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House of Representatives

The House met at 10 a.m.

The Most Reverend Donald W. Wuerl, Archbishop of Washington, offered the following prayer:

Good and gracious God, the all powerful font of life and goodness, wisdom and holiness, You call us to make our way through this life with You and challenge us to walk arm in arm with each other.

As we confront the human condition, You bless us with our intellect and free will to establish institutions to guide our human affairs and confirm the possibility of freedom, personal development and prosperity in the context of the common good and justice for all.

We ask You to bless and strengthen all who strive to improve the human condition and foster a caring respect for each person and who fashion the laws that enable a good and just society.

In Your loving goodness, bless the Members of this assembly, the House of Representatives of the United States, so that in all their deliberations and discussions, they will always be inspired by the vision of Your loving kindness and powerful grace.

As work is conducted here today, may it bear rich fruit that continues to nurture all of the citizens of this Nation and our dreams for a better world. All of this we ask in Your most holy name. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN 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.

INTRODUCTION OF THE MOST REVEREND DONALD W. WUERL, ARCHBISHOP OF WASHINGTON

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

Mr. MURPHY. Mr. Speaker, I would like to thank our guest chaplain today, the Archbishop Donald Wuerl, for leading us in prayer.

He attended Saint Mary of the Mount parish and school, and then studied at the Athenaeum of Ohio in Cincinnati, was ordained to the priesthood in 1966. He received graduate degrees from the Catholic University of America, the Gregorian University in Rome, and his doctoral in theology from Saint Thomas Aquinas in Rome in 1974.

He began his career as an assistant pastor at Saint Rosalia parish in Pittsburgh. There he became a secretary to Pittsburgh Bishop John Wright. From 1981 to 1985, he served as rector for Saint Paul's Seminary in Pittsburgh, and in 1988 Bishop Wuerl was installed as the 11th Bishop of Pittsburgh, where for 18 years he led 800,000 Roman Catholics in 214 parishes throughout southwestern Pennsylvania.

We also knew him in Pittsburgh for his weekly television program, ''The Teaching of Christ,'' which is now widely distributed through the Christian Associates cable channel, and throughout its national syndication. As a writer, his best-selling catechism of the same name is now in its 30th year of publication and has been translated into more than 10 languages and used throughout the world.

We are very grateful for Archbishop Wuerl's presence here. We are sorry to have him gone from Pittsburgh, but we know he will do a great job now in the diocese of Washington, DC.

WELCOMING ARCHBISHOP DONALD WUERL TO WASHINGTON, DC

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

Ms. NORTON. Mr. Speaker, I take considerable pleasure in welcoming Archbishop Donald Wuerl to Washington and to the archdiocese of Washington. Although born in Pittsburgh, where he last served, Archbishop Wuerl is very familiar with Washington where he studied at our own Catholic University of America. The archbishop follows Cardinal Theodore McCarrick, whose humble priestly ways and message of inclusiveness made him beloved by people of all religions and backgrounds here.

Archbishop Wuerl will minister both to official Washington and to average parishioners in the District and Maryland. The archbishop's work in Pittsburgh, however, foreshadows a leader who is first and foremost a pastor. We warmly welcome Archbishop Donald Wuerl.

IRANIAN PRESIDENT'S SPEECH AT U.N.

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

Ms. FOXX. Mr. Speaker, yesterday, we witnessed an Iranian dictator lecture us on freedom, democracy and justice. Ironically, in his own country, this tyrant denies his own people the basic rights of freedom of speech and freedom to assemble. Women are denied rights of inheritance, divorce and child custody, and youth of their rights of self-expression and economic creativity.

While he may resent us for being powerful, he does not realize that the

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foundation of our power is rooted in the freedom of our great people to pursue happiness, to innovate and to speak freely. These rights are denied to the people of Iran, and that is why, even with the soaring prices of oil, more than 40 percent of the Iranians are living below the poverty line.

Today in Iran dissent is brutally repressed, and terror is the regime's only instrument for domestic or foreign policy. This tyrant accuses the free world that they are denying the people of Iran their rights to nuclear energy, yet he forgets that the Islamic regime is denying the great people of Iran their God-given rights to self-respect and human dignity. He spoke of universal justice, yet he denies the Holocaust, and has threatened to wipe Israel off the map.

This regime wrongfully portrays the war on terror as a war of civilizations, yet uses every opportunity to export its brutal ideology, violently, to the other nations. We are not at war with any religion or civilization. We are at war with terrorism and terrorist interpretations of any religion. We need to protect the civilized world from the threat of Islamic fascism.

DANCING AROUND SERIOUS ISSUES AND AVOIDING OUR CONGRESSIONAL RESPONSIBILITIES

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

Mr. BLUMENAUER. Mr. Speaker, we have elevated to an art form here in Congress dancing around serious issues and avoiding our congressional responsibilities. Torture is a case in point, not extreme interrogation, but let's call it what it is: torture.

At the same time the President was asking Congress to rubber-stamp his policies of torture, the military was saying that torture does not give good information, and they were against it. Torture puts our troops at risk in giving our enemies the green light to torture our people. Torture lowers our image, our moral standing around the world.

In yesterday's headlines across America and across the world, there was the story of the Canadian citizen we kidnapped and we sent to Syria, a country on our terrorist watch list, so he could be tortured. His ordeal did not end for a year. Three years later, he is walking around a free man, never charged and Congress, spineless, has not taken action to stop this barbaric, illegal and immoral practice. It is time for us, as we stumble towards adjournment, to deal with something meaningful, investigate this outrage, and legislate protections.

WHERE IS LAFAYETTE?

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

Mr. POE. Mr. Speaker, ''Let them eat cake'' is what Marie Antoinette said to the starving French people, showing her ignorance of the world around her. Today it can be used to describe France's position on handling terror threats.

France's current Prime Minister said last week: ''Against terrorism, what we need is not a war. It is, as France has done for many years, a determined fight based on vigilance at all times and effective cooperation with our partners.'' In other words, more talk, no action.

What France fails to consider is we tried that. Madrid's trains have been attacked. London's buses and subways have blown up. American embassies were bombed. The USS *Cole* was attacked, and, of course, there was September 11.

This war started years ago. The terrorists struck first across the globe. They declared war on us. They don't want to talk. It is now our duty to win this war, not wave France's new national white flag of surrender. What France and free people need is the spirit of Lafayette in this war on terror, not the current ignorance of Marie Antoinette, who was talking all the way to the guillotine and lost her head because she failed to see the real world around her.

And that's just the way it is.

FEDERAL ELECTION INTEGRITY ACT OF 2006

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

Mr. KUCINICH. Mr. Speaker, today's Federal Election Integrity Act of 2006 has nothing to do with protecting the right to vote and everything to do with restricting it. The real threat to our electoral system is not a contrived conspiracy of noncitizens illegally voting in Federal elections. The true threat is vulnerable electronic voting machines.

It is machines with no paper trail. It is poll workers with inadequate training and resources. It is voter alienation because people have lost faith in the political process. Congress has the ability and the duty to act on real voting reform that addresses the real issues that mar our electoral system, issues researched and documented by countless activists and academics.

There is a reason the article in the Washington Post, ''Major problems at Polls Feared,'' does not once mention concerns about noncitizens voting. It is not a real issue of voting reform. If we want to strengthen democracy, we want to protect the right to vote. We want to reengage Americans in our government.

We need real voting reform now. Throw out electronic voting machines, that Diebold technology election hacker's dream. Go to paper ballots, a paper trail. Make our election process honest again. Enough of stolen elections. Make every vote count, and let every vote be honestly counted.

''BORDER SECURITY FIRST'' DOES NOT MEAN ''BORDER SECURITY ONLY''

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

Mr. PENCE. Mr. Speaker, a Nation without borders is not a Nation. In recent days, this Congress has taken important first steps to restore operational control of our borders. I was pleased to support the Secure Fence Act of 2006 and additional measures that we will bring to the floor of this Congress this week.

American people want Congress to put border security first, Mr. Speaker. But border security first does not mean border security only. Congress must secure our borders, but the American people know that securing our borders is a necessary but insufficient solution to the crisis of illegal immigration.

After we secure our borders, Congress must also enact a new temporary worker program, without amnesty, and without creating a new Federal bureaucracy, and I believe we will. We must do no less than secure our border, but we must do more to ensure that we solve this domestic crisis in a manner consistent with law and order and the compassionate character of the great American Nation.

REMEMBERING DONNA KAMMRITZ

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

Ms. DELAURO. Mr. Speaker, on September 7, a champion of our community, someone who had waged and won countless battles for people, lost one of her own. Donna Kammritz was a friend. But even more than that, she was someone who stared down adversity with a passion, principle and tenacity. Whether it was her brave fight against cancer, a disease I too have fought, or her impassioned commitment to the rights of working people, Donna never stopped. She always fought. She may not have won every battle, but she never gave in.

Indeed, it was through her volunteer work as director of research for The Organization for the Rights of American Workers, TORAW, that I first met this remarkable woman. A mother of two daughters, Heather and Rachel, Donna's job had just been sent offshore. She lost her health insurance, and she had just been diagnosed with cancer.

At a moment when most people would have thrown in the towel, Donna fought back. She faced her cancer with courage. She drew upon her personal experience with outsourcing to infuse TORAW with the energy and focus we needed to elevate the issue to the national level, and she did so for as long as she could.

Donna helped bring together the entire Connecticut delegation, Republicans and Democrats, to press the government to start confronting the issue

of displaced American workers. She was a proud mother who wanted nothing more than to see her daughters attend college, and she did. Donna understood something elemental: that when you protect workers' rights, you strengthen families, you strengthen communities.

Mr. Speaker, today, let us say thank you to Donna Kammritz for her gifts, for her selfless dedication and for her love of the things that we hold so dear. May her inspiration live on in all of our work.

□ 1015

UNITY NEEDED ON SECURITY

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

Mrs. MILLER of Michigan. Mr. Speaker, America is at a critical time in moving forward with our efforts in the fight against the global war on terror, and it is time for this House to act.

In the coming days this House will consider legislation to ensure that we can try terrorists in military tribunals and military commissions while protecting America's most vital secrets. That legislation will also give those brave Americans who confront suspected terrorists on the front lines of the war on terror and those who interrogate them with the guidance on what they can do to protect our citizens.

We will also be considering legislation that will officially sanction the NSA's terrorist surveillance program that is critical, absolutely critical, to help keep our Nation safe.

Mr. Speaker, we have not been attacked here at home since the horrific attacks on our Nation of 9/11 in large measure because these programs have worked. I ask the Democrats to put aside their partisan posturing and to join with us in protecting America.

The Democrats must recognize that we are at war against terrorists, and that their political rhetoric and demagoguery in search of votes will not make America more secure. They have an opportunity to join us, and I sincerely hope they do so. The security of our Nation depends on it.

AMERICA DESERVES A NEW DIRECTION ON ENERGY POLICIES

(Ms. SCHWARTZ of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, hardworking Americans are stretched thin. Under the Republican majority, their wages have remained stagnant, while their day-to-day expenses have all increased: health insurance, childcare, tuition, housing, energy bills.

Energy costs have skyrocketed, whether at the pump, at home or in business. Americans are paying more, and they are looking to Congress for relief. They are asking, demanding, that we work to reduce these costs, reduce dependence on foreign oil and make our Nation more secure. They are looking for a new direction.

Democrats have responded and Democrats have a plan. Democrats will double the production of renewable fuels like ethanol and biodiesel; Democrats will increase accessibility to renewable fuels at the pumps; and Democrats will aggressively invest in the future to assure their energy needs are not tied to the whims of unfriendly nations in the Middle East. Our plan will reduce costs for American consumers, and it will make this Nation safer. It is smart, and it is common sense.

What have the Republicans done? They have given away billions to the oil industry. America deserves a 21st century solution to energy needs, not oil industry handouts.

Mr. Speaker, America deserves a new direction.

THE REAL GUANTANAMO BAY

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

Mr. WILSON of South Carolina. Mr. Speaker, listening to critics talk about the treatment of terrorist detainees at Guantanamo Bay, one may believe these trained murderers are not properly treated.

I have visited Gitmo twice and can attest that their living conditions are to the highest standards of a first-class American detention facility. In fact, more money is spent on food for the detainees than on the U.S. troops there. Instead of deprivation, the terrorists have gained weight on the nutritious diet.

Detainees have received medical care. In the prison hospital I toured last year, these detainees received 35 teeth cleanings, 91 filled cavities and 174 pairs of glasses.

With legal, strenuous interrogation, the terrorists from the battlefield have revealed bombing cells across the world, they have explained their ability to finance murder, and they have uncovered recruiting efforts of more homicide bombers.

Our troops at Guantanamo deserve praise and credit for protecting American families.

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

RESTORING ECONOMIC OPPORTUNITY FOR THE FORGOTTEN MIDDLE CLASS

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

Mr. McDERMOTT. Mr. Speaker, President Bush and the congressional Republicans are failing America's middle class again. This is nothing new. Millions of Americans are struggling paycheck to paycheck, and falling deeper in debt.

Under Republican rule, the rich are getting much richer, while the middle class are helpless to stop the decline in their purchasing power. America's companies are recording their best profits in over four decades, while wages remain stagnant for the overwhelming majority of middle-class workers. Workers are behind those record corporate profits, but the workers are left behind sharing the gains.

The middle class deserves a pay raise, but Washington Republicans pay no attention to the needs of real Americans. They can't raise the minimum wage. They are too busy working for the rich.

For 5 straight years, Republicans have said to the middle class, You don't count. We have got rising college costs, skyrocketing health care costs, crippling energy costs, but no help from the Republicans.

The Democrats offer a new direction for America. Democrats will restore economic opportunity and economic stability for the forgotten middle class. In November, the middle class is going to get taken care of by the new direction of the Democrats.

THE WHITE FLAG

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

Mr. McHENRY. Mr. Speaker, the White House recently released a new report detailing our Nation's updated strategy for combating terrorism and winning the war against Islamic extremists. The report underscores the importance of our national security and our fight both in arms and ideas.

This is a battle to preserve freedom and civilization from tyranny and barbarism, from Baghdad to Beirut to Tehran, Islamic extremists importing weapons from rogue regimes and exporting terrorism around the world.

Mr. Speaker, while the Republicans are committed to spreading our message of hope and liberty in a region torn by violence and extremism, the left is advocating and continuing to advocate a policy of cut and run. The central difference between Republicans and Democrats is that we want to fight, and they want to wave the white flag.

Mr. Speaker, the last time I checked, white flags aren't bulletproof.

BUSH ECONOMY IS NOT BENEFITING AMERICA'S GREAT MIDDLE CLASS

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

Mr. HOLT. Mr. Speaker, for 6 years now, the middle-class families in the United States have been sold out by the leadership here in Washington.

Wages are worse than stagnant. Families are paying more for energy, health care and education, and yet real household income for working-age families has declined every year of the Bush administration, dropping nearly $3,000 in real terms. Personal debt is at the highest in many years, and America's debt has climbed 50 percent, to more than $28,000 per person since Bush took office, and will double to more than $11 trillion.

I wonder if Americans realize that Republican leadership has stubbornly and consistently refused to accept Democratic calls to have pay-as-you-go budgets. The Democratic leadership would take our Nation in a new direction and begin to repair the economy for regular middle-class American families.

BREAST CANCER PATIENT PROTECTION ACT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in support of H.R. 1849, the Breast Cancer Patient Protection Act introduced by my colleague from New York, Congresswoman SUE KELLY.

Breast cancer is the most commonly diagnosed cancer in women today. This legislation requires health care providers to cover hospital expenses for breast cancer patients undergoing a mastectomy or lumpectomy.

In my home State of Florida, it is estimated that over 13,000 new cases of breast cancer in women will be diagnosed this year, and that over 2,500 women will die of this disease. It is our duty to reduce these numbers, both in Florida and nationwide, by ensuring medical coverage for these lifesaving procedures. I urge my colleagues to join the fight against breast cancer by supporting this and other crucial pieces of legislation.

A PLEA FOR THE SURVIVAL OF THE PEOPLE OF DARFUR

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

Mr. OLVER. Mr. Speaker, I rise today to plead for the survival of the people of Darfur. Despite a peace agreement signed in May and the U.N. Security Council's approval for a peacekeeping force of 20,000 last month, Darfur is descending into chaos.

Twelve years ago the world stood by as ethnic war erupted in nearby Rwanda. One hundred days later, 800,000 bodies, hacked to death by machetes, had piled up in the streets and rivers. Without swift intervention, Darfur may soon erupt into a scene as deadly. Today's poorly trained and equipped African Union Force can only watch the chaos unfold. When they leave in a week, they must be replaced by a U.N. force that can protect the Darfuri people from slaughter.

Sudan must allow the U.N. peacekeepers to end the government-sponsored genocide. President Bush must decisively lead the international community for this effort to succeed. The U.N. force must have the training, the equipment and the mandate to stop the slaughter and punish the slaughterers. The world must not deploy another force that will simply bear witness to the slaughter of innocents.

AMERICANS DESERVE REAL IMMIGRATION REFORM

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, all Americans know if you are here legally, you ought to be rewarded. If you are here illegally, you ought to be deported.

My constituents constantly complain to me that illegal immigration is a huge problem. Local officials have used the so-called ''catch-and-release'' policy when they apprehend an illegal immigrant. Really, that person should be sent to jail. Why would we want someone who was just picked up by the police and is here illegally still out in the community and potentially free to flee? That just doesn't make any sense.

It is time America totally ends catch-and-release policy when it comes to illegal immigration. Texans and all Americans want, need and deserve real immigration reform.

PROVIDING A NEW DIRECTION ON ECONOMIC SECURITY ISSUES

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

Ms. SOLIS. Mr. Speaker, I rise today to express my deep concern about the economic crisis facing American families under the failed policies of the Republican leadership.

Housing construction has plunged to the lowest level in more than 3 years. In fact, many families in my district can't even make their mortgage payments anymore. The average cost of food supplies is increasing, just like the increase in electricity bills.

In my home State of California, gas prices have doubled in the past 5 years to well over $3.50 in my district. Families with two cars in Los Angeles will pay an extra $2,330 per year for gas. That is higher than it was 5 years ago. The increase in gas prices will cost Los Angeles drivers an extra $9.2 billion this year alone.

Real wages have not kept up with increased costs as well. In Los Angeles, workers there only make 84 cents on the dollar. In East Los Angeles, in my district, the unemployment rate is currently 7.1 percent, compared to 4.9 percent for all of California.

America's working families need a new direction, one that works for everybody and doesn't discriminate depending on where you live, instead of one that rewards the very wealthy at our expense.

SUPPORT THE FEDERAL ELECTION INTEGRITY ACT OF 2006

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

Mr. EHLERS. Mr. Speaker, I rise today to give advance notice of a bill that will be coming up today, and I certainly appeal for your support for that bill.

There are very few things in this life that I hate, but one that I hate is dishonesty, particularly dishonesty in voting. I am very eager to make certain that every vote taken in this country is legitimate, is properly cast and properly counted, so that all citizens can be assured their vote will be counted and not be diluted by others who vote illegally.

With that in mind, our committee, the Committee on House Administration, has taken up H.R. 4844, a bill proffered by the gentleman from Illinois Mr. (HYDE). This bill will be coming up today.

It is very simple. It simply requires by the year 2008, in every Federal election, every voter will have to display a photo ID. That is not a bad requirement. You already have to show it to cash a check, to get on an airplane or to buy cigarettes or alcohol. It is not at all a difficult proposition. By the year 2010, that photo ID will also have to have something on it that shows that the voter is a citizen.

With those two improvements, I believe we can go a long way to get rid of fraud in our electoral process.

DEMOCRATS WORK TO FILL THE DOUGHNUT HOLE SO SENIORS DON'T LOSE DRUG COVERAGE

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

Mr. CARNAHAN. Mr. Speaker, there is an old saying that goes, if it ain't broke, don't fix it. Well, just the opposite is true when it comes to the Republican prescription drug plan that is seriously broken. We must fix it.

This week, the average American senior will be denied payment of their drug costs through the private plans they have selected because they have fallen into the so-called doughnut hole. Under the Republican plan, seniors lose drug coverage after they have spent $2,250 in out-of-pocket costs, and they won't be eligible for more assistance until they have spent $5,100 for the year.

It is expected that more than half of the seniors who fall into the doughnut hole will not be able to escape it. This

is simply not fair. Many seniors on fixed incomes will be forced to cut back on their prescriptions, regardless of the consequences to their health.

Democrats in this Congress want to take a new direction to eliminate the doughnut hole. We believe that any prescription drug plan should provide enough monthly assistance so seniors no longer have to choose between putting food on their table or having the prescription drugs they need to live longer and healthier lives.

□ 1030

SEARCHING FOR THE PRESIDENT'S IRAQ PLAN

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

Mr. EMANUEL. Mr. Speaker, yesterday the President told the world that building a more hopeful future in the Middle East is ''the greatest challenge of our time'' and ''the calling of a generation.''

There is no question the President's policies in Iraq have created the greatest foreign policy challenge of a generation. What started off as a battle between democracy versus stability has now become a civil war between the Shiite and the Sunni. It became that way because of our incompetence and failure to plan.

We shouldn't expect a plan soon, because the President's Iraq Study Group just announced they will not release their plan for Iraq until after the November midterm elections.

Quote: ''We think it's more important, frankly, to make sure whatever we bring forward is taken out of domestic politics.''

This is how we are teaching democracy in the Mideast. Keep the voters in the dark until it's too late.

I will end the suspense. The new plan for Iraq, there is no plan and there never has been one. According to Brigadier General Mark Scheid, Secretary of Defense Rumsfeld threatened to fire anyone who tried to come up with a plan for the postwar and hostilities.

The President tells us we're in a long war, but thanks to this White House's refusal to plan, it has become an endless war.

It's time for a new direction.

IRAQ

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

Mr. INSLEE. Mr. Speaker, I came here this morning to chastise the Republican majority for their failure to act on the minimum wage, but one of my colleagues said something so outrageous and indecent that it demands an answer.

One of my colleagues lauded President Bush's action on security and foreign policy, asserting that we hadn't had any losses since September 11, that we hadn't been attacked.

We have been attacked in Baghdad. We have been attacked in Mosul. We have been attacked in Tikrit. We are being attacked every single day, because this President and this do-nothing Congress has sent our troops and our finest men and women, our sons and daughters, our husbands and wives, into harm's way, where they never should have been in Iraq. We have lost 2,600-plus. We have had 15,000 of them limping around America because of the absurdly incompetent, ineffective, boneheaded decisions by this President and this Congress which has allowed them to go into harm's way.

Those who sit there and pat themselves on the back and say that we have had unalloyed success have done a disrespect to the fallen in Iraq. They shouldn't stand here and pat themselves on the back. They should be covered in shame for their failure to hold this President accountable for the competence we need in Iraq.

THE REPUBLICAN MYTH OF A HEALTHY ECONOMY

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

Mr. HINOJOSA. Mr. Speaker, the Bush administration and Republicans in this body love to tout the so-called success of their economic policies, but as any economist or working American will tell you, the facts just do not add up.

Republicans claim that their policies are increasing job growth, but the fact is they are presiding over the lowest monthly job growth rate of any administration since Eisenhower. The current tepid growth is less than one-fifth of the average of jobs created each month during the Clinton years.

When it comes to the real money American workers take home, the picture is equally dismal. Inflation-adjusted hourly wages have actually fallen since 2003, and the median annual income has decreased 3½ percent during this Republican administration. Meanwhile, productivity is up so Americans are working harder for less pay, while their employers reap the rewards.

The solution to our economic situation is not the Bush plan of more tax cuts for corporations and the wealthiest 1 percent. These policies have done nothing to benefit American workers and have driven our country into huge debt.

PRESCRIPTION DRUG LAW CREATES A GIANT HOLE IN DRUG COVERAGE

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

Mr. BUTTERFIELD. Mr. Speaker, in the coming days, millions of American seniors are going to see why the Republican prescription drug plan was written to help the pharmaceutical companies and the private insurance companies rather than to help our seniors.

Republicans on Capitol Hill sided with the pharmaceutical companies when they wrote the law to forbid the Federal Government from negotiating lower prices. Then they sided with the private insurance companies when they allowed them to create private plans that include what is known as the doughnut hole, a giant gap in coverage, when seniors must continue to pay their premiums but receive absolutely no help with their prescription drug bills.

That is right. Under the private plans that the Republicans created, seniors will lose their drug coverage after they spend $2,250 of their own money on prescription drugs.

This Friday, Mr. Speaker, is the day that the average senior is expected to fall into the doughnut hole. If congressional Republicans were really interested in helping our seniors, they would join us in filling the doughnut hole so seniors do not have to continue to face this giant gap in coverage.

CONGRESS SHOULD HELP SENIORS OUT BY FILLING THE DOUGHNUT HOLE THAT MILLIONS OF SENIORS FACE

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

Mr. RUPPERSBERGER. Mr. Speaker, this Friday, September 22, the average American senior will lose his or her prescription drug coverage that was promised by the majority.

This is the same confusing and complicated drug plan the majority created through the private sector rather than through the Federal Government's Medicare program.

Millions of seniors have already lost their coverage, but in the coming days, those numbers will climb as more seniors are expected to be denied their coverage when they hit the $2,250 mark. How can this be? How can the majority create a plan where seniors are still forced to pay monthly premiums but are denied coverage?

How can a majority create a law that is supposed to help seniors and then not allow the government to negotiate to bring down drug prices? We must give the Federal Government the ability to negotiate on behalf of seniors so that we can bring down drug prices and eliminate the doughnut hole so no senior loses their drug coverage.

It is time we take our country in a new direction.

STAY THE COURSE IN IRAQ IS NOT A STRATEGY FOR SUCCESS

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

Ms. WATSON. Mr. Speaker, Republicans support the Bush promise to

stay the course in Iraq with an open-ended commitment and no questions asked. This stay-the-course strategy has strained our military, compromised our readiness, cost nearly 2,700 American lives and almost $400 billion, and diverted attention and resources away from the real war on terror.

Stay the course is not a strategy, and it is not working. Republicans refuse to face the fact that the reality on the ground is that we are not winning. We have no end game plan.

Today, we are bogged down in the middle of a civil war, one where 100 people are killed every day. From May 20 through August 11, the average number of attacks per week against Americans and Iraqis was 792, the highest number since the war began.

Meanwhile, the war in Iraq is distracting us from the overall global threat of terror. Over the past 3 years while we have been fighting in Iraq, the number of worldwide terrorist attacks have grown dramatically and the Taliban is growing in strength in Afghanistan.

The President has to stop looking and face the facts.

PRESIDENT BUSH AND GOP OUT OF TOUCH ON THE ECONOMIC CONCERNS OF AMERICANS

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

Mrs. JONES of Ohio. Mr. Speaker, President Bush and the congressional Republicans refuse to face reality when it comes to the economic conditions the American middle class and working poor now face. Despite all the evidence to the contrary, President Bush continues to contend that things are good for American workers.

Just what numbers is he looking at? Surely, it cannot be the economic numbers that show average workers today are making $3,000 less than they did 5 years ago, if you adjust for inflation.

The President must also be ignoring numbers showing that wages and salaries now make up the lowest proportion of the economy since the government began taking records back in 1947. While wages have been stagnant, corporate profits have climbed to their highest levels since the 1960s.

Mr. Speaker, that last fact must be the one that the President is referring to when he touts the economy. It may be working well for the President's wealthy special-interest friends who are forcing their workers to be more productive without allowing them to share in the profits. Is this really fair?

Democrats believe we need to take our economy in a new direction, one that looks out for all Americans, not just the privileged few.

AMERICANS KNOW WE CAN DO BETTER

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

Mr. SNYDER. Mr. Speaker, probably the most frequent fear facing a family each month is paying bills. Even families with income above minimum wage struggle. Nothing pays family bills but money. Nothing is better for bringing in money than a good job with a good wage.

For the last several years, our country has not been moving in the right direction: no change in the minimum wage; the numbers of uninsured substantially increased; tuition for technical schools going up; tuition for colleges substantially increased without an appreciable increase in Pell Grants and the GI bill.

We must do better. Americans know we can do better.

THIS ADMINISTRATION MUST CHANGE DIRECTION ON AVIATION SECURITY

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

Mr. DEFAZIO. Mr. Speaker, 5 years and 9 days after 9/11 our system of aviation security is not yet done. In fact, today, a USA Today headline: ''Crisis Seen in Luggage Screening.'' We still do not have inline, integrated state-of-the-art baggage screening in the largest majority of U.S. airports. People would be appalled if they saw what went on behind the scenes that is supposedly providing for security.

But the Bush administration has said consistently for 5 years, we cannot afford to make flying safe and to screen cargo and baggage; we cannot afford it.

If they just would forgo the tax cuts for 1 year for wealthy investors, exempting their dividend taxes from a normal rate of taxation, we could put this equipment in every airport in America. But guess what? Those rich people do not care. They are flying on the private jets and the Bush people are flying on their military flights, so they do not really care about the American public and their security.

But this is a crisis and we cannot afford to continue to ignore what we need to do, what we need to invest to make the American flying public safe.

This administration must change direction or we must change the leadership in Congress.

PROVIDING FOR CONSIDERATION OF H.R. 4844, FEDERAL ELECTION INTEGRITY ACT OF 2006

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1015 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1015

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4844) to amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the United States to prevent fraud in Federal elections, and for other purposes. The amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration; and (2) one motion to recommit with or without instructions.

UNFUNDED MANDATE POINT OF ORDER

Mr. MCDERMOTT. Mr. Speaker, pursuant to section 426 of the Congressional Budget Act of 1974, I make a point of order against consideration of the rule, H. Res. 1015.

Section 425 of the same act states that a point of order lies against the legislation which, number one, imposes an unfunded mandate in excess of the annual amount specified in that section against State or local governments; or two, does not publish prior to floor consideration a CBO estimate of any unfunded mandates in excess of the amounts specified annually for State and local entities or in excess of the amount specified annually for the private sector.

Section 426 of the Budget Act specifically states that the Rules Committee may not waive this point of order.

On page 1, line 2, and on page 2, line 1, of H. Res. 1015, all points of order are waived against consideration of H.R. 4844, the Federal Election Integrity Act of 2006. Therefore, I make a point of order that this rule may not be considered pursuant to section 426.

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman from Washington (Mr. MCDERMOTT) makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

In accordance with section 426(b)(2) of the act, the gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated.

Under section 426(b)(4) of the act, the gentleman from Washington (Mr. MCDERMOTT) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 10 minutes of debate on the question of consideration.

Pursuant to section 426(b)(3) of the act, after that debate the Chair will put the question of consideration, to wit: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Washington.

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

Republicans want to erect a fence around the right of the American people to vote. They have offered a bill

that will restrict voting rights for Americans. In effect, the Republicans are trying to dilute the fundamental rights guaranteed under the U.S. Constitution. It fits right in with the Republican effort to suspend those rights they find inconvenient.

□ 1045

The president of the League of Women Voters, don't take my word, Mary Wilson summed it up this way: ''This is an attempt to politicize the voting process by erecting barriers to keep many eligible legal voters from participating. Congress should not be playing politics with our right to vote.'' Yet this is exactly what Republicans are doing, creating a nonexistent problem to appeal to their base. This is basically a PR opportunity just before the election.

Just yesterday, millions of Americans across the country voted, including those in my State, and today there is not a single story anywhere in this Nation about noncitizens voting illegally. In fact, last week, the circuit court in Missouri threw out the Harmful ID law, the real name of what Republicans are trying to give us. Republicans have the superrich, so they would like to disenfranchise everyone else, anybody who doesn't have a photo ID, Native Americans, the elderly, the disabled, people who don't have a birth certificate. They fear what happens when every eligible American gets to vote.

Democrats believe that the Constitution is worth protecting. We surely wish that the Republicans would start spreading democracy in all of America, not just those who have a photo ID.

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

Mrs. CAPITO. I would like to now recognize the chairman of the House Administration Committee, the gentleman from Michigan (Mr. EHLERS), for as much time as he may consume.

Mr. EHLERS. I thank the gentlewoman for yielding.

I am astonished at the comments made by the previous speaker. It is certainly not my intent and certainly not the intent of the Republicans to in any way restrict the ability to vote.

He mentioned the Constitution. The Constitution clearly specifies who are citizens of this Nation. Federal law clearly specifies that only citizens may vote.

We have had numerous instances of fraud, voter fraud, in the history of this Nation. Let me just mention Tammany Hall, the Pendergast machine, the Daley machine, and on and on. There is no question that fraud has existed. Based on my work on the Committee on House Administration and being involved in some of the difficult decisions we make there on voting reviews, I assure you there is no question that there continues to be fraud.

In recent hearings we had on the bill before us here, we had testimony in New Mexico that poll watchers, instead of doing what they were supposed to do, namely, noting who was absent and hadn't voted, and then calling these absent individuals to remind them to come to vote, instead of doing that, the poll watchers were calling friends to come in and vote illegally in place of the missing people. They would vote the party line for the party that was arranging this procedure. Fraud does exist and still occurs in elections.

I think there is one very, very good way to solve this problem, and that is to make sure that every voter who votes proves that they are the person who has registered to vote. A good way to do that is photo ID.

Now, the other side of the aisle tends to see this as a terrible calamity. They believe this is horrible. How can we do this? But at the same time they have approved, I am sure, the use of photo ID for getting on an airplane. They have approved the use of photo ID for purchasing alcohol or cigarettes. They have approved the use of photo ID for cashing a check. And on and on. We use photo ID all the time. We use photo IDs to get on governmental property. This is not a new concept.

All we are simply saying in this bill is that by the year 2008 election, every Federal election will require a photo ID of every voter wishing to vote in that and succeeding Federal elections. It further goes on to say that in the year 2010, that photo ID must also indicate whether or not this person is a citizen. So it is two-pronged, and straightforward.

In the public hearings that we held, there was much made by, among others, the League of Women Voters and also by the other side of the aisle that this was going to deprive poorer people of the opportunity to vote because they can't afford to get a voter ID, or it's too difficult for them to get out of the house and do it, or they can't prove their citizenship because they were born at home, et cetera, et cetera. We took that to heart. So we modified the bill to say that the States will prepare these photo IDs that will vouch for the persons citizenship, and if there is any expense involved that cannot be reimbursed by the person receiving this information and getting the photo ID and the citizenship verification, and if they cannot pay for it because they are indigent and simply do not have the resources, of if they can't get out of the house, or whatever, the State is to pay for it, and we will reimburse the State.

This is not an unfunded mandate. We include the authorization in the bill, saying that when the States incur this expense, they submit their bills to the Federal Government. The Federal Government is authorized to repay them. The only glitch might come if the appropriators don't appropriate the money, but I can assure you the appropriators will be happy to appropriate the money for this purpose as long as we continue in the majority.

I think it is totally inappropriate to call this on a point of order. This is not a mandate for the States to spend. They have enough credit in every case to pay the bill and have us reimburse them a month or so later. Surely they can carry that small burden. The total expense for the entire country is estimated to be less than $77 million. That is the estimate from the CBO.

So I think the point of order is completely unfounded. I believe it is very important to continue with this bill. My goal in every case is to ensure that every citizen of the United States clearly has the right to vote, and that right will be facilitated by using the methods outlined in the bill, but also every citizen who votes has the right to believe that their vote will be counted accurately, and that no one else will dilute their vote by voting illegally and, therefore, undermining the process.

Mr. MCDERMOTT. Mr. Speaker, could you tell us how much time has been used on both sides?

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman has 8 minutes.

Mr. MCDERMOTT. I have 8 minutes. And my opponent?

The SPEAKER pro tempore. Five minutes.

Mr. MCDERMOTT. I yield 1½ minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my colleague for yielding. I wish specifically to address the statement made by Chairman EHLERS, for whom I have the greatest respect. And he is my friend.

I disagree where you say, Mr. Chairman, that this is not an unfunded mandate. Although H.R. 4844 authorizes, as you correctly say and from the language of the bill, such sums as necessary to fund the program, it does not guarantee any funding to States to pay for the requirements of this bill.

The Help America Vote Act was authorized for $3.9 billion, and to date only $3.1 billion has been appropriated, leaving an $800 million shortfall. The sponsors of H.R. 4844 simply cannot guarantee that States won't be stuck with the bill for the costs imposed by this legislation.

The unfunded mandates law was the very first bill considered on the House floor when the Republicans took control of the Congress in January of 1995. I was here when it passed. They were highly critical of previous mandates imposed by Democratic Congresses and adamant about not allowing legislation to impose unfunded mandates on State and local governments as well as the private sector. Yet here we are today ready to impose enormous costs on these entities and on private citizens as well.

I support the point of order and ask that it prevail.

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

Mr. MCDERMOTT. Do we have the right to close?

The SPEAKER pro tempore. The gentlewoman from West Virginia has the right to close.

Mr. McDERMOTT. Mr. Speaker, I know the gentleman from Michigan, and he is an honorable man, but he is standing out here trying to sell snake oil to the U.S. Congress.

