the underlying Iran and Libya Sanctions Act (ILSA) contains provisions relating to imports, which fall within the jurisdiction of your Committee, as does H.R. 5877, which would extend the Act. I appreciate your willingness to waive consideration of this legislation by your Committee in order to ensure that ILSA does not lapse while the Congress is considering additional changes to ILSA such as those contained in H.R. 282, the Iran Freedom Support Act, which was passed by the House of Representatives on April 26, 2006. I also concur that your Committee's willingness to forego consideration does not in any way prejudice it with respect to the appointment of conferees or jurisdictional prerogatives on H.R. 5877, H.R. 282, or similar legislation.

As you have requested, I will place a copy of our exchange of letters on this matter in the CONGRESSIONAL RECORD during floor consideration.

With best wishes,

Sincerely,

HENRY J. HYDE,
Chairman.

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

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

The SPEAKER pro tempore (Mr. MACK). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 5877.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONGRATULATING THE INTERNATIONAL AIDS VACCINE INITIATIVE

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 844) congratulating the International AIDS Vaccine Initiative on ten years of significant achievement in the search for an HIV/AIDS vaccine, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 844

Whereas HIV/AIDS has killed over 25,000,000 people worldwide and poses a serious threat to the economic and political stability of the countries hit hardest by this terrible epidemic;

Whereas the International AIDS Vaccine Initiative (IAVI) was founded in 1996 as a public-private partnership with a mission to ensure the development of safe, effective, accessible, preventive HIV/AIDS vaccines for use throughout the world, with a particular focus on developing countries, where the need is most urgent;

Whereas the International AIDS Vaccine Initiative's research and policy programs have galvanized scientific efforts and substantially increased financial and political support for this vital effort;

Whereas since its founding, the International AIDS Vaccine Initiative has advanced six vaccine candidates from concept to clinical trials, targeting the subtypes of HIV circulating in the developing world—a record matched only by one large pharmaceutical company;

Whereas ten years ago only a few developing countries had participated in HIV/AIDS vaccine trials, but today several countries in sub-Saharan Africa and Asia are actively participating in HIV/AIDS vaccine trials, a reflection of the International AIDS Vaccine Initiative's activism and commitment to working collaboratively with developing country partners;

Whereas the model of the International AIDS Vaccine Initiative, which closely links clinical trial site investigators to product developers, has resulted in the first HIV/AIDS vaccine trials being conducted in Kenya, Rwanda, and India, as well as trials in Uganda and South Africa;

Whereas the International AIDS Vaccine Initiative is a founding member of the Global HIV/AIDS Vaccine Enterprise, recognized by the G–8 as an important actor in the quest for a vaccine; is an affiliated member of the National Institutes of Health's Partnership for AIDS Vaccine Evaluation; and is hosting NIH trials at International AIDS Vaccine Initiative sites in Africa;

Whereas the International AIDS Vaccine Initiative's Core Clinical Immunology Laboratory was the first Good Clinical Laboratory Practices (GCLP) accredited laboratory in the world to assess HIV/AIDS vaccines, and the International AIDS Vaccine Initiative's laboratory in Uganda was the first to receive such accreditation in Africa; and

Whereas the International AIDS Vaccine Initiative established a ground-breaking Neutralizing Antibody Consortium to address one of the key scientific challenges to vaccine design: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the International AIDS Vaccine Initiative on ten years of significant achievement in the search for an HIV/AIDS vaccine;

(2) recognizes the role of the International AIDS Vaccine Initiative in raising awareness and increasing financial and political support for this important cause;

(3) admires the commitment of the International AIDS Vaccine Initiative to collaborating with developing country researchers, governments, and civil society in the common goal of finding a vaccine;

(4) expresses support for the continued success of the International AIDS Vaccine Initiative; and

(5) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the International AIDS Vaccine Initiative.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise tonight to request the support of my colleagues for House Resolution 844, a resolution congratulating the International AIDS Vaccine Initiative on 10 years of achievement in advancing the search for an HIV/AIDS vaccine.

Since emerging in 1981, HIV/AIDS has viciously spread across the globe, compromising economic and political stability in developing countries and indiscriminately taking the lives of over 25 million men, women and children. The cost of HIV/AIDS has been staggering.

Thankfully, the global response has accelerated. From the beginning, countless organizations and individuals took up the battle against HIV/AIDS, committing extensive resources and giving deeply of themselves to fight an epidemic which would prove to be a formidable foe. Until 1996, however, insufficient attention and resources were being devoted to the development of a preventive HIV/AIDS vaccine, a development that would have the potential to end a plague that has devastated much of our world for a quarter century. It was this realization, Mr. Speaker, that led to the founding of the International AIDS Vaccine Initiative in 1996.

Founded as a public-private partnership, the Initiative's mission is the development of safe, effective and accessible HIV/AIDS vaccines, especially in developing countries where the need is greatest. With a philosophy that has galvanized scientists, academics, nonprofit organizations, governments and faith communities, the Initiative's progress has been substantial. The Initiative has opened a Core Clinical Immunology Laboratory and a network of field laboratories throughout the countries hit worst by HIV/AIDS, conducting numerous vaccine trials in countries such as Kenya, India and South Africa. As a testament to their vitality, activism and commitment, the majority of new HIV/AIDS vaccine candidates are due in large part to the efforts of the International AIDS Vaccine Initiative.

We are reminded that HIV/AIDS is a global obstacle which continues to challenge our collective goal of a free, prosperous and peaceful world. In the struggle against this disease which infects nearly 14,000 people a day, the Initiative's work is of tremendous importance and its progress has been notable.

I urge my colleagues to support this resolution to extend the House's congratulations to the International AIDS Vaccine Initiative on 10 years of achievement.

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

Mr. ENGEL. Mr. Speaker, I rise in support of H. Res. 844, and I yield myself as much time as I may consume.

Mr. Speaker, I am pleased that the House of Representatives will honor the 10th anniversary of the founding of the International AIDS Vaccine Initiative (IAVI) today. This important nonprofit scientific and advocacy organization, founded in 1996, is working to develop safe, effective and accessible HIV vaccines for use around the world but especially for use in developing countries. IAVI is headquartered in New York, with offices in Nairobi, Johannesburg, New Delhi and Amsterdam, and conducts research and advocacy activities in a total of 23 countries.

As you are well aware, the HIV/AIDS pandemic continues to decimate lives and families worldwide. AIDS has already claimed the lives of 25 million people, and there are currently nearly 40 million people living with HIV/AIDS today.

The United States has demonstrated our commitment to fighting the AIDS crisis by significantly increasing funding for treatment and care for the worst affected countries. Ultimately, however, a vaccine to prevent the spread of this disease will have a greater effect to slow and eventually halt new infections. IAVI's work focuses on four areas: accelerating scientific research on an AIDS vaccine; mobilizing public support through advocacy and education; encouraging industrial involvement in AIDS vaccine development; and assuring rapid global access to a vaccine.

This resolution is timely because in a few weeks an estimated 20,000 scientists, health care providers, community and business leaders, journalists, government, nongovernmental and intergovernmental representatives and people living with HIV/AIDS will meet at the 16th international AIDS conference held this year in Toronto, Ontario, Canada. With over 400 sessions, meetings and workshops dedicated to exploring the latest developments in HIV science, policy and practice, this is sure to provide a meaningful discourse on the global AIDS crisis.

Mr. Speaker, I am proud to honor the International AIDS Vaccine Initiative's 10 years of outstanding work. I urge the adoption of this measure. It is a pleasure to once again sponsor this and speak on this with my good friend and partner, the gentlewoman from Florida, Ms. ILEANA ROS-LEHTINEN, with whom I have had the pleasure of working on so much important legislation.

Mr. LANTOS. Mr. Speaker, I would first like to commend my good friend and colleague from New York, ELIOT ENGEL, for introducing this important resolution. His leadership in Congress on the global battle against HIV/AIDS is greatly appreciated.

Mr. Speaker, over 14,000 people are infected with the deadly HIV/AIDS virus each day. Let me repeat that statistic, Mr. Speaker—14,000 individuals each day are infected with HIV/AIDS.

HIV/AIDS has infected 65 million people and killed nearly 25 million since June 1981 when it was first detected.

For many in the developing world, contracting the HIV/AIDS virus is a death sentence. No drugs. No doctors. No hospitals. No hope.

And for family members left behind—often young children—there is equally little hope. Many will be forced to live with over-burdened and impoverished extended family, in understaffed orphanages or on the streets.

Treatment has brought the promise of life back to many individuals who were on the brink of death. However, palliative care is not a long term solution to relieve the suffering from this deadly disease.

That is why there is an absolute moral imperative to develop a vaccine to stop the

transmission of the HIV/AIDS virus. A successful vaccine will literally save millions of lives in the poorest countries of the world, restore people to their livelihoods, and prevent children around the globe from becoming AIDS orphans.

The resolution before the House brings attention to the intensive work over the past decade to develop a successful HIV/AIDS vaccine. The International AIDS Vaccine Initiative has built bridges between the developed and developing world that did not exist before. It also has conducted vitally important vaccine trials in the developing world that hopefully will lead to a successful vaccine in the near future.

I commend the Bill and Melinda Gates Foundation for recently awarding $23.7 million towards financing this network of committed researchers working around the clock to find a cure.

Mr. Speaker, there will be a successful HIV/AIDS vaccine one day, and it is our collective hope that this will occur before millions more of the world's citizens lose their lives. This resolution congratulates the International AIDS Vaccine Initiative for 10 years of significant achievement in the search for an HIV/AIDS vaccine towards this goal.

Mr. Speaker, I urge my colleagues to supports its passage.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support for H.R. 844.

AIDS is the greatest worldwide health crisis of our time. Presently, there are more than 40 million people that are either infected with the HIV virus or are living with AIDS. At least 14,000 people are infected each day. Putting an end to AIDS is one of the most pressing humanitarian challenges we must face. For this reason, the development of a preventive vaccine has been a stepping-stone toward achieving this end.

The International AIDS Vaccine Initiative has been working for the past ten years to create a safe and effective HIV/AIDS vaccine. They have worked hard with the public and private sector to garner financial and political support in order to make the vaccine accessible to all those in need, especially in the developing world, where ninety-five percent of those infected with the virus live.

Today, I am honored to congratulate the International AIDS Vaccine Initiative for its advances in scientific progress, which have been instrumental in bringing about a worldwide effort and support for this important cause. It is their research and devotion to finding an HIV/AIDS vaccine that brings hope of ending an epidemic that has already killed more than 25 million people worldwide. However, there is more to be done. We must take this opportunity to commit ourselves to fighting for the dignity and lives of our brothers and sisters around the world by promoting innovative research in finding a cure.

AIDS is presently a formidable adversary—one that cannot be ignored, one that does not only exist in faraway places, but one that is here, in our neighborhoods and homes, infecting 40,000 of our people each year. The efforts of the International AIDS Vaccine Initiative have brought us closer to the day when we will live in a world that is free from AIDS.

Ms. LEE. Mr. Speaker, I rise in support of H. Res. 844 to congratulate the International AIDS Vaccine Initiative.

As an original co-sponsor of this resolution and a strong supporter of IAVI, I want to thank my colleagues, Representative ELIOT ENGEL and Representative PETER KING, for working in a bipartisan manner to introduce and shepherd it to the floor.

IAVI was funded 10 years ago as a public-private partnership to help develop a safe and effective vaccine to prevent HIV/AIDS.

Today IAVI operates in over 23 countries with a variety of partners and is in the testing phases for several vaccine candidates.

In addition to working on the hard science, IAVI has also worked to lay the groundwork to ensure that a future vaccine is affordable and accessible to all who need it, especially in the developing world.

This year Representative PALLONE and I spearheaded a $35 million appropriations request for IAVI in the FY07 Foreign Ops bill, along with the support of many members of this committee. While the House has approved a $29 million funding level for IAVI this year, the same as FY06, I am hopeful that in conference my colleagues will support the Senate funding level of $31 million.

While the search for an AIDS vaccine has so far eluded us, the partnership represented by IAVI is in many ways our best hope at finding a cure. I urge my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to congratulate the International AIDS Vaccine Initiative (IAVI) on their 10 years of hard work in searching for an HIV/AIDS vaccine. HIV/AIDS has taken the lives of over 250,000 people worldwide and poses a serious threat to the economic and political stability of the countries hit hardest by this terrible epidemic. The IAVI was founded 10 years ago as a public-private partnership with a mission to ensure the development of safe, effective, accessible, preventive HIV/AIDS vaccines for use throughout the world. The IAVI had a particular focus on developing countries, since their need is most urgent regarding care.

Unfortunately, 10 years ago insufficient attention and resources were devoted to the need for, and advantages of, a vaccine to bring an end to this disease. Currently, we are armed with increasingly powerful knowledge and treatments, and yet we face an ever steeper climb toward victory. HIV/AIDS is no longer a scary, unknown entity. A diagnosis is no longer the sealing of fate, even if it means the beginning of a battle. We know enough to educate, even if we do not yet know enough to cure.

The groundbreaking research and policy programs of the IAVI have galvanized scientific efforts and substantially increased financial and political support for this vital effort. Today, the majority of newly designed HIV/AIDS vaccine candidates are focused on preventing HIV/AIDS in the developing world, in large part due to the efforts of the International AIDS Vaccine Initiative. The IAVI has also received accolades from the G8 as being an important actor in the quest for a vaccine, after they became a founding member of the Global HIV/AIDS Vaccine Enterprise.

Today over 42 million individuals are infected with HIV/AIDS globally and 1 million here in the United States. Fifty percent of these cases in the United States are in young adults between the ages of 15 and 24. Every year, 40,000 new cases are diagnosed. Thankfully, the IAVI has continued to work effortlessly to unite scientists, academics, nonprofit organizations, and governments from the north and south, including communities of faith, communities of color, and many others, in an effort to develop a vaccine to stop global HIV infection rates of 14,000 a day.