This speech just given by the gentleman from Florida about the Help America Vote Act is living proof of the fact that this place promises all kinds of stuff and then doesn't deliver to the local government. We could spend a long time talking about the Leave No Child Behind Act. Over and over, after all that showboating you did when you took over the Congress about we're not going to have any more of those unfunded mandates, and then you come out here again and again and again, and you stick the States and the local governments with the cost.

Now, if it doesn't make any difference to the Republicans that the State and local government are going to have a problem, it ought to worry them that 7 million people are affected. That is the estimate by the League of Women Voters about the people who will be affected by this bill. You don't worry about people who get on airplanes. All of us are rich. We've got money to fly on an airplane. There are 7 million people that don't go to the airport every week and have to show a photo ID. We get one given to us here in the Congress for free. None of us paid for that thing. And we show it.

Our driver's license. We don't pay for the photo ID. We pay for the right to use the roads of our State. The fact is that there are millions of people in this country who you are going to make a serious problem for, and the States are either going to have to say you can't vote because you don't have a photo ID, or they are going to have to pay for it. And to count on you, the Republican appropriators, when you are wasting $400 billion in Iraq, to come up with even what is really a small amount of money, $77 million or $100 million or whatever the number is, it's not very much, is really betting on the tooth fairy.

Now, I believe that the constitutional right to vote is preeminent. Everybody should have a right to it. Every year in Seattle, we bring in about 500 new immigrants on election day, or on the Fourth of July, and we send them up to register with the League of Women Voters because we tell them the most important thing in this country is to vote, that that is how you exercise your American rights.

□ 1100

And now you want to erect a barrier. Thank God for the courts in Missouri who threw out the Missouri law; but that is not good enough for you guys. You say, oh, no, Missouri didn't write it right. We will write it so we will get them. We will get everybody in the country.

The elections in this country have hung on a very few number of votes, and to eliminate 7 million people from the opportunity to vote because they don't have a photo ID and put it in the loving hands of State governments and county governments to make sure that they have what is necessary is to limit their right to vote.

You show me one bit of evidence that somebody has illegally voted, because you haven't shown that. I believe that in reality you are really only trying to protect your own grip on power in this House by making it harder for ordinary Americans to have a say in who leads this country.

In 2001, the National Commission on Federal Election Reform estimated that up to 10 percent of those eligible to vote do not have official State identification like a driver's license. Now these are people without cars, including the disadvantaged. Republicans are willing to leave those people behind. I am sorry if you can't drive a car and don't have a driver's license, your State is not going to have the money to pay for it. Where are they going to get it? They will take it out of the TANF program, or the schools, or somewhere. You can count on them to do that. That is what you are saying.

Instead of finding ways to ensure that every American has a right to vote, the Republicans want to build a fence so it is harder and harder to get to the polls. Republicans would like you to believe that illegal aliens are a danger to the American political process, that they are sneaking in through the borders and then they are sneaking up to the polls and they are casting their ballots and are electing—come on, that is the fear tactic again. It is the fear tactic that you use over and over on the American people, and that is all this bill is about: the fear tactic.

We are coming up to an election. The real danger is if the Republicans could put a fence around the Constitution, letting in their friends and keeping everybody else out. And it is not about protecting the right to vote, it is about subverting the right to vote for non-Republican Americans perhaps, people who they think won't vote for them.

Why would the poor people vote for the 1 percent party, the party of the rich? We know what this is all about. People just don't want to say it straight out, but it is really going after those people least able to defend themselves in our society casting their vote.

The vision of the Republicans is if you don't vote Republican, they want to make sure you don't vote at all. They don't want you to vote. Democrats will never stop fighting to protect the rights of people to vote, to run their government, even when they choose you.

A democracy requires allowing everybody to have a chance to vote, even when I might say they made a mistake here and there. But nevertheless, they have a right to vote.

This bill is a sham. It is a PR piece and it doesn't belong in a Nation governed by all of the people.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume to respond, and then I will yield to the chairman of the committee.

First of all, I think this is serious business. When you talk about one of the most precious rights we have as citizens, it is to vote. Obviously that is how we all arrived here. And I think we have, shamefully, a very low percentage of people who are voting, when we compare worldwide, in this country. So I think highlighting voting and voting patterns and the way to vote and the way to legally vote is an important issue.

But what I have heard just now is a very cynical and I think slightly mean-spirited attack on why we believe and why the committee has brought forward very thoughtful legislation on voting and voter identification.

If you want instances of voter fraud, come to the State of West Virginia. We just had five people indicted and sentenced in Federal court for this very thing.

If you want to talk about the Commission on Federal Election Reform, which was quoted just a minute ago, headed by former President Jimmy Carter and former Secretary of State James Baker, they recommended this very thing, that photo ID be used as an identifier to vote.

And I can quote as well, to go to the other point, the former mayor of the city of Atlanta, Andrew Young, who talks about the concept of a photo ID for voting. I think this is an interesting point he makes: At the end of the day, a photo ID is a true weapon against the bondages of poverty. Anyone driving through a low-income neighborhood sees the ubiquitous check-cashing storefronts which thrive because other establishments, such as supermarkets and banks, won't cash checks without a standard photo ID.

To go to the point of order that has been raised, this is an authorizing committee. The House Administration Committee is an authorizing committee. They have made provisions in the bill for appropriators to provide the appropriate funds of money that would be necessary to create the photo ID for the, and I will take the gentleman's figure, the 7 million people who are without.

I think it is important to note that the REAL ID Act which is going to be going into effect in the next several years is going to require federally issued photo ID as a means for identification and citizenship.

Mr. Speaker, I would now like to yield the balance of my time to the chairman of the committee, the gentleman from Michigan (Mr. EHLERS), who is very thoughtful, very well respected, and certainly is known for his intense study of a subject, and this one is no different.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Michigan is recognized for 2½ minutes.

Mr. EHLERS. Mr. Speaker, several points. First of all, I am surprised that anyone regards this bill as an attempt

to prevent people from voting. It is intended to aid them in voting. I am committed, as I said earlier, to allow every citizen the opportunity to vote, and make certain they can be assured that no one else is diluting that vote through illegal action.

Having said that, and recognizing that Andrew Young has also endorsed this, I don't understand the arguments of the Democrats on this. When the bill was first introduced and we had our first hearing, all of the complaints from the Democrats and the League of Women Voters was that we are disenfranchising the poor because they could not afford to get a photo ID and they could not afford to prove they were citizens.

So I said, fine, we will provide the money so that the poor can get a photo ID, and so that the poor can prove their citizenship. Then we are truly helping them, because not only can they vote, but as Andrew Young said, they can cash their check more readily. Also, if they want to apply for Social Security or Medicare benefits, they have proof of citizenship which speeds up the process tremendously; otherwise they have to go through the effort of proving citizenship at that time.

So this bill not only will help with voting, it will help the poor in many other ways because it provides payment for them to properly be able to identify themselves to get government services, to cash checks, et cetera, et cetera.

What we have done here is a good bill, and the point of order is simply invalid. If we are going to apply the point of order for this bill because the appropriators haven't yet acted, then every authorizing bill we pass that provides for funding through the States or localities is not going to pass the test either, because they won't have the appropriations in hand yet. I think it is a farce. I urge all Members to vote against this point of order, and I urge that we proceed on to the debate of the bill itself.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider House Resolution 1015?

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

Mr. McDERMOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 213, nays 190, not voting 29, as follows:

[Roll No. 454]

YEAS—213

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nussle
Osborne
Otter
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NAYS—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—29

Beauprez
Boehlert
Brady (TX)
Cardoza
Case
Cooper
Costa
Culberson
Diaz-Balart, L.
Diaz-Balart, M.
Evans
Fattah
Ford
Gutierrez
Harris
Hyde
Keller
Kennedy (RI)
Moore (KS)
Ney
Nunes
Oxley
Pombo
Radanovich
Ryan (OH)
Shays
Strickland
Westmoreland
Wolf

□ 1132

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

Messrs. JEFFERSON, HOLT and FRANK of Massachusetts changed their vote from ''yea'' to ''nay.''

Messrs. EHLERS, BONNER and HALL changed their vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HARRIS. Mr. Speaker, on rollcall No. 454, consideration of H. Res. 1015, I am not recorded due to travel delay. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume.

Mr. Speaker, last night the Committee on Rules granted a closed rule for consideration of H.R. 4844, the Federal Election Integrity Act. The rule provides for 1 hour of debate in the House equally divided and controlled by the chairman and ranking member of the Committee on House Administration.

The rule waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute as reported by the Committee on House Administration shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the right to vote is our most cherished freedom as American citizens. Over the years our Nation has evolved and progressed to include many more citizens in the voting process. Who could forget the wonderful accomplishments of Susan B. Anthony, Elizabeth Stanton, and Martin Luther King and countless others who fought to extend the right to populations that had previously been discriminated against?

Mr. Speaker, I am proud to say that today all American citizens, regardless of gender, race, creed or ideology, are free to vote for candidates from the Presidential election all of the way through to the school board.

But, sadly, there are those who have taken advantage of this cherished freedom by distorting our election system. We have all heard stories about the rolls of deceased voters mysteriously voting from the grave, sometimes even voting more than once.

Furthermore, with an increasing population of illegal immigrants populating our States, the possibility of noncitizens voting continues to grow. When voters go to the polls, they are electing representatives like us that will set policies for all citizens. Therefore, we should not allow these outcomes to be affected by individuals who have intentionally broken the law.

In my home State of West Virginia, I am not proud to say, five individuals were recently convicted of illegally influencing elections. Our State has long suffered from these illegal and unethical tactics used to stifle the voice of our voters. While many of these problems that have been plaguing our system cannot be fixed overnight, the underlying legislation is a step in the right direction.

The Federal Election Integrity Act simply requires that in order for a person to vote, they must be able to show proof of identification with a photo ID by 2007, and then 3 years later, in 2010, all voters will be required to provide a photo ID that could not have been obtained without proof of citizenship.

We all understand this is going to be a challenge for some of our rural, elderly and indigent populations, but the REAL ID Act already requires all people to have a compliant ID to prove their legal status by 2008.

Furthermore, this legislation authorizes funds to reimburse the States for providing IDs to the indigent at no cost. Seventeen States currently have similar requirements in their laws, most recently Arizona.

The Secretary of State for Arizona recently testified that voter registration has increased in Arizona by 15.4 percent since the implementation of Proposition 200, a measure that requires all voters to present identification at the polls before casting a ballot, as well as provide a proof of citizenship before registering to vote. Recent reports show that the primary election held last week in Arizona, that there were no stumbling blocks to this new provision. Certainly this has been a success as more voters are registering, and they have peace of mind that their registration is protected by proof of their identify.

During a recent NBC-Wall Street Journal poll, 81 percent of those surveyed expressed support for requiring ID at the polls. Clearly the voting population is concerned with voter fraud and is yearning for action. Even former President Carter and former Secretary of State James Baker, a bipartisan duo, have endorsed this approach.

Mr. Speaker, integrity in our election system is a goal that is shared across party affiliation. We want everyone to participate, to vote, and to know that their vote counts. And it is my hope that we can all work together to improve our system for future generations.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman from West Virginia (Mrs. CAPITO), for the time, and I yield myself such time as I may consume.

Mr. Speaker, I am in opposition to this closed rule. This so-called Federal Election Integrity Act places an unconstitutional burden on the fundamental rights of eligible citizens to participate in our country's democratic process.

I agree with the words of President Lyndon Johnson when he said, ''The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible wall which imprisons men and women because they are different from other men and women.''

Today, before millions of Americans, the majority is trying to reconstruct the walls of injustice and imprison our poor, disabled, elderly and young by putting up barriers to the voting process. This majority Congress has decided to embarrass itself further by coming up with a solution in search of a problem instead of passing legislation that would rectify actual problems that plague our citizens.

Out of all of the issues that this Congress could be considering in the last 2 weeks before we adjourn, the majority has decided that the priorities of the American people include trying to make voting harder for segments of our population that already have it difficult.

In today's USA Today, it says, ''Crisis Seen in Luggage Screening.'' And this is a report by TSA and airports highlighting the urgency of us needing to screen baggage that goes onto airplanes, and here we are screening voters who have done nothing wrong in the first place rather than dealing with urgent matters.

Although the majority of Americans have and use IDs as a routine matter, approximately 10 percent of the public, disproportionately people of color, elderly citizens, disabled citizens, and young people and low-income citizens, do not have government-issued photo IDs.

When I think about the latest schemes of the majority, I cannot help but think about who exactly this bill would affect. I call attention, for example, to elderly blacks born into segregation, as my mom and grandfather and grandmother were, and racism that existed in the pre-civil rights era in the South.

My mother was born in Florida in the early 20th century at a time when the birth of most blacks was not officially acknowledged by States or localities. This meant that my mom and thousands like her were not issued birth certificates. This practice continued in some areas of this country into the 1950s. Furthermore, many persons at this time do not drive, like my mom, so they never obtained licenses either.

Mr. Speaker, the claim that voter fraud is such a rampant problem is really beyond the pale. There is virtually no empirical evidence. I might add they held no hearings, did not take into consideration anything other than some nominal reports regarding this matter. There is virtually no empirical evidence that voter fraud with any frequency would warrant such a restrictive and potentially harmful legislation.

Furthermore, proponents of the voter ID requirements cannot even prove that existing safeguards do not adequately address the minimum problems of fraud. I heard all of the talk about something happened in Arizona and what the people did. All of that was prosecutable under the law as it exists. This legislation is nothing short of yet another political ploy at a political time when we are in high political dudgeon to bamboozle, disenfranchise American citizens.

The fact that this bill is being considered as a closed rule with no amendments and no debate confirms my suspicions that the majority is actively doing everything in its power to stifle democracy instead of letting it flourish.

Mr. Speaker, this country needs a new direction. This bill is nothing but a distraction to real issues that deserve real solution. Currently States have several alternative means to address potential problems associated with voter fraud. When those alternatives are executed correctly, which includes statewide voter registration databases, in-person affirmation and signature comparison, they pose less of a burden on eligible Americans than a mandatory ID. I also note that most of these alternatives have long been used successfully in States across the country.

If Republicans were serious about carrying out real election reform, they would not have voted against the two

amendments offered by my two good friends on the House Administration Committee, Ranking Member MILLENDER-MCDONALD and Representative LOFGREN, that sought to improve voter participation and access to polls.

□ 1145

As it stands, the current legislation before us today does absolutely nothing to alleviate the problems Florida had with recent elections on September 5, and would not address current problems that many States are still experiencing today.

Maryland, just last week, had all sorts of problems that this measure here would not have covered in their flawed election. I am not the only one who is concerned about the effectiveness of this bill. Our colleague, LINCOLN DIAZ-BALART, expressed extreme concern about there not being a paper trail in the voting process. I strongly agree with his concerns and those of ROBERT WEXLER, who has fought the paper trail problem in my district, and note that this bill provides nothing, nothing, for States to improve electronic vote.

Several States, including Florida, Missouri, where Mr. SKELTON is from and who will speak, has personal experience. Ohio, Michigan, Arizona, and the city of Albuquerque, New Mexico, have enacted voter ID requirements that have been challenged in court. Many have already been found unconstitutional and thrown out while others are still pending. Just yesterday, another judge, a superior court judge in Georgia, threw out that State's voter ID, which has been litigated ad nauseam.

For a party that doesn't like trial lawyers, the Republicans would almost guarantee big business with trial lawyers, with the increase of litigation that would immediately follow the passage of this litigation.

Mr. Speaker, we cannot bypass the opportunity to pursue real election reform. We cannot let the majority pass harmful and vague legislation that would only nullify the advances we have witnessed with such legislation like the Voting Rights Act.

Two years ago, in response to what I believe is going to be recited, that this is not an unfunded mandate, 2 years ago, the Democrats on the Appropriations Committee tried to provide funding under the Help America Vote Act, but the Republicans on that committee voted it down. So your argument that there would be funds for this falls on deaf ears. Once we pass a measure like this, the localities are going to have to bear the brunt, whether we fund it or not. Voting is for all of us, not just most of us. We can and must do better in the people's House.

For these reasons, I oppose this closed rule and the underlying legislation.

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

Mrs. CAPITO. Mr. Speaker, I think the perspective of a chief election officer of a State is one that can shed great wisdom and knowledge concerning this bill, so it is my honor to yield 4 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, certainly the fundamental building block of our democracy for the last 208 years has been a constitutionally guaranteed right to vote. Prior to my service in Congress here, I had the great honor and privilege to serve as my State of Michigan's chief election officer and the secretary of State.

In that role I viewed it as my duty to ensure the integrity of our elections process, to ensure that every eligible voter had an opportunity to vote, to ensure that every registered voter would turn out on election day, and to root out any fraud, any type of fraud in our elections process, and to ensure that every vote that was cast was properly counted.

I would like to think that I do have a deep understanding and certainly a respect for our Nation's electoral process, and not from a partisan tint. In fact, after the 2000 elections, the NAACP gave my administration the Nation's highest grade of any of the secretaries of State in the entire Nation for election reform.

Mr. Speaker, since the 2000 election, this Congress has also taken action to improve the process through the Help America Vote Act, that they authorized and appropriated millions and millions and millions of dollars for, which has improved the quality of our voting equipment and improved the registration voter list throughout the Nation.

Now, today, we have another positive electoral initiative that will help ensure the integrity of our process. H.R. 4844, the Federal Election Integrity Act, will require voters in Federal elections to show a photo ID to prove their identity and to be sure that their vote is counted.

I know that we are hearing concerns from the other side that for very partisan political reasons that this is going to disenfranchise voters, but nothing could be further from the truth. This important reform will ensure that every voter who presents himself at the poll, is who they say they are, and will limit diluting the votes of lawful voters by rooting out fraud.

Mr. Speaker, the call for photo identification at the polling places is not simply coming from Republicans. In fact, in my home State of Michigan, during the 2005 Detroit mayoral race, we heard calls there from both candidates, both camps about electoral improprieties that were happening in the city of Detroit. Both of the candidates engaged in that process and in that election were Democrats.

In fact, Freeman Hendrix, who lost that close race, actually came out after the election with a litany of things that we needed to do in the State of Michigan for election reform and paramount, a priority amongst them from him, was that we needed to have photo identification.

In addition, as has been mentioned on the floor already, the bipartisan Carter-Baker Commission, that is Jimmy Carter, former President Jimmy Carter, the Carter-Baker Commission on Electoral Reform recommended that we require photo ID at the polling places, again to ensure the integrity of our electoral process. I don't think there is anybody in the Nation that would accuse former President Jimmy Carter of being a Republican or a partisan Republican. We need to enact the photo identification requirement.

Another problem is that from some estimates, we have as many as 12 million illegal aliens in our Nation. Many of my constituents are concerned that votes of our citizens are being diluted by noncitizens illegally participating in the electoral process. This legislation actually builds on the REAL ID Act, which ensures that no States issue either driver's licenses or State identification cards to illegal aliens, and it assures the validity of the documents which establish the identity and the citizenship of the individuals.

This legislation will be yet another safeguard to ensure that those who are in our country illegally, or who are not citizens, do not participate in our electoral process. It also ensures that citizens who do not now have a government-issued photo ID, or cannot afford one, will have access to free, literally free, identification.

So there are a lot of reasons as to why people don't vote. Perhaps they think, they are very apathetic, they don't like the negative campaigning, or they don't like their choices of candidate, or they might think that there is too much fraud in the system and that their vote will not count, for whatever reason.

I truly believe that enhancing the integrity of the process will be an impetus to show people that their vote does count, that it is going to be counted, that it is going to be counted properly. In fact, this bill has the potential to actually increase voter participation.

Mr. Speaker, this is commonsense reform that will make our democracy stronger. I urge my colleagues to support the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I just wish to correct one thing with reference to President Carter. What he said was that there should be identification, not proof of citizenship, and that it should be free to everybody. I am sure he didn't allow for an unfunded mandate.

Mr. Speaker, I yield to the distinguished ranking member of the Armed Services Committee, a decorated veteran and hero that all of us respect. I would be interested, the kind of hero that IKE SKELTON is, that he tell his story; or hear his story about what happened to him.

Mr. Speaker, I yield 2½ minutes to my good friend, the distinguished gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, not long ago the Missouri legislature passed a law just like the one that we are considering today for the State of Missouri. Since I don't drive, I needed a nondriver's license identification card. I went in to the Lafayette County license bureau, waited like all the others for 45 minutes to see the very nice young lady, and I told her that I needed a government, State of Missouri-issued nondriver's license identification card.

She said, ''I know you.'' Of course, she did. I produced the voting card identification card that I always carry with me. It has my picture, United States House of Representatives, the Honorable IKE SKELTON, Member of Congress, Missouri Fourth District, No. 190465, and has a facsimile of my signature, 109th Congress, January 2005–2007.

She said that ought to do it, but let me call the Jefferson City Department of Revenue and check. She did, and they said, no, that is not enough identification for me. I would have to go get either a passport or a birth certificate. As I was running out of time, I thanked her, and I would come back at a later moment. Thus, I was turned down trying to get a Department of Revenue nondriver's license voter identification card.

A month later, just a few days ago with my passport, which was up here in Washington in my safe, I waited in line and did get my voter nondriver's license identification card. So I am pleased to tell you that I can vote in November.

I also should tell you that in recent days the law that was passed by the Missouri legislature was held to be unconstitutional by the trial judge in Jefferson City, Missouri. This law, if allowed to stand in our State, or on a Federal level, will disenfranchise some very nice people, particularly senior citizens who walk in without a photo ID or driver's license. I just thought I would share my personal experience with my friends and colleagues here in the House.

Mrs. CAPITO. Mr. Speaker, I yield 3 minutes to the chairman of the House Administration Committee, the author of this bill, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentlewoman for yielding.

Mr. Speaker, first, I would like to address the comments raised by the gentleman from Missouri, who is one of the most outstanding Members of Congress. I am sorry that his State has adopted a law such that you have to have a certain type of State ID. I am not at all sure why they did not recognize his congressional ID.

Under the bill that we have written, the bill that is on the floor today, a congressional ID would be recognized and would be appropriate for the process, simply because it is issued by the Federal Government. It shows the picture of the person carrying it. It establishes, by virtue of the position, that this person has citizenship, and so the voter, the Member card, which I incidentally use for ID every time I board a plane, would apply equally well for voting. The event described is an isolated case, and he was affected by State law, not by the law that we are proposing here.

There has been so much said about how this is going to keep people from the polls, I don't see that at all. We have worked very hard on this bill. We have conducted three hearings. I understand that while I was out of the room, someone on the other side said we hadn't had any hearings. We had three hearings: one in Washington, DC, one in New Mexico, and one in Arizona.

I have also heard that this is going to keep people away from the polls. But in Arizona, when they passed their referendum requiring photo ID and citizenship proof, registration went up 15 percent. It did not go down, it went up. I think that is simply because the people could be assured that their vote would be entered properly, their vote would be legal, and that there would not be illegal votes nullifying what they had done.

Most of the argument that I have heard against this bill is simply not germane, or simply erroneous, because they simply haven't read the bill or understood it. We worked very hard to take into account the objections raised by the members of the committee, members of the public who had testified, and we thought we had taken care of all of those concerns.

Why is it unacceptable to help individuals prove their citizenship and obtain a photo ID and proof of citizenship free of charge. It is beyond me why that is unacceptable. Andrew Young says it is wonderful. Why don't the people in the House of Representatives think it is wonderful?

We are actually helping them to collect Social Security eventually, and collect Medicare benefits. We are paying the bill to allow them to do this, and I think this is a really good side benefit of a bill which not only will do that, but which will ensure that all votes cast in this Nation are valid votes, and that fraud will be minimized.

□ 1200

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

Mr. Speaker, Mr. EHLERS continues to use Arizona. In the first 6 months of 2005, as a result of Arizona's Proposition 200, more than 10,000 Arizona citizens had their voter registrations rejected as a result of failure to provide adequate proof of citizenship. I think that is horrible.

Mr. Speaker, someone else that knows about protecting us from fraud is the ranking member of the Homeland Security Committee, who I believe has had a substantial career dealing with the subject of voter problems.

Mr. Speaker, I yield 3 minutes to my good friend, the distinguished gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, integrity is having the wisdom to say what you believe and the courage to do what you say.

Here on the floor of this House, we talk about our beliefs in democracy, we talk about preserving and protecting the Constitution, we talk about the importance of voting. But talk is not enough. We must act. And if we enact this bill, we will fail the second test of integrity, to have your actions in line with your words.

In 2002, we passed the Help America Vote Act. HAVA set a baseline for voter identification requirements. Only three States in the Nation have interpreted HAVA to require photo identification at the ballot box. Each of these State laws is being challenged. Yesterday the Georgia court struck down the State's voter ID law. They said it violated the State constitution.

States that require photo ID at the ballot box provide a provisional ballot if a voter does not have an ID, but the bill before us today will go a giant step further. Without a valid ID, a voter can only get a provisional ballot if they can prove citizenship. So even if you voted for years, were born in this country and served in the military, you could be turned away.

Mr. Speaker, I am from Mississippi, and I know what voter suppression is when I see it. We stand here today ready to short-circuit the judicial process and impose a system that all 50 States have outright rejected.

My colleagues on the other side of this aisle have stated that this bill will help stamp out voter fraud, but look at the facts. The Department of Justice statistics show that over 196 million votes have been cast in Federal elections. Only 52 individuals have been convicted of voter fraud. In Ohio, 9 million votes were cast in the last two elections and only four cases of ineligible voters were found. In Wisconsin, the U.S. Attorney General conducted an investigation into alleged widespread voter fraud. He found 14 cases.

Today we are asked to mandate that State and local elections officials in every State train an army of volunteer poll workers to spot an acceptable photo ID, but we give them no money to do so.

Why the rush? This requirement will create massive confusion at the polling sites all over the country. People who have never had a photo ID will be required to produce it. Many people will have an ID. Some will go home and get their ID and come back. But others will not. Some of these people who are turned away may not have a driver's license or a passport at home. They will not come back. And they will wonder, as my fellow Mississippian Fannie Lou Hamer wondered, is this America?

I know it is hard for some folk to understand, but there are millions of people in this country that will not have an acceptable ID.

Mr. Speaker, I have found what WMD really stands for, weapons of mass disenfranchisement, and it is here in this bill. An election with integrity is one in which every eligible voter is encouraged to vote. I oppose this rule.

Mrs. CAPITO. Mr. Speaker, I would like to make a point of clarification. If this goes into effect, and somebody does arrive at the polling place without their photo ID, they would be given a provisional ballot and be permitted to vote with the caveat that they would return within 48 hours to show their photo ID. I just wanted to make that point of clarification.

Mr. Speaker, I yield 3 minutes to my colleague on the Rules Committee, my esteemed colleague the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as we continue debate over immigration and border security, it is important to remember the security of the ballot box. Most importantly, we need to uphold the concept of the citizen voter, which is the foundation, of course, of our democracy.

Voting in our democratic government needs to be preserved for United States citizens to protect the legitimacy of the voting process as well as the interests of the United States.

One of the first bills I introduced, Mr. Speaker, as a Member of Congress, was the Voter Verification Act to address concerns about noncitizens voting and reaffirm that only United States citizens have the right to vote.

The Voter Verification Act simply stated that before voting in a Federal election, a citizen has to provide proof of citizenship. Whether the proof of citizenship is a birth certificate, a passport or a driver's license from a State that limits driver's licenses to citizens, the important point is to make sure our election workers are checking credentials before allowing people to vote.

This bill is slightly different from the Voter Verification Act, but it is very similar, and I want to thank my colleague, Mr. HYDE of Illinois, for introducing H.R. 4844, the Federal Election Integrity Act of 2006, and, of course, as well as Chairman EHLERS.

In Georgia, Governor Perdue has twice signed legislation to address the issue of voter registration. Since Georgia requires proof of citizenship before any method of voter registration, the concern is matching a registration card to a legitimate photo identification card.

Combine the REAL ID Act, which passed earlier in this Congress to mandate secure and reliable State identification cards, with the Georgia ID law, starting this November the State I represent has a better system for knowing who is voting in our elections as well as a means for deterring illegal voters.

Mr. Speaker, in closing, I believe we need to preserve and limit the right to vote to citizens. The right to vote is a sacred right, and we need to preserve its integrity.

I ask my colleagues, support this rule and the underlying legislation. And, yes, I have finally found an issue on which I agree with former President Jimmy Carter.

Mr. HASTINGS of Florida. Jimmy Carter also said that States should make voter registration and IDs accessible to all eligible citizens by using mobile offices and other means to register more voters and issue photo ID cards, and he also called for comprehensive electoral reform, which you all are not willing to do.

Mr. Speaker, I yield 3 minutes to the distinguished minority whip, my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this bill.

The gentleman who has just spoken represents Georgia. Georgia passed a bill. The superior court has now twice held that bill to be unconstitutional. It is unconstitutional because it undermines the ability of Americans to vote. It in effect imposes additional tests.

In my State, I have been active for 40 years, I will tell my friend, I don't remember a case, not one, where citizenship was raised in our State. I venture if I asked all of you to prove to me you were a U.S. citizen right now, nobody on this floor could do it. Not one of you. You might give me a license. You might say, well, I was born here, there or everywhere. But nobody could prove they were a U.S. citizen.

Ladies and gentlemen, this bill is tantamount to a 21st century poll tax. It will disenfranchise large numbers of legal voters and disproportionately affect elderly people with disabilities, rural voters, students, racial and ethnic minorities, and low-income voters. Indeed, that may be its purpose. Hear me. That may be its purpose. All of these folks are less likely to have the current valid photo identification required by this bill.

It is highly ironic, Mr. Speaker, that just a few short weeks ago, this Congress reauthorized key provisions of the Voting Rights Act of 1965 after defeating a number of crippling amendments offered by the other side of the aisle, that landmark law designed to make voting easier and more fair, to address centuries, centuries, of discrimination. People were told they couldn't vote because of the color of their skin. People were told they couldn't vote because of their gender. They were told you can go to war, but you can't vote. We have changed that. Let us not now retreat and say, yes, but we are going to make it more difficult.

Today, through this voter ID bill, the Republican majority would make voting more onerous and burdensome for many, many Americans. Show me the cases. Show me the examples of the problem you are trying to solve.

Mr. Speaker, this legislation is nothing more than a partisan political stunt. All of us are united in seeking to eliminate voter fraud. I stand against voter fraud. I worked with the Help America Vote Act Coalition to pass the Help America Vote Act. We have staff on here who worked very hard on that bill. We debated this issue, and the Congress rejected it. But now, 7 days left in the session, let us appeal to the fear, and, yes, perhaps the prejudice of people.

I ask that this bill be defeated. It is a bad bill for America. It is a bad bill for democracy. It is a bad bill for the House of Representatives to pass.

Mrs. CAPITO. Mr. Speaker, the gentleman asked for examples? I have an example here of a study that was done by the Johns Hopkins University computer science students that found 1,500 dead people listed who had voted in past elections. Now, you want to talk about onerous voting. It is difficult to get out of a grave and vote.

Mr. HOYER. Mr. Speaker, will the gentlewoman yield?

Mrs. CAPITO. I yield to the gentleman from Maryland.

Mr. HOYER. They found 1,500. Can the gentlewoman cite me one instance of a criminal charge being proven that that is the case? I don't doubt that you can assert that some people said there is fraud. Yes. Can you cite me one conviction of anybody who facilitated one of those 1,500 dead people going in, saying, ''I am Sam Brown,'' who is dead, ''and I want to vote''? Can you cite me one example of one conviction where that was found to be the fact, as opposed to an assertion?

Mrs. CAPITO. Mr. Speaker, reclaiming my time, after the fact I cannot cite you one example, but I don't think the gentleman would deny that fraud occurred and has occurred under this.

Mr. HOYER. Can I respond that I do agree with the gentlewoman that fraud does occur, and when it occurs, we ought to prosecute it. When fraud occurs, we ought to put those people in jail, because they undermine the rest of us who are voting honestly and fairly.

What we ought not do is respond to that by making it more difficult for many Americans to cast the basic right that they have as American citizens, the vote.

Mrs. CAPITO. Mr. Speaker, I agree with the gentleman. We don't want to disenfranchise anybody from voting, because voting is something that we all cherish not only in this Hall, but in every household in America. I believe that asking somebody to show a photo ID, which we do for many things, to buy cigarettes, beer, get on an airplane, travel, and many other instances, cash a check, we are asked for photo ID in many instances, and I think we provide in this bill for those who might not have photo ID who need it.

Once they get it, I think it would be viewed as a positive thing for them, so they wouldn't be going, as they do in many cases to check-cashing facilities that don't require a photo ID, and they end up paying 30 and 40 percent surcharges for that.

I would like to say, in my State of West Virginia, we just had five Federal convictions for vote fraud, vote buying. So it exists. And it is a defeating thing that occurs from State to State, because it defeats those of us who get up on that election morning or have gotten up earlier to early vote or send in our absentee ballot. It feels like our vote is being disenfranchised.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I would like to clarify, as somebody who supervised one of the largest counties in the United States for 10 years in the voter registration system, that voter fraud is not something you can come back on after the fraud is committed. The person who voted for those dead people is long gone by the time it comes up on the record that somebody who has got a death certificate filed is also somebody who supposedly voted. Then to say why didn't we catch the person who was doing it, it is too late to stop voter fraud once the vote is done and they are out of the booth.

□ 1215

That is just a practical experience of actually administering the programs.

Mr. Speaker, last June, in the 50th District, my constituency was rocked by statements made by a candidate that you do not need papers for voting. Those words were rocked across this country as the scandal over the issue of whether a candidate was actually soliciting people who were not U.S. citizens to vote in a public meeting.

The fact is in the State of California there is no checking, no reviewing, and not even the ability for those of us who supervise the electoral process to be able to question those, when they register to vote, if they were qualified. It was strictly on an honor system, and the honor system did not even say I am a citizen. It just says I am qualified.

The integrity of our republican form of government, the electoral process that we like to call democracy, has two major threats. Yes, stopping those who can qualify to vote from being able to participate if they are franchised. But the other violation that we have not addressed enough of when it comes down to violating voters' rights is disqualifying a legitimate vote by allowing those who do not have the constitutional right to vote to cancel out those legitimate votes. That is the violation of the Voting Rights Act that we have not addressed in this body enough.

Mr. Speaker, I ask us to stand up for our process, for fairness, and with the American people, that we will do everything we can to protect our process.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. SOLIS), my good friend. Ms. SOLIS is the first Hispanic woman to be elected to the California senate. She has had a lot of experience in this voter business.

Ms. SOLIS. Mr. Speaker, I thank the gentleman for offering me this moment to speak.

Mr. Speaker, I would like to raise my strong opposition to the closed rule and the underlying piece of legislation, H.R. 4844, which restricts the right of citizens to vote.

With the cast of one vote, this legislation would undo what women and communities of color have fought for decades: the sacred right to vote and have a voice in the electoral process.

The bill will suppress the vote of groups like the elderly, people of color, and low-income citizens who are less likely to possess documents or prove their citizenship. Elderly citizens especially, who were born at home and do not possess their birth certificates, would be denied their right to vote. Citizens who lost their possessions because of natural disasters like Hurricane Katrina would be denied the right to vote. Women change their last name when they marry. Will they have the right to vote or will that be restricted?

The bill might as well be a poll tax for low-income citizens who would be required to obtain and pay for a document like a passport, which would cost them $97 just to acquire one. That is a big, big amount of money for many of our low-income seniors to meet.

It is already a felony, as we know, in this country to vote fraudulently. Law-abiding citizens should not be penalized.

The bill is a breach of the American citizens' right to vote and undermines everything that the Voting Rights Act stands for.

I strongly urge my colleagues to vote down this closed rule and the underlying legislation.

I just want to make a statement that there is no law that says that you cannot have people go out and help participate in campaigns and knock on doors and pass out literature. I believe the candidate in that San Diego race was asking for that support. So I would like to clarify the record on behalf of Ms. Francine Busby, because I know after meeting her that she was very excited about talking to students and engaging them in the art of voting and getting people out to understand the importance to take on your civic responsibility.

Mrs. CAPITO. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, all we are looking for is common sense here. You have to have a photo ID if you look like you are under 18 years of age and want to buy alcohol. You have to have a photo ID if you are going to get on board an airplane. You have to have a photo ID if you are going to enter many office buildings here in the United States.

It seems to me that the notion of providing photo identification when you are getting ready to exercise that very important franchise to vote is something that we should have in place.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, it is only the things you cite, I just am curious. For beer or to cash a check or get on a plane or buy cigarettes or go into a building, do you need citizenship on that ID?

Mr. DREIER. The point I am making is, I am talking about a photo identification. In this bill it begins by simply photo identification. Then in 2010 it gets to this notion of citizenship, and the fact of the matter, it begins the implementation in 2008, simply requires photo identification. I am happy to have yielded to my dear friend.

I will say, as we look at this challenge that we have, Mr. Speaker, it is very important for us to realize the potential for fraud is there. We invite fraud and we know that there are potential problems on the horizon, and I know that my friend from California (Ms. MILLENDER-MCDONALD) yesterday said this is a solution looking for a problem. I think that as we look at past elections, there have been instances of fraud.

Common sense is what we are trying to apply here, and I believe that having photo identification when it comes to that extraordinarily important franchise is essential.

The chairman of the Administration Committee, Mr. EHLERS, pointed out in the Rules Committee yesterday that in the case of Arizona, when they put it into place, we hear this argument we are going to suppress the vote, we are going to discourage people from being able to vote. They actually had a 15 percent increase in the number of registered voters in the State of Arizona, as was testified by the Secretary of State.

Mr. Speaker, this is a good measure. It deserves our support, and I hope Republicans and Democrats will join us in doing it. I thank my friend for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA), my good friend and classmate.

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

Mr. Speaker, we all agree that we have to remove any type of voter fraud that might exist in our electoral system, and we need to prosecute to the fullest extent of the law anyone who does violate that, and we have to make sure that we base our laws on the evidence and documented facts that are out there.

The reality is that while we know that there are isolated cases of voter abuse, it does not amount to what this majority is trying to make us believe, that we must now disenfranchise thousands, if not millions, of American citizens from the ability to vote, simply to tackle what we hear are anecdotal stories about people who may have abused the process.

Mr. Speaker, it may not be an intended consequence, but it certainly is an inescapable consequence that this bill will disenfranchise many Americans who are citizens and wish to vote. It will also amount to a poll tax, as we have heard.

Nearly 75 percent of Americans do not have a passport. It costs about $100 to get one. In many parts of our country, especially in the South, we have many elderly African Americans and a number of Native Americans throughout our country, who were born at home or under the care of midwives, who never received a birth certificate. Approximately 6 to 10 percent of the American electorate does not have any form of State identification. African Americans are four to five times less likely than whites to have photo identification. And, finally, in Georgia, 36 percent of its voters over the age of 75 do not have government-issued photo IDs.

Isolated cases of abuse must be addressed, but this bill does not do that. It takes a meat axe to try to deal with the problem, and if you do not believe me, then talk to the folks who were victims of the Katrina hurricane, who lost everything, including any type of personal identification. How do they tackle the problem of trying to go vote and only being given 48 hours to show a photo ID that they no longer have?

We can resolve this in a bipartisan fashion, but this is not the direction to go. I urge Members to vote against this rule and against this bill.

Mrs. CAPITO. Mr. Speaker, it is now my honor and pleasure to yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in support of the rule and the bill which will restore integrity to our election system.

It is outrageous and inexcusable that voters do not have to show proof of citizenship in order to vote in an election. Illegal immigrants are populating this country in an unprecedented number, and it is unjust and unfair to citizens of this country that noncitizens have had a hand in electing Federal officials.

The right to vote is the cornerstone of our democracy. It baffles me that there are no laws in place to protect this sacred practice from noncitizens.

H.R. 4844 has proper timelines and implementation guidelines in place for the proof of citizenship requirements, and if there are added costs to local governments, there certainly are a few appropriation years between now and 2008 for funding to be provided.

So listen up, America. Those who are in this country illegally want the same rights as United States citizens, without obeying the laws of our land. We should not let these criminals defraud our election system by allowing them to vote.

We have heard some pretty specious arguments here from the other side of the aisle on the impact of this bill. The Federal Election Integrity Act accomplishes a commonsense, much needed component in our election system. American citizens will proudly provide proof of citizenship, and illegals will realize the gig is up.

I urge my colleagues to vote for the rule and also for the underlying bill, H.R. 4844.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my friend from Florida and colleague in the House of Representatives that the people that stole the election in 2000, in mine and your State, were not illegal immigrants.

Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE), my good friend.

Ms. LEE. Mr. Speaker, let me thank the gentleman for yielding and for his leadership in the preservation of democracy and also in the promotion of justice.

Talk about a cynical and discriminatory election-year ploy. This is unbelievable. This bill, as well as this closed rule, should be defeated.

As the country with one of the lowest percentages of voter participation in the world, we should be doing everything we can to remove the barriers to voting. For example, we should have been debating legislation to fix the real problems with the 2002 and 2004 elections: long voting lines, voter intimidation, faulty machines, poor training for poll workers, discriminatory voter registration laws; or making, for example, election day a Federal holiday so everyone can exercise their right to vote.

But, instead, we are debating a bill that effectively suppresses voter turnout by imposing this new, unconstitutional poll tax on all Americans. Have we already forgotten why we just reauthorized the Voting Rights Act a few months ago? Now the Republican leadership is already working overtime to try and undermine it.

Yes, we must eliminate voter fraud, but that is certainly not what this bill does. There are real solutions that will enforce our constitutionally guaranteed right to vote, that will ensure that every vote is cast and counted. That is what we should be voting on.

As we supposedly promote democracy throughout the world, we are quickly, and I mean quickly, eroding it right here at home, and this bill is an example of another step in that direction.

Let us practice what we preach. Let us defeat this rule and this sham bill and do some things in this body this session to make sure that every individual who has the right to vote is allowed that right and that voting becomes freer and fairer in our country.

Mrs. CAPITO. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. PRICE of Georgia). The gentlewoman from West Virginia (Mrs. CAPITO) has 7½ minutes remaining, and the gentleman from Florida (Mr. HASTINGS) has 6 minutes remaining.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend from Arizona (Mr. PASTOR). Arizona has been utilized an awful lot here. Perhaps we should hear from an Arizonan who was at Mr. EHLERS' hearing and could speak to this issue.

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

Mr. PASTOR. Mr. Speaker, at the hearing that we had in Phoenix, Arizona, I asked a question of the panel which included the election director from Maricopa County, the largest county; the election director from Apache County; the president from the Intertribal Council of Arizona; the Secretary of State, Jan Brewer, who was the Republican running for the election; the county attorney, Andrew Thomas, who ran on an anti-immigrant; and also the president of the League of Women Voters.

□ 1230

When the question was asked whether in the history of Arizona voting had there been one instance of voter fraud that was directly linked to an undocumented person, the response was zero. The question then was asked, since we have had the Proposition 200 which requires an ID when you register and now when you go to the polls where, as correctly has been stated, that thousands of people have now registered, the question was asked, what have you done to show that there has been voter fraud, attempted or perpetuated by an undocumented? And the answer again was zero. And possibly, the county attorney said that he might have a case where he may indict 10 people.

So if you look at the situation, you would find that the response of the people on the panel was that Proposition 200 came about because of a perceived problem of undocumented people being able to vote. So this is built on the conception that you may have fraud in the future.

The Intertribal Council President Rafael Bear said it would injure the voting and suppress voting among Native Americans. The League of Women Voters came out against the proposition because of the suppression of the vote. The election director of Maricopa County said it wasn't needed, that in the past they didn't have the fraud that everybody was perceiving. So as Chairman DREIER said, this is a solution that is looking for a problem.

Mrs. CAPITO. I would like to read from the committee record from the hearing on Arizona, if I might. And this is from the Honorable Andrew Thomas, the Maricopa County Attorney. He talks about instances of voter fraud, they were charged of filing false documents, a class 6 felony.

Maricopa County Recorder Helen Purcell referred these matters to the county attorney's office after her office received jury questionnaire forms from the county jury commissioner. These forms were filled out by potential jurors who claimed they were unable to serve on a jury because they were not citizens. The county recorder's Office found that they claimed to be citizens when they filled out the voter registration form. Four of these five defendants voted in at least one election. In addition to the 10 charged defendants, they were reviewing 149 other cases. The county recorder had received inquiries from people seeking to become U.S. citizens who had been told by Immigration and Customs Enforcement to obtain a letter from her office confirming they had neither registered to vote nor voted. And today, a review of these matters has turned up 37 noncitizens who have registered to vote.

So I think this is a good reason to get out of Washington, D.C., to have real-life testimony across the country, which I know we do quite often. And this comes from the State of Arizona.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I am prepared to close at this time, and I yield myself the remainder of the time.

Mr. Speaker, I will submit for the RECORD the Carter-Baker Commission on Federal Election Reform Report that appeared in the American University. In addition thereto, I will submit for the RECORD an Atlanta Journal article referring to the Georgia Supreme Court's denial of this same measure.

Mr. Speaker, you know where some fraud is occurring, as much as this seems to be ringing alarm bells in the majority? There is a lot of fraud in Medicare in the United States of America, there is a lot of fraud in Medicaid. We could drive right across 14th Street Bridge and go over there and find all that fraud at the Pentagon if we wanted to hunt up some real fraud. And we could really go to Iraq and trace the money that has been wasted in Iraq's reconstruction if we want to find some fraud. I mean, those are some urgent things.

To buy beer, you don't need to be a citizen if you have photo ID. To cash a check, you don't have to be a citizen. To get on a plane, you don't have to be a citizen. To buy cigarettes, you don't have to be a citizen. And now you come up with the precursor to a national ID card. And that is really what this is, after we get past all the mumbling, fumbling, and words that we are saying.

Mr. Speaker, I will be asking Members to vote ''no'' on the previous question so I can amend this rule to allow the House to consider the Millender-McDonald amendment that was offered in the Rules Committee late last night, but was rejected.

I ask unanimous consent to print the text of the amendment and extraneous materials immediately prior to vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, if the leadership is insistent on the moving forward with this divisive bill, which I might add ain't going to pass the Senate, let's at least allow the ranking member of the committee of jurisdiction to offer her amendment to try and address some of the more egregious provisions in the bill.

The Millender-McDonald amendment would establish uniform standards for the treatment of provisional balance and clarify criminal penalties for voter fraud under the Help America Vote Act. It would codify a Federal court decision that HAVA matching requirements are intended as an administrative safeguard, not as a restriction on voter eligibility. And it would recommend to the States additional fraud-prevention methods. Finally, it would exempt senior citizens, the disabled, and the military and their families from onerous photo ID requirements in the bill.

Mr. Speaker, nonparticipation in the election process is more of a problem in this country than noncitizens trying to vote. This bill will do more to keep eligible American citizens away from the polls than it will do to fix the nonexistent problems of ineligible immigrants sneaking in to vote in our Federal elections.

If we must take up this problem in search of a solution, let's at least allow the Millender-McDonald amendment to be included. I ask that we vote ''no'' on the previous question so we can consider this important amendment.

[From AU News, Sept. 19, 2005]

CARTER-BAKER COMMISSION ON FEDERAL ELECTION REFORM STRESSES URGENCY OF REFORM

WASHINGTON, DC.—Former President Jimmy Carter and former Secretary of State James A. Baker, III will conduct meetings with President Bush and Congressional leaders today to discuss recommendations in the final report of the Commission on Federal Election Reform, which they co-chaired.

The 21-member Commission, which conducted public hearings in Washington and Houston, offers 87 recommendations to strengthen the country's electoral system and build confidence among voters in the political process. The Commissioners met with political leaders Monday in order to stress the need for change before the 2008 presidential election.

''Elections are the heart of our democracy,'' Carter said. ''The Help America Vote Act of 2002 made an historic contribution, but one law is not enough. The American people are losing confidence in the system, and they want electoral reform. We have forged a comprehensive package of reforms that represent the best path toward modernizing our electoral system, and we hope that the President, the Congress, and the states will consider them seriously.''

''We hope that this report will help transform the sterile debate between Democrats and Republicans on election reform issues and provide the impetus for our federal and state leaders to take action now, when we still have plenty of time before our next presidential election,'' Baker said.

The 21-member private commission is organized by American University. Comprised of former Members of Congress, scholars and nonpartisan leaders, the group identified ''five pillars'' of election reform—voter registration, voter identification, voting technology, increased access to voting and nonpartisan election administration—and recommended ways to strengthen them. Highlights include:

To address the most serious problem of inaccurate registration lists, the Commission recommends that states, not local jurisdictions, organize and update their lists, and that the U.S. Election Assistance Commission (EAC) take the lead in making the lists interoperable so as to eliminate duplicates when people move between states.

To enhance ballot integrity, states should require voters to present a REAL ID card at the polls and provide non-drivers with a free photo ID card for voting, but during a transition, citizens without a card should be permitted to vote with a provisional ballot.

States should make voter registration and IDs accessible to all eligible citizens by using mobile offices and other means to register more voters and issue photo ID cards.

Congress should pass a law to require voter-verifiable paper audit trails on all electronic voting machines, and the EAC needs to take additional steps to ensure those machines are secure and accessible for people with disabilities.

The U.S. Election Assistance Commission and state election management institutions should be strengthened and reconstituted on a nonpartisan basis.

The presidential primary schedule should be reorganized into four regional primaries.

The full report is available on the Commission Web site at http://www.american.edu/Carter-Baker.

The Commission's Co-Chairs will have a press conference on Capitol Hill at 1:30 pm in the Hall of Columns. President Carter will also be speaking at American University at 4 pm, and that will be open to the media.

American University's Center for Democracy and Election Management (CDEM) organized the work of the Commission in association with the James A. Baker III Institute for Public Policy at Rice University, The Carter Center and electionline.org, sponsored by The Pew Charitable Trusts. General sponsors include Carnegie Corporation of New York, the Ford Foundation, the John S. and James L. Knight Foundation and Omidyar Network. CDEM Director Robert A. Pastor is executive director of the Commission and serves as a Commission member.

In addition to Carter, Baker and Pastor, Commission Members include:

Betty Castor, the 2004 Democratic candidate for U.S. Senate in Florida.

Tom Daschle, former U.S. Senate Minority Leader from South Dakota.

Rita DiMartino, former vice president of congressional relations for AT&T.

Lee Hamilton, president and director of the Woodrow Wilson International Center for Scholars and a former Member of Congress from Indiana.

Kay Coles James, former director of the U.S. Office of Personnel Management.

Benjamin Ladner, president and professor of philosophy and religion at American University.

David Leebron, president of Rice University in Houston, TX.

Nelson Lund, professor of constitutional law at George Mason University in Arlington, VA.

Shirley Malcom, head of the Directorate for Education and Human Resources Programs of the American Association for the Advancement of Science (AAAS).

Bob Michel, former U.S. House Whip and House Minority Leader from Illinois.

Susan Molinari, president and CEO of the Washington Group, a government relations and lobbying firm, and former Member of Congress from New York.

Robert Mosbacher, chairman of Mosbacher Energy Company and past chairman of the Republican National Committee.

Ralph Munro, former Washington secretary of state and board member for various voting and Internet technology comparues.

Jack Nelson, Pulitzer Prize-winning journalist and former Washington bureau chief for the Los Angeles Times.

Spencer Overton, professor specializing in voting rights and campaign finance law at The George Washington University Law School in Washington, DC.

Tom Phillips, former chief justice of the Supreme Court of Texas.

Sharon Priest, former Arkansas secretary of state and current chair of the Arkansas State Election Improvement Study Commission and the State Board of Election Commissioners.

Raul Yzaguirre, presidential professor of practice in community development and civil rights at Arizona State University and former president of the National Council of La Raza.

[From ajc.com, Sept. 19, 2006]

JUDGE VOIDS VOTER PHOTO ID LAW

(The Associated Press)

A state judge has thrown out the latest version of Georgia's law requiring voters to show photo ID, ruling that it violates the constitutional rights of the state's voters.

Fulton County Superior Court Judge T. Jackson Bedford, Jr. issued the ruling Tuesday, nearly three weeks after lawyers argued both sides of the issue, which is likely headed for the Georgia Supreme Court before the Nov. 7 general elections.

Bedford said the photo ID requirement disenfranchises otherwise qualified voters and adds a new condition to voting that violates the state constitution.

In his 17-page ruling, Bedford took issue with the burden placed on voters to prove who they are using photo ID. Even if voters are allowed to cast ballots without the required identification, they must return within 48 hours with one of the six necessary photo IDs or their vote is forfeited.

''This cannot be,'' Bedford wrote, pointing out that photo ID are not even required to register to vote in Georgia.

''Any attempt by the Legislature to require more than what is required by the express language of our Constitution cannot withstand judicial scrutiny,'' Bedford wrote.

Supporters of the photo ID law say it is needed to protect against voter fraud. Opponents argue it disenfranchises poor, elderly and minority voters who are less likely to have a driver's license or other valid government-issued photo ID.

The new law took effect July 1, but was blocked by state and federal judges during the state's July primaries, August runoffs and some local special elections held Tuesday.

Last October, U.S. District Judge Harold Murphy struck down an earlier version of the law, saying it amounted to an unconstitutional poll tax. The Georgia Legislature addressed his complaints in the latest version, but when Murphy issued an injunction before the July 18 primaries, he said the state had not taken enough time to educate voters.

Because the U.S. Department of Justice didn't approve the photo ID requirement until late June, the state's election board had only three weeks to educate voters before the primaries—a window that was too short, Murphy said then.

Elections supervisors across the state have trained poll workers on both the old law and the new one.

Last week, Murphy blocked the law from being enforced in more than 20 special elections Tuesday.

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

Mrs. CAPITO. Mr. Speaker, I would like to thank my colleague from Florida for presenting his viewpoints on this, and we obviously have great differences.

I think the underlying legislation is an important step towards improving the integrity of the election system. We have both talked about the lack of participation in our elections and how that is something that, really, as Americans we are not very proud of. But if we don't have a system that has integrity, our participation rates are going to go even lower, and that is a concern, I believe, for all of us.

We have made great strides towards extending the right to vote to all citizens, but there is still work to be done to improve the integrity of our system. This is something the American people have spoken loudly on, with 81 percent of the population favoring the measures taken in this underlying legislation.

I am pleased that my colleague inserted the report from former President Jimmy Carter and former Secretary of State James Baker. They wrote in the New York Times in September of 2005 concerning this report: ''Our concern was that the differing requirements from State to State could be a source of discrimination, and so we recommended a standard for the entire country, the REAL ID card, the standardized driver's license mandated by Federal law, last May. With that law, a driver's license can double as a voting card. All but 3 of our 21 commission members accepted the proposal in part because the choice was no longer whether to have voter ID, but what kind of voter ID the voters should have.''

So I ask my colleagues to support the rule and the underlying legislation

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

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

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

PREVIOUS QUESTION FOR H. RES. 1015 H.R. 4844—FEDERAL ELECTION INTEGRITY ACT OF 2006

In the resolution strike ''and (2)'' and insert the following:

''(2) the amendment in the printed in Section 3 of this resolution if offered by Representative Millender-McDonald of California or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)''

At the end of the resolution add the following new section:

''Sec. 3. The amendment by Representative Millender-McDonald referred to in Section 1 is as follows:

AMENDMENT TO H.R. 4844, AS REPORTED OFFERED BY MS. MILLENDER-MCDONALD OF CALIFORNIA

Add at the end of section 303(b)(1) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, the following:

''(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to any elderly or handicapped individual. In this subparagraph, the terms 'elderly' and 'handicapped' have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee—6)).''.

Amend section 303(b)(2)(B) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, to read as follows:

''(B) EXCEPTION FOR ABSENT MILITARY VOTERS AND THEIR FAMILIES.—Subparagraph (A) does not apply with respect to a ballot provided by an absent uniformed services voter. In this subparagraph, the term 'absent uniformed services voter' has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—6(1)).''.

Add at the end of section 303(b)(2) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, the following:

''(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to a ballot provided by a elderly or handicapped individual. In this subparagraph, the terms 'elderly' and 'handicapped' have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee—6)).''.

Add at the end of section 2(d) the following:

(3) EXCEPTION.—Notwithstanding paragraph (1) or section 303(d)(2) of the Help America Vote Act of 2002 (as amended by paragraph (2)), this section and the amendments made by this section shall not apply with respect to any election which is held in a State during a fiscal year for which the amount provided to the State pursuant to the authorization under section 297A of such Act (as added by section 3(c)) is not sufficient to cover the costs incurred by the State in carrying out the amendments made by section 3.

Insert after section 3(a) the following new subsection (and redesignate accordingly):

(b) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Section 303(b) of such Act (42 U.S.C. 15483(b)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(7) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Not later than December 31 of each year during which a regularly scheduled general election for Federal office is held (beginning with 2008), each State shall submit a report to the Commission on the number of individuals in the State who were registered to vote with respect to the election but who were prohibited from casting a ballot in the election, or whose provisional ballots were not counted in the election, because they failed to meet the requirements of paragraph (1) or (2).''.

Add at the end the following:

SEC. 4. ELECTION INTEGRITY AND VOTER ENFRANCHISEMENT.

(a) UNIFORM STANDARD FOR TREATMENT OF PROVISIONAL BALLOTS CAST AT INCORRECT POLLING PLACES.—Section 302(a)(4) of the Help America Vote Act of 2002 (42 U.S.C. 15482(a)(4)) is amended to read as follows:

''(4)(A) An individual's provisional ballot shall be counted as a vote in an election for Federal office if the appropriate State or local election official to whom the ballot or voter information is transmitted under paragraph (3) determines that the individual is eligible under State law to vote in that election—

''(i) at the polling place at which the individual cast the provisional ballot; or

''(ii) at any other polling place in the State at which votes are cast in the same election for the same Federal office.

''(B) In determining whether an individual is eligible to vote at a polling place for purposes of subparagraph (A), the appropriate State or local election official shall review the computerized statewide voter registration list established and maintained under section 303(a).''.

(b) CRIMINAL PENALTIES FOR VOTER SUPPRESSION.—Section 905 of such Act (42 U.S.C. 15544) is amended by adding at the end the following new subsection:

''(c) VOTER SUPPRESSION.—

''(1) IN GENERAL.—It is unlawful for any person—

''(A) to assert to any State election official that an individual is not eligible to vote in an election for Federal office, unless the assertion is made in good faith on the basis of facts known to the person making the assertion; or

''(B) to knowingly provide any person with false information regarding an individual's eligibility to vote in an election for Federal office or regarding the time, place, or manner of voting in such an election.

''(2) PENALTY.—A person who violates paragraph (1) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both, for each such violation.''.

(c) CLARIFICATION OF USE OF INFORMATION PROVIDED IN VOTER REGISTRATION APPLICATIONS.—

(1) PROVISION OF DRIVER'S LICENSE OR LAST 4 DIGITS OF SOCIAL SECURITY NUMBER USED SOLELY FOR MANAGING OFFICIAL LIST OF REGISTERED VOTERS.—

(A) IN GENERAL.—Section 303(a)(5)(A) of such Act (42 U.S.C. 15483(a)(5)(A)) is amended—

(i) in clause (i), by striking ''an application for voter registration'' and all that follows through ''includes—'' and inserting the following: ''an applicant for voter registration for an election for Federal office shall include in the application—''; and

(ii) by adding at the end the following new clause:

''(iv) PROVISION OF INFORMATION SOLELY FOR PURPOSES OF MANAGING OFFICIAL VOTER REGISTRATION LIST.—The requirement to provide or to assign information with respect to an applicant for voter registration under this subparagraph is solely for the purpose of establishing an administrative safeguard for storing and managing the computerized statewide voter registration list under paragraph (1), and the failure to provide such information by an applicant or the existence of an error in any of the information provided by an applicant may not serve as grounds for the rejection of an application or as grounds for prohibiting the applicant from voting in any election.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

(2) PERMITTING AFFIDAVIT TO SERVE AS ATTESTATION OF CITIZENSHIP.—Section 303(b)(4) of such Act (42 U.S.C. 15483(b)(4)) is amended by adding at the end the following new subparagraph:

''(C) USE OF AFFIDAVIT.—

''(i) AFFIDAVIT INCLUDED.—In addition to the question required under subparagraph (A)(i), such mail voter registration form shall include an affidavit which may be signed by the registrant attesting to United States citizenship.

''(ii) SIGNED AFFIDAVIT ACCEPTABLE DECLARATION OF CITIZENSHIP.—Notwithstanding subparagraph (B), the application of an applicant who does not answer the question included on the registration form pursuant to subparagraph (A)(i) but who signs the affidavit described in clause (i) shall not be treated as incomplete.''.

(d) FRAUD PREVENTION METHODS.—Section 303(b)(2) of such Act (42 U.S.C. 15483(b)(2)) is amended by adding at the end the following new subparagraph:

''(C) ALTERNATIVE FRAUD PREVENTION METHODS.—At the option of the State, an individual who does not meet the requirements of subparagraph (A) may meet the requirements of this paragraph by meeting such other requirements as the State may establish to prevent vote fraud, such as reasonable methods to identify voters who have already voted, including but not limited to the use of indelible ink.''.

(e) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall apply with respect to elections occurring after December 2006.

SEC. 5. REQUIREMENTS PRIOR TO IMPLEMENTATION OF NEW VOTER IDENTIFICATION REQUIREMENTS.

(a) AVAILABILITY OF FUNDING FOR STATES.—

(1) REQUIRING PAYMENT OF FUNDS FOR MEETING ELECTION ADMINISTRATION REQUIREMENTS.—The amendments made by this Act (other than section 4) shall not take effect unless—

(A) the amount provided to States pursuant to the authorization under section 297A of the Help America Vote Act of 2002 (as added by section 3(c)) is sufficient to cover the costs to the States of meeting the requirements of section 303(b)(4) of such Act (as added by section 3(a)); and

(B) the aggregate amount of funds appropriated for requirements payments to the States pursuant to the authorization under section 257(a) of such Act is equal to the aggregate amount authorized to be appropriated for such payments.

(2) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by striking ''the following amounts:'' and all that follows and inserting the following: ''an aggregate amount of $2,000,000,000''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

(b) REQUIRING ACCESS TO PHOTO IDENTIFICATIONS PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS.—The amendments made by this Act (other than section 4) shall not take effect unless the Election Assistance Commission reports to Congress that not less than 95 percent of the voting age population of the United States has obtained photo identification which meets the requirements of the Help America Vote Act of 2002 which are added by the amendments made by this Act, and that individuals who were not able to afford the fee imposed by a State for the identification were provided the identification free of charge by the State.

(c) REQUIRING CERTIFICATION BY ATTORNEY GENERAL, CHIEF STATE ELECTION OFFICIAL, AND GOVERNOR PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS IN STATE.—

(1) CERTIFICATION.—The amendments made by this Act (other than section 4) shall not apply with respect to elections held in a

State unless the chief executive of the State, the chief State election official of the State, and the Attorney General certify to Congress that, on the basis of clear and convincing evidence—

(A) voting by noncitizens in the State is a persistent and significant problem; and

(B) the remedies and prohibitions applicable under the laws in effect prior to the implementation of the amendments made by this Act are insufficient to prevent and deter this problem.

(2) DEFINITIONS.—In this subsection—

(A) the term ''chief State election official'' has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (42 U.S.C. 15403(e)); and

(B) the term ''State'' has the meaning given such term in section 901 of such Act (42 U.S.C. 15541).

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

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

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

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. PRICE of Georgia). Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 1015, if ordered, and suspending the rules on H. Res. 942.

The vote was taken by electronic device, and there were—yeas 222, nays 194, not voting 16, as follows:

[Roll No. 455]

YEAS—222

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Beauprez
Berman
Case
Cole (OK)
Cubin
Evans
Harris
Hinojosa
Keller
Kennedy (RI)
Moore (KS)
Ney
Rangel
Shays
Strickland
Weldon (PA)

□ 1302

Mr. LARSON of Connecticut, Mr. FARR, Ms. MCKINNEY, and Ms. HERSETH changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 455, had I been present, I would have voted "nay."

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. 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 223, noes 196, not voting 13, as follows:

[Roll No. 456]

AYES—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Conaway
Crenshaw
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas

Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Beauprez
Case
Cole (OK)
Cubin
Culberson
Evans
Harris
Keller
Kennedy (RI)
Moore (KS)
Ney
Slaughter
Strickland

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 456, I was not recorded. Had I been present, I would have voted "no."

RECOGNIZING CENTENNIAL ANNIVERSARY OF IRANIAN CONSTITUTION OF 1906

The SPEAKER pro tempore (Mr. KIRK). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 942.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. 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. 942, 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 413, nays 2, answered ''present'' 2, not voting 15, as follows:

[Roll No. 457]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
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
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
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
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
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
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
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
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris Rodgers
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
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)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
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
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
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Kucinich Paul

ANSWERED ''PRESENT''—2

Capuano Frank (MA)

NOT VOTING—15

Beauprez	Harris	Ney
Case	Herseth	Sabo
Cole (OK)	Keller	Sanders
Cubin	Kennedy (RI)	Strickland
Evans	Moore (KS)	Watson

□ 1320

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table

PERSONAL EXPLANATION

Ms. HARRIS. Mr. Speaker, on rollcall No. 455, on Ordering the Previous Question Providing for consideration of the bill (H.R. 4844) to amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the U.S., I am not recorded, due to travel delay. Had I been present, I would have voted ''aye.''

Mr. Speaker, on rollcall No. 456, on Agreeing to the Resolution providing for consideration of the bill (H.R. 4844), I am not recorded, due to travel delay. Had I been present, I would have voted ''aye.''

Mr. Speaker, on rollcall No. 457, on the Motion to Suspend the Rules and Agree to the Resolution Recognizing the centennial anniversary on August 5, 2006, of the Iranian constitution of 1906, I am not recorded, due to travel delay. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. COLE of Oklahoma. Mr. Speaker, I was unavoidably detained during three votes. Had I been present for rollcall vote No. 455, on ordering the previous question, I would have voted ''aye'';

Rollcall vote No. 456, on agreeing to H. Res. 1015, I would have voted ''aye''; and rollcall vote No. 457, on agreeing to H. Res. 942, I would have voted ''aye.''

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 OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5450) to provide for the National Oceanic and Atmospheric Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5450

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 Oceanic and Atmospheric Administration Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(3) The term ''Secretary'' means the Secretary of Commerce.

SEC. 3. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—There shall be in the Department of Commerce an agency known as the National Oceanic and Atmospheric Administration.

(b) MISSION.—The mission of the Administration is to understand the systems of the Earth's oceans and atmosphere and predict changes in the Earth's oceans and atmosphere and the effects of such changes on the land environment, to conserve and manage coastal, ocean, and Great Lakes ecosystems to meet national economic, social, and environmental needs, and to educate the public about these topics.

(c) FUNCTIONS.—The functions of the Administration shall include—

(1) collecting, through observation and other means, communicating, analyzing, processing, and disseminating comprehensive scientific data and information about weather and climate, solar and geophysical events on the Sun and in the space environment, and about the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(2) operating and maintaining a system for the storage, retrieval, and dissemination of data relating to weather and climate, solar and geophysical events on the Sun and in the space environment, and about the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(3) using observational data and technologies developed by other Federal agencies to improve the Administration's operations;

(4) conducting and supporting basic and applied research, development, and technology transfer as may be necessary to carry out the mission described in subsection (b);

(5) issuing weather, water, climate, space weather, tsunami, and other forecasts and warnings related to Earth's oceans and atmosphere;

(6) coordinating efforts of Federal agencies with respect to meteorological services;

(7) understanding the science of Earth's climate and related systems, and undertaking research and development to enhance society's ability to plan for and respond to climate variability and change;

(8) protecting, restoring, and managing the use of, the coasts, oceans, and Great Lakes through ecosystem-based research, development, demonstration, and management;

(9) administering public outreach and education programs and services to increase scientific and environmental literacy about weather and climate, solar and geophysical events on the Sun and in the space environment, and the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(10) providing, as appropriate and in cooperation with the Secretary of State, representation at all international meetings and conferences relating to the mission of the Administration, including meteorological, climate, and Earth and ocean observing issues;

(11) any other function assigned to the Administration by law; and

(12) such other functions as are necessary to accomplish the mission described in subsection (b).

SEC. 4. ADMINISTRATION LEADERSHIP.

(a) ADMINISTRATOR.—

(1) IN GENERAL.—There shall be, as the Administrator of the Administration, an Under Secretary of Commerce for Oceans and Atmosphere. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall be paid at the rate of basic pay for level III of the Executive Schedule.

(2) FUNCTIONS.—The Administrator shall be responsible for—

(A) general management;

(B) policy development and guidance;

(C) budget formulation, guidance, and execution;

(D) serving as the Department of Commerce official for all ocean and atmosphere issues with other elements of the Department of Commerce and with other Federal agencies, State, tribal, and local governments, and the public; and

(E) such other duties with respect to the Administration as the Secretary may prescribe.

(3) DELEGATION OF AUTHORITY.—The Administrator may, except as otherwise prohibited by law—

(A) delegate any functions, powers, or duties of the Administrator to such officers and employees of the Administration as the Administrator may designate; and

(B) authorize such successive redelegations of such functions, powers, or duties within the Administration as the Administrator considers necessary or appropriate.

(4) AUTHORITIES.—

(A) IN GENERAL.—As may be necessary or proper to carry out the Administration's functions under this Act or as otherwise provided by law, the Administrator may—

(i) promulgate rules and regulations;

(ii) enter into and perform contracts, leases, grants, and cooperative agreements with Federal agencies, State and local governments, Indian tribes, international organizations, foreign governments, educational institutions, nonprofit organizations, and commercial organizations;

(iii) use, with their consent, and with or without reimbursement, the services, equipment, personnel, and facilities of other departments, agencies, and instrumentalities of the Federal Government; and

(iv) conduct education and outreach in direct support of the mission described in section 3(b).

(B) EXCEPTION.—The authorities conferred on the Administrator by this paragraph do not include the authority to contract for services that are an inherently governmental function as defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

(b) ASSISTANT SECRETARY FOR OCEANS AND ATMOSPHERE.—

(1) IN GENERAL.—There shall be, as Deputy Administrator of the Administration, an Assistant Secretary of Commerce for Oceans and Atmosphere. The Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary shall be the Administrator's first assistant for purposes of subchapter III of chapter 33 of title 5, United

States Code. The Assistant Secretary shall be paid at the rate of basic pay for level IV of the Executive Schedule.

(2) FUNCTIONS.—The Assistant Secretary shall perform such functions and exercise such powers as the Administrator may prescribe and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

(c) DEPUTY UNDER SECRETARY FOR OCEANS AND ATMOSPHERE.—

(1) IN GENERAL.—There shall, be as the Chief Operating Officer of the Administration, a Deputy Under Secretary of Commerce for Oceans and Atmosphere. The Deputy Under Secretary shall be appointed by the Secretary. The position of Deputy Under Secretary shall be a Senior Executive Service position authorized under section 3133 of title 5, United States Code.

(2) FUNCTIONS.—The Deputy Under Secretary—

(A) shall ensure the timely and effective implementation of Administration policies and objectives;

(B) shall be responsible for all aspects of the Administration's operations and management, including budget, financial operations, information services, facilities, human resources, procurements, and associated services;

(C) in the absence or disability of the Assistant Secretary, or in the event of a vacancy in such position, shall act in that position; and

(D) shall perform such other duties as the Administrator shall prescribe.

(d) DEPUTY ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION.—

(1) IN GENERAL.—There shall be in the Administration a Deputy Assistant Secretary for Science and Education who shall coordinate and oversee the science and education activities of the Administration and their application to Administration decisions and operations. The Deputy Assistant Secretary for Science and Education shall be appointed by the Secretary. The position of Deputy Assistant Secretary for Science and Education shall be a Senior Executive Service career reserved position as defined in section 3132(a)(8) of title 5, United States Code.

(2) FUNCTIONS.—The Deputy Assistant Secretary for Science and Education shall—

(A) coordinate research and development activities across the Administration;

(B) review the Administration's annual budget to ensure that funding for research and development is adequate, properly focused, and carried out by the appropriate entities across the Administration;

(C) advise the Administrator on how research results can be applied to operational use;

(D) advise the Administrator regarding science issues and their relationship to Administration policies, procedures, and decisions;

(E) participate in developing the Administration's strategic plans and policies and review the science and education aspects of those plans and policies;

(F) serve as liaison to the nongovernmental science community;

(G) develop and oversee guidelines for peer review of research sponsored or conducted by the Administration;

(H) oversee implementation of the strategic plan for research and development required under section 9(b);

(I) oversee management of laboratories in the Administration;

(J) oversee the research and education programs of the Administration; and

(K) perform such other duties as the Administrator shall prescribe.

(3) QUALIFICATIONS.—An individual appointed under paragraph (1) shall be a person who has an outstanding science and education background, including research accomplishments, scientific reputation, and public policy experience.

(4) CONSULTATION.—Before appointing an individual under paragraph (1), the Secretary shall consult with the National Academy of Sciences, the Science Advisory Board of the Administration, and other appropriate scientific organizations.

(e) DEPUTY ASSISTANT SECRETARIES.—There may be in the Administration no more than two additional Deputy Assistant Secretaries whose duties may be designated by the Administrator. The Deputy Assistant Secretaries shall be appointed by the Secretary. The positions of Deputy Assistant Secretaries shall be Senior Executive Service positions authorized under section 3133 of title 5, United States Code.

(f) GENERAL COUNSEL.—

(1) IN GENERAL.—There shall be in the Administration a General Counsel. The General Counsel shall be appointed by the Secretary. The General Counsel shall be paid at the rate of basic pay for level V of the Executive Schedule.