We all admire the commitment of the IAVI in discovering a vaccine and I want to again express my support for the continued success of the International AIDS Vaccine Initiative.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I also have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. POE). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 844, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. ROS-LEHTINEN. 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 question will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

CELEBRATING ACHIEVEMENTS OF UMMA COMMUNITY CLINIC ON ITS 10TH ANNIVERSARY

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

Ms. WATERS. Mr. Speaker, I come before the House tonight to celebrate the achievements of the UMMA Community Clinic upon the occasion of its 10th anniversary. The UMMA Community Clinic is a community health facility that serves uninsured and impoverished families in my congressional district.

The UMMA Clinic was established by Muslim medical students at UCLA who wanted to put their faith and their patriotism into action by serving their community and their country. UMMA is an acronym for the University Muslim Medical Association. In Arabic, the world ''umma'' means ''community,'' an appropriate name for this extraordinary institution.

The students who founded UMMA were inspired by their Islamic faith, a faith which told them to help their neighbor, a faith which told them that if they saw something wrong, they must fix it. And today the UMMA Clinic is fixing people's lives with its healing hands, every day, quietly and tirelessly.

When the UMMA Clinic opened 10 years ago, it was the first charitable medical facility in the United States founded by Muslim Americans. At a time when Muslim Americans face unfair discrimination and scrutiny, the UMMA Clinic allows Muslims to put their faith into action through service, selflessness and compassion. The UMMA Clinic provides Muslim Americans with an institution in which they can take pride, one that enriches the community with services that save lives.

The UMMA Clinic serves as a primary health care source for over 15,000 children and adults in South Los Angeles, many of whom otherwise would have no access to primary health care services. It has a patient clientele from every conceivable faith, culture and background. Over 95 percent of the beneficiaries of UMMA's services are not Muslim.

UMMA takes a comprehensive approach to health care. At the UMMA Clinic, patients can see a regular family doctor who knows them and who cares about them. They can return again and again to the same family doctor who helps them stay one step ahead of illness by encouraging them to eat properly and live a healthy lifestyle and making certain they get all of their physicals, vaccinations, lab tests, mammograms and other health screenings.

The UMMA Clinic has received funding and support from several other organizations, including Kaiser Permanente, the California Endowment, and Islamic Relief.

UMMA has also become a committed advocate for the fundamental rights of all citizens to have access to quality health care services, regardless of their race, religion or socioeconomic status.

The UMMA Clinic is one of the many ways that Muslim Americans serve their country. Muslim Americans have made contributions in many different fields. They are our clerks and laborers, our doctors and lawyers, our teachers and researchers. They work in our government, and they serve honorably in our military.

UMMA represents the best of the Muslim American community. UMMA embodies high ethics and moral standards, and it was founded as a result of the obligation Muslim Americans feel to ensure the well-being of everyone in society. If you want to see what Muslim Americans truly represent, go to the UMMA Community Clinic in my district and you will see it there.

Charitable organizations like the UMMA Clinic cannot solve the Nation's health crisis alone, but their efforts are making an invaluable contribution by healing countless people who have been relegated to society's margins.

□ 2230

I am proud to congratulate the UMMA Community Clinic upon its 10th anniversary for the critical health services it provides to the medically underserved in Los Angeles. I salute the UMMA Community Clinic and all of the people who run it, and I salute the Muslim American community for making it possible.

I am honored to be joined in Washington today by several founders of the UMMA Community Clinic and other individuals who are affiliated with the UMMA Clinic. These individuals met with me today to discuss the work that they are doing at UMMA.

1. Yasser Aman, 2. Mansur Khan, 3. Altaf Kazi, 4. Rushdi Abdulcader, 5. Nishi Abdulcader, 6. Aisha Siddiq, 7. Safia Siddiq. 8. Raziya Shaikh, 9. Charles Sadler, 10. Hoori Sadler, 11. Ahmed Elbendary, 12. Jill Elbendary, 13. Angela Coron, 14. Mahdy Bray, and 15. Diana Bonta.

I welcome these people to our nation's Capitol and I congratulate them for the founding of the UMMA Community Clinic and for their continuing commitment to provide quality health care to uninsured and impoverished families in my congressional district.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–602) on the resolution (H. Res. 951) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–603) on the resolution (H. Res. 952) providing for consideration of the bill (H.R. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology, which was referred to the House Calendar and ordered to be printed.

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 FARM ANIMAL STEWARDSHIP ACT: HUMANE TREATMENT OF FARM ANIMALS

Mr. SHAYS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Connecticut is recognized for 5 minutes.

There was no objection.

Mr. SHAYS. Mr. Speaker, on June 29, 2006, the Friends of Animals Caucus held a groundbreaking event on farm animal welfare.

Members of the caucus were joined by a distinguished and diverse panel of speakers: representatives of three major animal protection organizations, a noted legal scholar, a family farmer, and representatives of the religious and environmental communities.

The way a society treats its animals speaks to the core values and priorities of its citizens.

PETER DEFAZIO and I recently introduced legislation, H.R. 5557, the Farm Animal Stewardship Act, which we hope will lead to more humane treatment of farm animals raised for consumption. Additionally, I am developing bills to address the issues of labeling and animal cruelty that exists in America.

Some species have become our companions, some play important roles in sensitive ecosystems, and some are raised for food. It is our duty to protect and care for all of these animals.

Matthew Scully, former special assistant and deputy director of speechwriting to President George W. Bush, was unable to attend, but he submitted his article ''Fear Factories: The Case for Compassionate Conservatism—for Animals,'' which was published in the May 23, 2005, issue of the American Conservative. He asked that it be included as a summary of his views on this subject.

Before ending my comments, let me highlight some of the views expressed by Matthew Scully because it expresses what I believe.

Mr. Scully states: '' . . . the persistent animal welfare questions of our day center on institutional cruelties on the vast and systematic mistreatment of animals that most of us never see.''

'' . . . all of factory farming proceeds by a massive denial of reality, the reality that pigs and other animals are not just production units to be endlessly exploited but living creatures with natures and needs.''

He continues: ''Conservatives are supposed to revere tradition. Factory farming has no tradition, no rules, no codes of honor, no little decencies to spare for a fellow creature.

''The whole thing is an abandonment of rural values and a betrayal of honorable animal husbandry.''

He further continues by saying: '' . . . we cannot just take from these creatures; we must give them something in return. We owe them a merciful death and we owe them a merciful life. And when human beings cannot do something humanely, without degrading both creatures and ourselves, then we should not do it at all.''

The importance of this issue is evident, as over 100 people attended the hearing to examine the issue of the humane treatment of farm animals.

The Friends of Animals Caucus will continue to work on a bipartisan basis

to help protect animals at the Federal level.

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

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

THE GROUND TRUTH

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WOOLSEY. Mr. Speaker, this evening I saw a film called ''The Ground Truth.'' It was about Marines in the infantry who had been sent to Iraq. These Marines were from all over the United States of America.

It began introducing individual Marines, individual soldiers. And these individuals knew why they had enlisted. They were trusting their decision. They were feeling comfortable that they knew with who their enemy was and our enemy was dangerous and the danger was to the United States of America. They also knew that joining was their way out. Out of their towns, out of their neighborhoods, out of current dead-end situations; or up for training and/or education that would not be available to them outside of the military.

Their eyes were clear. Their voices were firm. Their resolve was intact. They went off to boot camp.

Boot camp gave them the steel they needed in their backbones. It gave them the practice they needed so they would be able to kill, kill their enemy. And they knew that that enemy was dangerous to the United States of America.

Their heads were shaved. Their voices were hard. Their anger was stirred. They knew their enemy and they were ready to fight.

So off they went to war. They went to Iraq or they went to Afghanistan. They got there. They went into battle against people, Iraqi people, recruits like themselves whom they considered were clearly their enemy. But then they found themselves killing children, running over them with their vehicles, on command firing on children, burning children. And women, one Marine told the story of mistakenly shooting a woman just before she waved a white handkerchief to show that they she was not an enemy. And men, men who could have been, or not, part of the insurgency. Never clear if they were killing innocents or if they were fighting the enemy. Their eyes became confused. Their voices became uncertain. Their resolve questioning.

And while they were moving through these emotions from certainty to uncertainty, they and their buddies were being physically and mentally wounded. Those who were not killed or injured were likely to become victims of PTSD, posttraumatic stress disorder. But they did come home if they were not killed. They came home with sad, sad eyes. They came home feeling like outsiders in their homes, in their communities, because they could not share what they had been living with the last 9 months to 1½ years. They were confused and they were ashamed by what they had done. They were questioning their mission. They were embarrassed because their families thought they were heroes and they saw themselves as pretty bad people.

These men and these women, Mr. Speaker, were victims. They did what they were trained and commanded to do. In fact, one infantryman in the film said that at the end of the day, those who had not killed that day were chided by the others in their unit.

Of course, Mr. Speaker, you can be certain that these young people were in desperate need of help. Physical, which is obvious; and mental, which is harder to assess because their needs were labeled ''behavior disorders.''

So these individuals joined the military, did their jobs, no longer liked themselves when they came home, but came home in great need of help to find it was very difficult and sometimes absolutely impossible to get the help they needed. One soldier hung himself. Others drank or used drugs, acted out in anger, made life impossible for their loved ones until they began to patch themselves up and their lives back together again, or did not.

Mr. Speaker, these are only a few examples of what war does to those who are trained to kill, who do their job and are left feeling guilty. We must end all war. We do not want to put other individuals through this.

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

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

ISRAEL: AMERICA STANDS WITH YOU

Mr. FRANKS of Arizona. Mr. Speaker, I ask unanimous consent to address the House out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. FRANKS of Arizona. Mr. Speaker, a tyrannical government cares not about the fate of an individual citizen. But in a free country to murder a single innocent citizen is to provoke a fight with the entire nation. This is one of the great differentiations between Hezbollah and Israel. While desperately trying to retrieve two of her soldiers who were abducted by Hezbollah terrorists, Israel takes great lengths to minimize civilian casualties. Conversely, Hezbollah takes great lengths to maximize civilian casualties in Israel while making breathing barricades out of the innocent men, women, and children in Lebanon.

Time and again Israel has made efforts for peace. Israel fully withdrew from Lebanon. Then she uprooted from Gaza. She was thanked with rockets, mayhem, and bloodbath.

The recent kidnapping and murder of Israeli citizens and soldiers were definitive acts of war. Hezbollah terrorists, along with the nations of Syria and Iran, who support them, are the aggressors, Mr. Speaker. And now as Israel has risen up to defend herself, along with each of the individual citizens whom she loves, we hear cries from the U.N. and other quarters for Israel to restrain herself.

What if, on 9/11, Mr. Speaker, the outcry was for the United States to restrain ourselves? Or what if Israel had listened to such calls for restraint 15 years ago when she learned that Saddam Hussein was building a nuclear reactor? The United States and our coalition forces would have faced terrorists with nuclear weapons when we lifted the iron hand of Saddam Hussein in 2003.

You see, Mr. Speaker, Israel understands that the entire world faces an evil, poisonous ideology that causes mothers to leap for joy when their children blow themselves to pieces in order to kill other innocent human beings. Israel understands that a dark ideology like that must never be allowed to gain nuclear weapons.

And why does the rest of the world not seem to understand that? This is the same ideology that murdered Olympic athletes in 1972, that took American hostages in Iran, that murdered Marines in their barracks in 1993, that bombed the World Trade Center in 1993, Riyadh in 1995, the Khobar Towers in 1996, the embassy in 1998, and the USS *Cole* in 2000.

And then, Mr. Speaker, this murderess ideology massacred nearly 3,000 Americans on September 11.

And today this is the same ideology that is launching rockets into Israel to kill innocent civilians. And, Mr. Speaker, lest we forget, it is the same ideology that is working feverishly to gain nuclear weapons, to terrorize the Western world in ways that we cannot yet imagine.

Seven decades ago, Mr. Speaker, another murderess ideology arose in the world. The dark shadow of the swastika fell first upon the Jewish people of Germany. And because the world did not respond to such an evil, it began to spread across Europe until it lit the fires of World War II's hell on Earth, which saw atomic bombs fall on cities and over 50 million people dead worldwide. All because, Mr. Speaker, the world's free people did not respond in time.

□ 2245

History has taught us that evil ideologies must ultimately be defeated in the minds of human beings. But in the meantime, in the meantime, Mr. Speaker, they must often be defeated upon the battlefield.

The battle Israel fights in these days is a battle to protect all of humanity from an evil ideology that has no respect for innocent human life anywhere on the Earth. That is why, Mr. Speaker, Israel's war is our war, and if there is hope for peace and freedom in this world, free peoples across this world just unite to defeat this hellish ideology of terrorism. This time, Mr. Speaker, we must not wait too long.

So may the people of Israel take comfort in these days, knowing that America stands with you. May you find victory, and may the light of God's peace shine down upon the streets of Jerusalem, forever.

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

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

CONCERN ABOUT U.S. ARMS SALE TO PAKISTAN

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from New York.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. PALLONE. Mr. Speaker, I rise this evening to express concern about the Bush administration's $5 billion arms sale to Pakistan. Though little can be done to stop the deal, I believe the plan is misguided.

Considering the recent linkage of the Mumbai bombing to terrorist groups operating in Pakistan, this sale may further slow a 2-year peace process between India and Pakistan.

The government of India has made a strong commitment to fighting terrorism all over the world. Like the United States, nothing has deterred their firm policy to fight this regional and global menace. Unfortunately, Pakistan has not yet figured out a way to deter terrorist cells from growing within their borders.