(2) FUNCTIONS.—The General Counsel—

(A) shall serve as the chief legal officer of the Administration for all legal matters that arise in connection with the conduct of the functions of the Administration; and

(B) shall perform such other functions and exercise such powers as the Administrator may prescribe.

(g) CONTINUATION OF SERVICE.—Any individual serving on the effective date of this Act in a position provided for in this Act may continue to serve in that position until a successor is appointed under this Act. Nothing in this Act shall be construed to require the appointment of a successor under this Act sooner than would have been required under law as in effect before the effective date of this Act.

SEC. 5. NATIONAL WEATHER SERVICE.

(a) IN GENERAL.—The Secretary shall maintain within the Administration the National Weather Service.

(b) MISSION.—The mission of the National Weather Service is to provide weather, water, climate, tsunami, and space weather forecasts and warnings for the United States, its territories, adjacent waters, and ocean areas for the protection of life and property and the enhancement of the national economy. In carrying out the mission of the National Weather Service, the Administrator shall ensure that the National Weather Service—

(1) provides timely and accurate weather, water, climate, tsunami, and space weather forecasts; and

(2) provides timely and accurate warnings of natural hazards related to weather, water, climate, and tsunamis, and of space weather hazards.

(c) FUNCTIONS.—The functions of the National Weather Service shall include—

(1) maintaining a network of local weather forecast offices;

(2) maintaining a network of observation systems to collect weather and climate data;

(3) operating national centers to deliver guidance, forecasts, warnings, and analysis about weather, water, climate, tsunami, and space weather phenomena for the Administration and the public;

(4) providing information to Federal agencies and other organizations responsible for emergency preparedness and response as required by law;

(5) conducting and supporting applied research to facilitate the rapid incorporation of weather and climate science advances into operational tools; and

(6) other functions to serve the mission of the National Weather Service described in subsection (b).

SEC. 6. OPERATIONS AND SERVICES.

(a) IN GENERAL.—The Secretary shall maintain within the Administration programs to support efforts, on a continuing basis, to collect data and provide information and products regarding satellites, observations, and coastal, ocean and Great Lakes information.

(b) FUNCTIONS.—To accomplish the mission described in section 3(b), and in addition to the functions described in section 3(c), the operations and service aspects of the Administration shall include—

(1) acquiring, managing, and operating coastal, ocean, and Great Lakes observing systems;

(2) contributing to the operation of a global Earth-observing system;

(3) integrating Administration remote sensing and in situ assets that provide critical data needed to support the mission of the Administration, and providing that data to decisionmakers and the public;

(4) developing, acquiring, and managing operational environmental satellite programs and associated ground control and data acquisition and delivery facilities to support the mission of the Administration;

(5) managing and distributing atmospheric, geophysical, and marine data and data products for the Administration through national environmental data centers;

(6) providing for long-term stewardship of environmental data, products, and information via data processing, storage, reanalysis, reprocessing, and archive facilities;

(7) issuing licenses for private remote sensing space systems under the Land Remote Sensing Policy Act of 1992;

(8) administering a national water level observation network, which shall include monitoring of the Great Lakes;

(9) providing charts and other information for safe navigation of the oceans and inland waters, as provided by law;

(10) maintaining a fleet of ships and aircraft to support the mission of the Administration; and

(11) such other operations and services functions to serve the mission of the Administration as the Administrator may prescribe.

SEC. 7. RESEARCH AND EDUCATION.

(a) IN GENERAL.—The Secretary shall maintain within the Administration programs to conduct and support research and education and the development of technologies relating to weather, climate, and the coasts, oceans, and Great Lakes.

(b) FUNCTIONS.—To accomplish the mission described in section 3(b), and in addition to the functions described in section 3(c), the research and education aspects of the Administration shall include—

(1) conducting and supporting research and development to improve the Administration's capabilities to collect, through observation and otherwise, communicate, analyze, process, and disseminate comprehensive scientific data and information about weather, climate, and the coasts, oceans, and Great Lakes;

(2) improving ecological prediction and management capabilities through ecosystem-based research and development;

(3) contributing information on the Earth's climate and related systems, obtained through research and observation, that addresses questions confronting policymakers, resources managers, and other users;

(4) reducing uncertainty in projections of how the Earth's climate and related systems may change in the future;

(5) fostering the public's ability to understand and integrate scientific information

into considerations of national environmental issues through education and public outreach activities;

(6) administering the National Sea Grant College Program Act;

(7) conducting and supporting research and development of technology for exploration of the oceans;

(8) maintaining a system of laboratories to perform the functions described in this subsection;

(9) supporting extramural peer-reviewed competitive grant programs to assist the Administration in performing the functions described in this subsection; and

(10) such other research, development, education, and outreach functions to serve the mission of the Administration as the Administrator may prescribe.

SEC. 8. SCIENCE ADVISORY BOARD.

(a) IN GENERAL.—There shall be within the Administration a Science Advisory Board, which shall provide such scientific advice as may be requested by the Administrator, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Science or on Resources of the House of Representatives.

(b) PURPOSE.—The purpose of the Science Advisory Board is to advise the Administrator and Congress on long-range and short-range strategies for research, education, and the application of science to resource management and environmental assessment and prediction.

(c) MEMBERS.—

(1) IN GENERAL.—The Science Advisory Board shall be composed of at least 15 members appointed by the Administrator. Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board under this section.

(2) TERMS OF SERVICE.—Members shall be appointed for 3-year terms, renewable once, and shall serve at the discretion of the Administrator. An individual serving a term as a member of the Science Advisory Board on the date of enactment of this Act may complete that term, and may be reappointed once for another term of 3 years unless the term being served on such date of enactment is the second term served by that individual. Vacancy appointments shall be for the remainder of the unexpired term of the vacancy, and an individual so appointed may subsequently be appointed for 2 full 3-year terms if the remainder of the unexpired term is less than one year.

(3) CHAIRPERSON.—The Administrator shall designate a chairperson from among the members of the Board.

(4) APPOINTMENT.—Members of the Science Advisory Board shall be appointed as special Government employees, within the meaning given such term in section 202(a) of title 18, United States Code.

(d) ADMINISTRATIVE PROVISIONS.—

(1) REPORTING.—The Science Advisory Board shall report to the Administrator and the appropriate requesting party.

(2) ADMINISTRATIVE SUPPORT.—The Administrator shall provide administrative support to the Science Advisory Board.

(3) MEETINGS.—The Science Advisory Board shall meet at least twice each year, and at other times at the call of the Administrator or the Chairperson.

(4) COMPENSATION AND EXPENSES.—A member of the Science Advisory Board shall not be compensated for service on such board, but may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(5) SUBCOMMITTEES.—The Science Advisory Board may establish such subcommittees of its members as may be necessary. The Science Advisory Board may establish task forces and working groups consisting of Board members and outside experts as may be necessary.

(e) EXPIRATION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Science Advisory Board.

SEC. 9. REPORTS.

(a) REPORT ON DATA MANAGEMENT, ARCHIVAL, AND DISTRIBUTION.—

(1) CONTENTS.—Not later than 1 year after the date of enactment of this Act, and once every 5 years thereafter, the Administrator shall do the following:

(A) Enter into an arrangement with the National Academy of Sciences to review the environmental data and information systems of the Administration and to provide recommendations to address any inadequacies identified by the review. The review shall assess the adequacy of the environmental data and information systems of the Administration to—

(i) provide adequate capacity to manage, archive and disseminate environmental information collected and processed, or expected to be collected and processed, by the Administration, including data gathered by other agencies that is processed or stored by the Administration;

(ii) establish, develop, and maintain information bases, including necessary management systems, which will provide for consistent, efficient, and compatible transfer and use of data;

(iii) develop effective interfaces among the environmental data and information systems of the Administration and other appropriate departments and agencies;

(iv) develop and use nationally accepted formats and standards for data collected by various national and international sources;

(v) integrate and interpret data from different sources to produce information that can be used by decisionmakers in developing policies that effectively respond to national and global environmental concerns; and

(vi) reanalyze and reprocess the archived data as better science is developed to integrate diverse data sources.

(B) Develop a strategic plan, with respect to the environmental data and information systems of the Administration, to—

(i) respond to each of the recommendations in the review conducted under subparagraph (A);

(ii) set forth modernization and improvement objectives for an integrated national environmental data access and archive system for the 10-year period beginning with the year in which the plan is transmitted, including facility requirements and critical new technology components that would be necessary to meet the objectives set forth;

(iii) propose specific Administration programs and activities for implementing the plan;

(iv) identify the data and information management, reanalysis, reprocessing, archival, and distribution responsibilities of the Administration with respect to other Federal departments and agencies and international organizations; and

(v) provide an implementation schedule and estimate funding levels necessary to achieve modernization and improvement objectives.

(2) TRANSMITTAL TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives the initial review and strategic plan developed under paragraph (1). Subsequent reviews and strategic plans developed under paragraph (1) shall also be transmitted to those committees upon completion.

(b) STRATEGIC PLAN FOR RESEARCH AND DEVELOPMENT.—

(1) CONTENTS.—Not later than 1 year after the date of enactment of this Act, and once every 5 years thereafter, the Administrator shall develop a strategic plan for research and development at the Administration. The plan shall include—

(A) an assessment of the science and technology needs of the Administration based on the Administration's operational requirements and on input provided by external stakeholders at the national, regional, State, and local levels; and

(B) a strategic plan that assigns specific programs within the administration the responsibility to meet each need identified under subparagraph (A) and that describes the extent to which each need identified in subparagraph (A) will be addressed through—

(i) intramural research;

(ii) extramural, peer-reviewed, competitive grant programs; and

(iii) work done in cooperation with other Federal agencies.

(2) NATIONAL ACADEMY OF SCIENCES REVIEW.—The Administrator shall enter into an arrangement with the National Academy of Sciences for a review of the plan developed under paragraph (1).

(3) TRANSMITTAL TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives the initial strategic plan developed under paragraph (1) and the review prepared pursuant to paragraph (2). Subsequent strategic plans developed under paragraph (1) shall also be transmitted to those committees upon completion.

SEC. 10. PUBLIC-PRIVATE PARTNERSHIPS.

Not less than once every 5 years, the Secretary shall develop and submit to Congress a policy that defines processes for making decisions about the roles of the Administration, the private sector, and the academic community in providing environmental information, products, technologies, and services. The first such submission shall be completed not less than 3 years after the date of enactment of this Act. At least 90 days before each submission of the policy to Congress, the Secretary shall publish the policy in the Federal Register for a public comment period of not less than 60 days. Nothing in this section shall be construed to require changes in the policy in effect on the date of enactment of this Act.

SEC. 11. EFFECT OF REORGANIZATION PLAN.

Reorganization Plan No. 4 of 1970 shall have no further force and effect.

SEC. 12. SAVINGS PROVISION.

All rules and regulations, determinations, standards, contracts, including collective bargaining agreements, certifications, authorizations, appointments, delegations, results and findings of investigations, and other actions duly issued, made, or taken by or pursuant to or under the authority of any statute or executive order which resulted in the assignment of functions or activities to the Secretary, the Department of Commerce, the Under Secretary of Commerce for Oceans and Atmosphere, the Administrator, or any other officer of the Administration, that is in effect immediately before the date of enactment of this Act, shall continue in full force and effect after the effective date of this Act until modified or rescinded. All suits, appeals, judgments, and proceedings pending on such effective date relating to responsibilities or functions transferred pursuant to this Act shall continue without regard

to such transfers, except for the transfer of responsibilities or functions. Any reference in law to a responsibility, function, or office transferred pursuant to this Act shall be deemed to refer to the responsibility, function, or office as so transferred. Nothing in this Act shall be construed to limit the ability of an Administration employee to discuss scientific research performed by that employee. Nothing in this Act shall be construed to alter the responsibilities or authorities of any other Federal agency. Nothing in this Act shall be construed to authorize or prohibit the transfer of any program, function, or project from other Federal agencies to the Administration. Nothing in this Act shall be construed to expand, modify, or supersede the authority that the Administration has immediately before the date of enactment of this Act, nor to provide the Administration with any new regulatory authority. Nothing in this Act shall be construed to grant the Administrator any authority to construct, alter, repair, or acquire by any means a public building, as defined at section 3301 of title 40, United States Code, or to grant any authority to lease general purpose office or storage space in any building; and nothing in this Act shall be construed to diminish any authority the Administrator has immediately before the date of enactment of this Act to construct, alter, repair, or acquire by any means a public building, as defined at section 3301 of title 40, United States Code, or to diminish any authority the Administrator has immediately before the date of enactment of this Act to lease general purpose office or storage space in any building (regardless of whether those authorities are derived from laws, executive orders, rules, regulations, or delegations of authority from the Secretary of Commerce).

SEC. 13. REORGANIZATION PLAN.

(a) SCHEDULE.—(1) Not later than 18 months after the date of enactment of this Act, the Administrator shall develop a reorganization plan for the Administration in accordance with this section and shall publish the plan in the Federal Register. The Federal Register notice shall solicit comments for a period of 60 days.

(2) Not later than 90 days after the expiration date of the comment period described in paragraph (1), the Administrator shall transmit to Congress a revised version of the plan that takes into account the comments received. The Administrator shall also publish the revised plan in the Federal Register. The Administrator shall transmit and publish, along with the plan, an explanation of how the Administrator dealt with each issue raised by the comments received.

(3) The Administrator shall implement the plan 60 days after the plan has been transmitted to the Congress.

(b) CONTENT.—The plan, to the greatest extent practicable, shall—

(1) consistent with section 5 and the other provisions of this Act, maximize the efficiency with which the Administration carries out the functions of—

(A) operations and services;

(B) research and education; and

(C) resource management;

(2) improve the sharing of research and other information that is of use across programmatic themes; and

(3) eliminate duplication of effort or overlapping efforts among offices.

(c) CONSULTATION.—In developing the plan, the Administrator shall consult with interested parties, including the States, academia, industry, conservation organizations, and Administration employees.

SEC. 14. FACILITY EVALUATION PROCESS.

(a) PUBLIC NOTIFICATION AND ASSESSMENT PROCESS.—

(1) IN GENERAL.—The Administrator shall not close, consolidate, relocate, subdivide, or establish a facility of the Administration, unless and until the Administrator has followed the procedures required by this section.

(2) REVIEW PROCESS.—The Administrator shall not close, consolidate, relocate, subdivide, or establish a facility of the Administration with an annual operating budget of $5,000,000 or greater, or a National Weather Service field office, unless and until—

(A) the Administrator has published in the Federal Register the proposed action and a description of the offices, personnel, and activities of the Administration that would be affected by the proposed change, and has provided for a minimum of 60 days for public comment;

(B) if the proposed change involves a science facility of the Administration, the Science Advisory Board has reviewed the proposed change and provided to the Administrator written findings regarding the proposed change;

(C) if the proposed change involves a National Weather Service field office, the Administrator has prepared a report including—

(i) a description of local weather characteristics and weather-related concerns which affect the weather services provided within the service area;

(ii) a detailed comparison of the services provided within the service area and the services to be provided after the proposed change;

(iii) a description of any recent or expected modernization of National Weather Service operations which will enhance services in the service area;

(iv) an identification of any area within any State which would not receive coverage (at an elevation of 10,000 feet) due to the proposed change; and

(v) evidence, based on operational demonstration of National Weather Service operations, which was considered in reaching the conclusion that no degradation in service will result from the proposed change;

(D) the Administrator has prepared an analysis of the anticipated costs and savings associated with the proposed facility change, including both costs and savings in the first fiscal year following the change, and changes in operations and maintenance costs and savings over a ten-year period; and

(E) the Administrator has prepared an analysis of the effects of the facility change on operations and research of the Administration, and the potential impacts on cooperative institutes, other external Administration partnerships, partnerships with other Federal agencies, and any State and local partnerships.

(3) NOTICE TO CONGRESS.—(A) The Administrator shall provide to Congress, at least 90 days before any closure, consolidation, relocation, subdivision, or establishment of a facility of the Administration with an annual budget of $5,000,000 or greater, or any National Weather Service field office, a summary of the public comments received pursuant to paragraph (2)(A), any written findings prepared under paragraph (2)(B), any report prepared under paragraph (2)(C), and the analyses prepared under paragraph (2)(D) and (E).

(B) The Administrator shall provide to Congress, at least 90 days before any closure, consolidation, relocation, subdivision, or establishment of a facility of the Administration not described in subparagraph (A), written notification of the planned closure, consolidation, relocation, subdivision, or establishment.

(b) WEATHER SERVICE MODERNIZATION.—Nothing in this Act shall be construed to alter the Weather Service Modernization Act (15 U.S.C. 313 note).

(c) DEFINITION.—For purposes of this section—

(1) the term ''facility'' means a laboratory, operations office, administrative service center, or other establishment of the Administration; and

(2) the term ''field office'' has the same meaning given that term in section 702 of the Weather Service Modernization Act.

SEC. 15. BUDGET REPROGRAMMING.

Whenever the Administrator transmits a budget reprogramming request to the Appropriations Committees of the House of Representatives and the Senate, the Administrator shall simultaneously submit a copy of the request to the Committee on Science and the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 16. BASELINES AND COST CONTROLS.

(a) CONDITIONS FOR DEVELOPMENT.—

(1) IN GENERAL.—The Administration shall not enter into a contract for the development of a major program unless the Administrator determines that—

(A) the technical, cost, and schedule risks of the program are clearly identified and the program has developed a plan to manage those risks;

(B) the technologies required for the program have been demonstrated in a relevant laboratory or test environment; and

(C) the program complies with all relevant policies, regulations, and directives of the Administration.

(2) REPORT.—The Administrator shall transmit a report describing the basis for the determination required under paragraph (1) to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate at least 30 days before entering into a contract for development under a major program.

(3) NONDELEGATION.—The Administrator may not delegate the determination requirement under this subsection, except in cases in which the Administrator has a conflict of interest.

(b) MAJOR PROGRAM ANNUAL REPORTS.—

(1) REQUIREMENT.—Annually, at the same time as the President's annual budget submission to the Congress, the Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the information required by this section for each major program for which the Administration proposes to expend funds in the subsequent fiscal year. Reports under this paragraph shall be known as Major Program Annual Reports.

(2) BASELINE REPORT.—The first Major Program Annual Report for each major program shall include a Baseline Report that shall, at a minimum, include—

(A) the purposes of the program and key technical characteristics necessary to fulfill those purposes;

(B) an estimate of the life-cycle cost for the program, with a detailed breakout of the development cost, program reserves, and an estimate of the annual costs until development is completed;

(C) the schedule for development, including key program milestones;

(D) the plan for mitigating technical, cost, and schedule risks identified in accordance with subsection (a)(1)(A); and

(E) the name of the person responsible for making notifications under subsection (c), who shall be an individual whose primary responsibility is overseeing the program.

(3) INFORMATION UPDATES.—For major programs for which a Baseline Report has been submitted, each subsequent Major Program Annual Report shall describe any changes to the information that had been provided in the Baseline Report, and the reasons for those changes.

(c) NOTIFICATION.—

(1) REQUIREMENT.—The individual identified under subsection (b)(2)(E) shall immediately notify the Administrator any time that individual has reasonable cause to believe that, for the major program for which he or she is responsible—

(A) the development cost of the program is likely to exceed the estimate provided in the Baseline Report of the program by 15 percent or more; or

(B) a milestone of the program is likely to be delayed by 6 months or more from the date provided for it in the Baseline Report of the program.

(2) REASONS.—Not later than 30 days after the notification required under paragraph (1), the individual identified under subsection (b)(2)(E) shall transmit to the Administrator a written notification explaining the reasons for the change in the cost or milestone of the program for which notification was provided under paragraph (1).

(3) NOTIFICATION OF CONGRESS.—Not later than 15 days after the Administrator receives a written notification under paragraph (2), the Administrator shall transmit the notification to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) FIFTEEN PERCENT THRESHOLD.—Not later than 30 days after receiving a written notification under subsection (c)(2), the Administrator shall determine whether the development cost of the program is likely to exceed the estimate provided in the Baseline Report of the program by 15 percent or more, or whether a milestone is likely to be delayed by 6 months or more. If the determination is affirmative, the Administrator shall—

(1) transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, not later than 15 days after making the determination, a report that includes—

(A) a description of the increase in cost or delay in schedule and a detailed explanation for the increase or delay;

(B) a description of actions taken or proposed to be taken in response to the cost increase or delay; and

(C) a description of any impacts the cost increase or schedule delay, or the actions described under subparagraph (B), will have on any other program within the Administration; and

(2) if the Administrator intends to continue with the program, promptly initiate an analysis of the program, which shall include, at a minimum—

(A) the projected cost and schedule for completing the program if current requirements of the program are not modified;

(B) the projected cost and the schedule for completing the program after instituting the actions described under paragraph (1)(B); and

(C) a description of, and the projected cost and schedule for, a broad range of alternatives to the program.

The Administration shall complete an analysis initiated under paragraph (2) not later than 6 months after the Administrator makes a determination under this subsection. The Administrator shall transmit the analysis to the Committee on Science of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate not later than 30 days after its completion.

(e) THIRTY PERCENT THRESHOLD.—If the Administrator determines under subsection (d) that the development cost of a program will exceed the estimate provided in the Baseline Report of the program by more than 30 percent, then, beginning 18 months after the date the Administrator transmits a report under subsection (d)(1), the Administrator shall not expend any additional funds on the program, other than termination costs, unless the Congress has subsequently authorized continuation of the program by law. An appropriation for the specific program enacted subsequent to a report being transmitted shall be considered an authorization for purposes of this subsection. If the program is continued, the Administrator shall submit a new Baseline Report for the program no later than 90 days after the date of enactment of the Act under which Congress has authorized continuation of the program.

(f) DEFINITIONS.—For the purposes of this section—

(1) the term ''development'' means the phase of a program following the formulation phase and beginning with the approval to proceed to implementation;

(2) the term ''development cost'' means the total of all costs, including construction of facilities and civil servant costs, from the period beginning with the approval to proceed to implementation through the achievement of operational readiness, without regard to funding source or management control, for the life of the program;

(3) the term ''life-cycle cost'' means the total of the direct, indirect, recurring, and nonrecurring costs, including the construction of facilities and civil servant costs, and other related expenses incurred or estimated to be incurred in the design, development, verification, production, operation, maintenance, support, and retirement of a program over its planned lifespan, without regard to funding source or management control; and

(4) the term ''major program'' means an activity approved to proceed to implementation that has an estimated life-cycle cost of more than $250,000,000.

SEC. 17. LIMITATIONS ON OFF-SHORE PERFORMANCE OF CONTRACTS FOR THE PROCUREMENT OF GOODS AND SERVICES.

(a) CONVERSIONS TO CONTRACTOR PERFORMANCE OF ADMINISTRATION ACTIVITIES.—Except as provided in subsection (c), an activity or function of the Administration that is converted to contractor performance under Office of Management and Budget Circular A-76 may not be performed by the contractor or any subcontractor at a location outside the United States.

(b) CONTRACTS FOR THE PROCUREMENT OF SERVICES.—(1) Except as provided in subsection (c), a contract for the procurement of goods or services that is entered into by the Administrator may not be performed outside the United States unless it is to meet a requirement of the Administration for goods or services specifically at a location outside the United States.

(2) The President may waive the prohibition in paragraph (1) in the case of any contract for which the President determines in writing that it is necessary in the national security interests of the United States for goods or services under the contract to be performed outside the United States.

(3) The Administrator may waive the prohibition in paragraph (1) in the case of any contract for which the Administrator determines in writing that essential goods or services under the contract are only available from a source outside the United States.

(c) EXCEPTION.—Subsections (a) and (b)(1) shall not apply to the extent that the activity or function under the contract was previously performed by Federal Government employees outside the United States.

(d) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—The provisions of this section shall not apply to the extent that they are inconsistent with obligations of the United States under international agreements.

SEC. 18. RECORDKEEPING AND REPORTING REQUIREMENT.

The Administrator shall transmit to Congress, not later than 120 days after the end of each fiscal year beginning with the first fiscal year after the date of enactment of this Act, a report on the contracts and subcontracts performed overseas and the amount of purchases directly or indirectly by the Administration from foreign entities in that fiscal year. The report shall separately indicate—

(1) the contracts and subcontracts and their dollar values for which the Administrator determines that essential goods or services under the contract are available only from a source outside the United States; and

(2) the items and their dollar values for which the Buy American Act was waived pursuant to obligations of the United States under international agreements.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5450, as amended, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 5450, as amended by the Science Committee. H.R. 5450, the National Oceanic and Atmospheric Administration Act, is an organic act for NOAA. An organic act defines the overall mission and function of an agency.

In 1970, President Nixon established NOAA in the Department of Commerce by executive order. Since that time, Congress has not passed an organic act for NOAA, and today NOAA's authorities come from over three dozen issue-specific laws.

Some years ago I decided this was an intolerable situation, and we began work on an organic act. In 2004, the U.S. Commission on Ocean Policy, a nonpartisan group of the Nation's leading ocean experts, recognized this lack of congressional direction for NOAA as an impediment to the agency's vital legislative role.

The Commission strongly recommended that Congress pass a NOAA organic act. We in Congress need to provide NOAA and its employees clear direction and the tools they require to perform critical missions and functions that affect the everyday lives of all Americans, including weather forecasts and storm warnings from the National

Weather Service and alerts from the National Ocean Service about dangerous conditions such as toxic algae blooms or even tsunamis.

In response to this need, I introduced the National Oceanic and Atmospheric Administration Act. My bill gives NOAA a clear mission so it can more effectively set program goals. For example, my bill states that the mission of NOAA is to first understand and predict changes in the Earth's oceans and atmospheres, conserve and manage coastal, ocean and Great Lakes ecosystems, and educate and inform our fellow citizens about these topics.

H.R. 5450 then directs NOAA to reorganize so it can more efficiently accomplish this mission. Based on recommendations of the U.S. Commission on Ocean Policy, my bill establishes NOAA within the Department of Commerce and requires NOAA to restructure so it may improve the way it carries out the critical functions of operations and services, research and education, and resource management.

In addition, H.R. 5450 strengthens science at NOAA by creating a new Deputy Assistant Secretary for Science and Education, authorizing a science advisory board, requiring a National Academies' assessment of the agency's data and information systems, and directing NOAA to develop a strategic plan for its research programs.

Valuable input from my colleagues on the Science Committee from both parties further strengthened congressional oversight provisions of H.R. 5450, and the bill now includes a provision to ensure that NOAA does not get in over its head with large programs such as building weather satellites.

This provision requires NOAA to use more streamlined and transparent cost baselines for major programs, and to notify Congress when there are significant cost increases or schedule delays in major procurement programs.

Passage of an organic act for NOAA is a top priority for both the U.S. Commission on Ocean Policy and the privately funded Pugh Ocean Commission.

The administration, States, and numerous advocacy groups have also expressed support for the NOAA organic act. H.R. 5450 has widespread and bipartisan support. The bill incorporates ideas from a range of experts and from Members on both sides of the aisle. Everyone recognizes this bill is not a complete organic act because it omits issues solely in the jurisdiction of the House Resources Committee.

Mr. Speaker, I believe we all share the goal of seeing a complete bill. I thank all of my colleagues who contributed to this bill as well as those who continue to express support. In particular I want to thank Mr. UDALL. He was a ranking member of my subcommittee when we first started working on this bill.

I also want to thank Mr. WU, the current ranking member of my subcommittee, and Mr. GORDON, the ranking member of the full committee, for their help and input throughout the process.

Additionally, I thank Mr. GILCHREST who has been an outstanding leader on ocean issues and an original cosponsor of this bill, and he has been invaluable with his input. Finally I would especially like to thank Chairman BOEHLERT, also an original cosponsor, for his unwavering support and commitment to moving this bill through the process. Chairman BOEHLERT has long been a strong champion for the sciences and science-based decision making envisioned in H.R. 5450, and we will greatly miss his leadership on these issues.

H.R. 5450 will make NOAA stronger and more capable of doing its job to keep us safe, understand our environment, and manage our coastal and marine resources.

This bill is an important step forward for ocean issues. And I look forward to continuing to work with my colleagues here in the House and in the Senate to get a final bill that is clear, well balanced and complete. I urge my colleagues to support H.R. 5450

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

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

Mr. Speaker, the bill before us today, the NOAA Organic Act, is a product of diligent work of the Science Committee and the gentleman from Michigan.

Representative EHLERS has been a tireless champion of this legislation. H.R. 5450 maintains the National Weather Service as a distinct office within NOAA. The National Weather Service, with its nationwide distribution of local forecast offices, is one of the best known and most trusted organizations within NOAA.

The public relies upon the weather service to provide the watches and warnings of severe storms that enable us to prepare for those events and reduce the loss of lives and property.

In the area of satellite acquisition, we are requiring the administrator of NOAA to notify Congress whenever a satellite acquisition deviates substantially from its projected cost and schedule.

H.R. 5450 establishes a process of review and revision for satellite acquisition programs to avoid future problems of runaway cost and schedule delays. Chairman BOEHLERT and Chairman EHLERS worked with us to produce this legislation. We did not always agree, but we often agreed, and the bipartisan cooperation between the members of this committee produced a good outcome for the program.

Unfortunately, the Resources Committee failed to conduct a similar process. H.R. 5450 provides virtually no direction for the ocean and coastal resources programs of the agency.

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I know this is a disappointment to the many Members of Congress who were hoping to see some of the recommendations of the 2004 Ocean Commission's report incorporated into this legislation. This is truly a missed opportunity. We have little time left in this Congress. Perhaps the other body will be able to work cooperatively to fill in the gaps of this legislation.

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

Mr. EHLERS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 5450. Virtually every group that has looked at ocean issues has concluded that the National Oceanic and Atmospheric Administration would be able to function better if it had a clear basis in law. That is what this bill, an organic act, would provide. It would give this key science agency, which was created by executive order, a firm legal basis for its full range of activities and responsibilities. That is hard to argue with.

The bill, which was introduced by Dr. EHLERS, who has been its tireless champion, would also strengthen science at NOAA, pretty darn important, which makes sense, since NOAA is a major science agency. The bill also would greatly improve oversight of the agency by ensuring that Congress and the public get the information needed to evaluate NOAA's organizational structure, its facilities plan, its budgeting and its satellite programs.

As usual, this bill is the result of bipartisan cooperation on the Science Committee, and I am very proud of that. I commend my colleagues on both sides of the aisle for their hard work on this legislation.

We obviously have more work to do before this bill is enacted, including work with our colleagues who have jurisdiction over NOAA's resource management programs, such as fisheries. We want an organic act that covers all of NOAA's activities.

But this is a good start, a solid bill that will strengthen the agency, which will only improve the important services NOAA provides to our citizens. I urge my colleagues to support H.R. 5450. Once again, let me commend Dr. EHLERS for his leadership on this very important issue, and let me commend the minority side for their outstanding cooperation and, in many instances, their leadership too.

Mr. GORDON. Mr. Speaker, we are all part of our districts, and we all think that our districts are one of the prettiest places in the world. Just one of us represents a little prettier place than the rest of us.

Mr. Speaker, I yield 2 minutes from the man from Monterey, Big Sur, Pebble Beach, and a great deal of Highway No. 1, and that is the gentleman from California (Mr. FARR).

Mr. FARR. Thank you for that kind yielding.

Mr. Speaker, I rise for a good ''half a bill.'' This deals with NOAA, also

known as the National Oceanic and Atmospheric Administration. But this bill drops the ''O'' for oceanic and becomes a NAA bill. That is because the Resources Committee that has jurisdiction over oceans failed to deal with this bill. It has failed to deal with the President's Commission on Oceans, has failed to address any of this in the last years and has failed to address the need for oceans in this bill.

So the Science Committee had no choice but to bring you the NAA bill. I am going to vote ''yea'' on NAA because it has a good bipartisan leadership, and it comes from a Science Committee that understands that the Planet Earth needs oceans in order to create weather, and this bill on oceans becomes unadminsterable. Thank goodness for bipartisan, bicameral legislation, because this bill will not see the light of day without oceans having a great part of it.

The other side is that with NOAA, the problems that we see here in Congress, are created in the oceans, fisheries and so on, and we have not been funding the ocean side of it. There is international law of the sea, there are international oceans, years, there are all kinds of commissions and groups supporting oceans, yet Congress fails to address it. I commend the bipartisan leadership of getting NOAA in an organic act, but I wish they would include the oceans

Mr. EHLERS. Mr. Speaker, I yield myself 30 seconds to respond to the gentleman from California.

I am in wholehearted agreement with his sentiments. I want to see a complete bill. The bill before us is a good bill. It deals with the physical sciences portion of NOAA. It has taken us almost 6 years to create this bill, work out all the details with all interested parties, including both political parties. It is a good bill, but it will be improved when we get the oceans portion.

I would hope that we can do it yet before the end of the year. If not, I will pledge to the gentleman from California, and anyone else, I will be happy to continue working on achieving that goal.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. GILCHREST), who has been invaluable in addressing oceans issues in this particular body.

Mr. GILCHREST. I thank the gentleman for yielding.

Mr. Speaker, I would like to speak to a couple of items here. One, to the gentleman from California, Mr. FARR, as far as who has the prettiest district in the country, I would like to invite Mr. FARR from California to ply the placid waters of the Sassafras River and enjoy either a dawn or sunset in a canoe as we go past the marsh and beautiful forested areas along the coastal Chesapeake Bay. He just accepted my invitation, so I appreciate that.

I also have some understanding of where Mr. FARR comes from, as far as dealing with the organic act and the National Oceanic and Atmospheric Administration, including what we can call the wet side and the dry side of NOAA. As we move forward with this legislative agenda and this process with the bill that Mr. VERN EHLERS brings to us today, I want to say two things as far as this bill is concerned.

Number one, Mr. EHLERS has not only worked for 6 years on this issue, Dr. EHLERS has worked 10 years on the idea that the National Oceanic and Atmospheric Administration that was created by executive order in 1970 by President Richard Nixon needs, as Mr. BOEHLERT defined, a specific direction and order prescribed by the U.S. Congress, so that it has a definitive, objective goal that Members of Congress can pursue a specific oversight agenda for. Dr. EHLERS has worked very strongly with both sides of the aisle to bring this bill before us today.

Now, there is a small piece that we can add to this as the process continues, as Dr. EHLERS said. We will add the fisheries and the oceans side of NOAA as we move along. But this bill before us today is a piece of legislation that provides the direction that Congress needs to set goals and be a part of the agenda of an administration to ensure that the Nation has the kind of satellites to give us the kind of weather reports that will enhance local reporting and save literally billions of dollars on our understanding of weather patterns, of hurricanes and things of that nature. It also has an understanding of the coastal ecology in this particular part of the bill.

What this bill does, and we will include as soon as we can the oceans part of this bill, but what this bill does is literally recognize that there are trillions of dollars tied up in satellite communication, in the private sector communication of satellites, and a whole host of other areas that will give us an understanding of marine research, of how the oceans affect the climates.

I urge my colleagues, as we move along in this process, this bill that Dr. EHLERS, in a bipartisan fashion, has brought to the House floor today be voted on.

Mr. GORDON. We have no speakers at this time. I don't yield back my time, but I yield to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman from Tennessee. I will, first of all, enter the sweepstakes for the most beautiful place in the United States and invite everyone to the western coast of Michigan on the Great Lakes of Lake Michigan.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I thought the chairman was going to speak about Florida when he spoke about the most beautiful place in the country.

Mr. Speaker, I rise in strong support of H.R. 5450 introduced by Chairman EHLERS, who has done a great deal in bringing this bill forward. I think we all know what this bill does: establishes under law NOAA, within the Department of Commerce, and provides a leadership structure and an organization for NOAA and establishes, obviously, NOAA's mission and functions.

I represent and live, am blessed to live and represent a peninsula, an area that is greatly affected by weather, whether it is in the oceans or whether it is by storms. NOAA, as we all know, includes many important agencies, including the National Weather Service, the National Marine Fisheries Service and also the National Hurricane Center. All of those areas are of great interest to the citizens of the State of Florida, and impact, their work impacts the economy and citizens of Florida.

South Floridians consistently rely on NOAA and on the National Hurricane Center for information, particularly, again, during this time of the year. Year after year the hurricane center has served as a trusted voice during a storm and maintains a continuous watch on the weather around the world. It issues warnings and watches and forecasts and analyzes the weather to make sure that it can stay in front of the technology so that it continuously does a better job in forecasting storms.

Very few agencies around the country can say that their work is indispensable in actually saving lives, and the weather center is one of those.

There are so many oceanic and academic and environmental groups that have expressed support for this legislation. I want to thank the chairman for bringing this bill forward. I want to thank him for his effort. I urge all of my colleagues to support this fine piece of legislation.

Mr. EHLERS. Mr. Speaker, if the other side has no further speakers, I am prepared to close.

Mr. GORDON. Mr. Speaker, we have no other speakers. We yield back the balance of our time.

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

Mr. Speaker, in closing, I want to note that NOAA reaches into the lives of nearly every citizen of this country, from the weather forecasts that people use to decide if they need an umbrella, or if they have to go to the basement to avoid a tornado, to the safety of our seafood and drought predictions of the way we grow our food and manage our reservoirs. This bill will give NOAA the tools and directions they need to continue to serve our Nation in the coming decades, and I look forward to their continued progress.

Very few people realize the importance of NOAA and how it affects their lives. They take the weather forecast for granted. In fact, many are unaware that the information that comes over the radio or as seen on television is provided by NOAA. I recall the famous case of someone who said we should stop funding NOAA because they get

more information from their TV broadcast than they do from the National Weather Service, failing to recognize the important work that NOAA does.

This bill will give NOAA the tools and direction they need to continue to serve our Nation in the coming decades and to meet the challenges of the future. I look forward to the continued progress in NOAA.

Let me mention one other side issue. Just last week we had the Mark Trail program in the Cannon Office Building where awards were given for people who are making use of the automatic weather warning system. I don't know if Members are aware of it, but you can buy a simple little radio to keep at your bedside, as I do. If there are any weather alerts during the night when we are sleeping and don't hear the sirens, the radio will wake us up and give us the alert. Every American should have that, just as every American should have a fire alarm or smoke detector in their home.

Let me take just a moment to thank the Science Committee staff who worked so hard over an almost 6-year period to make this bill possible. David Goldston, chief of staff of the Science Committee; Amy Carroll, staff director for the subcommittee I chair; Chad English, heavily involved in this issue; Sara Gray and Jason Patlis, as well as Eric Webster. Sara is present here also. She provided legal services. Jason is one of the new leaders of the Science Committee staff. Eric Webster, was invaluable in starting the research on and writing of this bill; unfortunately, he did it so well and learned so much about NOAA that they hired him, and we lost him.

Without the hard work of all of these staff members, their selfless dedication, and many long hours, we would not be here considering this bill.

Finally, I would also like to recognize Mr. GORDON's staff, who worked so closely with us throughout the process. They were invaluable in helping us perfect the bill, and we all worked with a good spirit of cooperation, and even the committee action on this bill was marked by agreement on the importance of the issue.

I urge all of my colleagues to vote for H.R. 5450, as amended.

Mr. PALLONE. Mr. Speaker, I rise to express my serious concerns about the process and manner by which this legislation has arrived on the House floor today.

The fact of the matter is that despite the laudable work that the Science Committee has done to develop legislation codifying the National Oceanic and Atmospheric Administration, this bill represents only half of what we need to develop a real organic act for the agency.

The Republican leadership has chosen to bring H.R. 5450 to the floor without the Resources Committee taking any action on its sequential referral. While the Science Committee's bill deals with the atmospheric or so-called "dry" side of NOAA, the Resources Committee has jurisdiction over ocean and coastal programs, known as the "wet" side.

This inaction is further evidence that when it comes to protecting our oceans, the House Republican leadership and the Resources Committee majority have nothing to show for themselves.

Mr. Speaker, in 2003 the Pew Oceans Commission put out a comprehensive report telling us that our oceans were in serious trouble. Many on the other side of the aisle disparaged the report. But a year later, the Congressionally chartered U.S. Commission on Ocean Policy released a separate report and came to the same basic conclusion—that our oceans are in peril from degraded waters, compromised resources, and conflicts between man and nature—and that immediate action is needed to restore the environment and protect our ocean and coastal related economy. They laid out some pretty pointed and thoughtful recommendations for Congress.

Two years later, however, the House and the Resources Committee have done virtually nothing in response to these recommendations. Rather than developing a cohesive, bipartisan strategy to evaluate the Commission's recommendations, they have effectively blocked meaningful oversight on oceans issues.

The Subcommittee on Fisheries and Oceans has held exactly one hearing on the US Ocean Commission's recommendations. Neither the Subcommittee nor the full Resources Committee have done anything to take serious action on the report's findings despite repeated requests from myself and others.

Today, in the face of the Resources Committee's disinterest in oceans issues and its inability to report its own version of H.R. 5450, we are now forced to consider a bill that may be well intentioned, but is nonetheless seriously flawed.

The truth is we have wasted the past two years when we should have taken action. Our oceans are a tremendous resource for this nation. Fishermen, beachgoers, coastal business owners, and many others in my district know this. They expect me and other members of Congress to be working on the problems facing our oceans, and I agree. Rather than passing half a bill, we should be taking serious action in response to ocean commission recommendations.

Mr. Speaker, members might vote for this bill because they support NOAA and want to move forward on an organic act. But no one should be fooled into thinking that the House has properly done its work to address the recommendations of the Ocean Commission.

Mr. SAXTON. Mr. Speaker, I rise today in support of H.R. 5450—the National Oceanic and Atmospheric Administration Act.

During the more than 20 years I have been in Congress, I have made it a priority to promote the protection of our oceans and effective conservation and management of our living marine resources. From protecting coastal wetlands to cleaning up our estuaries to promoting sustainable fisheries to preventing ocean pollution—all have been priorities during my tenure in Congress. We have accomplished a great deal but, as highlighted by the more than 200 reconmendations contained in the U.S. Commission on Ocean Policy report, much remains to be done.

NOAA was created by an Executive Order in 1970, but has never been formally authorized. Both the U.S. and Pew Ocean Commissions argued strongly for an organic statute for NOAA. A comprehensive organic act will significantly strengthen the agency by providing a clear mandate from Congress to the nation's lead civilian agency for oceans and atmosphere.

An organic statute is needed to codify and strengthen NOAA and thereby enhance its mission, improve its structure, and better enable it to carry out existing and new responsibilities in a manner that is consistent with ecosystem-based management.

H.R. 5450 represents real progress toward strengthening NOAA and is an important first step in developing the comprehensive mandate NOAA requires.

I look forward to working with Chairman EHLERS and colleagues to develop the additional provisions needed to incorporate guidance on fishery management, coastal zone management, ocean imapping and charting, and other resources-related issues. Such provisions are essential if NOAA is to effectively carry out the host of ocean-related activities essential to our nation's economic and environmental interests. Nevertheless, the bill in its current form represents a welcome effort to address a major hurdle that impedes the federal government's ability to effectively govern our oceans, coasts, and Great Lakes.

Passage of H.R. 5450 will send a clear signal that the health and productivity of our nation's oceans are a priority to the U.S. House of Representatives. I commend Chairman EHLERS for his leadership on this issue and I urge mny colleagues to support H.R. 5450.

Mr. CALVERT. Mr. Speaker, I want to commend Mr. EHLERS and his Subcommittee for its excellent oversight of the National Oceanic and Atmospheric Administration, NOAA, Within the Department of Commerce. The agency was established originally as a part of the Department of Commerce by Executive Order in 1970. NOAA has operated under Executive Order for 36 years now. However, with no legislative "organic act" NOAA was restrained from taking a real leadership role in national oceanic and atmospheric policy.

This legislation sets up guidelines and oversight of programs as any authorizing legislation should do for a Federal agency. NOAA now will: have a defined leadership structure and organization; defined missions and authorities; provide strategic plans to the Congress; and be able preserve current NOAA rules and regulations within its legal structure.

I realize that the legislation has been 2 years in the making and that the other body has yet to act, but this is exactly what an authorizing committee ought to be doing exercising its oversight powers. I commend Chairman EHLERS, and Ranking Democrat WU your persistence in pursuing the goal of passing the legislation.

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

□ 1345

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and pass the bill, H.R. 5450, 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.

A motion to reconsider was laid on the table.

FEDERAL ELECTION INTEGRITY ACT OF 2006

Mr. EHLERS. Mr. Speaker, pursuant to House Resolution 1015, I call up the bill (H.R. 4844) to amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the United States to prevent fraud in Federal elections, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1015, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4844

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 ''Federal Election Integrity Act of 2006''.

SEC. 2. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.

(a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION AS CONDITION OF RECEIVING BALLOT.—Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)) is amended—

(1) in the heading, by striking ''FOR VOTERS WHO REGISTER BY MAIL'' and inserting ''FOR PROVIDING PHOTO IDENTIFICATION''; and

(2) by striking paragraphs (1) through (3) and inserting the following:

''(1) INDIVIDUALS VOTING IN PERSON.—

''(A) REQUIREMENT TO PROVIDE IDENTIFICATION.—Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not provide a ballot for an election for Federal office to an individual who desires to vote in person unless the individual presents to the official—

''(i) a government-issued, current, and valid photo identification; or

''(ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

''(B) AVAILABILITY OF PROVISIONAL BALLOT.—If an individual does not present the identification required under subparagraph (A), the individual shall be permitted to cast a provisional ballot with respect to the election under section 302(a), except that the appropriate State or local election official may not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless the individual presents the identification required under subparagraph (A) to the official not later than 48 hours after casting the provisional ballot.

''(2) INDIVIDUALS VOTING OTHER THAN IN PERSON.—

''(A) IN GENERAL.—Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not accept any ballot for an election for Federal office provided by an individual who votes other than in person unless the individual submits with the ballot—

''(i) a copy of a government-issued, current, and valid photo identification; or

''(ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a copy of a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

''(B) EXCEPTION FOR OVERSEAS MILITARY VOTERS.—Subparagraph (A) does not apply with respect to a ballot provided by an absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved. In this subparagraph, the term 'absent uniformed services voter' has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—6(1)), other than an individual described in section 107(1)(C) of such Act.

''(3) SPECIFIC REQUIREMENTS FOR IDENTIFICATIONS.—For purposes of paragraphs (1) and (2)—

''(A) an identification is 'government-issued' if it is issued by the Federal Government or by the government of a State; and

''(B) an identification is one for which an individual was required to provide proof of United States citizenship as a condition for issuance if the identification displays an official marking or other indication that the individual is a United States citizen.''.

(b) CONFORMING AMENDMENTS.—Section 303 of such Act (42 U.S.C. 15483) is amended—

*(1) in the heading, by striking ''**FOR VOTERS WHO REGISTER BY MAIL**'' and inserting ''**FOR PROVIDING PHOTO IDENTIFICATION**''; and*

(2) in subsection (c), by striking ''subsections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)'' and inserting ''subsection (a)(5)(A)(i)(II)''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 303 to read as follows:

''Sec. 303. Computerized statewide voter registration list requirements and requirements for providing photo identification.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.

(2) CONFORMING AMENDMENT.—Section 303(d)(2) of such Act (42 U.S.C. 15483(d)(2)) is amended to read as follows:

''(2) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION.—Paragraphs (1) and (2) of subsection (b) shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.''.

SEC. 3. MAKING PHOTO IDENTIFICATIONS AVAILABLE.

(a) REQUIRING STATES TO MAKE IDENTIFICATION AVAILABLE.—Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)), as amended by section 2(a)(2), is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) MAKING PHOTO IDENTIFICATIONS AVAILABLE.—

''(A) IN GENERAL.—During fiscal year 2008 and each succeeding fiscal year, each State shall establish a program to provide photo identifications which may be used to meet the requirements of paragraphs (1) and (2) by individuals who desire to vote in elections held in the State but who do not otherwise possess a government-issued photo identification.

''(B) IDENTIFICATIONS PROVIDED AT NO COST TO INDIGENT INDIVIDUALS.—If a State charges an individual a fee for providing a photo identification under the program established under subparagraph (A)—

''(i) the fee charged may not exceed the reasonable cost to the State of providing the identification to the individual; and

''(ii) the State may not charge a fee to any individual who provides an attestation that the individual is unable to afford the fee.

''(C) IDENTIFICATIONS NOT TO BE USED FOR OTHER PURPOSES.—Any photo identification provided under the program established under subparagraph (A) may not serve as a government-issued photo identification for purposes of any program or function of a State or local government other than the administration of elections.''.

(b) PAYMENTS TO STATES TO COVER COSTS.—Subtitle D of title II of such Act (42 U.S.C. 15321 et seq.) is amended by adding at the end the following new part:

''PART 7—PAYMENTS TO COVER COSTS OF PROVIDING PHOTO IDENTIFICATIONS TO INDIGENT INDIVIDUALS

''SEC. 297. PAYMENTS TO COVER COSTS TO STATES OF PROVIDING PHOTO IDENTIFICATIONS FOR VOTING TO INDIGENT INDIVIDUALS.

''(a) PAYMENTS TO STATES.—The Commission shall make payments to States to cover the costs incurred in providing photo identifications under the program established under section 303(b)(4) to individuals who are unable to afford the fee that would otherwise be charged under the program.

''(b) AMOUNT OF PAYMENT.—The amount of the payment made to a State under this part for any year shall be equal to the amount of fees which would have been collected by the State during the year under the program established under section 303(b)(4) but for the application of section 303(b)(4)(B)(ii), as determined on the basis of information furnished to the Commission by the State at such time and in such form as the Commission may require.

''SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated for payments under this part such sums as may be necessary for fiscal year 2008 and each succeeding fiscal year.''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the item relating to subtitle D of title II the following:

''PART 7—PAYMENTS TO COVER COSTS OF PROVIDING PHOTO IDENTIFICATIONS TO INDIGENT INDIVIDUALS

''Sec. 297. Payments to cover costs to States of providing photo identifications for voting to indigent individuals.

''Sec. 297A. Authorization of appropriations.''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect October 1, 2007.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. EHLERS) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

Mr. Speaker, I rise in support of H.R. 4484, the Federal Election Integrity Act of 2006, and ask all my colleagues to support this important bill.

This bill will require presentation of a government-issued photo ID to vote

in Federal elections, effective November 2008. Though most of the voting public already has an ID that can meet this requirement, there is a percentage of eligible voters who do not have an ID, so these extra 2 years will give them time to acquire it.

To ensure that only citizens are voting, the amendment will require presentation by 2010 of an ID that could not have been obtained without providing proof of citizenship. Once obtained, this ID can be used to prove both citizenship and identity when voting.

This Congress has previously enacted the REAL ID Act which will require people to prove their legal status in the country to get a REAL ID. That act has to be implemented by May 2008. Citizens will be able to use the IDs they obtain under this process to vote in elections starting in 2010 and for all elections thereafter. H.R. 4844 will require the ID to include some indicia of citizenship, so poll workers and other election officials will be able to tell that the bearer is a citizen.

Those who arrive at the polls without an ID will be permitted to cast a provisional ballot. These ballots will be counted if the person returns and presents to an election official a qualifying ID within 48 hours. To help those who need but cannot afford the ID to vote, the amendment requires States to provide them free of cost to the indigent and authorizes funds to reimburse States for the cost of doing so.

To most people this proposal is a simple, commonsense proposal and a necessary safeguard against vote fraud. To others it represents a dangerous threat to some citizens' ability to access the polls. While this debate may be heated in Washington, D.C., it seems the American people have made up their mind. A recent NBC-Wall Street Journal poll showed that 81 percent of those surveyed favored an ID requirement for voting. A Rasmussen poll during that same time period showed a similar result. Seventy-seven percent surveyed favored an ID requirement for voting.

Likewise, the bipartisan Carter-Baker Commission on Federal Election Reform recommended a national voter ID requirement in the report they issued last year. While the division on this issue may be partisan here in Congress, it certainly was not on this bipartisan commission. It seems a large bipartisan majority there concluded by an 18–3 vote that requiring ID is a necessary reform.

Once implemented, H.R. 4844 will put an important safeguard in place that will enhance the integrity of our system and help restore confidence in it. By putting in place procedures that ensure voting is limited to eligible citizens, we can encourage participation and increase turnout.

The experience in Arizona is instructive here. Despite all the claims that disenfranchisement would ensue after the enactment of the proof of citizenship and ID requirements in Proposition 200, testimony in Phoenix revealed that registration went up 15 percent after the requirement to prove citizenship went into effect. The fact is, people are encouraged to vote when they believe their vote will count and know that their vote will not be canceled out by an illegal vote.

I know there will be some who oppose the action we will take today, and there will be some controversy generated by the proposal. I wish it were not so. It seems we should all be able to agree that voting should be limited to citizens of the United States, because that has been the law for years. If we can agree on that, we should be able to agree that our voting systems must have procedures in place to ensure that.

We should all be able to agree that every eligible citizen should be able to vote, should be encouraged to vote, to vote only once, and to be assured that their vote will not be diluted by an illegal vote. If we agree on that, we should be able to agree that making people identify themselves when they vote is a simple and necessary safeguard.

It was not always so. I grew up in a small town, Edgerton, Minnesota, with 800 people. They did not need photo IDs. They knew everyone in town. If a stranger had showed up to vote, he would have been ushered out of the hall. But today we live in urban cities, by and large. We do not know each other well, and we need some means of foolproof identification.

I am sure that we will hear from the other side of the aisle today that an ID requirement is not necessary and is too much trouble. But every day millions of Americans show a photo ID to pay by check, board a plane or buy alcohol or tobacco. Surely the sanctity of the ballot warrants as much protection as these other activities.

In too many States, lax identification requirements mean people can cast votes without ever having to prove their eligibility. Our voting rights are too important to rely on an honor system. We need to make sure we have procedures in place that protect the right to vote and make sure only eligible citizens are able to do so.

I hope all Members will recognize the need for these necessary reforms. They will advance the security of our electoral systems, increase confidence in their integrity and reduce the opportunities for fraud. I ask all Members to support this important bill.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I never thought as a girl growing up in Birmingham, Alabama, that I would meet, again, a present-day poll tax. My goodness. My father would be really amazed.

Therefore, I rise today in strong opposition to H.R. 4844, the so-called Federal Election Integrity Act of 2006, which requires all States to demand that voters provide government-issued identification in order to vote in the 2008 election and proof of citizenship in order to vote in the 2010 election.

The Republican Party has acted without expressing any concern for the millions of American citizens who currently do not have the necessary documentation and consequently will be denied their right to vote. Further, the majority has not been moved by the realization that the burden of this legislation falls disproportionately on the elderly, the disabled, and ethnic minorities. Unfortunately, the Republicans made no effort to determine how many would be affected and be disenfranchised by this legislation.

Mr. Speaker, with H.R. 4844, this Republican legislation devises a modern-day poll tax in the form of a proof of citizenship requirement that will keep some eligible voters from voting and make it harder for all American citizens to vote. No citizen should have to pay in order to exercise his or her constitutional right to vote.

I have heard today on this Floor that President Carter's and Secretary of State Baker's reference to IDs fit within the intent of this bill. Allow me to clarify this assertion. Their ID proposal does not have requirements for citizenship, and they wish that everyone, not just those who can not afford IDs, possess them free of charge. They have not endorsed this piece of legislation.

Proof of citizenship requirements place on the voter the difficult, time-consuming and costly burden of obtaining the necessary documentation to prove citizenship or identity in order to cast a vote. For example, our State Department reports that only 23 percent of all Americans possess a passport, and the cost of obtaining one exceeds $100. A majority of Americans do not currently possess the identification required by H.R. 4844, and requiring them to obtain one imposes an unconstitutional burden on their right to vote.

Additionally, some Americans may be unable to acquire the necessary documents at any cost because they lack a birth certificate. We recognize that there are many minorities, especially African Americans, who were delivered by midwives, who did not have and do not have a birth certificate. There are some rural Americans who do not have birth certificates. We recognize that the State of Georgia indicates that 40 percent of their seniors would be denied their right to vote if this piece of legislation passes.

I believe, Mr. Speaker, that the Help America Vote Act, HAVA, strikes the appropriate balance between voter-ballot access and system-ballot integrity, and it was accomplished with bipartisan effort. The Committee on House Administration worked tirelessly to enact HAVA as a solution to the problems associated with the November 2000 general election. As a result of HAVA, $3.1 billion was appropriated to

the States to improve the voting process. My alternative calls for the $800 million in shortfall funding to ensure full funding of HAVA.

The question of citizenship was directly addressed head on in HAVA whereby Congress mandated that the mail-in registration form includes a box that asks the question, ''Are you a citizen of the United States of America?'' If you answer no, your form is rejected automatically. If you answer yes, and you are discovered not to be a citizen, you are subject to Federal prosecution.

Mr. Speaker, we have laws on the books that if someone votes illegally, he or she will be prosecuted to the fullest extent of the law. The penalties are stiff and have successfully served as a deterrent to misrepresentation.

The voter ID question was asked and answered by HAVA. HAVA provided a broad range of ID options for the narrow circumstances of first-time voters who register by mail or appear in person at the polls to cast their vote. A photo ID is only one option. All the other options include employment ID, student ID, a current utility bill, bank statement, paychecks, or a government document showing the name and address of the voter.

□ 1400

Neither voters nor States are required to comply with a one-size-fit-all Federal mandate. The unavoidable consequence of enacting H.R. 4844 will be the decrease in the number of American citizens who are able to vote. H.R. 4844 will do far more to suppress turnout and intimidate voters than to prevent voter fraud, the purported objective of the majority.

Now, we say to all of us here in Congress, if we know of fraud and of persons voting illegally, we should tell our district attorneys. We should not tarry on this type of thing, and I suggest to the majority, if they know of any fraud, please call their district attorneys. We do not need this type of bill to accomplish this task.

We should be, as Members of Congress, representing the people and this people's House to do just that. For all the concern that the majority expresses about protecting the right to vote, this bill does nothing to stop voter suppression or correct the numerous administrative problems that are plaguing our elections and robbing our citizens of their right to vote.

I also previously heard that Andrew Young is in support of this bill. In fact, we understand that Andrew Young is not in support of this bill and that his remarks have been taken out of context. He is opposed to this bill.

H.R. 4844, as amended, will do nothing to stop the intentional forms of voter suppression such as the instances in 2004 when unsuspecting voters were misinformed about the time or place of the election or about the qualifications for voting. This bill will not remedy the long lines, misallocation of voting equipment, voting registration rules, or other election procedures that deny citizens their very critical opportunity to vote.

These are the real issues that this Congress should be addressing. To that end, I have offered a substitute piece of legislation that addresses some of the problems of voter suppression and voter fraud that are not addressed in H.R. 4844. Our Congress should be improving voter access to the polls, preventing election fraud, paying for and supporting election integrity, but it was not made in order. In fact, this is a closed rule, which is what happens when the majority does not want us to bring real legislation to the floor.

Mr. Speaker, because of the critical adverse impact of this bill and the affect it will have on our citizens' constitutional right to vote, I urge my colleagues to join me in opposing H.R. 4844. Instead of making it difficult to vote, our job should be, in the people's House, to promote civic participation more broadly.

There are 40 percent of registered voters who are not voting in our elections. This issue is what we should be addressing. Instead of erecting new barriers to voting participation, we should be devoting our resources to prosecuting the illegal intimidation tactics and solving the election irregularities which continue to surface with each election cycle.

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

Mr. EHLERS. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Illinois (Mr. HYDE) one of the most honorable persons in the Chamber, one who has served well for so many years, the sponsor of this bill, who has worked tirelessly for this Congress and for the people of the United States, including on this bill.

Mr. HYDE. Mr. Speaker, I thank Mr. EHLERS. I appreciate your warm, gracious words.

There is a story that goes around in my hometown, Chicago. It says, Bury me when I die in Chicago because I want to stay active in politics after I am gone. This is not the problem we face here, but I thought I would mention that anyway.

I rise in support of H.R. 4844, the Federal Election Integrity Act of 2006, because the election system is the bedrock that our Republic is built on and its security and oversight is of paramount concern. The Constitution places the responsibility within this House to certify Federal elections, and we ''may at any time by law make or alter such regulations.''

It is the law that only U.S. citizens have the right to vote in Federal elections, but our current system does not give State election officials the tools they need to ensure that this requirement is being met, which is why I have introduced this bill.

This bill will help election officials ensure accuracy at the polls on election day. It amends Public Law 103–31, popularly known as the ''motor-voter bill,'' to require voters to show a current official photo ID obtained with proof of their U.S. citizenship before voting. This bill's requirements will extend nationwide for all Federal elections.

H.R. 4844's provisions take effect gradually, allowing voters time to adjust. In 2008, voters will have to show a current official photo ID, and in 2010, they will have to display a photo ID that was obtained by providing proof of their U.S. citizenship. A voter who forgets his ID on election day will be allowed to cast a provisional ballot and will have 48 hours to present an ID to an election official to validate the ballot. Furthermore, and this is so important, voters who cannot afford an ID will be issued a free ID at no cost. That is some kind of poll tax when somebody else pays for it. That is my kind of tax. Funds will be appropriated, they are contemplated by this legislation, to assist States in implementing the providing of a free ID.

Opponents argue requiring a photo ID backed by proof of citizenship erects obstacles to citizen participation. That is certainly not true. This bill is designed to increase participation by ensuring that each legitimate vote will be counted and not be diluted by fraud.

There are many elections in this country every cycle that are decided by just a handful of votes. How can we be certain that these elections, without measures to certify the identity of voters, are not being decided by fraudulent votes?

Opponents often claim that requiring a photo ID is a solution in search of a problem. This argument is erroneous because election officials cannot determine if a problem exists because they do not have the tools to verify voters' identities on election day, nor when they register.

Our laws operate largely on trust, trust that voters are truthful in checking a box certifying that they are U.S. citizens. No documentation is required. Under the current law, all you need to establish your identity when registering to vote by mail is a utility bill or bank statement, documents easily forged and which do not give any indication of citizenship.

Our election system is too important to be safeguarded by mere honesty alone. We must have verification.

Opponents claim that there are strict punishments already in place to deter voter fraud. I agree there are sanctions in place, but they are toothless measures when election officials do not have the tools they need to concretely establish a voter's identity on election day.

Broad popular support exists for this bill. Photo IDs were called for in the 2005 report issued by the bipartisan Commission on Federal Election Reform.

Many States have recognized voter fraud is a problem and passed photo ID laws as protective measures. Arizona

voters recently passed a law requiring valid photo IDs for elections, and 22 States have implemented laws that require all voters to show identification when casting a ballot.

Let me summarize by saying our voting rights were won by Americans who were willing to lay down their lives for the freedom to elect our representatives, and it is our duty to safeguard that freedom. If we do not, our elections become meaningless.

This bill upholds the integrity of this election system for everybody.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ZOE LOFGREN), a distinguished and outstanding member of the Committee on House Administration.

Ms. ZOE LOFGREN of California. Mr. Speaker, there is something we can all agree on in this Chamber and that is that only Americans get to vote, and they only get to vote once. But what we are talking about in this bill is disenfranchising many of those Americans. It is already a felony for a non-American to vote.

Now, when this bill was introduced, the committee made it part of Immigration August. We had hearings around the country, and what we found out was that the issue of so-called illegal aliens voting basically does not occur.

As the League of Women Voters has said, the voter fraud addressed by this bill is a rare problem, and the witness in New Mexico said she had never seen it in her entire professional career. And if you think about it, it makes sense. Illegal aliens are sneaking across the border for a job, not to vote.

We also got testimony that the impact of this will disproportionately affect poor people and African Americans. In fact, in a Milwaukee study, they found that 78 percent of the African American men aged 18 to 24 had no driver's license. Why? Because they are too poor to have a car and they do not have a license.

In New Mexico, we heard from Mr. Yahzee, a Navajo, who told us that the Navajos basically do not have this ID and they cannot get it either because they do not have birth certificates, they do not have electricity, they do not have phones. They do not have the document, but they are the original Americans. They were the code talkers. They are entitled to vote, but under this bill they would not be able to vote. I do not know about this poll, but I think if you ask 81 percent of Americans whether the Navajo should not be allowed to vote, they would say, well, of course not.

Now, recently there was a measure put into place to have Medicaid recipients have a photo ID, and we had to repeal that rule. And you know why? Because we would have had to see old people evicted from nursing homes because they could not come up with that photo ID. Well, I tell you, if you cannot come up with a photo ID to save your life, you are not going to be able to come up with a photo ID to vote either. That must be why the AARP is against this measure.

So why is this before us today? We have no evidence there is a problem. We have ample evidence in the testimony that this will disenfranchise many Americans.

I must say that the Republican Party is doing this throughout the United States. This is the measure to disenfranchise African Americans, Native Americans. It is wrong and we will not stand for it.

Mr. EHLERS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I thank very much the chairman for the time. I appreciate that.

Mr. Speaker, we deal with an issue today that could likely determine the long-term fate of our Republic. As Mr. HYDE just pointed out, voting is the bedrock of our Republic, and today we deal with voter fraud.

The U.S. Constitution and the constituents of several States clearly define the legal requirements to vote. A voter must be of minimum age. They must be a citizen of the United States, and each voter must vote only once. I do not think anybody in this body would disagree with that.

What we discuss today or debate is over how do we enforce the voter laws we have on the books.

A tamper-proof photo ID is the only practical way to prevent the mass input of fraudulent voters into our system. Some say, oh, we do not have any. How the heck do we know we do not have any? We do not check anybody to see if they are fraudulent or not.

That was the recommendation of the nonpartisan Federal Election Reform Commission, headed by former Democratic President Jimmy Carter and former Republican Secretary of State James Baker.

□ 1415

It is also the opinion, by the way, if anybody is interested, of 80 to 90 percent of the American public. It happens in every poll that is taken on this issue. My State of Georgia, in fact, has already passed such a requirement. They have even gone back and amended the law to include free State-issued photo IDs for anyone who needs one.

But that is not good enough for some. Yesterday, the State Superior Court Judge T. Jackson Bedford, Jr., legislated on the court and ruled that requiring a photo ID, in his opinion, is unconstitutional because it imposes a duty on the voter not specifically required in our State constitution. I feel very certain our Supreme Court will satisfy this problem within the next couple of weeks. He did not address, however, Legislator Judge Jackson Bedford, Jr., the fact that, without the photo ID, the legal votes of hundreds of thousands of illegal aliens could negate the legal ballots of hundreds of thousands of our citizens around the country. He did not address the fact that, without a photo ID, tens of thousands of partisans could fraudulently vote in another person's name and cast multiple ballots, negating the legal ballots of our citizens. He did not address the fact that legal voters of Georgia have spoken loud and clear over and over through their lawfully elected representatives that this measure is needed, and it is desired.

He did not, meaning the legislative judge, address that the Constitution of the United States guarantees to each State a republican form of government, and this ruling directly conflicts with the perfect right of the citizens of Georgia. Our Governor and State legislature must fight this tyrant in Georgia.

But we can speak loud and clear against those who show their contempt against the right of the American voters across our Nation. We can stop election fraud today by voting for this magnificent restoration of our constitutional rights by my friend and my colleague Chairman HYDE.

Defend the Republic. Support this bill.

Ms. MILLENDER-McDONALD. The gentleman from Georgia is absolutely right. If we need to go after fraud, we need to get some quantitative information before we bring this bill to the floor.

Mr. Speaker, I now would like to yield 1 minute to our distinguished minority leader.

Ms. PELOSI. I thank the gentlewoman for yielding.

''This cannot be.'' With those words, State Judge Jackson Bedford yesterday struck down the infamous Georgia photo ID law. Let me repeat. ''This cannot be.'' Let these words guide us here, because right here in this House of Representatives we take an oath of office to uphold the Constitution of the United States. That Constitution guarantees all American citizens the right to vote and the right for their vote to be counted.

I want to thank the distinguished gentlewoman from California, the ranking Democrat on the House Administration Committee, for her leadership on this issue. She has been an important force in protecting the integrity of elections. And that is why it is so sad to see this bill come here to the floor today, especially named the Federal Election Integrity Act.

Integrity? It is not about integrity. It is about a tawdry attempt by Republicans to suppress the votes of millions of Americans. That is not integrity.

America is a beacon of democracy to the world. We must continue to send a message to the world that we honor the oath of office that we take to protect and defend the Constitution. Every eligible citizen must be able to vote, to exercise his or her right to vote, and those votes must be counted.

Only a short month ago, many of us stood here, stood proudly on the White

House lawn as the Voting Rights Act reauthorization was signed into law. We overcame many obstacles even for the reauthorization of that legislation to affirm the most precious right of our democracy, the right to vote.

Today, however, we are undermining that right to vote, and we are undermining the reauthorization of the Voting Rights Act, and, in doing so, we are undermining our democracy. Though the right to vote is the foundation of our democracy, the bill we debate today is indeed a disenfranchisement of millions of American voters, the elderly, African Americans, Asian Americans, Latino Americans, and, get this, Native Americans. Native Americans, people here longer than any of our families, unless we can proudly boast of being Native American. People with disabilities. The list goes on.

As the NAACP has said, this bill would disenfranchise many of the very citizens that the Voting Rights Act is designed to protect. And the Republicans call that integrity. I don't think so.

A few weeks ago President Bush spoke before the NAACP in the first time in his Presidency. He quoted President Lyndon Johnson in saying that voting rights are the lifeblood of a democracy. And yet, here today, after making that great statement, quoting that great civil rights and voting rights President, President Bush is here today in a transparent, it is obvious to all, attempt to suppress the votes of millions of American citizens, cutting off the lifeblood of democracy. Is that integrity? I don't think so.

Supporters of this Republican voter suppression bill would claim that this bill is about preventing noncitizens from voting. It is just the opposite; it is a bill designed to prevent citizens from voting. Noncitizens are strictly prohibited under law from voting and face tough penalties for breaking these laws. And that is right. No one condones fraud. There is little evidence anywhere in the country of a significant problem with noncitizen voters. As our distinguished ranking member pointed out, if you want to make a case, document it, just don't claim it and then come through with a clear and transparent attempt to cut off the votes of those who do not share your political point of view. You didn't take an oath of office to do that.

This bill is not about noncitizens as its supporters claim. Rather, it affects all American citizens by making them prove that they are, in fact, citizens even if they have voted for years. By forcing voters to undergo time-consuming, burdensome, and expensive attempts to secure documents, this Republican voter suppression bill is a modern-day poll tax. It would especially impact our elderly citizens and low-income citizens, and disproportionately affect minority individuals and individuals with disabilities, many of whom do not drive and cannot afford passports. This bill suspiciously appears to target and disenfranchise American voters who might not be sympathetic to Republican policy goals. Again, a modern-day poll tax. And the Republicans call this modern-day poll tax integrity. I don't think so.

We have a responsibility to remove all obstacles to participation to the right of all American citizens to participate in the electoral process. And yet, the AARP has said that the obstacles this bill throws up to voting, that they are particularly concerned about that such rules will prevent many eligible older voters from exercising their right to vote. That is why they join the NAACP, the League of Women Voters, and this long list of over 110 organizations, civil liberties, civil rights groups opposing this legislation.

It even goes into health, United Church of Christ, the United Methodist Church, United States Steelworkers, United States Student Association. How about this. The list goes on. But it even talks about some of the groups that deal with the disabilities community in our country. The Navajo Nation. I will put it in the RECORD for all to see. The League of Women Voters, the NAACP, AARP. The list goes on.

GROUPS OPPOSED TO VOTER ID BILL—SEPTEMBER 20, 2006

African American Ministers in Action
ACORN
Advancement Project
Aguila Youth Leadership Institute
Alliance for Retired Americans
American Association of People with Disabilities
American Association of Retired Persons (AARP)
American Association of University Women
American Civil Liberties Union
American Civil Liberties Union of Arizona
American Federation of Labor—Congress of Industrial Organizations (AFL–CIO)
American Federation of State, County and Municipal Employees
American Immigration Lawyers Association
American Jewish Committee
American Policy Center
Americans for Democratic Action
Anti-Defamation League
Arizona Advocacy Network
Arizona Consumers Council
Arizona Hispanic Community Forum
Arizona Students' Association
Asian American Justice Center
Asian American Legal Defense and Education Fund
Asian and Pacific Islander American Vote (APIA Vote)
Asian Pacific American Labor Alliance, AFL–CIO
Brennan Center for Justice
Brennan Center for Justice at NYU School of Law
Center for Digital Democracy
Common Cause
Computer Professionals for Social Responsibility
Concerned Foreign Service Officers
Congressional Hispanic Caucus
Consumer Action
Cyber Privacy Project
Democratic Women's Working Group
Demos
Demos: A Network for Ideas & Action
Electronic Frontier Foundation
Electronic Privacy Information Center
Emigrantes Sin Fronteras
Fairfax County Privacy Council
FairVote
Friends Committee on National Legislation
Hispanic Federation
Hispanic National Bar Association
Interfaith Worker Justice of Arizona
Intertribal Council of Arizona
Japanese American Citizens League (JACL)
Jewish Council for Public Affairs
La Union Del Pueblo Entero (LUPE)
Labor Council for Latin American Advancement
Laborers International
Lawyers' Committee for Civil Rights Under Law
Leadership Conference on Civil Rights
League of United Latin American Citizens
League of Women Voters of Greater Tucson
League of Women Voters of the United States
League of Young Voters Education Fund
Legal Momentum
Mexican-American Legal Defense and Educational Fund
National Association for the Advancement of Colored People (NAACP)
National Association of Latino Elected and Appointed Officials Educational Fund
National Center for Transgender Equality
National Conference of State Legislatures (NCSL)
National Congress of American Indians
National Council of Jewish Women
National Council of La Raza
National Disability Rights Network
National Education Association
National Immigration Forum
National Korean American Service & Education Consortium
National Urban League
National Voting Rights Institute
Navajo Nation
New York Public Interest Research Group, Inc./NYPIRG
Ohio Taxpayers Association & OTA Foundation
Philip Randolph Institute
People for the American Way Foundation
Project for Arizona's Future
Project Vote
Protection and Advocacy System
Rainbow PUSH Coalition
Republican Liberty Caucus
Rock the Vote
SEIU Local 5 Arizona
Service Employees International Union (SEIU)
Sikh American Legal Defense and Education Fund (SALDEF)
Somos America/We Are America
Southwest Voter Registration Education Project
The Arc of the United States
The Multiracial Activist
The Rutherford Institute
Tohono O'odham Nation
Transgender Law Center
U.S. Hispanic Chamber of Commerce
U.S. PIRG
Union for Reform Judaism
Unitarian Universalist Association of Congregations
United Auto Workers
United Cerebral Palsy
United Church of Christ Justice & Witness Ministries
United Methodist Church, General Board of Church and Society
United States Student Association
United Steelworkers
United Workers of America
UNITE–HERE
Velvet Revolution
William C. Velasquez Institute

YWCA USA

Mr. Speaker, the general public should understand what this bill means to them. This doesn't mean that you don't have to prove your identity at the polls. Many States permit forms of identification such as Social Security cards and utility bills when voting. What this bill does do, though, is starting in 2008, voters would have to present a government-issued photo ID that many do not have. Or, if you are voting by mail, you have to send in your picture. I mean, what is this? Submit it before getting a ballot. And, starting in 2010, that ID would also have to show proof of U.S. citizenship. This cannot be.