We have to be careful where we are sending such highly sophisticated weaponry. While Pakistan has been an ally in the global war on terror, the government has simply watched while terrorist groups such as Lashkar-e-Tayyaba committed terrorist acts in Jammu and Kashmir and other parts of India. Its actions within its own country proved themselves not fit for receiving these arms.

Mr. Speaker, foreign military assistance to Pakistan has been used against India in the past. This new U.S. policy of military sales to Pakistan will contribute to increasing security concerns throughout South Asia, particularly in India. This material is not being used against al Qaeda, but there is a potential that it would be used in a war against India. We don't need to reward Pakistan for being our friend in the war on terrorism by giving them advanced weapons systems that are not likely to be used in that effort.

Pakistan has also faltered on proliferation in the past. In fact, just last week Pakistan announced that it is increasing its capacity to produce nuclear fuel, a move which signals a major expansion of the country's nuclear weapons capabilities. These reactors paired with some of our most highly technological jets and materials could be disastrous to the region.

Mr. Speaker, we may be supporting the Pakistani military, but we may also be increasing the rift in peace relations between India and Pakistan and in the South Asia region.

Mr. Speaker, economic assistance is certainly necessary to reform Pakistan's schools, provide health care programs and support economic restructuring that will stop Pakistan from being a breeding ground for terrorists. But military assistance is another matter. Allowing this sale sends the wrong message to the government and the people of India. I fear that it will mean a step backwards in U.S.-India relations and in South Asia's regional stability.

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

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

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

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

TACKLING THE IMPOSSIBLE? LAWMAKERS ADDRESS PHYSICIAN PAYMENT OVERHAUL

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. BURGESS. Mr. Speaker, I come to the House floor tonight to talk to my colleagues about a bill, H.R. 5866. This is a bill that will repeal the SGR, the formula by which physicians are paid under Medicare, and replace it with a more sustainable, more market-friendly Medicare economic index which in fact reflects the actual costs of input for the physician delivering the care.

Mr. Speaker, the Medicare Physician Payment Reform and Quality Improvement Act of 2006 has four main goals: First, to ensure that physicians receive full and fair payment for services rendered; secondly, to create quality performance measures that allow patients to be informed consumers when choosing their Medicare provider; thirdly, to improve Quality Improvement Organization accountability and flexibility; and, fourth, to find reasonable methods of paying for these benefits.

Current law calculates an annual update for physician services based on the sustained growth rate, or SGR, as well as the Medicare economic index and the adjustment to bring the MEI update in line with the SGR target. When expenditures exceed the SGR target, the update for a future year is reduced. If expenditures fall short, the update for future years is increased. This is an economic incentive for physicians to limit health care spending.

Unfortunately, Mr. Speaker, the system simply doesn't work. Healthcare spending continues to grow and physicians exceed their target expenditures every year. Subsequently, Medicare reimburses them less and less. The net result is that patients have less and less access to their physicians, and those patients covered by Medicare arguably are our nation's most frail and complex patients.

This bill just introduced ends the application of the SGR January 1, 2007. Instead, we propose using a single conversion factor for Medicare reimbursement: The MEI, Medicare economic index, minus 1 percent. This eliminates the negative feedback loop that constantly creates a deficit in healthcare funding and introduces a more market sensitive system.

Regarding quality measures, the American Medical Association and other physician organizations have been working to create a relevant evaluation system for outpatient healthcare. In conjunction with these organizations, we propose creating a voluntary system of evidence-based quality measures.

Each physician specialty organization will create their own quality measures applicable to core clinical services which they will submit to a consensus building organization. Taken as a whole, these measures should provide a balanced overview of the performance. They will allow patients to better understand the quality of the healthcare providers they choose and be a fair assessment to reduce healthcare disparities across groups and regions. This will arm patients with critical information related to quality of care giving and give physicians a yardstick to measure their own performance and make improvements.

Additionally, these provisions largely follow the spirit of an agreement brokered between medicine and leaders on

the Hill when finalizing negotiations on the Deficit Reduction Act.

To offset the cost of these changes, we are looking at multiple options: Redirecting the stabilization fund from the Medicare Modernization Act provides some funds. Also Medicare currently pays for indirect costs of medical education twice, directly and by inflating payments to Medicare Advantage plans. By paying only once, we can find additional money.

Mr. Speaker, I would submit that there are other cost saving measures that can be employed, and we are certainly encouraging many groups across the healthcare spectrum to partner with us on this.

A recent article in CQ Healthbeat News from January 25th talks about the changes that might occur in the SGR. We had a hearing on Tuesday. The article says, ''Tuesday's hearing may have marked progress of sorts, because not only were lawmakers at least talking about what was seemingly an intractable issue, but they actually offered some ideas for a down payment on a long-term fix.

''Offering a road map on the issue was legislation, H.R. 5866, that would erase the scheduled payment cuts while arming Medicare beneficiaries with more information on the quality of physician care.

''The bill would lower the MEI by 1 percentage point, which in 2007 would mean a payment increase of 2.7 percent. The Medicare Payment Advisory Commission called for an update based on the MEI of 3.7 percent in 2007 minus an adjustment fact of 0.9 percent, essentially the same number.

''The bill would also enact recommendations by the Institute of Medicine to improve Quality Improvement Organizations which contract with Medicare to improve quality of care under the program. The bill would make the quality improvement activities of QIOs available to all providers, guarantee a minimum of funding for QIOs and a required review of their resources when the organization's duties are expanded.''

Mr. Speaker, I think this is a worthwhile bill. I think this Congress owes it to the patients and the physicians in this country that depend upon the Medicare system. We have done some great things with expanding the prescription drug program, but it is time to address some of the other shortcomings of the program.

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

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

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

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

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

(Mr. WEINER 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 Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

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

THE TRUE FACTS IN REGARD TO PROGRESS IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. GINGREY) is recognized for one-half the remaining time until midnight as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, today was an historic day on this House floor when we heard in a joint session of Congress from the Prime Minister of Iraq, Nouri Al-Maliki. The Iraqi people have spoken and their prime minister has spoken.

Last night during our special hour, Mr. Speaker, two of my colleagues from Georgia talked about the economic activity of this country and how well we have done under the policies of this President and this Republican leadership, and they termed that hour the truth hour as presented by the truth squad, to make sure the facts are presented to our colleagues and to the American people, the true facts.

What I would like to do in this short time that we have tonight, Mr. Speaker, is to talk about the true facts in regard to Iraq and the Iraqi people and why we need to continue to support them and not consider for a moment to bail out in these difficult times that they are continuing to go through.

Mr. Speaker, I want to just talk about some of the progress that we have made. I have got a couple of slides here that I would like to present.

First, just talking about the security in Iraq, Iraq's brutal former dictator, Saddam Hussein, as we all know, is behind bars and has been for the past couple of years. Just in the last couple of months, Mr. Speaker, the infamous, the notorious Abu Musab al-Zarqawi, the leader of al Qaeda in Iraq, was eliminated by United States troops, with the help, I might add, Mr. Speaker, of the Iraqi people, from actionable intelligence that we obtained from them.

The Iraqi Security Forces now number over 260,000, and they are participating in more than 90 percent, 90 percent, of all security operations in their Nation. The Iraqi citizens are coming forth, as I say, with tips about insurgents like al-Zarqawi and terrorist activities, more than 4,500 tips in March of this year alone.

Of course, Mr. Speaker, this infamous photograph of Zarqawi is recognized by every Member in this Chamber. And listen to his quote. ''Americans are the most cowardly of God's creatures. They are an easy quarry. Praise be to God. We ask God to enable us to kill and capture them.'' This was a letter to al Qaeda in February of 2004. Thank our God that this infamous Zarqawi no longer exists and is no longer a threat to the Iraqi people and to our brave military that are fighting in Iraq.

Let me just speak a little bit about democracy, and, of course, the prime minister spoke to that so well today. Prime Minister Maliki serves as a democratically elected prime minister of Iraq. More than 70 percent of Iraq's citizens voted in a series of free and fair elections. The Iraqi citizens ratified a constitution and they elected the Iraqi National Unity Government. For the first time, women are part of the political process, holding 31 percent of the assembly seats. The number of judges has increased seven-fold.

Let's speak just a little bit about the society in Iraq. Mr. Speaker, this shows a picture, that famous picture of an Iraqi woman holding up that victory sign with that blue ink on her finger signifying that she has voted, having stood in line all day long. There were lots of terrorist attacks that day, yet the Iraqi people voted in a higher percentage than we Americans vote in a presidential election year.

Our troops are continuing to help the Iraqi people in building schools, sanitation projects and medical centers.

□ 2300

The Iraqi people can now watch commercial television and read independent newspapers, signs of a growing freedom of speech.

Primary school enrollment has increased by nearly 3 million children. Iraqi medical schools are graduating 2,250 doctors each year. Unemployment is down dramatically. In the past 3 years, Iraq's GDP per capita has more than doubled.

More than 40 countries and international groups have established embassies or missions in Iraqi to assist the developing democracy. Listen, Mr. Speaker, to some of the excerpts of the prime ministers speech to Congress today on the floor of this House, as he thanked the American people.

''Iraq will not forget those who stood with her and who continue to stand with her in times of need. Thank you for your continued resolve in helping us fight the terrorists plaguing Iraq, which is a struggle to defend our nascent democracy, and our people who aspire to liberty, democracy, human rights, and the rule of law. All of those are not just western values, they are universal values for humanity. They

are as much for me the pinnacle embodiment of my faith and religion and they are for all free spirits''.

I quote further. ''Today Iraq is a democracy which stands firm because of the sacrifices of its people, and the sacrifices of all those who stood with us in this crisis. And that is why I thank you. I would like to thank them very much for all their sacrifices''.

Again, this is the prime minister speaking today from the floor of this House to the American people. He goes on. ''The journey has been perilous and the future is not guaranteed. Yet many around the world who underestimated that resolve of Iraq's people and were sure that we would never reach this stage. Few believed in us. But you the American people did and we are grateful for this''.

I want to just go on briefly before I call on one of my colleagues, the gentleman from Iowa (Mr. KING), who has joined me and would also like to talk about the success that we have had in Iraq and why we need to continue to stay the course.

The prime minister further said, ''I know some of you here question whether Iraq is part of the War on Terror. Let me be very clear. This is a battle between true Islam, for which a person's liberty and rights constitute essential cornerstones, and terrorism, which wraps itself in a fake Islamic cloak, in reality wages a war on Islam and Muslims and values and spreads hatred between humanity''.

That quote from prime minister Maliki today. And that is exactly right. He continues by saying, ''wherever human kind suffers a loss at the hands of terrorists is a loss for all humanity. It is your duty and our duty to defeat this terror. Iraq is the front line in this struggle, and history will prove that the sacrifices of Iraqis for freedom will not be in vain. Iraqis are your allies in the War on Terror''.

So, Mr. Speaker, let us put to rest this question of doubt, of the resolve of the Iraqi people and their commitment. Sure, we have made tremendous sacrifices in 2,6000 of our soldiers who have been killed, and probably 12,000 to 14,000 that have been severely injured in trying to fight this Global War on Terror, and bring a form of democracy to these people who are striving so hard for the principles of freedom.

We have paid a sacrifice. But they have paid a tremendous sacrifice. And the estimate could be as many as 40,000 killed, if not more, many of them innocent Iraqi citizens, and many of them women and children.

Mr. Speaker, it is a very important time today on the heels of the prime minister's visit and speech to the Congress today that we talk about this tonight. And, yes, once again the Truth Squad needs to speak loudly on this issue.

Mr. Speaker, with that I would like to call on my colleague from Iowa (Mr. KING) for his remarks.

Mr. KING of Iowa. Mr. Speaker, I thank Mr. GINGREY for leading this special order hour tonight and for stepping up front to stand up for freedom and liberty for the American people, for the Iraqi people, and one day, I hope and pray it is for all people on this planet.

If there was a theme that came out of prime ministers Al-Maliki's speech today, it was that theme, that theme of freedom and liberty, and that theme that ties us all together when he told that freedom is not an American value, but it is a value that God gives to all humanity.

One of the statements that he made, I am not sure if you might have already made this statement, Mr. GINGREY, but I want to emphasize it. And this is one that gripped me when I heard it said this afternoon. Prime Minister Maliki: ''The fate of our country and yours is tied. Should democracy be allowed to fail in Iraq and terror permitted to triumph, then the War on Terror will never be won elsewhere''.

Mr. Speaker, we must win this battle in this Global War on Terror, this battleground that is Iraq. There is no alternative but victory. In fact, we are moving down this path in a successful fashion. You just cannot simply every day take a measure of it. It is kind of like going on a diet in the morning and weighing yourself at noon and deciding you want to change your diet. We need to look at milestones.

There have been milestones after milestones that have flowed out of Iraq. And there been three elections with 70 percent of the people going to the polls, more people going to the polls in some of the elections, than came to the polls in a U.S. national election.

That ought to tell you where their commitment is. And the picture of the lady with the purple fingers and shining it in victory, that says what is going on there. It is a very, very proud thing that they stepped up to freedom.

When I asked them, the Iraqis, are you first an Iraqi, or are you first a Kurd or a Sunni or a Shiia, invariably they will are ay, I am an Iraqi first. They want to have a unified nation, they want to have a free nation, they want to be a free people.

Part of the rest of the speech was, as Al-Maliki said, ''this terrorist front is a threat to every free country in the world and their citizens. What is at stake is nothing less than our freedom and liberty. Confronting and dealing with this challenge is a responsibility of every liberal democracy that values its freedom. Iraqi is the battle that will determine the war. If in continued partnership we have the strength of mind and commitment to defeat the terrorists and their ideology in Iraq, they will never be able to recover''.

Which brings me to mind a meeting that I had in Iraq my last time there with General Casey and General Abizaid, when General Casey made the statement, ''the enemy cannot win if the politicians stay in the fight''.

That means the people here in Washington, D.C., the politician all across America. That means the politicians in western Europe and all across the world. That means the politicians in Iraq as well. They have all got to stay in this fight.

When I look these solders in the eye that are over there in that 125 and 130 degree heat today, they will say to me, ''I am proud to serve my country. I am proud to stand here, and I am willing to put my life on the line for a year or more if necessary. But why do I have to fight the United States news media too''?

Well, no soldier or marine should have to do that. In fact, that is our job. And we take that on and we put the facts out here on this floor. And we do so in press conferences. That is our way of fighting this war.

The object of war, according to Klauswitz is to destroy the enemy's will and ability to conduct war. The object of war, according to Steve King is, war is over when the losing side realizes that they have lost.

And if voices come out of this Congress that seek to convince them otherwise, that works against the cause and does not support our troops. In the end, it costs American lives. And that has happened. And the cemeteries have brave Americans that would otherwise be living a normal life that have given their lives for freedom that would not have had to, if we stuck together as a people in this country.

But a core of us are together, a majority of us, a vast majority of us are together and we will stick this out. You know, I would rather be on this side as I listen to the pessimism that comes sometimes from the other side of the aisle, then I would be on the other side of this battle in Iraq. I would a lot rather be on the side of freedom, on the side of the Iraqi military and the coalition troops than I would be on the side of al-Qaeda and the terrorists in Iraq.

Just to state that, I believe it was a year ago, it must have been April of 2004 when Zarqawi wrote a letter, about a 17-page letter full of lamentations. And he said then this was not like Vietnam, that they did not have mountains or forests to hide in, the only place they could hide was in the homes of the Iraqi people that would be willing to take them in, and the Iraqis that were willing to hide al-Qaeda were, ''as rare as red sulfur''.

I am just going to presume that red sulfur is quite rare, maybe like frogs or chickens teeth, but quite rare. I have never seen any red sulfur over there, and I have looked around quite a lot. I am sure he meant it was awfully hard to find a place to lay down and get some rest in a country like Iraq when the people do not want to take in al-Qaeda. That was a couple of years ago.

Now, Zarqawi has gone on to meet his eternal reward, justly so. And I have visions of what that might be like for him. But rather than paint those on

this floor and perhaps be gaveled down, Mr. Speaker, I point out what it looks today like for the survivors that are still on the side of al-Qaeda.

How bad must it be over there to try to find optimism when you are losing as badly as they are. Other folks would like to convince us that we are losing. In fact, there is nothing that supports that. How bad are they losing? Well, one of the latest blows to al-Qaeda in Iraq, this is an excerpt from a May 8, 2006 Associated Press, could not get more credible than the Associated Press article, about documents captured during mid-April's raid south of Baghdad.

The highlights of disorganization that already existed in Iraq, and the disorganization for al-Qaeda and the terrorists that continues to this day. It is this way. ''Every year is worse than the previous year''. That is a quote from captured documents of al-Qaeda and the terrorists. ''Every year is worse than the previous year.''

The strategy document complains that, ''the strength of the brothers in Baghdad, is based mostly on car bombs and groups of assassins lacking any organized military capabilities''.

We will go on with the AP article. The writer complains that the Americans and the Iraqi government forces were able to absorb our painful blows, raise new recruits and take control of Baghdad as well as other areas one another.

There is why every year is worse than the previous year, as far as the Mujahadin's control and influence over Baghdad, according to the document that was captured. That should give the American people a sense of what it is like on the other side, on the losing side.

And if we sang from the same hymnal, sang the same chorus, carried forth the same message, which is we are in this thing for victory, Iraq is a battleground in a Global War on Terror, we will stick this thing out, not only to put this issue away and behind us and make sure that there is a platform and a climate for freedom for the Iraqi people, but as far and as long as we have to go so that we can secure the safety and the security for the American people and for all freedom-loving people all around the globe.

Today we are watching about the 14th or probably the 15th day of the battleground in Israel, where they were attacked from both sides, from the south in Gaza and the north out of Lebanon. By Hamas in the south and Hezbollah in the north. At the directive and order, I believe, of the mullahs in Iran and Ahmadinejad.

Because they wanted to change the subject on the United Nations pressure on Iran for violating nuclear proliferation agreements, and UN Resolution 1559. So they started a war, and their number one enemy, the people that Ahmadinejad said should be wiped from the face of the earth. There is no question that that is their commitment, Mr. Speaker, to do that.

Iran has been fomenting violence in Iraq for years. And we have tolerated it far more than we should. And I do not know that we can resolve the issue in Iraq as long as Iran is sending munitions, supplies and money and providing training for terrorists to go into Iraq.

But it is happening. It has been going on for more than 2 years, perhaps more than 3 years. And there has been a big price paid for that. Syria also to a lesser extent.

□ 2315

But I don't know anybody that believes that if you could have taken Syria and Iran out of this equation with Iraq, if the border essentially had been sealed and they stayed out of that involvement, I don't know anybody that believes the issue wouldn't have been resolved in Iraq, that there wouldn't be peaceful passivity there and a solid, stable government and this economy that is now growing to the point where they have doubled their GDP since the time of liberation would have been even greater than it is today. The soil supplies would be greater. The electrical production would be greater.

But a lot of that progress with that was not yet made in Iraq, has been held back by the terrorists that are trained and funded and supported by Iran. And I remember what our President said: If you are terrorist, you are an enemy. If you support a terrorist, house a terrorist, fund a terrorist, train a terrorist, you are our enemy. It doesn't matter where you are or who you are.

Iran fits in that category. Syria fits in that category. Now the pressure is up, and the world's spotlight, the world stage is Iraq and Israel.

Now, imagine a free Iranian people, a free Iranian people that next month, just the fifth of next month, will be celebrating a constitution that was established, however briefly, 100 years ago that defends their freedom and their rights the same way that our rights and our freedom are defended by our Constitution. I will say close to that. They have something to celebrate.

And as that centennial roles around on August 5, next month, I am hopeful that will be an inspiration for the Iranian people that one day soon they can rise up and they can grab ahold of control of Iran and again be a free people inspired by that constitution from a century ago, inspired by a free Iraq and a prosperous Iraqi people and inspired by the potential for a world across the Middle East where all people breathe free.

If that happens, that has cured the type of habitat that breeds terror. Freedom doesn't breed terror. Free people never go to war against other free people. There is a bright future there in that part of the world. Freedom can echo across those Arab countries the same way it echoed across Eastern Europe when the wall went down in 1989. That is my prayer and that is my hope, Mr. Speaker.

I appreciate the gentleman from Georgia yielding to me, and I appreciate his presentation.

Mr. GINGREY. Mr. Speaker, I want to say the gentleman from Iowa in just a brief colloquy with him, and of course thanking him for being with us tonight, that I am sure that he would agree that our Commander-in-Chief needs to rely on the combatant commanders. Certain today of course is General Casey, before that General Sanchez, before that General Franks, to let him know in regard to how many troops need to be on the ground and where they need to be positioned and how long they need to stay.

I know that we have heard a lot from Members on the other side of the aisle particularly calling for a date certain for a troop withdrawal or reduction or redeployment 6,000 miles away, to Okinawa or whatever.

Mr. Speaker, I am sure my colleague from Iowa would agree that this is a call that we need to leave to the combatant commanders to make these decisions. I know that because of the insurgency, the up tick in the insurgency, as these Islamic extremists continue to struggle in their death throes post-Zarqawi, there is going to be some tough times; and this is certainly not the time to give them your playbook. Would you not agree with that?

Mr. KING of Iowa. I would absolutely agree.

I think pretty soon fall football practice will start, and I can't imagine a football coach inviting the other coach in to watch your fall drills, or ''Here is my playbook. Here is how we run these plays and here is how I call them.'' You would never do it. You would never sit down to a poker game and play your hole cards face up.

When you are at war, intelligence is a big part of it. And to be able to tip your hand to say, no, we are going to pull out of here on such and such a date, the enemy could go underground, hole up. They could use that period of time to store more weapons, more ammunitions, do more training, just stay out of combat; and then, when that moment comes, come back out of their holes in the ground and turn around and attack Americans and Coalition troops and Iraqis.

This is such a solid concept that you are addressing here. It is such a solid concept that I am surprised that there is anyone on the other side of the aisle that promotes and supports such a thing.

About a week ago, former President Clinton also stood with you on this issue and with me on this issue on how ridiculous it would be to establish a date certain to pull out of Iraq.

You illustrated that first year, some months ago, the statement was made that we should pull troops back to the horizon. Now I envision that to be kind of back there where the sun sets on the hill or rises on the hill. Either way it

would be a horizon. And it does turn out that the horizon was Okinawa. I don't think anybody in the world imagined that the horizon really meant Okinawa.

Mr. GINGREY. I thank again the gentleman from Iowa.

My good friend, the gentleman from Virginia (Mr. GOODE), has joined us at this late hour. At this time, I would like to call on him for his remarks concerning the Iraqi situation.

Mr. GOODE. I thank the gentleman.

I would like to restate some of the comments that we heard earlier today from the new Prime Minister of Iraq and make some of the points he said about how Iraq of today is different than what the Iraq of a few years ago was.

He said, ''We have gone from a small one-party state ruled by a dictator and a small elite to a multi-party system where politics is the domain of every citizen and parties compete at all levels. What used to be a state-controlled media is now completely free and uncensored; something Iraq had never witnessed since its establishment as a modern state, and something which remains alien to most of the region. What used to be a command economy in Iraq we are rapidly transforming into a free market economy. In the past 3 years, our gross domestic product per capita has more than doubled, and it is expected that our economy will continue to grow.''

He went on to say, ''While small sections of central Iraq are unstable, large sections have remained peaceful but ignored for far too long. They were the most deprived areas of Iraq under the previous regime and have been the most valiant in Iraq's struggle for freedom. We need to make an example out of these stable areas as models for the rest of the country.

''Reconstruction projects in these areas will tackle unemployment, which will weaken the terrorists. They will become prototypes for other, more volatile regions to aspire to. Undoubtedly, reconstruction in these areas will fuel economic growth and show what a prosperous, stable, democratic, and federal Iraq would look like.''

Today, Saddam Hussein is in prison awaiting the end of his trial. Zarqawi, the leader of the al Qaeda in Iraq, was eliminated by United States troops. Iraqi security forces now number over 265,000 and are participating in more than 90 percent of all security operations in the country. Iraqi citizens are coming forth with tips about insurgents and terrorist activities. More than 70 percent of Iraqi citizens voted in a series of free and fair elections. Those figures are some that those of us in this country could be envious of.

The progress in Iraq has not been without cost. This past week, a citizen of the Fifth District of Virginia from Greene County, a little community of Ruckersville, was killed by an IED. He was Corporal Adam Fargo. He went to William Monroe High School. He volunteered for service in the United States Army. He, like so many of us who have volunteered on behalf of our country, has made the positive statistics and the statements and the changes in Iraq possible. But it is not just for the country of Iraq, it is for the United States of America.

We have indeed been fortunate in this country. Over the last 200 some odd years since our Nation was founded, rarely have there been attacks upon our homeland. Most of the fighting in World War II was abroad. All of the fighting in World War I was abroad. In Korea, the fighting was abroad. In Vietnam, the fighting was in Asia. And now, when we are in the Middle East, back in the Gulf War of 1990, 1991, the fighting was there. We liberated Kuwait. And now today, following September 11 when we were hit on our own soil, in Afghanistan men and women in our Armed Forces are standing up for America, and some have given their lives, have given their all for our Nation.

Our Nation is a beacon on a hill. It is the land of the free and the home of the brave because of those persons like Adam Fargo who have stood by our country and made those of us who are in the United States of America far safer and given us the ability to enjoy democracy and the greatest freedom in the world.

We need to thank all of our troops, and particularly those for whom we can never express enough gratitude for they have given their lives so that all of us may be free and that our democracy can be a shining light for the rest of the world.

Mr. GINGREY. I thank the gentleman from Virginia. I don't think anyone could possibly say it any better.

We must not break faith with those who have died for this cause and those who have been severely injured and their families. We have an obligation to them and to the Iraqi people.

I know all my colleagues on both sides of the aisle were comforted to have the opportunity today to hear from the Iraqi Prime Minister and to have him answer some of these tough questions in regard to their commitment as well as our commitment. Because, as he said, we are a freedom-loving people throughout the world. They feel the same about liberty as we do, and their commitment to it is there, and it is strong, and their deep appreciation.

Mr. Speaker, I thank the leadership for giving this opportunity to spend about 30 minutes with our colleagues; and now we will turn it over to our friends on the other side of the aisle for their time.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House tonight. The 30-Something Working Group is always prepared to come to the floor not only to share with the Members but the American people about some of the issues that we would love for the entire Congress to work on, Mr. Speaker, if we worked in a bipartisan way.

My friends on the other side of the aisle who just finished talking about Iraq, the beautiful thing about our democracy is that we have the opportunity to voice our opinion in the way we see it.

I think it is also important for us to realize what the reality is not only here in America but in Iraq and the Middle East and what is going on right here in the Midwest, Ms. WASSERMAN SCHULTZ, or what is not going on as it relates to investing in the Midwest, making sure that we invest in America, using coal for energy, innovation, and also making sure that we can work with our farmers here in the United States so we don't have to depend on Middle East oil and we don't have to send our men and women into harm's way to make sure that we are able to put gas in our tanks here in the United States.

As you know, in our innovation agenda and also energizing America agenda, in our new direction for America, here in this side of the aisle we are for investing in the United States, we are for making sure that we can cut our dependency on Middle East oil so that we don't find ourselves in the middle of these conflicts that we are in right now.