But just if you are a person out there listening to this debate, and you think, my Social Security card is not enough? The fact that I have voted in this community over time is not enough? Where is the basis of our democracy, which is truth and trust? It is completely lacking in this bill. And they call it integrity.

As we know from experience, Republican promises to authorize funds for identification are meaningless. They say, oh, we are going to authorize. We are supposed to have had $800 million allocated to remove obstacles of participation and to facilitate voting, but because that would expand the universe of people who have access to the right to vote, the Republicans have rejected it for fear of the result of that turnout. Republicans have a history of underfunding electoral reform. Again, they have underfunded the Help America Vote Act by $800 million. How they can explain that, I don't know. I know one thing, it is not about integrity.

Mr. Speaker, problems with voting that were apparent in the elections of 2000 and 2004 are well-known to the American people, and they are of great concern to the American people. Those elections have uncomfortable echoes to a past that had been long left behind. In the 2004 elections, voters in predominantly minority districts reported higher rates of inactive voter registrations, a greater percentage of inadequately staffed and equipped polling places, inconsistent treatment of provisional ballots, many of which were never counted, and sometimes even a lack of an adequate number of ballots.

Even with the best intentions, it is challenging, as we saw in the State of Maryland last week. But if the design is to thwart voter participation, how much of a disadvantage is the average voter?

Mr. Speaker, 40 years ago, in one of our Nation's finest hours, our country came together as a Nation to overcome bigotry and injustice and to secure the fundamental right to vote. With the passage of the Voting Rights Act, we said that we would no longer tolerate the many nefarious methods, poll taxes, literacy tax, grandfather clauses, and, as our colleague JOHN LEWIS can attest, brutal violence that had been used to deny African Americans and other minority citizens the right to vote. Today this legislation seeks to turn back the clock. And they call it integrity.

Those of us who take an oath of office, I go back to that oath over and over again, promise to uphold the Constitution. We are committing ourselves to ensuring that everyone who is eligible to vote is able to vote, and that every vote will be counted. Any diminishment, any diminishment of America's citizens voting is a diminishment of our democracy. This cannot be.

□ 1430

Mr. EHLERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. GREEN), the future Governor of Wisconsin.

Mr. GREEN of Wisconsin. Mr. Speaker, I rise in support of H.R. 4844, the Federal Election Integrity Act.

Mr. Speaker, our democracy can withstand many things and that is what our history shows. But one thing it cannot withstand is doubt over the outcome of elections. We have to know whoever wins, your guy, my guy, conservative, liberal, Republican or Democrat, he or she really won. Won, in fact. It is the only way our leaders have the moral authority they need to take on the great challenges of our times.

As others have noted, we have had far too many elections in recent years where serious questions have emerged over irregularities and even fraud. During the last Federal election in 2004 in my home State, Wisconsin, Wisconsin found itself mired with out-of-date voter lists, fake names, invalid addresses, double and triple voting, and ballots cast by convicted felons. Our State's largest newspaper found almost 300 cases of felons voting illegally, at least 100 cases of double voting, and 1,200 votes from invalid addresses. And the list goes on and on and on.

Every one of those illegal votes cancels out a vote legally cast, cancels out a vote from a citizen for whom that right is so precious and so fundamental to our Nation's future.

A photo ID will not solve all of these problem, not by a long shot. But it is definitely a step in the right direction, a step that I believe most Americans support, a step that I know most Wisconsinites support. That is why last year I introduced comprehensive election reform legislation that would have required a valid photo ID to vote in any Federal election.

It is also why I am proud to support this legislation from Chairman HYDE. It is legislation whose time has come. It is a way of ensuring integrity in elections.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 2 minutes to a great civil rights leader and icon from the great State of Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend, my colleague, the gentlewoman from California for yielding and for all of her great work.

Mr. Speaker, just 3 months ago this body passed the reauthorization of the Voting Rights Act of 1965, admitting the sad fact that voter discrimination is still a reality in this great Nation. This Congress decided we could do better, that history required us to protect the right of all Americans to vote.

Today this bill moves us in a different direction, the wrong direction. This bill, like the unconstitutional Georgia photo ID bill and so many other photo ID schemes throughout the country, is an attack on the voting rights of millions of American citizens.

I am beyond disgusted. I am shocked. I find it hard to believe that the Republican leaders in Congress will put election year games ahead of the voting rights of American citizens. We fought too long, fought too hard, and suffered too long for the right to vote. People died to participate in the democratic process. We must not turn back the clock. We must not go back. We must go forward and open up the political process and let all American citizens come in.

Call it what you may, this bill is a modern-day poll tax; $10 or $15 for a birth certificate, $100 for a passport, this is a poll tax. There is no other way to say it. It costs money to get a birth certificate. It costs money to get a passport. Why put an extra burden on American citizens to exercise their most precious right, their right to vote? There is no reason.

Citizens will be denied the right to vote. This is no less than voter suppression. We should open up the process to each and every American citizen. Instead, this bill returns us to our dark past. Vote ''no'' on this photo ID bill.

Mr. EHLERS. Mr. Speaker, I would just like to observe for a moment there will be no expense to any voter. It will be paid by the Federal Government if the voter has to pay money to get a birth certificate or a photo ID.

Mr. Speaker, I am pleased to yield 2 minutes to another member of the House Administration Committee, Mr. JOHN MICA of Florida.

Mr. MICA. Mr. Speaker, I thank Chairman EHLERS for yielding me this time, and I thank him for bringing out a bill that is both a reasonable bill, a bill that looks out for the interests of the poor and those that could be deprived of the right to vote.

I have the greatest respect for the gentleman from Georgia (Mr. LEWIS). He is a hero among heroes, and I am here to tell you if this bill in any way infringed on anyone's ability to vote or discriminated on any basis of allowing them to have access to the polls, I would not support it.

But what we have in this legislation which has been so ably crafted is legislation by a bipartisan commission, 21 members led by two very distinguished individuals, the gentleman from Georgia, the former President Carter, and the gentleman from Texas, former Secretary of State Jim Baker, a 21-member commission, and by a vote of 18–21,

only three dissenters, they asked for and recommend this for protection of the ballot.

Now we have been discussing here, day after day, border security. And we want our borders safe. This issue is what Americans want. They want safe borders and they want safe ballots.

I come from the State of Florida where we had the question of who voted. This gives us protection because it asks for minimal identification. So it is a good recommendation and it is a recommendation because we don't want 50 States and some States with different levels of requirements. We have a national standard, and that is what was recommended by the commission to ensure that we have a safe and secure ballot, ensure that we not only are protecting our borders but we are protecting our ballots.

In Florida you can have a requirement for identification to buy a six-pack or a pack of cigarettes. The very least we can ask is for someone who is going to cast a ballot that is so precious in our democratic process to show some identification, and I think this is a good measure. I urge its passage.

Ms. MILLENDER-McDONALD. Mr. MICA, perhaps you do want to consider not voting for the bill because 60 percent of new registrants in Pima County, AZ who are all eligible voters, were initially rejected. And for every 1 percent of individuals who do not have the necessary documentation of citizenship, 2 million voters are disenfranchised.

Mr. Speaker, at this time I would like to yield 1½ minutes to a man who does know about all of this, a former Secretary of State, the Honorable JIM LANGEVIN from Rhode Island.

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

Mr. LANGEVIN. Mr. Speaker, today I rise in strong opposition to H.R. 4844 because of the dangerous impact it would have on voter participation in the United States. When I was Secretary of State, I led an effort to reform our elections. We replaced our outdated voting equipment, made polling places accessible, and significantly reduced error rates.

My job was to make voting open and accessible to eligible citizens, and to encourage people to participate in the process. From that experience, I know this legislation would practically do nothing to reduce fraud, while creating new barriers for Americans to vote.

Should H.R. 4844 become law, fewer eligible citizens will be able to vote because they lack proper identification or documentation. Maybe it is an elderly woman who leaves her home of 50 years to enter an assisted-living facility. It could be a resident of New Orleans whose public records were lost in Hurricane Katrina. The list goes on and on. However, these people have one thing in common: Once they are turned away from voting, it is unlikely they will return. They may not return that day because of a lack of time or transportation; or they may not return in future elections because of the hassle they experienced. New obstacles to voting will cause many to drop out of the Nation's election system because it failed them.

Not only would the bill make it harder for every American to vote, but it would also add massive new compliance requirements for election officials. It also unnecessarily duplicates current law, which requires that voters in Federal elections be U.S. citizens.

Fraudulent voter registration is a felony punishable by 5 years in prison. Furthermore, the bill does not address other, more prevalent forms of voter fraud and additional problems that we have witnessed in recent elections.

Mr. Speaker, Congress has a proud record of removing barriers and increasing the opportunity of all Americans to vote. It guaranteed the right to vote to citizens whose only disqualification was the color of their skin. It opened polling places to the disabled. It extended the franchise to Americans living overseas. It did all of this on a bipartisan basis and while maintaining the integrity of our elections.

H.R. 4844 is a step away from that proud tradition because it would erect new barriers for eligible citizens and disenfranchise many Americans. I urge my colleagues to vote against H.R. 4844 so that we may preserve the most precious right, the right to vote.

Mr. EHLERS. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE) who was kind enough to host us when we held a hearing in his State.

Mr. PEARCE. Mr. Speaker, I heartily support H.R. 4844. On election day in 2000, President Bush was ahead by 31,000 votes. Before the Secretary of State of New Mexico certified the election 23 days later, the last State to certify, that gap had been closed to just 5,000 votes, and the voting was about 80–20 the reverse direction. The estimate of fraud in that particular election was 7 percent in statewide fraud.

One of the greatest frauds that is perpetrated in New Mexico is that voting workers, campaign workers, come in and read over the shoulder of the poll workers and find out names that have not been signed in. And magically, that is the next name that appears. That is the next person in line that comes up and signs his name, and it works over and over again through the day.

It was against the law, and when candidates began to enforce the law, in 2004 the New Mexico legislature went in and cured the problem. They went in and said it is okay, it is okay for that worker to come in, look over the shoulder and find a blank line and sign in. In fact, in New Mexico it is against the law, it is against the law to check for photo ID or any kind of registration even if you know that the person is not the right person that is signing.

So that is the reason that I think a bipartisan commission supported this bill. At the end of the day, the integrity of the election process is the confidence in the process.

This is not about who gets elected. This is about making sure that each person gets one vote and one vote only. For those who would say call the district attorney, I would tell you when the college students signed in and called us at 8, saying someone had already voted in their place, I am here with my picture ID and they say I am already signed in and it was someone else, the district attorney says if you can't find a warm body signing the line at the time, then you have no case.

The county clerk in the county where these problems occurred was convicted of four counts of felony fraud on election day; yet the Secretary of State would not pursue the case. I support this bill because it begins to restore some integrity to the election process. We on this side will not allow disenfranchisement. We will not allow votes to be suppressed, but we do need to clean up the mess that exists in many States. I thank the gentleman for bringing this bill to the floor.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 1½ minutes to the gentleman from the great State of Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I thank the gentlewoman from California (Ms. MILLENDER-McDONALD) for yielding me this time.

We have had eloquent testimony and speeches dealing with the practicality of why this bill is unconstitutional. But more than that, let it be clear, let's pull the covers off of this, this is nothing but a bold attempt, a shameless attempt by the Republican Party to target those types of voters that they believe will not vote for them but would vote for Democrats. That is exactly what it is.

I am here to tell you the truth about this because I am from Georgia where this very same bill has been ruled not unconstitutional once, not unconstitutional twice, three times it has been ruled unconstitutional by a Federal judge, and just yesterday by the Superior Court of Fulton County, the largest county in my State.

□ 1445

It has been ruled unconstitutional. And the reason is this: The Constitution and the Framers of the Constitution made it very clear. They said that the right to vote shall not be abridged, shall not be infringed upon. That is the anchor. That is the basic thrust.

You come here and talk about needing a picture ID to get on a plane, to get on a bus. Well, the right to get on a plane must not be infringed was not written into the Constitution, but the right to vote was. And if Alexander Hamilton was right, if Thomas Jefferson was right, ought not we be right? If Madison was right, shouldn't we be right? If Abraham Lincoln was right, shouldn't we be right? If Martin Luther King, Jr., was right, shouldn't we be

right? When Lyndon Baines Johnson signed the Voting Rights Act, he said the same thing. All throughout our history, and why?

Here are you, the Republicans, doing this dastardly un-American act. And if John Lewis, who got his head bloodied on Edmund Pettus Bridge, says it is right, then it should be right. And the right thing to do is to vote down this dastardly un-American bill.

Mr. EHLERS. Mr. Speaker, I am pleased to yield such time as he may consume to Mr. WALDEN for purpose of a colloquy.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the chairman for yielding.

As the chairman knows, I support the fact that citizens should have the right to vote and that the citizens' vote should be counted, and the way to do that is to prove your citizenship. That is what American elections are all about, so we do not have people here illegally who are voting.

My concern with this legislation applies specifically to my State of Oregon, which is entirely vote by mail, and the provisions contained in this bill before us today give me some pause. And I would like to know that I have the chairman's support in working with us in a conference to address these issues.

In my district, 70,000 square miles, if every voter every time has to photocopy their ID and put it with a ballot that they send in, it raises some issues. I think there are other ways to guarantee that only citizens get ballots to vote, and I would appreciate your support in trying to address that issue in conference.

Mr. EHLERS. Mr. Speaker, if the gentleman will yield, I recognize the concern of the gentleman from Oregon, and we will certainly try to work with him. We will solicit ideas not only from his State, but also from the State of Washington, which has a considerable amount of mail-in voting. And I would certainly like also to hear from the secretary of state of both States and several county clerks from each State for ways that we can accomplish the goal of the bill, which is to ensure that every citizen has the right to vote, and only those who have the right to vote will be allowed to vote. There may be more than one way to accomplish that.

We will be happy to work with you when the bill reaches conference with the Senate.

Mr. WALDEN of Oregon. I appreciate that commitment, Mr. Chairman.

Mr. EHLERS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS) for another colloquy.

Mr. PITTS. Mr. Speaker, I would like to ask my colleague from Michigan how this bill will impact those whose religious convictions prevent them from having their photo taken for government ID. I represent some 25,000 members of the Amish community. Many of them do vote, but, because of their religious beliefs, will not allow their photo to be taken. They wouldn't object to a fingerprint or biometrics. But I would respectfully ask the gentleman to explain how the bill deals with this issue, given our Nation's long tradition of protecting freedom of religion, and if this matter could be addressed as the bill moves along.

Mr. EHLERS. Mr. Speaker, if the gentleman will yield, I thank the gentleman for raising the question. This is not the first time it has come up. There are other groups. Many of the American Indians have raised a similar objection, and I am quite sure that once we get in conference with the Senate, we will be able to hear from that group and all the other groups, the Amish, the Native Americans, and find another method to ensure identity.

Clearly biometrics would be equally acceptable as a photo ID. Thumbprints are generally not reproducible for other fraud; so I believe this will help deal with the issue.

Mr. PITTS. I thank the gentleman.

Ms. MILLENDER-MCDONALD. Mr. Speaker, this just shows you how flawed this bill is. This bill should have remained in committee so we could really crank out and clear up some of these problems. We have heard two colloquies from the majority on issues that are not a part of this bill, for heaven's sake.

At this time I would like to yield 1 minute to the gentleman whose State has thrown out a similar type of law, the gentleman from Missouri, the Honorable WILLIAM CLAY.

Mr. CLAY. Mr. Speaker, I thank the gentlewoman for yielding.

With little to no evidence of past fraud, it is outrageous that my Republican colleagues are going to extraordinary lengths to suppress Democratic votes.

H.R. 4844 would impose undue hardship on seniors, women, minorities, the disabled, and lower-income voters, who are all less likely to have proof of citizenship. This bill qualifies as nothing more than a 21st century poll tax, which is unconstitutional.

The malicious intent of this law was recently acknowledged in Missouri when a State judge ruled it an impermissible additional qualification to vote and in violation of the State constitution. It would have disenfranchised over 170,000 voters.

Mr. Speaker, it is clear that this bill is nothing more than a sham and fraudulent. In Missouri, for instance, we were not able to find any cases of vote fraud over the last 50 years. So would the proponents tell me where the fraud comes in?

Mr. EHLERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding.

I have great respect for my colleagues on the other side of the aisle, but I can't for the life of me figure out why they oppose making sure that the people who vote in this country are American citizens.

We have 12 million illegal aliens in this country, and we all know that there have been phony Social Security cards purchased and other documents purchased, and, as a result, these people have been getting benefits from this country, and many of them, we believe, have been voting illegally.

The Constitution, as the minority leader said a while ago, guarantees the rights of American citizens to be able to vote, and the Constitution is supposed to protect the rights of American citizens. She talked about the oath of office that we took to protect the rights of the citizens of this country, and one of those rights is the right to make sure that their vote counts. And if you have illegal voting taking place, then every illegal vote takes away the right of one American's vote to count in that election. And you have to guarantee that right, that the American's vote is going to count. Now, how do you do that?

We know that there has been fraudulent voting in the past. I know some of my colleagues have said that hasn't taken place, but we know it has happened. So with all the illegal aliens coming into this country, all the border security problems that we have had, how do you guarantee that only Americans have the right to vote? You have to have some kind of an identification mechanism.

Now, one of the arguments that was made a while ago was that, well, some people cannot afford it. This bill provides that anybody who cannot afford this documentation, the government will pay for it. The State and the Federal Government will pay for it. So the fact of the matter is there are guarantees that people's right to vote, even if they cannot afford an ID card, will be taken care of.

Now, I have listened to all the arguments. I have heard of all the things that were said by my colleagues on the other side, and I have great respect for them and their opinions. But the fact of the matter is this boils down to whether or not Americans should have their vote counted and not negated by an illegal alien or somebody else who comes into this country who has phony documentation. And that is why a photo ID is very, very important, and other documentation, which will be worked out by my chairman here when it goes to conference.

This is very important for every American citizen, especially if they are concerned about the problem of illegal aliens and border security and their right to vote.

Ms. MILLENDER-MCDONALD. Mr. BURTON, you are speaking about an immigration bill at this point; so perhaps you should get that bill out.

Mr. Speaker, at this time I would like to yield 1 minute to the great gentleman who walks in the footsteps of his great father, the Honorable CHARLES GONZALEZ.

Mr. GONZALEZ. Mr. Speaker, I thank my colleague for giving me 1 minute.

The only thing phony about documentation, it is not the documentation, it is the phony argument that is being advanced today.

And I am going to ask the authors, the sponsors, and those individuals that espouse and support this bill to please stand at this time if you were asked at any time in seeking your office that you hold today for documentation such as a passport or a birth certificate to seek this office.

The answer is no. All you did was what we all do. We attest that we are citizens of this great Nation. And guess what? You get your name on the ballot. But when it comes to the voters, we are going to say that is not enough. Give us a passport. Give us a birth certificate. Prove it to us. We may hold the office. You can vote for us. But lo and behold, you cannot vote.

Think of the pure idiocy of the law that is being proposed today. And the reason that it fails on logic, it was never meant to be logical. It was meant to be political. And that is what we have here today.

And I am asking you to give up this charade. Give up November 7, 2006, politics and do the right thing and vote this down.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, at this time I would like to yield 1 minute to a great leader from the great State of California, the Honorable SAM FARR.

Mr. FARR. Mr. Speaker, I thank the ranking member for yielding.

The first thing you learn when you are elected to be a lawmaker is not to pass laws that you can't enforce.

Why is this a bad bill? Because it cannot be enforced. What is in your wallet that shows you are a citizen? None of the people sitting here watching, listening has anything in their wallet that shows they are a citizen of the United States.

This bill requires proof of United States citizenship. How are you going to prove it? Your driver's license? You don't have to be a citizen to have a driver's license. Your Social Security card? You don't have to be a citizen to have a Social Security card. What is in your wallet that shows you are a citizen? You don't have it. You don't have it. So what this bill says is we distrust most the people we asked to create a government.

Members of Congress couldn't even qualify because they do not have cards in their wallet that shows they are a citizen. They can say, ''I have got my voting card.'' Yes. Well, there are 435 of those. How many people in the United States recognize a congressional voting card? You can't even show it in the airport and get by.

So this bill is not enforceable because there is no proof of citizenship card in the United States, which this bill requires. You shouldn't enact a bad bill.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, at this time I would like to yield 1 minute to another great leader out of the State of Texas, the Honorable SHEILA JACKSON-LEE.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me offer my great appreciation to JUANITA MILLENDER-McDONALD. I cannot think of a Member of this House who has been so persistent on these issues.

But I do want to say to the American people that we understand that we want to secure the vote, but you might note and might want to understand that out of 197 million people that have voted since 2002, there have only been 52 voter fraud cases.

I want to join you in stamping out voter fraud. I want to make sure that we have one vote/one person. But I do not want to step on the Constitution.

This legislation steps on your rights, one vote/one person. And for every 1 percent of the electorate who does not have the necessary documentation, where you were born with a midwife, you have lost your documents, you were in Hurricane Katrina or a volcano or an earthquake or a mudslide, 2 million voters will be disenfranchised. And, my good friends, this is a 21st century poll tax.

I will include in the RECORD ''The Long Shadows of Jim Crow'' because this is voter intimidation.

THE LONG SHADOW OF JIM CROW: VOTER INTIMIDATION AND SUPPRESSION IN AMERICA TODAY

OVERVIEW

In a nation where children are taught in grade school that every citizen has the right to vote, it would be comforting to think that the last vestiges of voter intimidation, oppression and suppression were swept away by the passage and subsequent enforcement of the historic Voting Rights Act of 1965. It would be good to know that voters are no longer turned away from the polls based on their race, never knowingly misdirected, misinformed, deceived or threatened.

Unfortunately, it would be a grave mistake to believe it.

In every national American election since Reconstruction, every election since the Voting Rights Act passed in 1965, voters—particularly African American voters and other minorities—have faced calculated and determined efforts at intimidation and suppression. The bloody days of violence and retribution following the Civil War and Reconstruction are gone. The poll taxes, literacy tests and physical violence of the Jim Crow era have disappeared. Today, more subtle, cynical and creative tactics have taken their place.

RACE-BASED TARGETING

Here are a few examples of recent incidents in which groups of voters have been singled out on the basis of race:

Most recently, controversy has erupted over the use in the Orlando area of armed, plainclothes officers from the Florida Department of Law Enforcement (FDLE) to question elderly black voters in their homes. The incidents were part of a state investigation of voting irregularities in the city's March 2003 mayoral election. Critics have charged that the tactics used by the FDLE have intimidated black voters, which could suppress their turnout in this year's elections. Six members of Congress recently called on Attorney General John Ashcroft to investigate potential civil rights violations in the matter.

This year in Florida, the state ordered the implementation of a ''potential felon'' purge list to remove voters from the rolls, in a disturbing echo of the infamous 2000 purge, which removed thousands of eligible voters, primarily African-Americans, from the rolls. The state abandoned the plan after news media investigations revealed that the 2004 list also included thousands of people who were eligible to vote, and heavily targeted African-Americans while virtually ignoring Hispanic voters.

This summer, Michigan State Representative John Pappageorge (R-Troy) was quoted in the Detroit Free Press as saying, ''If we do not suppress the Detroit vote, we're going to have a tough time in this election.'' African Americans comprise 83 percent of Detroit's population.

In South Dakota's June 2004 primary, Native American voters were prevented from voting after they were challenged to provide photo IDs, which they were not required to present under State or Federal law.

In Kentucky in July 2004, Black Republican officials joined to ask their State GOP party chairman to renounce plans to place ''vote challengers'' in African-American precincts during the coming elections.

Earlier this year in Texas, a local district attorney claimed that students at a majority Black college were not eligible to vote in the county where the school is located. It happened in Waller County—the same county where 26 years earlier, a Federal court order was required to prevent discrimination against the students.

In 2003 in Philadelphia, voters in African-American areas were systematically challenged by men carrying clipboards, driving a fleet of some 300 sedans with magnetic signs designed to look like law enforcement insignia.

In 2002 in Louisiana, flyers were distributed in African-American communities telling voters they could go to the polls on Tuesday, December 10—three days after a Senate runoff election was actually held.

In 1998 in South Carolina, a State representative mailed 3,000 brochures to African-American neighborhoods, claiming that law enforcement agents would be ''working'' the election, and warning voters that ''this election is not worth going to jail.''

RECENT STRATEGIES

As this report details, voter intimidation and suppression is not a problem limited to the southern United States. It takes place from California to New York, Texas to Illinois. It is not the province of a single political party, although patterns of intimidation have changed as the party allegiances of minority communities have changed over the years.

In recent years, many minority communities have tended to align with the Democratic Party. Over the past two decades, the Republican Party has launched a series of ''ballot security'' and ''voter integrity'' initiatives which have targeted minority communities. At least three times, these initiatives were successfully challenged in Federal courts as illegal attempts to suppress voter participation based on race.

The first was a 1981 case in New Jersey which protested the use of armed guards to

challenge Hispanic and African-American voters, and exposed a scheme to disqualify voters using mass mailings of outdated voter lists. The case resulted in a consent decree prohibiting efforts to target voters by race.

Six years later, similar ''ballot security'' efforts were launched against minority voters in Louisiana, Georgia, Missouri, Pennsylvania, Michigan and Indiana. Republican National Committee documents said the Louisiana program alone would ''eliminate at least 60–80,000 folks from the rolls,'' again drawing a court settlement.

And just three years later in North Carolina, the State Republican Party, the Helms for Senate Committee and others sent postcards to 125,000 voters, 97 percent of whom were African-American, giving them false information about voter eligibility and warning of criminal penalties for voter fraud—again resulting in a decree against the use of race to target voters.

HISTORICAL PERSPECTIVE

This report includes detailed accounts of the recent incidents listed above, and additional incidents from the past few decades. The report also lays out a historical review of more than 100 years of efforts to suppress and intimidate minority voters following emancipation, through Reconstruction and the ''Second Reconstruction,'' the years immediately following the passage of the Voting Rights Act.

The 1965 Voting Rights Act was among the crowning achievements of the civil rights era, and a defining moment for social justice and equality. The stories of the men and women who were willing to lay down their lives for the full rights of citizenship, including first and foremost the right to vote, are the stuff of history.

Their accomplishments can never be erased. Yet as this report details, attempts to erode and undermine those victories have never ceased. Voter intimidation is not a relic of the past, but a pervasive strategy used with disturbing frequency in recent years. Sustaining the bright promise of the civil rights era, and maintaining the dream of equal voting rights for every citizen requires constant vigilance, courageous leadership, and an active, committed and well-informed citizenry.

THE CHALLENGES OF THE 2004 ELECTION AND BEYOND

The election problems in Florida and elsewhere that led to the disenfranchisement of some four million American voters in the 2000 elections cast a harsh spotlight on flaws in our voting system, problems that involved both illegal actions and incompetence by public officials, as well as outdated machines and inadequate voter education. As election officials nationwide struggle to put new voting technology into place, redesign confusing ballots and educate voters, the opportunities for voter intimidation and suppression have proliferated along with opportunities for disenfranchisement caused by voter confusion and technical problems.

With widespread predictions of a close national election, and an unprecedented wave of new voter registration, unscrupulous political operatives will look for any advantage, including suppression and intimidation efforts. As in the past, minority voters and low-income populations will be the most likely targets of dirty tricks at the polls.

Voter Intimidation in Recent Years

Voter intimidation and suppression efforts have not been limited to a single party, but have in fact shifted over time as voting allegiances have shifted. In recent decades, African American voters have largely been loyal to the Democratic Party, resulting in the prevalence of Republican efforts to suppress minority turnout. Those efforts have also been extended in recent years to Latino communities.

During the 2003 mayoral election in Philadelphia, fully seven percent of a poll of 1000 African American voters described troubling experiences at the polls. Men with clipboards bearing official-looking insignia were reported at many precincts in African American neighborhoods.

Tom Lindenfeld, who ran the counter-intimidation campaign for Democratic candidate John Street, said this deployment included a fleet of 300 cars that featured decals closely resembling those of federal law enforcement agencies, such as the Drug Enforcement Agency and the Bureau of Alcohol, Tobacco and Firearms. Many prospective voters reported being challenged for identification by such workers. Lindenfeld told reporters from the American Prospect that ''What occurred in Philadelphia was much more expansive and expensive than anything I'd seen before, and I'd seen a lot.''

In fact, the scope of such efforts during the past two decades is startling. Based primarily on reports gleaned from newspapers across the nation, there have been documented instances of the following:

Challenges and threats against individual voters at the polls by armed private guards, off-duty law enforcement officers, local creditors, fake poll monitors, and poll workers and managers.

Signs posted at the polling place warning of penalties for ''voter fraud'' or ''noncitizen'' voting, or illegally urging support for a candidate.

Poll workers ''helping'' voters fill out their ballots, and instructing them on how to vote.

Criminal tampering with voter registration rolls and records.

Flyers and radio ads containing false information about where, when and how to vote, voter eligibility, and the false threat of penalties.

Internal memos from party officials in which the explicit goal of suppressing black voter turnout is outlined.

A Republican effort in New Jersey in 1981 provided a model that was repeated across the country in the last two decades. The Republican National Committee and the New Jersey Republican State Committee engaged in a ''concerted effort to threaten and harass black and Hispanic voters'' via a ''ballot security'' effort. It involved widespread challenging of individual voters and an Election Day presence at African American and Latino precincts featuring armed guards and dire warnings of criminal penalties for voting offenses. A legal challenge eventually led to a court order and an agreement by the GOP groups not to employ such intimidation tactics.

But such tactics persist.

□ 1500

This is voter intimidation. And this intimidation cannot stand. This is a bad bill. It is not about those who are not documented, it is about you, America. You will be prevented from the right to vote with this bill. We should defeat it.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I am the person from Florida where in the 2000 election, 27,000 votes was thrown out in my precincts, 7, 8, 9 and 10, that are 95 percent Democratic. And they say that President Bush won by 527 votes. But the unique thing is in the primary recently, in every single African American precinct, they sent thousands of Republican ballots, and only hundreds of Democratic ballots.

That is unheard of. In every single precinct they sent thousands of Republican ballots and not sufficient Democratic ballots. Now, that is the stupid, incompetent right trying to disenfranchise those same voters. Let me just say that in the supervisor's office, they carried the equipment home the night before the election.

Where our men and women are dying in Iraq for the right for them to vote, we do not have the right right here in the United States of America. It is a crying shame. Shame on them. Vote down this terrible bill.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I thank Ms. MILLENDER-McDONALD for yielding me time and her leadership on the issue.

Mr. Speaker, I rise in opposition to H.R. 4844. It is a shame that this Congress, who just months earlier joined together in a bipartisan effort to renew the Voting Rights Act, would now propose such a divisive piece of legislation that has the potential to disenfranchise millions of Americans.

Mr. Speaker, I witnessed firsthand in my home State, Ohio, the great lengths that people have gone to in order to suppress votes. Now Congress is trying to implement its own brand of voter suppression. I have heard them argue that funds will be provided to allow people to get ID cards. Funds were provided in HAVA to allow the Secretary of State to educate voters, but instead our Secretary of State took $2.5 million, put his own face on TV in order to lead his own gubernatorial race.

Similar legislation was enacted in Ohio. On September 1, Judge Kathleen O'Malley granted a preliminary injunction that prohibits the enforcement of parts of that Ohio bill that would have allowed poll workers to inquire if a voter is a naturalized citizen and ask for proof. In her ruling, Judge O'Malley stated it was inconsistent with and undermined the purpose of the National Voting Rights Act. I ask each of my colleagues to vote against this legislation.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I would like to ask the chairman how many more speakers he does have.

Mr. EHLERS. Mr. Speaker, I have one more speaker, then I will close.

Ms. MILLENDER-McDONALD. Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I think the question is should we put forward a modicum of effort to keep political machines from stealing elections? Do they? Yes. Yes, they do. Just last year, a judge in the State of Washington ruled that 1,678 fraudulent votes were cast in that election.

As we look at the work of the FBI, we see that their investigation in the city of Milwaukee found 4,500 more votes cast in that election than there were people on the rolls. They found evidence of people voting multiple times, people voting for the deceased, people voting illegally. And we have the example in the State of Georgia where an audit showed that 5,412 votes had been cast by deceased voters. Personally I am tired of constituents of mine telling me that someone else voted for them at the polls. It seems to me that an ID system or showing an identification, a photo ID, will take care of this problem.

How do the American public, how do they react to this? Well, an NBC-Wall Street Journal poll recently found that 81 percent of the American people support requiring a photo ID to vote.

By requiring voters to provide a valid form of identification, we can handicap those trying to undermine the process. We can ensure the sanctity of one person-one vote. And we should not have to deal with a situation where our voters go to the polls and repeatedly tell us, somebody else already voted for me.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard many folks on the floor talking about fraud in our election process. We have heard various speakers talking about getting rid of this alleged fraud. There is no Member on this floor who does not want to get rid of fraud. But, Mr. Speaker, this bill does not address real fraud. This is not a good bill.

We have heard many speakers on the floor today delivering colloquies, trying to see whether or not this will fit or that will fit, when, in essence, this legislation merely does not get to the bottom of the real fraud, the problem of voter suppression.

Mr. Speaker, I will be submitting for the RECORD letters from the National Association of Counties and local election administrators who are objecting to this piece of legislation because they say it imposes a fee on themselves and voters all of whom assert that they cannot afford to comply with this legislation is mandate.

We have heard from the chairman and others on the other side who say that if one cannot pay for the ID, it will be paid for. But what they are doing is establishing an unfunded mandate with this piece of legislation, which is why NACO is objecting to this bill.

We also have heard from the election commissioner and county clerk out of Fairbury, Nebraska and the administrator of elections from Anderson County, TN. I will submit these letters opposing H.R. 4844 for the RECORD.

Mr. SPEAKER, the proponents of H.R. 4844 characterize this legislation merely as an administrative protection that it is simple to implement and necessary to prevent fraud. The truth is, H.R. 4844 is a misguided measure that will suppress voter turnout and undermine laws that Congress has already passed to assure all citizens will have a full and equal right to participate.

We know, Mr. Speaker, that HAVA is in place now, which is a bipartisan bill that was passed out of this House with bipartisan support.

To enact this law would be an affront to that bill, to all Americans who take pride in the progress our country has made in extending the franchise to all of its citizens, and to all individuals who take offense to the political manipulation of the majority.

Partisan attempts to burden our Nation with troublesome proof of citizenship requirements are not the direction this Congress or this country should be taking. We know that the States of Georgia and Washington, have already thrown out legislation similar to this one.

Democrats, along with well-intended Republicans, have fought for and won the extension of the Voting Rights Act for eligible Americans. During the last century, our country has expanded the right to vote to millions of Americans with the passage of the 19th amendment, gives which women the right to vote. The Voting Rights Act (VRA) was reauthorized on this floor just a couple of months ago, and we know that the VRA prevented institutional voter suppression. The 26th amendment, which gives 18-years-old the right to vote, is another bill that we have passed. Why should we consider a bill like this that does nothing to address voter suppression? This is an intimidation-type bill. It is a partisan attempt to allow the Republicans to maintain the majority.

I tell you, this bill violates State constitutions and the U.S. Constitution because it disenfranchises citizens who are otherwise qualified to vote. The Democrats will not shirk our responsibility to defend the gains put forth by the bills already on the books. We will not shirk our responsibility to ensure that every eligible American has the right to vote. And we will not let these gains be lost to undocumented allegations of fraud that have not been quantitatively proven and have not proven by any empirical data that reveals this so-called type of fraud is widespread.