As you know, we have been talking for several weeks about our new direction for America. I am glad Ms. WASSERMAN SCHULTZ is here again tonight, as she always is, and it is great. It is like old times.

We have been working together for I know 12 years since I have been elected. You have been an elected official for 14 years. I met you when I came into the Florida House of Representatives. Mr. Speaker, Ms. WASSERMAN SCHULTZ was the chair of the Education Committee when I showed up in Florida legislature, and I know that she is going to have a bright future here in the House of Representatives.

But I can tell you what the good news is. It is that we have the will and the desire on this side of the aisle to stand up on behalf of the American people, making sure we raise the minimum wage for working families and those that go to work every day, punch in and punch out, know what it means to have a 15-minute break in the morning and a 15-minute break in the evening.

□ 2330

For those individuals that are working the midnight shift, we are with those families. We want to make sure

that they are making a livable wage, and when we raise the minimum wage, that means that those individuals that are making over the minimum wage, those that are making $8 or $9 or $10 an hour, those individuals in big corporate America are going to have to look at what they are paying them, Mr. Speaker, if we raise the minimum wage.

That is not what is going to happen, and I think as long as the Republican majority is in place that is not going to happen.

If I can, before I yield to my good friend and colleague and a true good friend, Ms. WASSERMAN SCHULTZ, our districts are right next to each other in the State of Florida, we work together, like I said, Mr. Speaker, for a period of years, of giving the American people what we have received.

What we received on this floor and what we call, well, we the opportunity to give ourselves raises. We do not have to petition the Congress to receive a raise. The American people want a raise, those hourly workers that are out there. They want a raise, and hopefully, we can talk a little bit about that tonight and a number of issues they are facing.

We are going to talk a little bit about Iraq and the realities of Iraq. Members can come to the floor, God bless them, and give their opinion or their view of what they think is going on in Iraq and in other parts of this world, but I think it is important for us to, just as simple as picking up the paper or watching the news or talking to our constituents, they are saying, Congressman, Congresswoman, my son is going off to war on his fourth or fifth deployment or my daughter is going to off to war on the fourth or fifth deployment and you are saying on the majority side, and from the White House, stay the course, stay the course. To do what? And where is the plan?

But let me just get back to what I was saying about how we give ourselves raises here in this House. The Republican majority has made it abundantly clear that they do not have the will nor the desire to give the American people what they have given themselves, and the good thing, Mr. Speaker, about this side and the reason why I can speak truth to power and that I can come to this floor with a straight face and all of my colleagues, Republican, Democrats and one Independent we have in this House, I can boldly say here on the floor of the U.S. House of Representatives that veterans have fought for us to salute one flag. Those individuals that are in Arlington Cemetery right now, that all we have is their memory and their commitment to this country, that if we have the audacity to give ourselves raises, Republican majority leading the effort to give raises to Members of Congress and vote ''no'' to allow individuals that are working for $5 and pennies every day, punching in and punching out, with all of the gas prices, all of the issues of the price of milk, the price of bread, the price of college tuition, we are able to do better for our kids and our families because the Republican majority said, hey, that is fine, we can give ourselves raises, but let not us give it to these others folks.

Let me say this to those other folks, the American people. Since 1997 there has not been a Federal increase in the minimum wage. Here are the facts, and that is why we come to the floor, Mr. Speaker, to just give the facts to the Members.

This is a Congressional Research Service report April 18, 2006. Any Member of Congress, Democrat, Republican, Independent, American, that is paying attention to what we are saying right now can go on housedemocrats.gov and get this information.

1998, Members of Congress received $3,100 in a raise; minimum wage workers, zero. 2000, Members of Congress, $4,600 raise that the Republican majority has given Members of Congress; minimum wage workers, zero. 2001, $3,800 for Members of Congress, pay increase, what we call cost of living, that is a nice way to dress it up; minimum wage workers, zero. Members of Congress in 2002, $4,900 increase, just got in 2001 remember a $3,800 raise, $4,900; minimum wage, zero. 2003, $4,700; minimum wage workers, zero. 2004, $3,400; minimum wage workers, zero. 2005, $4,000, Members just received a $3,400 raise; minimum wage workers, zero. 2006, $3,100 in the present year; minimum wage workers, zero.

The Republican leadership has pretty much said over our you know what body we will not give minimum wage workers an increase. Meanwhile, here in the House, there are plans that are already drawn for Members of Congress in 2007, if the American people allow it to happen and not evaluate every Member of Congress, because even if you do not make the minimum wage, you have to have a conscience about, well, we have individuals that are out there. Gas prices have gone up. If you make $8, $12, even $18 an hour, you have to have a conscience about these individuals that have to pay the same price you have to pay for gas, have to pay the same price you have to pay for health care. If you are struggling, imagine what someone that is making $5 and pennies have to go through.

So I think it is important and it is very pivotal that we are here at 11:37 eastern standard time after other Members of Congress have gone back to their homes, either resting with their families, in their office working, what have you, we are here on the floor carrying the water on behalf of the American people.

Ms. WASSERMAN SCHULTZ. That is absolutely right, and we are here because it is imperative that we move this country in a new direction. Americans are begging us to take us off the course we are on now.

It is such a privilege to be here with you. We have been good friends for more than a dozen years now. It is just a privilege to share a community with you, to share constituents who really have been clamoring not just in south Florida where we live but all across the country. You and I travel the country talking to Americans in so many places, and it does not matter. What I found and I know you have, too, it does not matter what walk of life they come from. It does not matter whether they are wealthy or middle class or lower income. No one that I have spoken to says, Debbie, yes, yes, you know, let us keep it right the way we are going, you know, just keep going in the same direction because everything is great. It is almost laughable to say that.

The minimum wage is a perfect thing to highlight in terms of the example that we need to throw out there to show where our priorities would be if we were in control, and we know we are not, versus where the Republicans' priorities are. We try to use third party validators so it is not just the KENDRICK MEEK, TIM RYAN, BILL DELAHUNT, DEBBIE WASSERMAN SCHULTZ show. We want to make sure we use legitimate references to demonstrate and back up the things we say.

Many time what we talk about here can seem like inside baseball. The terminology we use can seem a little esoteric so we try to boil it down for folks.

Let us take the minimum wage. You talked about the minimum wage historically and what it means in terms of real dollars today. Let us talk about the minimum wage and the fact that it has not been raised in 9 years, what that impact is on the average family in terms of the difference of what things cost in the last 9 years.

So, if you take a look at this chart, this is what real economic change under President Bush has been like. While we have not increased the minimum wage since 1997, as you referred to a few minutes ago, there are plenty of things that have increased in cost.

Over on the left-hand part of the chart, the minimum wage has not increased at all, yet whole milk has increased 24 percent since 1997. Bread, 25 percent. A 4-year public college education has increased 77 percent. Health insurance has increased 97 percent, and that is if you can even get it because there are 46 million Americans that do not have health insurance and millions of small business employers who have dropped their insurance coverage for their employees because it has reached the point of unaffordability, with upwards of 15 percent increases every single year.

Let us look at the price of regular gas. It has gone up, while the minimum wage has not, 136 percent. And so what does that mean? Sometimes people cannot get their mind around percentages and what those mean.

So let us take a look at what Americans are paying for in terms of gas prices. The Americans now are paying 100 percent more for gas than when President Bush first took office, and he

has the nerve to stand in this chamber and to give speeches across this country talking about how he thinks that America is addicted to foreign oil and we need to get a handle on how we are going to expand alternative energy resources. Really? With what funding? Where is the initiative? Where is the proposal? Where is the legislation? Because all of it just gets rubber stamped here. When we propose any of those things as a solution as a Democrats, what do Republicans do? They vote ''no.'' No, no, Mr. President; yes, Mr. President. Just the bobblehead Republicans do whatever is asked of them, and it is certainly not to expand the opportunity to invest in the Midwest in terms of our energy resources versus the Mideast.

So, if you look at the price of a gallon of gas, when President Bush began his term, January 20, 2001, the average price of a gallon of gas was $1.45 and today, it is $3.01.

Now, what I attribute that to, and what I attribute the seeming indifference on the part of the Republicans and their leadership here towards this problem, it has got to be because there is no other explanation that they are not filling their own gas tank. It has really got to be that they are not the ones that are actually putting the gas in their car themselves because, if they were, they would realize that now, instead of pennies, remember when we were younger and our parents would fill the gas tank and the fastest number that scrolled on the gas tank itself was a penny? Well, now, it is dimes because that is how much prices have increased in terms of gas.

The only thing I can think of, Mr. Speaker, that I can attribute the indifference of Republicans towards the energy crisis and the gas prices that Americans are facing is that they have not filled their cars with gas since gas pumps looked like this.

This is a gas pump or at least an example of a gas pump and what one looked like in the 1950s, and perhaps it is just that it was so long ago that they filled their gas tanks themselves. I am not sure who is filling their gas tanks. Maybe they all have drivers. They really only focus on the needs of the wealthy. So perhaps people are driving them around. That really, for me, is the only explanation.

I really fail to understand why they continue to allow oil companies the ability to not pay royalties to the Federal Government in exchange for utilizing our oil reserves, the ability and the right to drill into the ocean floor and draw up oil that is on land owned by the Federal Government. They are supposed to pay subsidies and royalties. We have passed legislation on at least two occasions since I have been here, and I am only a freshman, that have essentially forgiven those royalties and given mutli-millions of dollars back to the oil companies and into the pockets of the CEOs and the wealthiest few people. It is absolutely mindboggling to me.

We, as Democrats, have the priorities of the American people straight. We understand that we need to move the country in a new direction, Mr. Speaker. We need to make sure that we expand access to health care. We want to make sure that we actually invest in alternative energy resources so that we can truly, within 10 years, become independent of foreign oil resources and invest in the Midwest instead of in the Middle East.

We want to make sure that we can get a handle on this deficit. You and I have young children, and right now, if we stay the course and continue in the direction that this President and this Republican leadership has taken us in, our children and our children's children will be saddled with the deficit and the Nation's debt that this President has mired us in, all by himself, and by his Republican rubber stamp colleagues that we work in this chamber with.

If something is not done, our children, I fear for the world that they grow up in, not just in terms of foreign policy but in terms of domestic policy.

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What is going to happen to our kids when they grow up in a world where we are underfunding education, where they do not have access to health insurance, where gas prices are so out of control and there is no mass transit for them to use as an alternative so that they can get to work? What are they going to do in a world where the deficit is continuing to skyrocket and we are going further and further in debt to other countries? What are they going to do?

Hopefully, we are going to be able to get this country back on track after the November elections.

I yield to my friend.

Mr. MEEK of Florida. Well, Ms. WASSERMAN SCHULTZ, I talk to my constituents, and I talk to the American people that are walking through the halls of Congress. You know, this is the summertime, Mr. Speaker, and, as you know, we have a number of visitors that visit the Capitol of the United States here. We wear these congressional pins. And last night when we left at 12 midnight there were Girl Scouts out front.

Ms. WASSERMAN SCHULTZ. That is right.

Mr. MEEK of Florida. You are a Brownie Troop leader, or a Girl Scout leader.

Ms. WASSERMAN SCHULTZ. No, I am a Brownie Troop leader.

Mr. MEEK of Florida. I used to be a Boy Scout Troop leader in Scott Homes some years back in Miami. But those little girls were at the foot of the steps taking pictures of the front of this Capitol of the United States, the Capitol of our great country. And, Ms. WASSERMAN SCHULTZ, I have children, you have children, but this is really not about our children, because they are going to be okay, Mr. Speaker.

Ms. WASSERMAN SCHULTZ's children have names that end with Wasserman Schultz. They will get into the schools they need to get into. They will get the access they need for education. Doors will open for them that would not open for other children in our districts.

My children's last names end with Meek, and they will be treated differently than other children, need it be Johnson or Hermanowski, or what have you. They will be treated differently than them.

So this is not about our children. This is about the folks that elected us to come here to this U.S. House of Representatives to represent them. This is about making sure that they have a fair chance at life, just like our children.

Members of Congress, a number of them in the House and Senate, our children are going to be okay. They are going to be okay because their last names end with the names of Members of Congress. But what about those individuals that woke up early one Tuesday morning to vote for representation? What about those individuals that walk in here as employees into this Capitol, Ms. WASSERMAN SCHULTZ, to serve the American people? Will they get the same access that we have? Will they have the same access that Members of Congress have as it relates to health care? Will someone open the doors for them?

I will answer that question. No. And I am not saying every person should be treated the same as Members of Congress. But the way things are going now, if you are a Republican, a Democrat, an Independent, and you are thinking of voting in the next election, you have to be concerned.

Mr. Speaker, there are prominent Republicans that are referring to their colleagues as ''they.'' The former Speaker of this House is referring to his Republican colleagues in Congress as ''they,'' because he doesn't want to be associated with them. I will tell you why, Mr. Speaker. And I am going to break out this chart again. And you know something, I can break this chart out every 5 minutes of the day, every 5 minutes of the day, because it is so revealing and it takes it home as to exactly what we are talking about.

This is why I am here a few minutes before midnight. That is the reason why I think it is important we continue to share with the American people what is going on, and with Members of Congress. I have my colleagues on the Republican side of the aisle that say, Congressman, that little red, white, and blue chart you break out every day, aren't you tired of it? And my answer is, no. It is the hard reality of what is going on in the republic, as we stand now as a country.

We have other countries that are looking at us in a different way. And, Ms. WASSERMAN SCHULTZ, everyone looks at the United States of America, and just because the Republican majority says that everything is fine doesn't

necessarily mean that it is. Because here are the hard facts.

The hard facts are these, Mr. Speaker. President Bush and the Republican majority has borrowed $1.05 trillion, $1.05 trillion, from foreign nations. Historic. And my next chart tells you who we are borrowing it from, and they are owning a part of the American apple pie not because they had to pay $56 to fill up their F–10 pickup truck, not because of their indiscretions, but because of the indiscretions of the Republican majority.

We have 224 years of history in this country, with 42 presidents before this President, and they were only able to borrow $1.01 trillion. Those are the facts. That is from the U.S. Department of the Treasury. It is not the Kendrick Meek report or the Debbie Wasserman Schultz report or the 30-something report because we think it works towards our position and not leveling with the American people.

I can tell you without looking at this chart, Mr. Speaker, I can tell you exactly what is on it because I have read it so many times to so many groups and here on this floor.

Who are we borrowing it from? Who is owning a piece of the American apple pie? Japan, at $682 billion; China, at $249.8 billion; the U.K., at $223.2 billion; the Caribbean, at $115.3 billion; Taiwan, at $71.3 billion; and the OPEC nations, that I can go on and talk about these countries that we have issues with, Iran, Syria, oil-producing Middle Eastern countries that we are borrowing money from that we have issues with. They own a piece of the American pie at $67.8 billion; Germany, $65.7 billion; Korea, $66.5 billion; Canada, $53.8 billion.

These are the countries that are buying our debt. And it is not because of what the American people have done but what the Republican majority has allowed to happen. They have rubber-stamped everything the President of the United States has sent to this floor. And that is not what article one, section one of the U.S. Constitution calls for.

We use the Constitution as guiding principles on behalf of this country. I am not here on behalf of the House Democrats. I am here on behalf of the American people, and Ms. WASSERMAN SCHULTZ is here on behalf of the American people. There is a reason why prominent Republicans are saying that they are totally lost at what the Republican majority has done, Mr. Speaker, and that is that fact that that the American spirit will rise up out of partisan politics.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. MEEK of Florida. I will definitely yield, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Thank you. Because with everything that we have laid out here over the last 20 or so minutes, what is clear is that we are moving in the wrong direction. The priorities of the Republican leadership here are completely out of step with the priorities of the American people. So, instead, what the Republicans here have attempted to do is to shift the focus and attention away from what is really going on and engaging in the politics of distraction.

Now this that I have in my hand is about to become a scarcity. It is a social studies textbook, an American history textbook, which, Mr. Speaker, I would argue that in our high schools will soon be obsolete. We won't have any reason to use these any more, particularly the section on how a bill becomes a law. Because last week we actually brought a bill to the floor that was defeated in the Judiciary Committee, a bill that related to court stripping, stripping the courts of the right to review cases related to the Pledge of Allegiance and whether under God was constitutional or not.

Now that question can be debated all day, and there are varying degrees of opinions on that subject. But we teach our children in public schools the concept of how a bill becomes a law, as created by our Founding Fathers, this system of checks and balances and the separation of powers. And because the Republicans are moving this country in the wrong direction and don't share the priorities of the American people, they have had to deflect attention away from what is really going on here and focus on things like the Pledge of Allegiance, gay marriage, and flag burning.

Today in Judiciary we literally spent, Mr. MEEK, 6½ hours on one bill and one amendment related to the separation of church and state. Now, Mr. MEEK, when you go home, do your constituents, does the father of four who leaves for work in the morning, when you see him on the street, does he stop you and say, KENDRICK, I really want you to go to the Congress and focus on the Pledge of Allegiance? Or do you think it is more likely, and in your experience, do they tell you, you know, I just wasn't sure how I was going to fill my gas tank today?

Or how about the parents of kids who are fighting over in Iraq? Do you think they are really worried about whether we amend the Constitution to ban gay marriage? Is that at the top of those parents' list, or is it more likely that at the top of their list that their baby comes home to them?

What is going on here?

Mr. MEEK of Florida. Will the gentlewoman yield?

Ms. WASSERMAN SCHULTZ. Absolutely, I would be happy to yield.

Mr. MEEK of Florida. I think what is important here, at least when I go to speak to the American people, and even in my own district, and as you know we travel. We defeated the privatization of Social Security, to allow individuals on Wall Street that were looking forward to receiving over $500 billion under the President's plan to privatize Social Security. We had over 500 town hall meetings throughout this country. You had town hall meetings in your district.

Ms. WASSERMAN SCHULTZ. We had over a thousand.

Mr. MEEK of Florida. A thousand. Okay. I am glad you corrected me, because we want to make sure we give facts, not fiction.

I think it is important, Mr. Speaker, that we make an important note here, and I am asking the Members and the American people, Mr. Speaker, to vote principle over politics. You have to vote principle over politics.

Ms. WASSERMAN SCHULTZ. Mr. MEEK, from what I have seen here, that is impossible for these people.

Mr. MEEK of Florida. I just want to make a point here, Ms. WASSERMAN SCHULTZ. This is to the Members, to place on their conscience what the American people may very well think.

Let's say I am a dyed-in-the-wool Democrat, and I am a voter, and I am paying more for gas. There is a war going on that my leaders are telling me we are going to stay the course, but no plan, and energy independence and innovation is not a priority.

If we were in the majority, let's just say for instance that we are in the majority and this is not happening. Let's say I am a veteran, and I have to wait in rural America for the clinic that is only open 3 days a month, then I have to think about the principle over politics. Maybe I am going to vote for the other person this time because my family is suffering. Maybe my kids are not getting what they need as it relates to education. Maybe that is not in line with the principle of what we are talking about here.

So I think it is important, Ms. WASSERMAN SCHULTZ, as you point this out, that Members of Congress and the American people will have to think this time. I told you I have given up on the Republican majority. They have had all the time in the world to do what they have to do.

Look at what we are paying on the debt because of the irresponsible spending of the Republican majority and giving tax cuts to billionaires and millionaires. Look at the debt we are paying because we have borrowed all that debt from foreign countries. Look what we are doing on education. Look how far down it is for every teacher, for every mother or grandmother or grandfather, what have you, who wants to see their generation of children and grandchildren have a better opportunity than what they have had.

Look at what the Federal Government is investing in their education. Look at what is happening in homeland security. Republican Members of Congress on the majority side can burn all kind of jet fuel, at taxpayers' expense, flying down to the border talking about how we are going to get tough on immigration. But look at what they are doing for homeland security and look at veterans.

Hello! We are saluting one flag, and I talked about this earlier, those that have made the ultimate sacrifice, those that are away from their families.

Look at what the Republican majority is investing in their future and what they have promised in terms of providing health care and other benefits. Look at what they are investing versus what we are paying on the debt.

So just because, Ms. WASSERMAN SCHULTZ, as I yield back to you before we close, just because they say it doesn't necessarily mean it is true.

Ms. WASSERMAN SCHULTZ. Four months, Mr. MEEK. Less than 4 months. This may be the last evening that we spend as the 30-something Working Group until we come back from the August recess. The 30-something Working Group has an opportunity each night to talk about the direction we want to move this country on behalf of Democrats and the next generation.

All of the charts and information that we have talked about tonight are available on our Web site, www.housedemocrats.gov/30something. We appreciate the privilege that the leader gives us each night to talk about the priorities of the Democratic caucus and the American people, and it is a privilege to be here with you once again.

Mr. MEEK of Florida. Thank you, Ms. WASSERMAN SCHULTZ. It was good coming back to the floor with you.

As you know, in the 30-something Working Group, we not only come to the floor but we meet every week. We have staff evaluate things for factual purposes, and I am glad that we are coming to level with the American people about what is going on.

Mr. Speaker, before closing out, we would like to honor Tim Frieman, who has worked here in the Democratic cloakroom for 30 years. We appreciate his contributions and all that he has done. We had a great reception, Members, bipartisan, went down here in the Capitol and honored him. We appreciate him and his family for their contributions.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. BOEHNER) for today from 3:00 to 8:00 p.m. on account of business in the district.

Mrs. JO ANN DAVIS of Virginia (at the request of Mr. BOEHNER) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BURGESS, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3549. An act to amend the Defense Production Act of 1950, to strengthen Government review and oversight of foreign investment in the United States, to provide for enhanced Congressional oversight with respect thereto, and for other purposes to the Committee on Financial Services in addition to the Committee on International Relations and the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 9. An act to amend the Voting Rights Act of 1965.

H.J. Res. 86. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

H.R. 4019. An act to amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income.

H.R. 4472. An act to protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote Internet safety, and to honor the memory of Adam Walsh and other child crime victims.

H.R. 5865. An act to amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1496. An act to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on July 26, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 9. To amend the Voting Rights Act of 1965.

H.R. 2977. To designate the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the ''Paul Kasten Post Office Building''.

H.R. 3440. To designate the facility of the United States Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the ''Dr. Jose Celso Barbosa Post Office Building''.

H.R. 3934. To designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the ''Gerard A. Fiorenza Post Office Building''.

H.R. 4101. To designate the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the ''Lieutenant Michael P. Murphy Post Office Building''.

H.R. 4108. To designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the ''State Senator Verda Welcome and Dr. Henry Welcome Post Office Building''.

H.R. 4456. To designate the facility of the United States Postal Service located at 2404 Race Street in Jonesboro, Arkansas, as the ''Hattie W. Caraway Station''.

H.R. 4472. An act to protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote Internet safety, and to honor the memory of Adam Walsh and other child crime victims.

H.R. 4561. To designate the facility of the United States Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the ''Francisco 'Pancho' Medrano Pt Office Building''.

H.R. 4688. To designate the facility of the United States Postal Service located at 1 Boyden Street in Badin, North Carolina, as the ''Mayor John Thompson 'Tom' Garrison Memorial Post Office''.

H.R. 4786. To designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the ''H. Gordon Payrow Post Office Building''.

H.R. 4995. To designate the facility of the United States Postal Service located at 7 Columbus Avenue in Tuckahoe, New York, as the ''Ronald Bucca Post Office''.

H.R. 5245. To designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the ''Matthew Lyon Post Office Building.''

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Thursday, July 27, 2006, 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:

8777. A letter from the Director, Defense Security Cooperation Agency, transmitting

pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-26, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services, pursuant to 22 U.S.C. 2776(b); to the Committee on Armed Services.

8778. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-36, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services, pursuant to 22 U.S.C. 2776(b); to the Committee on Armed Services.

8779. A letter from the Under Secreary for Personnel and Readiness, Department of Defense, transmitting authorization of Rear Admiral (lower half) David J. Dorsett to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

8780. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of rear admiral accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

8781. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amdt. of Pt. 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Intro. of New Adv. Wireless Services, Including Third Generation Wireless Systems [ET Docket No. 00-258]; Amdts. to Pts. 1, 2, 27 and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands [WT Docket No. 02-8] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8782. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Arnold and City of Angels, California) [MB Docket No. 05-316; RM-11294] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8783. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Allegan, Otsego and Mattawan, Michigan) [MB Docket No. 05-269; RM-11267] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8784. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Churchville and Keswick, Virginia and Marlington, West Virginia) [MB Docket No. 05-292; RM-11281] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8785. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Enfield, New Hampshire; Hartford and White River Junction, Vermont; and Keeseville and Morrisonville, New York) [MB Docket No. 05-162; RM-11227; RM-11295] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8786. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Alturas, California) [MB Docket No. 05-123; RM-11191] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8787. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Weaverville, Palo Cedro, and Alturas, California) [MB Docket No. 05-125; RM-11176] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8788. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Louisburg and Hillsborough, North Carolina) [MB Docket No. 04-375; RM-11038] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8789. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Wilburton, Okemah, and McAlester, Oklahoma) [MB Docket No. 05-166; RM-11228] received July 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8790. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-25, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services; to the Committee on International Relations.

8791. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-24, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Bahrain for defense articles and services; to the Committee on International Relations.

8792. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State and the National Security Council on the progress toward a negotiated solution of the Cyprus question covering the period April 1, 2006 through May 31, 2006; to the Committee on International Relations.

8793. 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 retransfer of defense articles or services to the Government of Gabon (Transmittal No. DDTC 022-06); to the Committee on International Relations.

8794. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on International Relations.

8795. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8796. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8797. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8798. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8799. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Auditor's Examination of Contracts for Four Consumers Under the Care of Mental Retardation and Developmental Disabilities Administration''; to the Committee on Government Reform.

8800. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Certification of the Sufficiency of the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2007''; to the Committee on Government Reform.

8801. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Auditor's Examination of Parking Meter Contract Administration and Financial Management''; to the Committee on Government Reform.

8802. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, United States Agency for International Development, transmitting the Agency's report on the amount of acquisitions made from entities that manufacture the articles, materials, or supplies outside the United States in Fiscal Year 2005; to the Committee on Government Reform.