The right to vote, Mr. Speaker, is too precious to allow any citizen's vote to be sacrificed by those who would treat it carelessly. I would hope that the other side thinks about this and not vote for this bad bill. This is not a good bill. It does nothing but hamper the American people.

This bill creates a poll tax. I want the American people to know that Democrats are against all types of voter fraud and we are against your paying a poll tax to be able to vote. So I say to the other side that if you really want integrity, then let's look at these electronic voting machines that voters are worried stiff about because they do not know whether their votes will be counted.

Mr. Speaker, I would ask that every Member who really has good intentions of trying protect the laws that are on the books will vote this legislation down.

NATIONAL ASSOCIATION OF COUNTIES,
Washington, DC, September 19, 2006.

Re H.R. 4844, the ''Federal Election Integrity Act of 2006''

Hon. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER HASTERT AND MINORITY LEADER PELOSI: On behalf of county governments across the nation, I am writing to urge a ''NO'' vote on H.R. 4844, the ''Federal Election Integrity Act of 2006''.

This bill would impose a staggering unfunded mandate on states and counties. We fear that it could require county clerks and registrars across the country to take on the major new responsibility and expense of issuing photo voter registration cards that would duplicate the Real ID and existing state driver licenses. These cards would have to be issued to every voter in the nation who does not possess a current U.S. passport. Further, we fear that counties would likely have to issue these cards entirely at their own or at state expense.

While regulations have not yet been issued by the Department of Homeland Security, we are given to understand that federal structures will likely not be in place before the statutory deadline for states to be prepared to issue the Real ID. Even if states do have the capacity by 2010 to issue a Real ID to and confirm the citizenship of every voter, H.R. 4844 creates an incentive for states to separate this function from driver licensing and place it within the existing apparatus of voter registration. States that incorporate the requirements of this law into their Real ID for voter identification purposes would be ineligible for even the weak commitment of funding in H.R. 4844.

H.R. 4844 bars counties from imposing a fee on voters who assert that they cannot pay it. States and/or counties may or may not receive sufficient federal funds to pay these costs depending on annual federal appropriations. Furthermore, we fear that any fee imposed on other voters could be characterized as a poll tax and be subject to challenge in court.

If you have any questions about our position on this or any related issue, please feel free to contact me or Alysoun McLaughlin at amclaughlin@naco.org. Thank you for your attention to this urgent matter.

Sincerely,

LARRY E. NAAKE,
Executive Director.

REPRESENTATIVES EHLERS AND MILLENDER-McDONALD: I wish to express my concern about the voter IDs where we are to provide at no cost to indigent voters. We live in a rural area that a lot of the voters are under poverty level. I do not think the county should have to pay for these. You may be going to reimburse the state for the program, but you know it will come back down

to the counties to do the IDs. If you will fund this for the counties I probably wouldn't have any problem with this, but the way the election is going now it has cost the county more over $6,500.00 for the primary election than ever before for an election. This is all because of the HAVA regulations. This was not to cost the counties anything. I hate to see what this general election is going to cost me. I did not have any rotations in the primary, but with the general I have a bunch. Just got my proofs for the ballots and had 256 pages for 10 precincts. This is because of all the splits I now need to have because of the consolidations everyone wanted also. I'm sure this election will more than cost me all of the budget of $26,000.00. You may think this is a drop in the bucket, but for our small area it isn't, since I have never spent more than $12,800 in any other budget year.

Our county is up against the levy limit now so don't know where this money is going to come from.

Please provide for all of the funding, not just to the state, for these IDs.

Thank you

SANDRA STELLING,
Jefferson County Clerk,
Register of Deeds.

DEAR REPRESENTATIVE MILLENDER-MCDONALD: I am vehemently opposed to H.R. 4844. As an election official in Anderson County, TN, I can assure you that the provisions of this legislation will have an adverse affect on many of the people I serve every day.

During my tenure as an election administrator, the trend has been to remove barriers to voting, this bill throws logs in the roadway to exercising the right to vote. The need to prove citizenship has never been required and doing so now will deny voting rights to many who have voted all their adult lives.

Many individuals in our east Tennessee county do not have birth certificates let alone passports—furthermore they do not have the money or the wherewithal to secure either.

You need to know that our voter registration forms require that an individual registering to vote attests to their citizenship when they register and to answer untruthfully subjects that person to prosecution.

What bothers me as much as anything is that the bill has a disproportionate impact on the elderly, the disabled, the poor and ethnic minorities in our county.

Our constitution guarantees the right to vote and this law can potentially affect that basic right.

I urge you to vote against this legislation when it comes before your committee.

JO ANN GARRETT,
Administrator of Elections,
Anderson County, TN.

Mr. EHLERS. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I wish I had more time to respond to all of the erroneous comments that have been made. Some of them may have been pertinent as relating to the original bill as introduced. But I wish all those commenting would have read the amended bill that we have before us now.

There has been much discussion about poll taxes. Absolute nonsense. I would never stand for putting a poll tax on any citizen of this country. There is no poll tax. We specifically provided that the State and the Federal Government will pay for any cost. There is no poll tax in this bill.

Furthermore, it is said the burden falls on the poor. Again, nonsense. We help the poor. There is no burden on the poor. We assist them by helping them prove citizenship and paying for it. So when they apply for Social Security, when they apply for Medicare, when they apply for prescription drug coverage, they will have proof of citizenship in hand.

□ 1515

This benefits the poor. It benefits those who do not have citizenship, because we help them to prove citizenship and we pay for it.

This bill is designed to cut down fraud. I put the question, Where is the fraud? Several have said, there is no fraud. There is fraud.

In the 2000 election in Philadelphia, they had 103 percent of the voter turnout in one precinct. That is fraud. When you have the number of voters who appeared was greater than the number registered for a district, that is fraud.

Then there is the gubernatorial race in the State of Washington. The final result that judges certified, was that the number of illegal votes cast was over 1,000 percent greater than the margin of victory for the winner of that race. That is fraud. Conclusioin: There is fraud in voting in this Nation.

It is time for us to get rid of fraud in voting in this Nation. This bill will make a big step towards doing it. It will not endanger anyone's right to vote. It is not a poll tax. It helps citizens to vote legally.

Mr. DEFAZIO. Mr. Speaker, I want to take a minute to explain my opposion to H.R. 4844, the so-called Federal Election Integrity Act. Proponents of this legislation claim to be ensuring the integrity of our election system against voter fraud and voting by noncitizens. That is a goal I share. However, the hastily written legislation threatens the privacy of Oregonians due to the unique nature of our full vote-by-mail system.

I do strongly support the goal of establishing more secure identification for American citizens. That is why I voted in favor of the REAL ID Act. The legislation fulfilled a recommendation made by the bipartisan 9/11 Commission that the federal government set standards for the issuance of driver's licenses. The REAL ID Act established minimum document standards for issuing drivers licenses and limited the issuance of licenses only to those who can prove they are American citizens or are migrants who are legally in the United States. This bill, when fully implemented by 2008, will address many of the concerns about proving citizenship that H.R. 4844 raises.

The problem with H.R. 4844 is not its requirement of proof of citizenship when registering to vote, but its continual requirement to present such proof every time a citizen votes.

In my state we conduct all elections by vote-by-mail. This bill requires citizens voting by mail to submit photocopies of documents proving their citizenship along with their ballot every single time they vote. That means, at least twice a year, the 2.1 million Oregonians registered to vote will have to provide the same photocopied birth certificate, passport, driver's license etc. along with their ballot to election officials. This extra paperwork creates a big burden for citizens and election officials alike in Oregon. Under the current system in Oregon, election officials match the signature on your ballot with our signature that's on file. That should be sufficient to confirm your identity. Repeatedly submitting photocopied proof of sensitive documents is not necessary.

I also have serious privacy concerns about what is done with the sensitive, personally identifiable information that will be required to be submitted by millions of Oregonians. How long must election officials keep these sensitive documents on file? How should they be disposed of? Who has access to the documents and under what circumstances? How can the information in the documents be used? The bill is silent on these issues.

Further, this bill requires Oregonians to repeatedly submit this personal information despite the lack of evidence of a voting fraud problem in Oregon. According to the Oregon Secretary of State, since 1991, over 10 million votes have been cast in Oregon. Of those 10 million votes, only 10 people have met the criteria that would want an investigation into their citizenship. Of those ten, two have been prosecuted. So the level of fraud in Oregon over the last 15 years has been 1 in 5 million votes, and these two instances were prosecuted. It is important to keep in mind that the penalties for voting fraud are already severe. Immigrants who try to vote are automatically given a one-way ticket home, no criminal conviction is necessary.

If the majority was truly concerned about guaranteeing the integrity of federal elections, we should be focusing on widespread concerns about new electronic voting technology. Concerns and questions over the integrity of these machines have been proven in recent elections. Machines fail, votes are lost, hard drives are damaged. Secure and auditable electronic voting machines that provide a paper ballot for verification should be the focus of Congress, not this hastily written bill.

Mr. CARDIN. Mr. Speaker, I rise in opposition to H.R. 4844, the Federal Election Integrity Act.

This legislation would require individuals voting in federal elections to provide photo identification that also shows proof of citizenship in order to vote.

I am extremely concerned that this legislation would disenfranchise many eligible voters and depress voter turnout. Congress and the states should pass measures to increase, not decrease, voter turnout, and to encourage eligible voters to go to the polls.

Studies indicate that illegal voting or voter fraud is extremely rare, and such behavior is already punishable by law. However, we have numerous documented instances of actual problems in our electoral systems which are not addressed by this legislation, such as improper purging of voters from the rolls and distributing false information about when and where to vote. In my own state of Maryland in last Tuesday's primary election, we experienced numerous problems with voters being turned away because of malfunctioning computer voting machines, a lack of provisional paper ballots, and poorly trained or absent poll workers.

This legislation would have a disproportionate impact on economically disadvantaged persons—such as the homeless, the elderly, persons with disabilities, frequent movers, and

other minority groups and persons of color—who are far less likely to have current state-issued identification. Requiring voters to bring identification to the polls will serve as a poll tax for some eligible voters, who can afford neither the cost nor time to obtain a new or duplicate drivers' license, passport, or birth certificate. The bill contains weak provisions to reimburse states that cover the cost of issuing identifications to indigent individuals. Indeed, Congress has yet to fully fund implementation of the Help America Vote Act (HAVA) of 2002, passed after the 2000 presidential election which disenfranchised many eligible voters.

Finally, proof of citizenship requirements will severely hamper the ability of nonpartisan organizations to conduct voter registration campaigns within minority communities, by limiting what documents can be accepted as valid identification for the purpose of registration.

I note that several leading voting rights groups have opposed this legislation, including the NAACP, League of Women Voters, and the U.S. Public Research Interest Group. The AARP has also opposed this legislation, which may disenfranchise older Americans.

The National Conference of State Legislatures (NCSL) and the National Association of Counties (NACO) also oppose this legislation. NCSL wrote that this ''ill-advised bill . . . places a potentially huge unfunded mandate on states . . . and would preempt current states' voter identification requirements.''

Just a few months ago I was pleased to cosponsor and vote for legislation to reauthorize the historic Voting Rights Act of 1965 for another 25 years. Discrimination and prejudice still exist against minority voters, in addition to disenfranchisement at the polls caused by faulty equipment or poorly trained poll workers. We must redouble our efforts to make sure that every eligible vote is counted, and that this democracy does not continue to shamefully turn away eligible voters at the polls.

Mr. DOOLITTLE. Mr. Speaker, I rise in support of H.R. 4844, the Federal Election Integrity Act.

Since the passage of the Help America Vote Act, this body—led by the Committee on House Administration on which I proudly serve—has paid careful attention to our electoral process and has considered several recommendations on how we can improve the way we vote.

One such recommendation came from the bipartisan Commission on Federal Election Reform which was headed by Former President Jimmy Carter and Former Secretary of State James Baker and recommended that in order to deter and detect voter fraud, we should require photo IDs at the polls.

In this day and age, it is shocking that we still do not verify U.S. citizenship when people vote. Motor-voter laws have allowed driver's license applicants to simply check a box to register to vote regardless of whether they are a U.S. citizen.

This loophole has facilitated the many instances of non-citizen voting that I we have heard about today.

While there may be disputes about the nature and extent of voter fraud, there can be no dispute that it occurs. In close elections even a small amount of fraud can affect the outcome. Do we really want foreigners to cast the deciding votes in our elections?

When an illegal immigrant casts an illegal vote he does more than break the law. He is canceling out a legal vote and robbing Americans of our constitutional right to be heard in an election.

The Federal Election Integrity Act that we are debating today can help restore integrity to our elections.

Requiring individuals who vote in a Federal election to provide proof that they are a United States citizen will help prevent voter fraud—plain and simple. It is the best way to ensure the utmost accuracy in realizing the will of the American people.

In short, requiring a photo ID is the best way to make sure that only U.S. citizens are casting ballots.

Contrary to what the critics would have you believe, this isn't a radical idea. Showing proof of identification and citizenship is warranted and commonplace in today's society.

Individuals are required to have photo identification to engage in routine activities such as boarding an airplane, entering a government building, purchasing cigarettes and cashing a check. Our voting system deserves at least as much protection as these other activities.

Democrats have argued that this bill will disproportionately affect racial minorities and have even alleged that this is one of the motives behind our Republican Leadership bringing this bill to the floor today. These claims are outrageous and unsubstantiated—voter fraud affects us all.

In fact, under this bill states must provide the necessary photo ID free of charge to individuals who cannot afford to pay. This bill is simply about protecting the will of all Americans.

When an illegal vote is cast, an American citizen with the constitutional right to have his vote counted becomes disenfranchised, regardless of race.

When voting, our citizens should be able to trust that the system will honor their voice and reveal the will of the American people. I urge all my colleagues to join me in protecting the rights of every American by supporting the Federal Election Integrity Act.

Mr. HOLT. Mr. Speaker, today I rise to object strongly to the voter disenfranchisement proposal before us.

According to the Election Assistance Commission's comprehensive Survey of the 2004 election, there were more than 197 million voting-age American citizens at that time. According to the Brennan Center for Justice in its September 2006 voter identification study, as many as 10% of eligible voters do not have, and maybe will not get, the documents required by strict voter ID laws. Thus, the very first thing this bill will do is disenfranchise as many as 20 million eligible voters.

Who are these 20 million voters? The poor. The elderly. The disabled. Persons of color. Native Americans. Students. Why would anyone vote in favor of disenfranchising these citizens?

The Help America Vote Act (HAVA) was an imperfect bill, but it did reach a bipartisan compromise on voter identification. HAVA's already-existing requirements for voter identification and the integrity of voter registration rolls go on for pages. Among the requirements:

States must make ''a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters;''

Voter registration applications may not be ''accepted or processed'' unless they include an applicants driver's license number or, in the case of voters who don't have one, ''the last 4 digits of the applicants Social Security number;'' or, in the case of voters with neither, a ''unique identifying number'' assigned by election officials;

First time voters who registered by mail and did not present ID must show photo ID at the polls when they vote.

Voters can't get around that requirement by voting absentee—first time voters who registered by mail and did not present ID must send a copy of a photo ID with their mail-in ballot.

And HAVA provides for criminal penalties for violations for the foregoing—''any individual who knowingly commits fraud or knowingly makes a false statement with respect to the naturalization, citizenry, or alien registry of such citizen . . . shall be fined, imprisoned [for up to five years], or both.''

The measure before us is a solution in search of a problem. The Department of Justice (DOJ), in its ''Report to Congress on the Activities and Operations of the Public Integrity for 2004,'' reported that at the end of 2004, the Public Integrity Section had approximately 133 election crime matters pending nationwide. That is an average of just over two cases per state for the entire year—hardly an avalanche. In addition, most of the cases described in the report concerned campaign finance violations, not voter fraud. Only one described a vote-buying scheme, and none referred specifically to non-citizen or double voting. On the other hand, the same Report noted that a total of 1,213 public officials had been charged with corruption in 2004, that 1,020 of them had been convicted of corruption, and that 419 cases remained pending. In other words, according to the DOJ's own findings, the problem of corruption among public official is at the very least ten times worse than the problem of citizens cheating in elections.

Meanwhile, other studies have found that instances of double voting and voting using another's identity are virtually non-existent.

Washington State—a study of 2.8 million ballots cast in 2004 showed that only 0.0009 percent of them reflected double voting or voting in the name of deceased individuals.

Ohio—a statewide survey found a mere four instances out of more than 9 million votes cast where ineligible persons voted or attempting to vote in 2002 and 2004—a rate of 0.00004%.

Georgia—(which recently passed one of the strictest voter ID laws, which was subsequently struck down); Secretary of State Cathy Cox stated that in her ten-year tenure, she could not recall one documented case of voter fraud involving the impersonation of a registered voter at the polls.

I have introduced legislation, the Electoral Fairness Act of 2006 (H.R. 4989), that would require that all voters, upon being duly registered, be issued a durable voter registration card at no cost to the voter, ''which shall serve as proof that the individual is duly registered to vote'' at the polling place which services the individual's address. The bill would preserve HAVA's existing voter ID requirements, but add no more, an the voter registration cards would serve strictly to protect voters who are removed from the voter rolls wrongfully or erroneously.

My legislation would protect the 1.2 million voters who were, in fact, wrongfully denied access to a regular ballot in 2004 when they

showed up at polling places. The legislation before us, in the absence of meaningful or documented justification, would leave those 1.2 million voters in jeopardy of wrongful disenfranchisement and add 20 million more to the pile. In the name of solving a problem that is evidently a tiny problem these legislators—at great expense to individuals and to states—would add requirements that will turn away legitimate, deserving, honest voters. This is poll tax, pure and simple, and I urge my colleagues to vote it down.

GROUPS OPPOSING H.R. 4844

A. Philip Randolph Institute; ACORN; Advancement Project; Aguila Youth Leadership Institute; Alliance for Retired Americans; American Association of People with Disabilities; American Association of Retired Persons (AARP); American Civil Liberties Union; American Civil Liberties Union of Arizona; American Federation of Labor—Congress of Industrial Organizations (AFL–CIO); American Federation of State, County and Municipal Employees; American Immigration Lawyers Association; American Policy Center; Americans for Democratic Action; Arizona Advocacy Network; Arizona Consumers Council; Arizona Hispanic Community Forum; Arizona Students' Association; Asian American Justice Center; Asian American Legal Defense and Education Fund; Asian and Pacific Islander American Vote (APIAVote); and Asian Pacific American Labor Alliance, AFL–CIO.

Brennan Center for Justice at NYU School of Law; Center for Digital Democracy; Common Cause; Computer Professionals for Social Responsibility; Concerned Foreign Service Officers; Congressional Hispanic Caucus; Consumer Action; Cyber Privacy Project; Democratic Women's Working Group; Dēmos : A Network for Ideas & Action; Electronic Privacy Information Center; Emigrantes Sin Fronteras; Fairfax County Privacy Council; Friends Committee on National Legislation; Hispanic Federation; Hispanic National Bar Association; Interfaith Worker Justice of Arizona; Intertribal Council of Arizona; Japanese American Citizens League (JACL); La Union Del Pueblo Entero (LUPE); Labor Council for Latin American Advancement; and Lawyers' Committee for Civil Rights Under Law.

Leadership Conference on Civil Rights; League of United Latin American Citizens; League of Women Voters of Greater Tucson; League of Women Voters of the United States; Legal Momentum; Mexican-American Legal Defense and Educational Fund; National Association for the Advancement of Colored People (NAACP); National Association of Latino Elected and Appointed Officials Educational Fund; National Center for Transgender Equality; National Congress of American Indians; National Council of Jewish Women; National Council of La Raza; National Disability Rights Network; National Education Association; National Korean American Service & Education Consortium; National Urban League; National Voting Rights Institute; Navajo Nation; New York Public Interest Research Group, Inc./NYPIRG; Ohio Taxpayers Association & OTA Foundation; People for the American Way Foundation; and Project for Arizona's Future.

Protection and Advocacy System; RainbowPUSH Coalition; Republican Liberty Caucus; SEIU Local 5 Arizona; Service Employees International Union (SEIU); Sikh American Legal Defense and Education Fund (SALDEF); Somos America/We Are America; Southwest Voter Registration Education Project; The Multiracial Activist; The Rutherford Institute; Tohono O'odham Nation; Transgender Law Center; U.S. PIRG; Unitarian Universalist Association of Congregations; United Auto Workers; United Church of Christ Justice & Witness Ministries; United Methodist Church, General Board of Church and Society; United States Student Association; United Steelworkers; UNITE–HERE; Velvet Revolution; William C. Velasquez Institute; and YWCA USA.

Mr. HASTINGS of Washington. Mr. Speaker, I strongly support ensuring that only American citizens vote in our Nation's elections. The right to vote of all Americans is diminished if ineligible and illegal votes are cast. That is the goal and intent of this bill, which is why I vote to move this bill forward today.

There are provisions of the bill, however, that have me greatly concerned about the impact it would have on Washington state voters who are required to vote by mail. The bill would mandate that voters photocopy their driver's license and mail that copy in with their ballot. This places a heavier burden on mail voters than poll voters. It creates a higher hurdle for mail voters to get their vote counted. And it raises serious questions about personal privacy and the potential for identity theft. These requirements are not acceptable and must be addressed during any conference committee talks with the Senate.

Chairman EHLERS has given his assurance that the mail voting provisions will be addressed in a conference, and specifically that the views of Washington's Secretary of State will be heard. I appreciate this commitment and believe there are certainly far less burdensome ways to ensure only citizens are casting mail-in ballots.

Clearly, Washington and Oregon stand out among other states when it comes to voting by mail and federal law must respect differences among the fifty states.

Action needs to be taken to ensure only citizens are casting ballots in elections and that is why I vote to move this bill forward today, but I will oppose and vote against any final bill or conference report if my concerns on the mail voting requirements are not addressed.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong opposition to H.R. 4844, the so-called Federal Election Integrity Act of 2006. Beginning in 2008, this bill imposes a requirement that eligible voters must present a government-issued photo identification and beginning in 2010, eligible voters must present a government-issued photo identification that would prove they are a citizen.

Proponents of this bill claim that requiring a photo identification and proof of citizenship to vote will combat voter fraud. But, too often, anecdotal stories are put forth as evidence to prove the claim they are using to make the case for this bill. However, there is no concrete evidence to back up the need for this proposal. According to Demos and People for the American Way, to date there have been no major studies to document actual election fraud in the United States. Furthermore, according to the Leadership Conference on Civil Rights, nationally since October 2002, only "86 individuals have been convicted of federal crimes relating to election fraud, while 196,139,871 ballots have been cast in federal general elections." There needs to be more safeguards to protect the integrity of the electoral process, but this can only be done by addressing actual problems that are currently undermining voting rights, almost all of which have the effect of disenfranchising eligible voters. The bill doesn't address voter intimidation and discrimination at the polls and it doesn't take into account the costs to states to implement the requirements of H.R. 4844, making it an unfunded mandate.

This bill is not just guilty of being a solution in search of problem. It actually will create a problem. The real impact of this bill will undoubtedly be an increase in voter disenfranchisement, because the burden and cost involved in obtaining the identification required would likely discourage many Americans from voting, an essential Constitutional right. Also, even though H.R. 4844 has a provision that requires states to give free photo identification to those who cannot afford them, it does not take into account the time and cost that eligible voters would incur to get the supporting documents needed to obtain this required identification. Essentially this forces people to pay for their Constitutionally guaranteed right to vote.

Mr. Speaker, the burden that this legislation creates falls squarely on the shoulders of seniors, and the disabled. The AARP is strongly opposed to this bill because of the disproportionate impact it has on seniors. Many seniors no longer drive and therefore do not have a driver's license, many were born at home by midwives and do not have a birth certificate, and have limited mobility, making it extremely difficult for them to obtain a government-issued identification to meet this bill's requirements. Even those who wish to vote by provisional ballot are required to present the required identification for their vote to be counted.

Elections should be open to all eligible voters and as Members of Congress we should be enacting legislation that encourages more Americans to vote, not erecting new barriers to voting. Laws such as the groundbreaking Voting Rights Act of 1965 were enacted to create a more inclusive democracy by making voting easier. H.R. 4844 will seriously undermine that goal and will be a disservice to the memories of those courageous civil rights heroes who fought for its implementation.

I urge all of my colleagues to oppose H.R. 4844.

Mr. BLUMENAUER. Mr. Speaker, three months ago we stood on this floor debating the reauthorization of the Voting Rights Act (H.R. 9) in an effort to make sure elections are fair, that every vote is counted, and that people have equal access to the polls. Yet today we are faced with the Federal Election Integrity Act of 2006 (HR 4844) which would directly disenfranchise people of color, rural voters, young people, low-income people, the elderly, and individuals with disabilities.

At a time of decreased voter participation, it seems unwarranted to impose extraneous burdens on eligible citizens who want to participate in the democratic process. The identification requirements imposed by this legislation serve as a strong reminder of the poll taxes imposed by many Southern states in the 1950s to prevent poor and black Americans from voting.

According to the Department of Transportation, currently 6–12 percent of eligible voters do not have the proper identification mandated by this legislation. Acquiring the required documents places a huge time and financial burden on those least able to afford. For instance, a U.S. passport costs approximately $85, while replacing naturalization documents can cost up to $210.

This legislation creates an outrageous burden on my state of Oregon. In 1998, Oregon voters passed an initiative requiring that all elections be conducted by mail. Should this bill pass, our voters would be required to photocopy their identification every time they wanted to vote which further hampers the accessibility to vote by mail. As for voter fraud, during the last 15 years of general elections over 10 million votes have been cast by Oregon voters and yet only 10 people have met the criteria to warrant an investigation.

This legislation discourages voter participation, many who continue to lose confidence in our electoral system, while enabling voter discrimination in select communities. Overall, this legislation tries to create a solution to a voter fraud problem regarding voter identification that does not exist, while overlooking obvious and real problems.

Just last week during Maryland's primary elections many voters were delayed or turned away. In one county computer cards were not delivered to precinct workers while in another computers incorrectly read party affiliation and could not be tabulated.

Anyone who examined what happened in Ohio last election cycle, including voting problems and potential abuse due to the under funded and ill-thought-out congressional meddling, must wonder what will happen in the 2008 election.

Every American should be alarmed and outraged by Congress indulging in partisan political shenanigans regarding elections rather than implementing long overdue protections for the integrity of the ballot box.

Mr. CROWLEY. Mr. Speaker, I rise in strong opposition to this so-called Voter ID Act.

Sensing electoral defeat in the fall, the Republicans have done what they always do—act desperate and deflect attention.

Mandating voter IDs to prove citizenship will do nothing to protect our homeland security, make the voting process more secure, insure every vote is counted or keep non-citizens from voting.

News flash to my colleagues, the fear that non-citizens may vote is not what is keeping my constituents up at night.

Completing the war on terror, finding Osama bin Laden, bringing our troops home, and figuring out how to pay for their kids college education are the issues my constituents care about.

Not passing a not-needed bill for a total non issue.

Today, we are mandating citizenship IDs at the polling places, in a voter disenfranchisement act that would make Bull Connor smile from below.

The Republicans continue to place all the blame on immigrants instead of accepting the blame themselves that they dropped the ball on comprehensive immigration reform, they dropped the ball on homeland security by underfunding our ports and border security and they dropped the ball on the war on terror.

There is a problem at the ballot box, but it isn't illegal immigrants voting, The problem is that American citizens aren't voting.

Instead of promoting voter participation, this bill creates disincentives.

Instead of encouraging voter participation by all Americans, we are adding roadblocks.

Instead of building one America, we are creating a divisive America.

This is a solution in search of a problem.

I urge my colleagues to oppose this legislation.

Ms. MATSUI. Mr. Speaker, while this bill is entitled the Federal Election Integrity Act, that is highly deceptive. Make no mistake; there is no integrity in trying to deny thousands of legal voters their right to vote.

Voting is a sacred right. A right that, unfortunately, seems to be under attack in this Congress. It was barely two months ago that this body voted on a bipartisan basis to reauthorize crucial provisions of the Voting Rights Act—the nation's most effective mechanism for protecting minority voting rights. But now, as we debate H.R. 4844, that vote seems disingenuous. H.R. 4844 is a misguided approach that would add unnecessary obstacles to the voting process. Congress should not be in the practice of disenfranchising voters under the guise of protecting the right to vote. Unfortunately, that's precisely what this bill would do.

This legislation is quite likely to be struck down by the Supreme Court. As recently as yesterday, state photo ID laws were found to be unconstitutional. This is because photo ID laws disproportionately affect racial and ethnic minorities, the elderly, people with disabilities, rural voters, students, the homeless, low-income people, and frequent movers.

Many of our constituents would be at risk of not being able to vote because they do not have the time, money or ability to obtain their birth certificates or their passports. And let us not forget the hundreds of thousands of Hurricane Katrina victims, now dispersed across the country, who lost their birth certificates in the muddy waters left by the hurricane.

Since consideration of this bill began, many of our colleagues have shared their own personal stories of not being able to obtain their birth certificates, or being turned away at the voting booth. The same is true for one of my constituents in Sacramento who contacted me because he was experiencing difficulty proving he was an American citizen. Adopted as a child by a member of the Armed Forces, the crux of the problem centered around the fact that his adopted father was born in the south and did not have a birth certificate. If this legislation were in place, my constituent may have been turned away at the polls. That is unforgivable and it is unconstitutional. I am sure this is just one example of many.

What's even more alarming is that we are debating a bill that seeks to rectify a problem that hardly exists. Worse still, there are already laws on the books to address this very issue. Instead of just enforcing those laws, this bill is an attempt to scare voters by inferring that illegal immigrants and others in our country are misrepresenting their identity when they go to vote. The truth is that there is little proof of that.

What we do have proof of are the problems with our voting system. That's what Congress should be working on now. We need to be working on laws that ensure that our voting machines are not susceptible to tampering and that those machines have a paper trail—laws that ensure every vote is counted.

That is what my constituents are writing to me in the hundreds about. They are distrustful of the voting machines and with good reason. Just last week, a professor at Princeton hacked into a Diebold e-voting machine. Clearly our voting machines are vulnerable to malicious attacks and potential voter fraud.

Rather than address these serious concerns before a major election, this Congress has decided to take up a bill that seeks to limit the rights of legal voters. Congress must work on ways to encourage voter participation, not create undue obstacles to vote. I urge Members to vote against this denial of voting rights.

Mr. GREEN of Texas. Mr. Speaker, I rise today to oppose H.R. 4844.

I am a strong supporter of re-establishing the integrity of our elections. The last 6 years have exposed serious flaws in the way we conduct elections.

We use electronic forms of voting that cannot be audited, there is no verification system in place and we all remember the month that this country stood still while we tried to figure out who won the Presidential election in 2000.

In the countless election problems this country has seen recently, none of them were because of voting by non-citizens.

H.R. 4844 would require voters to present government-issued I.D. in order to vote. Currently, that document is a U.S. Passport. Aside from the impact this would have on minority voters, this will also impact the elderly.

Under the bill, mail-in ballots would have to include a photo copy of an ID proving that you are a citizen. Currently, that document is a U.S. passport.

Seventy-five percent of Americans don't have a passport and many of the senior citizens in my district don't have the resources to pay $97 dollars to get a passport.

Forcing Americans to spend their hard earned money to get a passport or some other form of identification in order to vote sounds a lot like a poll-tax.

Finally, it is already illegal to vote if you are not a citizen. State and local officials are already able to enforce these laws. Secretaries of State and County Clerks have the authority to remove ineligible voters from the rolls to prevent voter fraud.

This system works and there is no need for this legislation.

If we want to address election integrity, let's talk about providing a paper-trail and having audits of election returns so we can ensure every vote is counted come election day.

I urge my colleagues to vote against H.R. 484.

Mr. CONYERS. Mr. Speaker, it is amazing to me that during the 40th Anniversary of the historic passage of the Voting Rights Act, that anyone could propose mandating nationwide photo ID requirements. Given the cost, difficulty and bureaucracy involved in obtaining photo ID for many minorities, elderly, and indigent, the idea of a national voter ID and proof of citizenship requirement amounts to nothing less than a 21st Century Poll Tax, that could disenfranchise as many as 20 million American voters.

A NATIONAL VOTER ID REQUIREMENT WILL OPERATE AS A POLL TAX

We all know that the States will never fund an unfunded mandate, and even if they do, for many Americans it will be quite difficult, extensive, and time consuming to obtain the requisite ID cards. Georgia, which just enacted a new voter ID requirement did not even bother to provide an office in Atlanta.

Data developed during the debate over the Georgia voter ID bill indicated that 36 percent of Georgians over the age of 75 do not have a driver's license and that African-Americans in Georgia are nearly five times less likely

than whites to have access to a motor vehicle and thus even to need a driver's license.

Moreover, in Georgia, residents who do not have a driver's license must buy a State ID card to vote, at a cost of $20 for a five-year card or $35 for 10 years. For many living on a fixed or low income, $20 to $35 is cost-prohibitive. People should not be forced to choose between a bag of groceries, needed medications, or the right to vote.

In addition, the proof of citizenship requirements that are outlined in this bill will place on the voter the difficult, time consuming, and costly burden of obtaining the necessary documentation to prove citizenship in order to cast a ballot.

A NATIONAL VOTER ID AND PROOF OF CITIZENSHIP REQUIREMENT WILL LEAD TO DISCRIMINATORY IMPLEMENTATION AND WILL DISPROPORTIONATELY BURDEN PEOPLE OF COLOR

There is strong empirical evidence that photo ID requirements disproportionately burden people of color.

In 1994, the Justice Department found that African-Americans in Louisiana were 4 to 5 times less likely to have government-sanctioned photo ID than white residents. As a result, the DoJ denied pre-clearance for that State's proposed photo ID requirement because they found that ''it would lead to retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise.''

Moreover, in 2001, the Carter-Ford National Commission on Election Reform found that identification provisions at the polls are selectively enforced. Even in places that do not require voters to show ID, poll workers are known to ask certain voters to prove their identity, in many cases demanding ID from minority voters, but not whites.

MANY AMERICANS DO NOT AND WILL NOT HAVE THE REQUISITE STATE-ISSUED PHOTO ID OR PROOF OF CITIZENSHIP REQUIREMENTS

In 2005, the Carter-Baker Commission on Federal Election Reform estimated that 10 percent of voting-age Americans do not have a drive's license or a state-issued non-driver's photo ID. That translates into as many as 20 million eligible voters who will not be allowed to vote on Election Day.

Moreover, proof of citizenship requirements, such as the one proposed in this bill, are impossible for members of some communities to acquire and very hard for others. It is widely known that in certain parts of the country, elderly African-Americans and many Native Americans were born at home, under the care of midwives, and do not possess birth certificates. People of color, people with disabilities, the elderly, and low-income citizens are among the demographic groups least likely to have documents in their possession to prove citizenship.

Further, for victims of natural disasters like hurricanes Katrina and Rita, it may be impossible to obtain birth certificates or other documents because they have been destroyed.

AN ID CARD SYSTEM WILL LEAD TO A SLIPPERY SLOPE OF SURVEILLANCE AND CITIZEN MONITORING

A national voter ID card system would significantly diminish freedom and privacy in the U.S. because once put in place, it is unlikely that such a system would be restricted to its original purpose. A national voter ID system would threaten the privacy that Americans have always enjoyed and will gradually increase the control that government and business wields over everyday citizens.

CONCLUSION

We all want clean elections. But that is not what legislation like H.R. 4844 will accomplish. A federally mandated voter ID and proof of citizenship requirement will make it harder for people to vote, and not just people generally, but lawfully registered voters who happen to be seniors, young people, living in cities, lower-income and minorities. That is an effect clearly at odds with our most fundamental values as Americans.

Voting is an invaluable right—the one that guards all of our other rights and ensures every American an opportunity to participate in our democracy. We must do everything in our power to make voting easier, not harder, and to resist the imposition of new requirements to vote that do not serve a fair and compelling purpose that actually promotes our democracy.

I urge my colleagues to vote ''no'' on H.R. 4844—the so-called ''Federal Election Integrity Act of 2006''.

Mr. ORTIZ. Mr. Speaker, it almost seems that each day that goes by, this Congress stands idly by while we lose more and more of our fundamental rights.

When there is voter fraud—anywhere, anytime election officials must react immediately to right the problem.

And at every turn in this democracy, we must work to increase what is still an anemic voter turnout in the world's leading democracy.

Where's the problem to solve?

The voting problems in recent mid-Atlantic areas were related to the new electronic devices that neither voters—nor poll workers—were familiar with using.

This bill is not about integrity or reducing voter fraud—it is all about depressing the number of voters in U.S. elections by requiring all citizens to show proof of citizenship in order to vote.

This Congress would have voters show both a drivers license and a birth certificate in order to cast a vote.

Where's your birth certificate?

Ask those you know born in this country—do you know how to put your hands on your birth certificate?

Imagine the difficulty for the elderly, students, the disabled, Native Americans and other minorities in finding that document . . . or perhaps that was imagined when this scheme was conceived.

Members of this House should not fear great numbers of voters in elections—we must encourage it.