8803. A letter from the Librarian of Congress, Library of Congress, transmitting the Annual Report of the Library of Congress, for the fiscal year ending September 30, 2005, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

8804. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Inseason Adjustments [Docket No. 051014263-6028-03; I.D. 062706B] received July 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8805. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Restrictions for 2006 Longline Fisheries in the Eastern Tropical Pacific Ocean; Fishery Closure [Docket No. 050719189-5286-03; I.D. 062706A] (RIN: 0648-AT33) received July 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8806. A letter from the Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species: Final Listing Determinations for Elkhorn Coral and Staghorn Coral [Docket No. 050304058-6116-03; I.D. No. 060204C] (RIN: 0648-XB29) received June 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8807. A letter from the Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and Effort Controls [Docket No. 060216041-6137-02; I.D. 020206C] (RIN: 0648-AT72) received June 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8808. A letter from the Acting Deputy Asst. Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting; Tagged Pacific Halibut and Tagged Sablefish [Docket No. 040610180-6173-03; I.D. 030806A] (RIN: 0648-AR09) received July 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8809. A letter from the Acting Deputy Asst. Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish, Crab, Salmon, and Scallop Fisheries of the Bering Sea and Aleutian Islands Management Area and Gulf of Alaska [Docket No. 060223050-6162-02; I.D. 013006I] (RIN: 0648-AT09) received July 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8810. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Amendment 11 [Docket No. 051028280-6160-02; I.D. 102105A] (RIN: 0648-AT11) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8811. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Allocating Bering Sea and Aleutian Islands King and Tanner Crab Fishery Resources [Docket No. 060404093-6177-02; I.D. 033106A] (RIN: 0648-AU24) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8812. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands King and Tanner Crab Fishery Resources; Crab Economic Data Reports [Docket No. 060420106-6163-02; I.D. 041706B] (RIN: 0648-AU44) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8813. 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; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 071006F] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8814. 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; Pacific Ocean Perch in the Central Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 070706B] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8815. 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; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 071106B] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8816. 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; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 070606A] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8817. 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; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 070506A] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8818. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Nantucket Lightship Scallop Access Area to General Category Scallop Vessels [Docket No. 060314069-6069-01; I.D. 071106A] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8819. 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 Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Texas Closure [I.D. 070306A] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8820. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the ''21st Century Department of Justice Appropriations Authorization Act,'' related to certain settlements and injunctive relief; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 4157. A bill to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health and information technology; with amendments (Rept. 109–601, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS. Committee on Ways and Means. H.R. 4157. A bill to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology; with an amendment (Rept. 109–601, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 951. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–602). Referred to the House Calendar.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 952. Resolution providing for consideration of the bill (H.R. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology (Rept. 109–603). Referred to the House Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 5830. A bill to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas (Rept. 109–600, Pt. 1); referred to the Committee on the Judiciary for a period ending not later than September 15, 2006, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JONES of Ohio (for herself and Mr. ENGLISH of Pennsylvania):

H.R. 5889. A bill to amend the Internal Revenue Code of 1986 to exempt from the harbor maintenance tax certain commercial cargo loaded or unloaded at United States ports in the Great Lakes Saint Lawrence Seaway System; to the Committee on Ways and Means.

By Mr. NUNES (for himself, Mr. CARDOZA, Mr. SHIMKUS, Mr. COSTA, Mr. POMBO, Mr. REHBERG, Mr. LEWIS of Kentucky, Mr. KINGSTON, Mr. ENGLISH of Pennsylvania, Mr. PICKERING, Mr. HALL, Mr. BARTON of Texas, Mr. WHITFIELD, Mr. CUELLAR, Mr. DAVIS of Tennessee, Mr. ROSS, Mr. CRAMER, Mr. BOREN, Mrs. CAPITO, Mr. MELANCON, Mr. BOOZMAN, Mr. PETERSON of Minnesota, and Mr. MURPHY):

H.R. 5890. A bill to establish the American-Made Energy Trust Fund, to increase the tax credits for cellulosic biomass ethanol, to extend tax incentives for solar and fuel cell property, to promote coal-to-liquid fuel activities, to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program for the Coastal Plain of Alaska, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Resources, Energy and Commerce, and Science, 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. WASSERMAN SCHULTZ (for herself, Mr. CASTLE, Mr. MELANCON, Mr. MCHENRY, Mrs. MCCARTHY, Ms. HOOLEY, Mr. ACKERMAN, Mr. ISRAEL, Mr. BISHOP of New York, and Mr. CROWLEY):

H.R. 5891. A bill to establish a bipartisan commission on insurance reform; to the Committee on Financial Services.

By Mr. ADERHOLT:

H.R. 5892. A bill to amend the Internal Revenue Code of 1986 to provide special rules for the exchange or installment sale of certain agricultural property; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 5893. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to require the Secretary of Homeland Security to provide for National Crime Information Center criminal history records checks of the employees and prospective employees of providers of private security services and to require such providers to employ only those employees whose records checks do not show a history of certain offenses; to the Committee on Education and the Workforce, 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 Ms. HERSETH:

H.R. 5894. A bill to amend title 5, United States Code, to establish certain protections for preference eligibles selected for involuntary geographic reassignment; to the Committee on Government Reform.

By Mr. HINCHEY (for himself, Mr. LARSON of Connecticut, Mr. OBERSTAR, Mr. SERRANO, Mr. MORAN of Virginia, Mr. SNYDER, Mr. WELDON of Pennsylvania, and Mr. CASTLE):

H.R. 5895. A bill to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail; to the Committee on Resources.

By Mr. HINOJOSA:

H.R. 5896. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Financial Services.

By Ms. HOOLEY:

H.R. 5897. A bill to extend the period during which members of the Armed Forces deployed in contingency operations may request and receive reimbursement for helmet pads, which are designed to better protect the wearer from bomb blasts than military-issued pads, that are purchased by or for the use of such members; to the Committee on Armed Services.

By Mr. KOLBE (for himself and Mr. GRIJALVA):

H.R. 5898. A bill to expand the boundary of Saguaro National Park, to study additional land for potential inclusion or removal from the boundary of the park, and for other purposes; to the Committee on Resources.

By Mr. LARSEN of Washington:

H.R. 5899. A bill to provide additional flood control storage at the Upper and Lower Baker Dams; to the Committee on Transportation and Infrastructure.

By Mr. KIND (for himself, Mr. SAXTON, Mr. THOMPSON of California, and Mr. CASTLE):

H.R. 5900. A bill to protect, conserve, and restore native fish, wildlife, and their natural habitats at national wildlife refuges through cooperative, incentive-based grants to control, mitigate, and eradicate harmful nonnative species, and for other purposes; to the Committee on Resources.

By Mrs. MALONEY (for herself and Mr. SERRANO):

H.R. 5901. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal response efforts after a terrorist strike or other major disaster affecting homeland security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, 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. MARKEY:

H.R. 5902. A bill to prohibit the proposed sale to Pakistan of F-16 aircraft and related defense articles and defense services unless Pakistan has halted construction of a certain plutonium production reactor; to the Committee on International Relations.

By Mr. MARSHALL:

H.R. 5903. A bill to direct the Secretary of Education to extend the same level of increased flexibility to all rural local educational agencies under part A of title I of the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. MATHESON (for himself, Mr. OTTER, Mr. SALAZAR, and Mr. UDALL of Colorado):

H.R. 5904. A bill to amend the Internal Revenue Code of 1986 to allow public school districts to receive no interest loans for the purchase of renewable energy systems, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself and Mr. SHAYS):

H.R. 5905. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on House Administration, 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. RAMSTAD (for himself, Ms. ESHOO, and Mr. KENNEDY of Minnesota):

H.R. 5906. A bill to establish a Consortium on the Impact of Technology in Aging Health Services; to the Committee on Energy and Commerce.

By Mr. RAMSTAD:

H.R. 5907. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; 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. ROGERS of Michigan (for himself and Mr. EHLERS):

H.R. 5908. A bill to amend title 49, United States Code, to permit certain revenues of private vanpool contractors received from providing public transportation to be used for the purpose of acquiring rolling stock that is not funded, in part, by Federal, State, or local government assistance, and to permit certain expenditures of private vanpool contractors to be credited toward the local matching share of the costs of public transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. RYUN of Kansas (for himself, Mr. TIAHRT, Mr. MORAN of Kansas, and Mr. MOORE of Kansas):

H.R. 5909. A bill to promote public safety and improve the welfare of captive big cats, and for other purposes; to the Committee on Agriculture.

By Ms. LORETTA SANCHEZ of California:

H.R. 5910. A bill to amend the Homeland Security Act of 2002 to provide funding for emergency planning and management and emergency response providers, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 5911. A bill to establish the United States Commission to Monitor Slavery and its Eradication in Sudan; to the Committee on International Relations.

By Mr. STEARNS (for himself, Mr. MATHESON, and Mr. MCINTYRE):

H.R. 5912. A bill to direct the Federal Trade Commission to prescribe rules to prohibit deceptive conduct in the rating of video and computer games; to the Committee on Energy and Commerce.

By Mr. TANCREDO:

H.R. 5913. A bill to amend the Help America Vote Act of 2002 to require an individual to provide proof that the individual is a citizen of the United States and to present a government-issued photo identification as a condition of casting a ballot in an election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H.R. 5914. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce class size through the use of fully qualified teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SHADEGG:

H. Con. Res. 454. Concurrent resolution providing for an adjournment or recess of the two Houses.

By Mr. POMBO:

H. Con. Res. 456. Concurrent resolution providing for a correction to the enrollment of the bill, S. 203; considered and agreed to.

By Mr. HYDE:

H. Res. 949. A resolution commending the people and Government of Romania, on the occasion of the visit of Romanian President Traian Basescu to the United States, for the strong relationship between Romania and the United States; to the Committee on International Relations.

By Mr. KUCINICH (for himself, Mr. MCGOVERN, Mr. STARK, Ms. NORTON, Ms. WOOLSEY, Ms. BALDWIN, Mr. CONYERS, Ms. LEE, Ms. MOORE of Wisconsin, Mr. HINCHEY, and Mr. MORAN of Virginia):

H. Res. 950. A resolution calling for the abolition of all nuclear weapons; to the Committee on International Relations.

By Mr. BILIRAKIS (for himself, Mr. LANTOS, Mr. RAHALL, Mrs. MALONEY, Mr. SHAYS, Mr. SIMMONS, Mr. WELDON of Pennsylvania, Mr. TERRY, Mr. ROTHMAN, Mr. CONYERS, Mr. HOLDEN, Mr. HOLT, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. MCNULTY, Ms. WATSON, Mr. PAYNE, Mr. MCCOTTER, Mr. NEY, Mr. PALLONE, Mr. SPRATT, Mr. FOLEY, Mr. PEARCE, Mr. CROWLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. MEEHAN, Mr. YOUNG of Florida, Mr. ENGLISH of Pennsylvania, Mr. SHAW, Mr. ANDREWS, Mr. SCOTT of Virginia, and Mr. SCHIFF):

H. Res. 953. A resolution commending the Republic of Cyprus and thanking the Cypriot

people for their support and assistance in the evacuation of Americans fleeing Lebanon; to the Committee on International Relations.

By Mr. LEACH:

H. Res. 954. A resolution urging the President to appoint a Special Envoy for Middle East Peace; to the Committee on International Relations.

By Mr. FARR:

H. Res. 955. A resolution calling for sustainable peace in the Middle East; to the Committee on International Relations.

By Mr. MORAN of Kansas (for himself, Mr. TIAHRT, Mr. RYUN of Kansas, and Mr. MOORE of Kansas):

H. Res. 956. A resolution congratulating the Department of Agronomy in the College of Agriculture at Kansas State University for 100 years of excellent service to Kansas agriculture; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

422. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 750 urging the Congress of the United States to pass the Meth-Endangered Children Protection Act of 2005; to the Committee on Energy and Commerce.

423. Also, a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 750 urging the Congress of the United States to pass the Meth-Endangered Children Protection Act of 2005; to the Committee on Energy and Commerce.

424. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 141 memorializing the Congress of the United States to authorize appropriations for the cooperative enforcement initiative in the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 for five years increasing levels of funding each year; to the Committee on Resources.

425. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 158 memorializing the Congress of the United States to enact the ''Constitutional Restoration Act of 2005''; to the Committee on the Judiciary.

426. Also, a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 911 urging the reauthorization of the special provisions of the Voting Rights Act of 1965; to the Committee on the Judiciary.

427. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 138 supporting the passage of H.R. 4259, otherwise known as the ''Veterans' Right to Know Act'' and other similar acts pending before the Congress of the United States; jointly to the Committees on Armed Services and Rules.

428. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 117 memorializing the Congress of the United States to appropriate funding for the recovery of the shrimp industry and to vote against the repeal of the ''Byrd Amendment''; jointly to the Committees on Ways and Means and Resources.

429. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 117 memorializing the Congress of the United States to appropriate sufficient funds for the recovery of the shrimp industry and to vote against the repeal of the ''Byrd Amendment''; jointly to the Committees on Ways and Means and Resources.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 98: Mr. ENGLISH of Pennsylvania.
H.R. 111: Mr. BILBRAY.
H.R. 284: Mr. WHITFIELD.
H.R. 363: Mr. ETHERIDGE.
H.R. 500: Mrs. WILSON of New Mexico.
H.R. 517: Ms. GINNY BROWN-WAITE of Florida.
H.R. 552: Mr. KNOLLENBERG.
H.R. 583: Mr. MILLER of North Carolina.
H.R. 817: Mr. LIPINSKI, Mr. TIBERI, Mr. MICA, Mr. DEAL of Georgia, Mr. MCKEON, Mr. MCHENRY, Mr. KIND, Mr. CAMPBELL of California, Mr. KUHL of New York, Mrs. MUSGRAVE, Mr. FOSSELLA, Mr. HAYWORTH, Mr. WALSH, Mr. VISCLOSKY, Mr. RYUN of Kansas, Mr. YOUNG of Alaska, Mr. MCHUGH, Ms. HERSETH, Mr. HASTINGS of Washington, Mr. PETERSON of Pennsylvania, Mr. SOUDER, Mr. MCINTYRE, Mr. DAVIS of Alabama, Mr. BRADLEY of New Hampshire, Mr. ABERCROMBIE, Mr. KNOLLENBERG, Mr. LATHAM, Mr. HOLDEN, and Mr. CLEAVER.
H.R. 819: Mr. BOUSTANY.
H.R. 910: Mr. BROWN of Ohio.
H.R. 916: Ms. WOOLSEY.
H.R. 998: Mr. ETHERIDGE.
H.R. 1078: Mr. DINGELL, Ms. ESHOO, and Mr. BURGESS.
H.R. 1182: Mr. COOPER.
H.R. 1227: Mr. SOUDER.
H.R. 1288: Mr. FOLEY.
H.R. 1298: Mr. JACKSON of Illinois.
H.R. 1306: Mr. RENZI, Mr. HEFLEY, Mr. CAMP of Michigan, and Mr. FARR.
H.R. 1384: Mr. GOODLATTE and Mr. FOLEY.
H.R. 1431: Mr. MEEHAN.
H.R. 1438: Mr. WELDON of Florida.
H.R. 1471: Mr. OBERSTAR, Mr. EMANUEL, Mr. MEEK of Florida, Ms. KILPATRICK of Michigan, Mr. NADLER, Mr. PETERSON of Minnesota, Mr. VISCLOSKY, and Mr. KIRK.
H.R. 1498: Mr. GOODLATTE.
H.R. 1548: Mr. CANTOR.
H.R. 1632: Mr. GERLACH and Mr. HINOJOSA.
H.R. 1634: Mr. MILLER of North Carolina and Mr. CULBERSON.
H.R. 1876: Mr. DAVIS of Illinois.
H.R. 2345: Mrs. LOWEY.
H.R. 2421: Ms. HART.
H.R. 2429: Mr. BOSWELL.
H.R. 2488: Mr. HIGGINS.
H.R. 2562: Mr. CONYERS.
H.R. 2567: Mr. CAMPBELL of California.
H.R. 2568: Mr. ENGLISH of Pennsylvania.
H.R. 2679: Mr. FEENEY, Mr. BONNER, and Mr. GARRETT of New Jersey.
H.R. 2727: Mr. CAPUANO.
H.R. 2808: Mrs. NORTHUP and Mr. DANIEL E. LUNGREN of California.
H.R. 2832: Mr. ENGLISH of Pennsylvania.
H.R. 2861: Mr. POMEROY.
H.R. 2945: Mr. REHBERG.
H.R. 2989: Mr. RAHALL.
H.R. 3195: Mr. HONDA, Mr. STARK, and Mr. SOUDER.
H.R. 3427: Mrs. DRAKE.
H.R. 3625: Mr. BAIRD.
H.R. 3828: Mr. MCCOTTER.
H.R. 3957: Mr. COLE of Oklahoma and Mrs. SCHMIDT.
H.R. 4033: Mr. GUTKNECHT.
H.R. 4174: Ms. JACKSON-LEE of Texas and Mr. SERRANO.
H.R. 4235: Ms. DEGETTE, Mr. TANCREDO, and Mr. SALAZAR.
H.R. 4291: Ms. JACKSON-LEE of Texas.
H.R. 4366: Mr. MEEK of Florida.
H.R. 4517: Mr. SOUDER.
H.R. 4562: Mrs. CAPITO, Mr. OSBORNE, Mr. TAYLOR of North Carolina, Mr. BONNER, Mr. WALDEN of Oregon, Mr. FORD, Mr. DINGELL, Mr. PUTNAM, Mr. AL GREEN of Texas, Mr. DEFAZIO, Mr. SESSIONS, Mr. RADANOVICH, Mr. COSTELLO, Mr. YOUNG of Florida, Ms. GRANGER, Mr. CAMP of Michigan, Mrs. MILLER of Michigan, Mr. BOYD, Mrs. CUBIN, Mr. INGLIS of South Carolina, Mr. STUPAK, and Mr. NEUGEBAUER.
H.R. 4666: Mr. SHAYS.
H.R. 4725: Mr. POE.
H.R. 4766: Mr. PEARCE.
H.R. 4767: Ms. KAPTUR.
H.R. 4901: Mr. LANTOS.
H.R. 4927: Ms. CORRINE BROWN of Florida, Mr. WAXMAN, Mr. KILDEE, and Mr. MOORE of Kansas.
H.R. 4956: Mr. KIND, Mr. LEWIS of Georgia, Mr. COOPER, and Mr. SHERMAN.
H.R. 4987: Mr. ENGLISH of Pennsylvania.
H.R. 5005: Mr. ORTIZ, Mr. ISSA, Mr. GOODLATTE, and Mr. BERRY.
H.R. 5022: Ms. WATERS, Mr. MCCAUL of Texas, and Mrs. TAUSCHER.
H.R. 5052: Mr. MARKEY.
H.R. 5056: Mr. HAYWORTH.
H.R. 5106: Mr. ANDREWS.
H.R. 5139: Mr. KIND.
H.R. 5140: Mr. KIND.
H.R. 5156: Mr. PEARCE.
H.R. 5171: Mrs. MILLER of Michigan and Mr. SOUDER.
H.R. 5230: Mr. EHLERS.
H.R. 5249: Mr. DEAL of Georgia, Mr. HAYES, Mr. MILLER of Florida, and Mr. ENGLISH of Pennsylvania.
H.R. 5292: Mr. PEARCE.
H.R. 5304: Mr. REICHERT.
H.R. 5312: Mr. KENNEDY of Rhode Island.
H.R. 5321: Mr. POMEROY.
H.R. 5371: Mr. SCHIFF.
H.R. 5382: Mr. PRICE of North Carolina.
H.R. 5453: Mr. MCCOTTER.
H.R. 5482: Ms. SCHAKOWSKY and Mr. DEFAZIO.
H.R. 5485: Ms. MATSUI.
H.R. 5539: Mr. FORD and Mr. ENGLISH of Pennsylvania.
H.R. 5552: Mr. MCKEON and Mr. OSBORNE.
H.R. 5575: Mr. HONDA.
H.R. 5587: Ms. GINNY BROWN-WAITE of Florida.
H.R. 5597: Mr. POE.
H.R. 5598: Mr. JACKSON of Illinois.
H.R. 5602: Mr. WALDEN of Oregon.
H.R. 5608: Mr. PASCRELL, Mr. MORAN of Virginia, Mr. RAHALL, and Mr. JACKSON of Illinois.
H.R. 5635: Mr. SANDERS, Ms. DELAURO, Mr. GEORGE MILLER of California, and Mr. PASCRELL.
H.R. 5667: Mr. CASE and Mr. PASCRELL.
H.R. 5675: Mr. WALDEN of Oregon.
H.R. 5702: Mr. SCOTT of Georgia.
H.R. 5704: Mr. MCHUGH and Mr. POE.
H.R. 5733: Mr. REICHERT, Mr. MILLER of Florida, Mr. RANGEL, and Mr. FOLEY.
H.R. 5739: Mr. POE.
H.R. 5740: Mr. SHAYS.
H.R. 5755: Mr. RENZI, Mr. LATHAM, Mr. RYAN of Ohio, and Mr. ISRAEL.
H.R. 5757: Mr. HONDA.
H.R. 5770: Mr. WYNN, Mr. THOMPSON of Mississippi, and Mr. PAYNE.
H.R. 5772: Mr. LATHAM and Mrs. EMERSON.
H.R. 5805: Mr. WELLER, Mr. CHANDLER, Mr. SOUDER, Mr. FORTUÑO, MRS. MILLER of Michigan, Mr. CASE, Mr. PUTNAM, Mr. NEY, and Mr. LINDER.
H.R. 5806: Mr. JEFFERSON, Ms. WOOLSEY, Mr. MOORE of Kansas, Mr. PAYNE, Mr. MCGOVERN, Mr. FARR, and Mr. OWENS.
H.R. 5815: Ms. BERKLEY.
H.R. 5834: Mr. MCDERMOTT.
H.R. 5835: Mr. CAMP of Michigan, Mr. SOUDER, Mr. ENGLISH of Pennsylvania, Mr. YOUNG of Florida, and Mr. HIGGINS.
H.R. 5836: Mr. GENE GREEN of Texas, Mr. PAYNE, and Ms. LEE.
H.R. 5837: Mr. ISRAEL, Mr. HINOJOSA, and Mr. AL GREEN of Texas.

H.R. 5878: Mr. HONDA, Mr. CARNAHAN, Mr. MCGOVERN, and Ms. MOORE of Wisconsin.

H.R. 5887: Mr. MEEHAN and Mr. BURTON of Indiana.

H. Con. Res. 179: Mr. PITTS.

H. Con. Res. 415: Mr. PAYNE.

H. Con. Res. 450: Ms. MOORE of Wisconsin.

H. Res. 79: Ms. MCCOLLUM of Minnesota, Mr. TAYLOR of Mississippi, Mr. MORAN of Virginia, Mr. NEAL of Massachusetts, Ms. LORETTA SANCHEZ of California, Ms. ESHOO, Mr. FILNER, Mr. WU, Mr. STUPAK, Mr. PASCRELL, and Mr. THOMPSON of California.

H. Res. 222: Mr. GARRETT of New Jersey.

H. Res. 295: Mr. MOORE of Kansas.

H. Res. 335: Mr. KENNEDY of Rhode Island.

H. Res. 533: Mr. BUTTERFIELD.

H. Res. 745: Mr. SESSIONS.

H. Res. 759: Mr. FOSSELLA.

H. Res. 776: Mr. POE.

H. Res. 790: Mr. DAVIS of Alabama and Ms. WATSON.

H. Res. 823: Ms. FOXX, Ms. HARRIS, Mr. CALVERT, and Mrs. DRAKE.

H. Res. 844: Mr. SERRANO.

H. Res. 888: Mr. STARK, Mr. JACKSON of Illinois, and Ms. NORTON.

H. Res. 894: Mr. FARR.

H. Res. 928: Mr. DAVIS of Illinois and Ms. MCCOLLUM of Minnesota.

H. Res. 931: Ms. WATSON, Ms. MCCOLLUM of Minnesota, Mr. BROWN of Ohio, Mr. MCNULTY, Ms. MATSUI, and Ms. LEE.

H. Res. 935: Mr. AL GREEN of Texas and Mr. JACKSON of Illinois.

H. Res. 948: Mr. WU, Mr. UDALL of Colorado, and Mr. CALVERT.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

133. The SPEAKER presented a petition of the City Council of Atlanta, Georgia, relative to Resolution 06-R-0928 recognizing the thirty one years of contributions made to the City of Atlanta by the Community Development Block Grant Program and supporting its continuation; to the Committee on Financial Services.

134. Also, a petition of the Legislature of Orange County, New York, relative to Resolution No. 133 opposing the construction of the New York Regional Interconnection Power Transmission Line and urging the Congress of the United States and the United States Department of Energy and the Federal Energy Regulatory Commission to deny the application of New York Regional Interconnect for designation of a certain route in New York as a national interest electric transmission corridor; to the Committee on Energy and Commerce.

135. Also, a petition of the Commission of Cook County, Illinois, relative to a resolution urging the President of the United States and the Congress of the United States to make universal healthcare a priority and to take the measures necessary for it to become a reality, which is consistent with the goals set forth in the ''Healthy People 2010'' initiative; to the Committee on Energy and Commerce.

136. Also, a petition of the City Council of Atlanta, Georgia, relative to Resolution 06-R-0932 urging the Congress of the United States to investigate atrocities of the harvesting of human organs in the United States and China; and urging the Congress of the United States not to accept denials at face value and requesting the President of the United States question Hu Jin Tao, the President of China; to the Committee on International Relations.

137. Also, a petition of the Board of Commissioners of Cook County, Illinois, relative to a Resolution urging the Congress of the United States to uphold the decree of equal justice for all through either extending or making permanent all sections fo the Voting Rights Act; to the Committee on the Judiciary.

138. Also, a petition of Mr. Gregory T. Howard, a Citizen of Toledo, Ohio, relative to a letter discussing a legal matter; to the Committee on the Judiciary.

139. Also, a petition of Mr. Gregory T. Howard, a Citizen of Toledo, Ohio, relative to a letter discussing a legal matter; to the Committee on the Judiciary.

140. Also, a petition of Mr. Gregory T. Howard, a Citizen of Toledo, Ohio, relative to a letter discussing a legal matter; to the Committee on the Judiciary.

141. Also, a petition of Rev. Wes Carroll, a citizen of Dallas, Pennsylvania, relative to a request for all records concerning lawsuits, criminal activities and violations of citizens consitutional rights; to the Committee on the Judiciary.

142. Also, a petition of Mr. Dennis L. Schultz, a citizen of Spokane, Washington, relative to a notice of treason, and petitioning the United States Congress for redress of grievances; to the Committee on the Judiciary.

143. Also, a petition of the Council of the Township of Rockaway, New Jersey, relative to Resolution AJR88 opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Proposals; to the Committee on Transportation and Infrastructure.

144. Also, a petition of the City Council of Northampton, Massachusetts, relative to a resolution requesting a congressional inquiry to investigate President George W. Bush and Vice President Richard Cheney for administrative abuses of power; to the Committee on Rules.

145. Also, a petition of the Veterans Federation of the Philippines, relative to Resolution No. 06-31 conveying its appreciation to the Members of the United States House of Representatives for honoring the Filipino Veterans of World War II by considering H.R. 4574, the Filipino Veterans Equity Act of 2006; to the Committee on Veterans' Affairs.

146. Also, a petition of Mr. James N. Thivierge, a citizen of Amesbury, Massachusetts, relative to a petition to the Congress of the United States to take certain action in regards to Income Tax; to the Committee on Ways and Means.

147. Also, a petition of the Board of County Commissioners, Franklin County, Ohio, relative to Resolution No. 361-06 urging reconsideration of the sign-up deadline for Medicare Part D beyond May 15, 2006; jointly to the Committees on Energy and Commerce and Ways and Means.

148. Also, a petition of the Legislature of Tompkins County, New York, relative to Resolution No. 63 supporting changes in Medicare Part D; jointly to the Committees on Energy and Commerce and Ways and Means.

149. Also, a petition of the Legislature of Tompkins County, New York, relative to Resolution No. 114 urging President Bush to stop Warrantless Surveillance of Americans and to Follow the Foreign Intelligence Surveillance Act; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).