Hispanics in South Texas will be profoundly impacted by this legislation.

This bill will suppress turnout and intimidate voters—which is a slap in the face of democracy and our Constitution.

Millions of Americans will be denied their right to vote because this Congress is so determined to address a problem that does not really exist.

This bill imposes the 2nd poll tax on voters—through this 2nd unfunded mandate for voting requirements on the states.

Let us not move backwards on this matter.

In my very first election—as Constable in Nueces County, Texas, in 1964—the poll tax was in its final throws . . . but was still the law in Texas.

My mother borrowed against her house to help offset my filing fee . . . and to help my voters pay the poll tax.

Let's not ever see that day again where citizens are taxed in order to vote . . . let's stop putting unfunded mandate on our states . . . and let's seek more ways to increase voting, not suppress it.

We've come too far on civil rights in this Nation to move backwards.

Let us act boldly . . . let us find ways to increase voting in the United States, not suppress it, or tax voters to DE-crease voter turnout.

Mr. STARK. Mr. Speaker, I rise in opposition to H.R. 4844, the wrongly entitled Federal Election Integrity Act. Like so many Republican window dressings, this bill might seem like a no-brainer to some. Only citizens can vote, so why not have them show their ID and prove their address and citizenship to reduce fraud? If only the real world were as simple as country club Republicans imagine.

What about students whose driver's licenses show their home address but who register to vote on campus? Nursing home residents who have been voting for over 50 years but whose documents are nowhere to be found? Low-income Americans who don't drive and have never had a state-issued identification? It's no coincidence that the people who will be disenfranchised by this bill are core Democratic constituencies. Powerful interests have figured out that there are lots of ways to institute a poll tax by another name.

What about reducing voter fraud, something we all support? It will come as no surprise to anyone who has run for office or worked in campaigns that there is little evidence of fraudulent voting. It's hard enough to convince most registered voters to go to the polls. What is the incentive to engage in voter fraud, a felony offense? In particular, there is little incentive for immigrants—against whom this legislation is targeted—to vote illegally. Voter fraud by immigrants is subject to immediate deportation without appeal. Do the sponsors of this bill really believe that thousands, or even tens, of immigrants would risk deportation to cast a single vote?

If anything shatters confidence in our election system, it is the thousands of votes that are not counted because of dimpled chads, electronic voting breakdowns, provisional ballot mishaps, three-hour lines at polling places, and the like. The Help America Vote Act, which was supposed to address some of these problems, has never been fully funded or enforced, and yet the Republican Majority wants to further restrict voting and create a new administrative nightmare for our states and localities.

I urge my colleagues to vote no on this bill, so that all Americans might have the opportunity to cast their vote in November against this desperate cling to power.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 4484, the Federal Election Integrity Act of 2006, because it will sacrifice the most fundamental right guaranteed to all American citizens by the Constitution—the right to vote. Contrary to its title, the bill will undermine the integrity of our electoral process by imposing unnecessary barriers to full participation in federal elections. The bill's requirements of proof of citizenship and photo identification as a prerequisite to voting may appear innocuous, but in reality they will create an

unprecedented regime of disenfranchisement aimed at seniors, minority voters, low income voters, students and voters with disabilities.

Mr. Speaker, this bill imposes an undue burden on eligible voters. As the United States District Court found last year in Common Cause v. Billups, 406 F.Supp.2d 1326 (N.D. Ga. 2005), when considering a Georgia law requiring ID at the polls, ''photo identification requirements unconstitutionally burden the fundamental right to vote of eligible American citizens.'' The district judge issued an immediate injunction against the law, likening it to a segregation-era poll tax because the digital picture ID would cost voters $20. The court found that these provisions disproportionately affect traditionally disenfranchised voters, including senior citizens, minority voters, poor voters, disabled voters and young voters.

And the decisions keep coming. A state judge yesterday again rejected the Georgia law requiring voters to show government-issued photo identification, writing in his decision, ''This cannot be.'' In his ruling, the judge said that the law places too much of a burden on voters, and ''Any attempt by the legislature to require more than what is required by the express language of our Constitution cannot withstand judicial scrutiny''. Lake v. Perdue, No. CV 119207 (Ga. Super. Ct. Sept. 19, 2006) In Michigan, the photo ID requirement was declared unconstitutional by the State's attorney general and his decision is now being reviewed by the State Supreme Court. In Pennsylvania, a similar voter ID bill was vetoed by the governor.

Proponents of this bill claim that these draconian constraints are necessary to guard against identity fraud at the Nation's polling places. The truth, however tells a far different story. According to the United States Department of Justice, out of 196,139,871 votes cast since 2002, only about 80 voters were convicted of federal election fraud. Mr. Speaker, when we compare the number of eligible voters that will be disenfranchised because of this bill to the number of documented cases of fraud, it's clear that this bill will do more harm than good—the cure is clearly worse than the disease.

Mr. Speaker, it's hard to believe that the same Congress that reauthorized the Voting Rights Act two months ago could now seriously contemplate passage of this bill. There is plenty that needs to be done to fix our electoral system, but instead of addressing problems that don't exist, it is our responsibility to ensure that we have a model system of choosing our elected officials—one that exemplifies the true principle of democracy and serves as an example to other nations around the world. I urge my colleagues to oppose this bill.

Mr. ETHERIDGE. Mr. Speaker, I rise today in opposition to the Republicans' National Voter ID act. This bill imposes new Federal ID requirements on all voters in Federal elections and would have the effect of disenfranchising millions of American citizens. H.R. 4844 requires all States to demand that voters provide government-issued identification in order to vote in the 2008 election, and a copy when voting absentee or by mail, and proof of citizenship in order to vote in the 2010 election.

Unfortunately, H.R. 4844 undoes the progress of the Voting Rights Act Reauthorization enacted just 2 months ago by imposing a 21st century poll tax. This bill would disenfranchise the elderly, people with disabilities, and minorities. The costs of obtaining the documents needed to prove you are citizen are high. A birth certificate usually costs $1– $15; and according to the State Department only 27 percent of eligible Americans have passports, which cost $97. Naturalization papers, if they need to be replaced, cost $210. While supporters of H.R. 4844 promise to help some citizens who don't have money to pay for these documents, we cannot bank on the promise from the Republican majority who have refused to honor their commitment to the Help America Vote Act.

Mr. Speaker, let me state clearly that I oppose voter fraud. Currently, there are very strong federal statues on the books to penalize voter fraud and I support their vigorous enforcement. The Help American Vote Act, which I supported, gave States resources to both expand access and prevent voter fraud. Yet, the Republican majority has under-funded the Help American Vote Act by $800 million. I oppose this legislation, and urge my colleagues to reject this 21st Century poll tax.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I oppose H.R. 4844, and express my dismay with this distraction. I fear that actions taken today will sear doubt and weakness into one of our treasured and fundamental rights as a democratic Nation.

Not 3 months ago, we dedicated significant amounts of time land resources to reauthorize the Voting Rights Act. We celebrated the fact that these rights will be secure for another generation. And yet, with this bit!, we are reminded that these rights are fleeting, and must continually be protected.

This bill undermines the very provisions we have been fighting for—and clearly have not yet won—for over 40 years. This bill compounds the disproportionate discrimination that persists across this Nation.

This bill attempts to address a problem that does not exist, and this is crucial to understand. There is no voter fraud problem. It is simply not a documented issue. Suggesting that it may be plays into bigotry and xenophobia.

Data from the U.S. Department of Justice shows that while 196,139,871 votes have been cast in Federal elections since October 2002, only 52 individuals have been convicted of Federal voter fraud. Most of these convictions were for vote buying or for voter registration fraud, neither of which would be prevented by restrictive ill requirements at the polls.

If convicted of voter fraud, an individual can be given up to 5 years in prison and a $10,000 fine: The Department of Justice and the Federal Bureau of Investigation has an active—and fully funded—prosecution team to enforce Federal and State election laws.

In reality, the bill is a 21st century poll tax. Instead of money collected at the poll door, however, the tax will now be collected at the Department of Motor Vehicles. Congress cannot place itself on the wrong side of this debate—history will see this clearly.

The crux of discriminatory measures in this bill rests with the fact that the right to vote is tied to documents that are not readily available. The burden of obtaining these documents—whether the cost of obtaining supporting documentation, investing the time to navigate bureaucracy or the waiting period to receive the documents in the mail—is prohibitive, and yet familiar. Anyone who has waited in line at the DMV must understand what a mistake this is.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may ''infiltrate'' our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than Hurricane Katrina, we must all understand how vulnerable our system is. Families fleeing the hurricanes last summer suffered loss of property that included lost documents. Compounding this was the devastation of the region, which virtually shut down civil services in the area. New Orleans residents were scattered across 44 States. And had difficulty registering and voting both with absentee ballots and at satellite voting stations for the April 22 city elections this year. Those elections took place fully 8 months after the disaster, and it required the efforts of non-profits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

In addition, this bill hands State governments yet another unfunded mandate. By 2010, we must all submit photo IDs with proof of citizenship in order to vote. Currently, no more than 4 States have driver's licenses or IDs that match these requirements. The only other document that does satisfy this requirement is a passport. Therefore, every State that does not have this kind of photo ID must restructure and create the ID system to provide adequate voting permits for everyone who does not have an updated passport with a current address. This would involve reissuing driver's licenses or identification cards in almost every State.

The Congressional Budget Office estimates that implementing H.R. 4844 would cost about $1 million in 2007 and $77 million over the 2007–2011 period, assuming appropriation of the necessary amounts. This exceeds the allowed amounts in the Unfunded Mandates Reform Act. In addition, CBO estimates that the cost of providing photo identification for voters who cannot afford them would be about $45 million in 2008.

This is simply ludicrous. We need to address the election fraud that we know is occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. One million ballots nationwide were spoiled by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses change often, and the elderly, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6–8 weeks to receive the marriage certificate in the mail, another 2 weeks (and a full day waiting in line) to get the new Social Security card, and finally, 3–4 weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within 3 months of election day.

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

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

The SPEAKER pro tempore (Mr. REHBERG). All time for debate has expired.

Pursuant to House Resolution 1015, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MILLENDER-McDONALD. I am opposed at this present time, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Millender-McDonald moves to recommit the bill H.R. 4844 to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Election Integrity Act of 2006''.

SEC. 2. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.

(a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION AS CONDITION OF RECEIVING BALLOT.—Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)) is amended—

(1) in the heading, by striking ''FOR VOTERS WHO REGISTER BY MAIL'' and inserting ''FOR PROVIDING PHOTO IDENTIFICATION''; and

(2) by striking paragraphs (1) through (3) and inserting the following:

''(1) INDIVIDUALS VOTING IN PERSON.—

''(A) REQUIREMENT TO PROVIDE IDENTIFICATION.—Notwithstanding any other provision of law and except as provided in subparagraphs (B), (C), and (D), the appropriate State or local election official may not provide a ballot for an election for Federal office to an individual who desires to vote in person unless the individual presents to the official—

''(i) a government-issued, current, and valid photo identification; or

''(ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

''(B) AVAILABILITY OF PROVISIONAL BALLOT.—If an individual does not present the identification required under subparagraph (A), the individual shall be permitted to cast a provisional ballot with respect to the election under section 302(a), except that the appropriate State or local election official may not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless the individual presents the identification required under subparagraph (A) to the official not later than 48 hours after casting the provisional ballot.

''(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to any elderly or handicapped individual. In this subparagraph, the terms 'elderly' and 'handicapped' have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee–6)).

''(D) EXCEPTION FOR VICTIMS OF HURRICANE KATRINA.—Subparagraph (A) does not apply with respect to any individual who certifies to the appropriate election official that the documentation which would enable the individual to obtain the identification required under such subparagraph was lost or destroyed as a result of Hurricane Katrina.

''(2) INDIVIDUALS VOTING OTHER THAN IN PERSON.—

''(A) IN GENERAL.—Notwithstanding any other provision of law and except as provided in subparagraphs (B), (C), and (D), the appropriate State or local election official may not accept any ballot for an election for Federal office provided by an individual who votes other than in person unless the individual submits with the ballot—

''(i) a copy of a government-issued, current, and valid photo identification; or

''(ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a copy of a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

''(B) EXCEPTION FOR ABSENT MILITARY VOTERS AND THEIR FAMILIES.—Subparagraph (A) does not apply with respect to a ballot provided by an absent uniformed services voter. In this subparagraph, the term 'absent uniformed services voter' has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(1)).

''(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to a ballot provided by a elderly or handicapped individual. In this subparagraph, the terms 'elderly' and 'handicapped' have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee–6)).

''(D) EXCEPTION FOR VICTIMS OF HURRICANE KATRINA.—Subparagraph (A) does not apply with respect to any individual who certifies to the appropriate election official that the documentation which would enable the individual to obtain the identification required under such subparagraph was lost or destroyed as a result of Hurricane Katrina.

''(3) SPECIFIC REQUIREMENTS FOR IDENTIFICATIONS.—For purposes of paragraphs (1) and (2)—

''(A) an identification is 'government-issued' if it is issued by the Federal Government or by the government of a State; and

''(B) an identification is one for which an individual was required to provide proof of United States citizenship as a condition for issuance if the identification displays an official marking or other indication that the individual is a United States citizen.''.

(b) CONFORMING AMENDMENTS.—Section 303 of such Act (42 U.S.C. 15483) is amended—

(1) in the heading, by striking ''FOR VOTERS WHO REGISTER BY MAIL'' and inserting ''FOR PROVIDING PHOTO IDENTIFICATION''; and

(2) in subsection (c), by striking ''subsections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)'' and inserting ''subsection (a)(5)(A)(i)(II)''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 303 to read as follows:

''Sec. 303. Computerized statewide voter registration list requirements and requirements for providing photo identification''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.

(2) CONFORMING AMENDMENT.—Section 303(d)(2) of such Act (42 U.S.C. 15483(d)(2)) is amended to read as follows:

''(2) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION.—Paragraphs (1) and (2) of subsection (b) shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.''.

(3) EXCEPTION.—Notwithstanding paragraph (1) or section 303(d)(2) of the Help America Vote Act of 2002 (as amended by paragraph (2)), this section and the amendments made by this section shall not apply with respect to any election which is held in a State during a fiscal year for which the amount provided to the State pursuant to the authorization under section 297A of such Act (as added by section 3(c)) is not sufficient to cover the costs incurred by the State in carrying out the amendments made by section 3.

SEC. 3. MAKING PHOTO IDENTIFICATIONS AVAILABLE.

(a) REQUIRING STATES TO MAKE IDENTIFICATION AVAILABLE.—Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)), as amended by section 2(a)(2), is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) MAKING PHOTO IDENTIFICATIONS AVAILABLE.—

''(A) IN GENERAL.—During fiscal year 2008 and each succeeding fiscal year, each State shall establish a program to provide photo identifications which may be used to meet the requirements of paragraphs (1) and (2) by individuals who desire to vote in elections held in the State but who do not otherwise

possess a government-issued photo identification.

''(B) IDENTIFICATIONS PROVIDED AT NO COST TO INDIGENT INDIVIDUALS.—If a State charges an individual a fee for providing a photo identification under the program established under subparagraph (A)—

''(i) the fee charged may not exceed the reasonable cost to the State of providing the identification to the individual; and

''(ii) the State may not charge a fee to any individual who provides an attestation that the individual is unable to afford the fee.

''(C) IDENTIFICATIONS NOT TO BE USED FOR OTHER PURPOSES.—Any photo identification provided under the program established under subparagraph (A) may not serve as a government-issued photo identification for purposes of any program or function of a State or local government other than the administration of elections.''.

(b) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Section 303(b) of such Act (42 U.S.C. 15483(b)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(7) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Not later than December 31 of each year during which a regularly scheduled general election for Federal office is held (beginning with 2008), each State shall submit a report to the Commission on the number of individuals in the State who were registered to vote with respect to the election but who were prohibited from casting a ballot in the election, or whose provisional ballots were not counted in the election, because they failed to meet the requirements of paragraph (1) or (2).''.

(c) PAYMENTS TO STATES TO COVER COSTS.—Subtitle D of title II of such Act (42 U.S.C. 15321 et seq.) is amended by adding at the end the following new part:

''PART 7—PAYMENTS TO COVER COSTS OF PROVIDING PHOTO IDENTIFICATIONS TO INDIGENT INDIVIDUALS

''SEC. 297. PAYMENTS TO COVER COSTS TO STATES OF PROVIDING PHOTO IDENTIFICATIONS FOR VOTING TO INDIGENT INDIVIDUALS.

''(a) PAYMENTS TO STATES.—The Commission shall make payments to States to cover the costs incurred in providing photo identifications under the program established under section 303(b)(4) to individuals who are unable to afford the fee that would otherwise be charged under the program.

''(b) AMOUNT OF PAYMENT.—The amount of the payment made to a State under this part for any year shall be equal to the amount of fees which would have been collected by the State during the year under the program established under section 303(b)(4) but for the application of section 303(b)(4)(B)(ii), as determined on the basis of information furnished to the Commission by the State at such time and in such form as the Commission may require.

''SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated for payments under this part such sums as may be necessary for fiscal year 2008 and each succeeding fiscal year.''.

(d) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the item relating to subtitle D of title II the following:

''PART 7—PAYMENTS TO COVER COSTS OF PROVIDING PHOTO IDENTIFICATIONS TO INDIGENT INDIVIDUALS

''Sec. 297. Payments to cover costs to States of providing photo identifications for voting to indigent individuals.

''Sec. 297A. Authorization of appropriations.''.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect October 1, 2007.

SEC. 4. REQUIREMENTS PRIOR TO IMPLEMENTATION OF NEW VOTER IDENTIFICATION REQUIREMENTS.

(a) AVAILABILITY OF FUNDING FOR STATES.—The amendments made by this Act shall not take effect unless—

(1) the amount provided to States pursuant to the authorization under section 297A of the Help America Vote Act of 2002 (as added by section 3(c)) is sufficient to cover the costs to the States of meeting the requirements of section 303(b)(4) of such Act (as added by section 3(a)); and

(2) the amount provided to States for requirements payments under subtitle D of title II of such Act is sufficient to cover the costs to the States of meeting the requirements of title III of such Act (other than section 303(b)(4)), taking into account the additional requirements imposed by the amendments made by this Act.

(b) REQUIRING ACCESS TO PHOTO IDENTIFICATIONS PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS.—The amendments made by this Act shall not take effect unless the Election Assistance Commission reports to Congress that not less than 95 percent of the voting age population of the United States has obtained photo identification which meets the requirements of the Help America Vote Act of 2002 which are added by the amendments made by this Act, and that individuals who were not able to afford the fee imposed by a State for the identification were provided the identification free of charge by the State.

(c) REQUIRING CERTIFICATION BY ATTORNEY GENERAL, CHIEF STATE ELECTION OFFICIAL, AND GOVERNOR PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS IN STATE.—

(1) CERTIFICATION.—The amendments made by this Act shall not apply with respect to elections held in a State unless the chief executive of the State, the chief State election official of the State, and the Attorney General certify to Congress that, on the basis of clear and convincing evidence—

(A) voting by noncitizens in the State is a persistent and significant problem; and

(B) the remedies and prohibitions applicable under the laws in effect prior to the implementation of the amendments made by this Act are insufficient to prevent and deter this problem.

(2) DEFINITIONS.—In this subsection—

(A) the term ''chief State election official'' has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (42 U.S.C. 15403(e)); and

(B) the term ''State'' has the meaning given such term in section 901 of such Act (42 U.S.C. 15541).

(d) STUDY AND REPORT ON ANTICIPATED EFFECT OF IMPLEMENTATION ON PARTICIPATION BY ELDERLY, DISABLED, NATIVE AMERICANS AND MINORITY VOTERS.—The amendments made by this Act shall not take effect unless the Election Assistance Commission—

(1) conducts a study on the anticipated impact of the amendments on voter participation; and

(2) submits a report to Congress on the study which concludes that the implementation of the amendments will not disproportionately affect voter participation by the elderly, the disabled, Native Americans, and members of racial minorities.

Ms. MILLENDER-McDONALD (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 gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

Ms. MILLENDER-McDONALD. Mr. Speaker, if the House is going to vote out a proof-of-citizenship requirement to allow citizens to exercise their constitutional right to vote, then we should consider who will be disenfranchised by this new requirement, and we should ensure that the States have both the funds and have determined their needs to implement this mandate.

Of course, we should exempt those who will be greatly burdened and are least likely to fit the straw man profile which the majority has thrown up as its excuse to pass this bill, voting by noncitizens. There is no showing that this straw man is a problem of sufficient proportions to justify a 21st century poll tax.

There is no empirical data on which to justify this unfunded mandate, and the personal financial burden and, in some cases, the sheer impossibility of citizens to obtain the required documentation must be taken into consideration.

I therefore offer a motion to recommit, which does the following things to the Republican proof-of-citizenship photo ID obstacle to voting.

First, the motion to recommit exempts all military voters and their families from the requirement of submitting a copy of their photo ID when mailing in an absentee ballot, not just those uniformed personnel overseas, as the underlying Hyde bill allows.

Second, my motion exempts all elderly and disabled voters from having to provide their photo ID at polls or when mailing in absentee ballots. They have financial and access obstacles which ordinary citizens simply do not have, and we need to recognize and adjust for that.

Third, the motion prevents the bill from taking effect in any State and during any fiscal year in which the Federal Government is acting irresponsibly by not providing sufficient Federal funds to cover the State costs of the unfunded mandate of making photo IDs available.

Fourth, my motion to recommit empowers the States by requiring that this new proof of citizenship photo ID provision will not take effect until the State's chief executive, chief election officer, and attorney general have each certified to Congress that voting by noncitizens in the State is a persistent and significant problem that can't be resolved by existing State and Federal laws.

Fifth, the motion seeks to enlighten the Congress on the impact of this law by having States issue a report to the Election Assistance Commission on the number of individuals who are

disenfranchised because of a photo ID requirement.

Sixth, the motion seeks to temper the likely effects of this harsh new statute by holding its application in abeyance until the Election Assistance Commission reports to Congress that 95 percent of the voting-age population has acquired a photo ID which meets the requirements of this act.

Seventh, my motion prevents the law from taking effect until the Election Assistance Commission studies and reports to Congress that the photo ID law will not disproportionately disenfranchise the elderly, disabled, minority and Native Americans.

Finally, the motion exempts Katrina victims whose records were destroyed and who were unable to obtain the requisite documentation, as long as they certify under penalty of perjury to the appropriate State election officials.

These are major concerns but by no means the only ones.

Mr. SCOTT of Georgia. Would the gentlewoman yield just for one moment?

Ms. MILLENDER-McDONALD. I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, this is very important on two points. The poll tax, which is a very important point of our argument, it has been said this is not a poll tax. It has been said that this is not an unfunded mandate. However, it is important to know that at the same time they say that this effort will be paid for, but there is no funding in this bill to pay for it, that makes it an unfunded mandate. That puts the onus on the individual senior citizens, those without it. Therefore, this was the consideration for the Georgia ruling that it was a poll tax and unconstitutional.

It is also important to note within the case in Georgia it was pointed out that clearly there were 600,000 Georgians, and not just Georgians, but registered voters in Georgia, 600,000, who did not have either a driver's license or a birth certificate. In order for that to happen, they would have had to provide the costs for doing so, which was not in the bill.

Subsequently, the Governor of Georgia said, to solve this we will put a bus to travel, follow it around the State. The bus made it for 2 hours and broke down. I wanted to make that clear for the Georgia record.

Mr. EHLERS. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. EHLERS. Mr. Speaker, it is difficult to respond without having seen the text of this beforehand, but it appears clear to me that it has the purpose to provide a number of exceptions. Our bill does not provide exceptions, because we are interested in ensuring that every voter has the right to vote. We also want to ensure that there are no illegal votes cast.

References have been made to unfunded mandate. The House just defeated that suggestion and said there is no unfunded mandate. There are concerns about no money being provided. Our committee, the House Administration Committee, is an authorizing committee, not an appropriations committee.

If this bill is unfunded, it is simply because we are an authorizing committee, and any bill passed by an authorizing committee is unfunded. We have to follow the procedures here. We pass authorizing bills. The appropriators then provide the money to implement authorizing activities.

I strongly urge the Members of the body to recommit this bill and to pass the original version of the bill, as amended, and which was introduced to this body and debated for the last 2 hours. It is a good bill that will provide the safety and security we need to ensure the vote is taken properly. I urge all of my colleagues to vote for this bill.

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.

Ms. MILLENDER-McDONALD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4844, if ordered, and the motion to suspend the rules on H. Res. 976.

The vote was taken by electronic device, and there were—yeas 196, nays 225, not voting 11, as follows

[Roll No. 458]

YEAS—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—225

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam

Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Bishop (UT)
Calvert
Case
Cubin
Evans
Keller
Kennedy (RI)
Moore (KS)
Ney
Reynolds
Strickland

□ 1550

Messrs. PICKERING, LUCAS, TERRY, NUNES, DANIEL E. LUNGREN of California, WALDEN of Oregon, HEFLEY, LAHOOD and GARY G. MILLER of California changed their vote from ''yea'' to ''nay.''

Ms. KILPATRICK of Michigan, Ms. PELOSI, Mr. HOLT and Mr. UDALL of Colorado changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 8, as follows:

[Roll No. 459]

YEAS—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—8

Case
Cubin
Evans
Keller
Kennedy (RI)
Moore (KS)
Ney
Strickland

□ 1600

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes.''.

A motion to reconsider was laid on the table

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill.

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

There was no objection.

CAPITOL HILL FLAG FOOTBALL

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

Mr. RENZI. Mr. Speaker, last night on the gridiron of Gallaudet University, Republicans and Democrats came together in a bipartisan fashion to take on the Capitol Police professional flag football team. And while we are but a ragtag group of amateur players taking on professional athletes, in the end we had them right where we wanted, and if it wasn't for the clock running out, we would have had that big comeback and overcome that score of 35–7.

I want to thank the police officers who guard us and care for us, who have given their lives for us. I want to thank our sponsors. We have found in Washington that if you go to sponsors and tell them they can watch Congressmen get knocked over, you can raise money for police officers and their families.

I want to thank Coach Tom Osborne. He may be Nebraska's son and a Hall of Fame coach, but he is our sandlot coach, and we needed him. He helped us raise $80,000 in two games for the families.

Thank you all to the players and the staffs that put this together. We are going to do it again next year. We are not going to go easy on them. Thank you, everybody. I appreciate it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

CONDEMNING HUMAN RIGHTS ABUSES BY THE GOVERNMENT OF IRAN AND EXPRESSING SOLIDARITY WITH THE IRANIAN PEOPLE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 976.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and agree to the resolution, H. Res. 976, 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 408, nays 10, answered ''present'' 2, not voting 12, as follows:

[Roll No. 460]

YEAS—408

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
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
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
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kildee
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
Lofgren, Zoe
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 Rodgers
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
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
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
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
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NAYS—10

Abercrombie
Hinchey
Jones (NC)
Kucinich
Lee
McDermott
McKinney
Paul
Waters
Woolsey

ANSWERED ''PRESENT''—2

Capuano
Kaptur

NOT VOTING—12

Case
Cubin
Evans
Jenkins
Keller
Kennedy (RI)
Kilpatrick (MI)
Moore (KS)
Ney
Strickland
Thomas
Wynn

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.

□ 1612

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

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

Mr. DAVIS of Kentucky. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 418) to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

The Clerk read as follows:

S. 418

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Military Personnel Financial Services Protection Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Congressional findings.
Sec. 3. Definitions.
Sec. 4. Prohibition on future sales of periodic payment plans.
Sec. 5. Required disclosures regarding offers or sales of securities on military installations.
Sec. 6. Method of maintaining broker and dealer registration, disciplinary, and other data.
Sec. 7. Filing depositories for investment advisers.
Sec. 8. State insurance and securities jurisdiction on military installations.
Sec. 9. Required development of military personnel protection standards regarding insurance sales; administrative coordination.
Sec. 10. Required disclosures regarding life insurance products.
Sec. 11. Improving life insurance product standards.
Sec. 12. Required reporting of disciplinary actions.
Sec. 13. Reporting barred persons selling insurance or securities.
Sec. 14. Study and reports by Inspector General of the Department of Defense.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds that—

(1) members of the Armed Forces perform great sacrifices in protecting our Nation in the War on Terror;

(2) the brave men and women in uniform deserve to be offered first-rate financial products in order to provide for their families and to save and invest for retirement;

(3) members of the Armed Forces are being offered high-cost securities and life insurance products by some financial services companies engaging in abusive and misleading sales practices;

(4) one securities product offered to service members, known as the ''mutual fund contractual plan'', largely disappeared from the civilian market in the 1980s, due to excessive sales charges;

(5) with respect to a mutual fund contractual plan, a 50 percent sales commission is assessed against the first year of contributions, despite an average commission on other securities products of less than 6 percent on each sale;

(6) excessive sales charges allow abusive and misleading sales practices in connection with mutual fund contractual plan;

(7) certain life insurance products being offered to members of the Armed Forces are improperly marketed as investment products, providing minimal death benefits in exchange for excessive premiums that are front-loaded in the first few years, making them entirely inappropriate for most military personnel; and

(8) the need for regulation of the marketing and sale of securities and life insurance products on military bases necessitates Congressional action.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) LIFE INSURANCE PRODUCT.—

(A) IN GENERAL.—The term ''life insurance product'' means any product, including individual and group life insurance, funding agreements, and annuities, that provides insurance for which the probabilities of the duration of human life or the rate of mortality are an element or condition of insurance.

(B) INCLUDED INSURANCE.—The term ''life insurance product'' includes the granting of—

(i) endowment benefits;

(ii) additional benefits in the event of death by accident or accidental means;

(iii) disability income benefits;

(iv) additional disability benefits that operate to safeguard the contract from lapse or to provide a special surrender value, or special benefit in the event of total and permanent disability;

(v) benefits that provide payment or reimbursement for long-term home health care, or long-term care in a nursing home or other related facility;

(vi) burial insurance; and

(vii) optional modes of settlement or proceeds of life insurance.

(C) EXCLUSIONS.—Such term does not include workers compensation insurance, medical indemnity health insurance, or property and casualty insurance.

(2) NAIC.—The term ''NAIC'' means the National Association of Insurance Commissioners (or any successor thereto).

SEC. 4. PROHIBITION ON FUTURE SALES OF PERIODIC PAYMENT PLANS.

(a) AMENDMENT.—Section 27 of the Investment Company Act of 1940 (15 U.S.C. 80a–27) is amended by adding at the end the following new subsection:

''(j) TERMINATION OF SALES.—

''(1) TERMINATION.—Effective 30 days after the date of enactment of the Military Personnel Financial Services Protection Act, it shall be unlawful, subject to subsection (i)—

''(A) for any registered investment company to issue any periodic payment plan certificate; or

''(B) for such company, or any depositor of or underwriter for any such company, or any other person, to sell such a certificate.

''(2) NO INVALIDATION OF EXISTING CERTIFICATES.—Paragraph (1) shall not be construed to alter, invalidate, or otherwise affect any rights or obligations, including rights of redemption, under any periodic payment plan certificate issued and sold before 30 days after such date of enactment.''.

(b) TECHNICAL AMENDMENT.—Section 27(i)(2)(B) of the Investment Company Act of 1940 (15 U.S.C. 80a–27(i)(2)(B)) is amended by striking ''section 26(e)'' each place that term appears and inserting ''section 26(f)''.

(c) REPORT ON REFUNDS, SALES PRACTICES, AND REVENUES FROM PERIODIC PAYMENT PLANS.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report describing—

(1) any measures taken by a broker or dealer registered with the Securities and Exchange Commission pursuant to section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) to voluntarily refund payments made by military service members on any periodic payment plan certificate, and the amounts of such refunds;

(2) after such consultation with the Secretary of Defense, as the Commission considers appropriate, the sales practices of such brokers or dealers on military installations over the 5 years preceding the date of submission of the report and any legislative or regulatory recommendations to improve such practices; and

(3) the revenues generated by such brokers or dealers in the sales of periodic payment plan certificates over the 5 years preceding the date of submission of the report, and the products marketed by such brokers or dealers to replace the revenue generated from the sales of periodic payment plan certificates prohibited under subsection (a).

SEC. 5. REQUIRED DISCLOSURES REGARDING OFFERS OR SALES OF SECURITIES ON MILITARY INSTALLATIONS.

Section 15A(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-3(b)) is amended by inserting immediately after paragraph (13) the following:

''(14) The rules of the association include provisions governing the sales, or offers of sales, of securities on the premises of any military installation to any member of the Armed Forces or a dependent thereof, which rules require—

''(A) the broker or dealer performing brokerage services to clearly and conspicuously disclose to potential investors—

''(i) that the securities offered are not being offered or provided by the broker or dealer on behalf of the Federal Government, and that its offer is not sanctioned, recommended, or encouraged by the Federal Government; and

''(ii) the identity of the registered broker-dealer offering the securities;

''(B) such broker or dealer to perform an appropriate suitability determination, including consideration of costs and knowledge about securities, prior to making a recommendation of a security to a member of the Armed Forces or a dependent thereof; and

''(C) that no person receive any referral fee or incentive compensation in connection with a sale or offer of sale of securities, unless such person is an associated person of a registered broker or dealer and is qualified pursuant to the rules of a self-regulatory organization.''.

SEC. 6. METHOD OF MAINTAINING BROKER AND DEALER REGISTRATION, DISCIPLINARY, AND OTHER DATA.

Section 15A(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(i)) is amended to read as follows:

''(i) OBLIGATION TO MAINTAIN REGISTRATION, DISCIPLINARY, AND OTHER DATA.—

''(1) MAINTENANCE OF SYSTEM TO RESPOND TO INQUIRIES.—A registered securities association shall—

''(A) establish and maintain a system for collecting and retaining registration information;

''(B) establish and maintain a toll-free telephone listing, and a readily accessible electronic or other process, to receive and promptly respond to inquiries regarding—

''(i) registration information on its members and their associated persons; and

''(ii) registration information on the members and their associated persons of any registered national securities exchange that uses the system described in subparagraph (A) for the registration of its members and their associated persons; and

''(C) adopt rules governing the process for making inquiries and the type, scope, and presentation of information to be provided in response to such inquiries in consultation with any registered national securities exchange providing information pursuant to subparagraph (B)(ii).

''(2) RECOVERY OF COSTS.—A registered securities association may charge persons making inquiries described in paragraph (1)(B), other than individual investors, reasonable fees for responses to such inquiries.

''(3) PROCESS FOR DISPUTED INFORMATION.—Each registered securities association shall adopt rules establishing an administrative process for disputing the accuracy of information provided in response to inquiries under this subsection in consultation with any registered national securities exchange providing information pursuant to paragraph (1)(B)(ii).

''(4) LIMITATION ON LIABILITY.—A registered securities association, or an exchange reporting information to such an association, shall not have any liability to any person for any actions taken or omitted in good faith under this subsection.

''(5) DEFINITION.—For purposes of this subsection, the term 'registration information' means the information reported in connection with the registration or licensing of brokers and dealers and their associated persons, including disciplinary actions, regulatory, judicial, and arbitration proceedings, and other information required by law, or exchange or association rule, and the source and status of such information.''.

SEC. 7. FILING DEPOSITORIES FOR INVESTMENT ADVISERS.

(a) INVESTMENT ADVISERS.—Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–4) is amended—

(1) by striking ''Every investment'' and inserting the following:

''(a) IN GENERAL.—Every investment''; and

(2) by adding at the end the following:

''(b) FILING DEPOSITORIES.—The Commission may, by rule, require an investment adviser—

''(1) to file with the Commission any fee, application, report, or notice required to be filed by this title or the rules issued under this title through any entity designated by the Commission for that purpose; and

''(2) to pay the reasonable costs associated with such filing and the establishment and maintenance of the systems required by subsection (c).

''(c) ACCESS TO DISCIPLINARY AND OTHER INFORMATION.—

''(1) MAINTENANCE OF SYSTEM TO RESPOND TO INQUIRIES.—

''(A) IN GENERAL.—The Commission shall require the entity designated by the Commission under subsection (b)(1) to establish and maintain a toll-free telephone listing, or a readily accessible electronic or other process, to receive and promptly respond to inquiries regarding registration information (including disciplinary actions, regulatory, judicial, and arbitration proceedings, and other information required by law or rule to be reported) involving investment advisers

and persons associated with investment advisers.

''(B) APPLICABILITY.—This subsection shall apply to any investment adviser (and the persons associated with that adviser), whether the investment adviser is registered with the Commission under section 203 or regulated solely by a State, as described in section 203A.

''(2) RECOVERY OF COSTS.—An entity designated by the Commission under subsection (b)(1) may charge persons making inquiries, other than individual investors, reasonable fees for responses to inquiries described in paragraph (1).

''(3) LIMITATION ON LIABILITY.—An entity designated by the Commission under subsection (b)(1) shall not have any liability to any person for any actions taken or omitted in good faith under this subsection.''.

(b) CONFORMING AMENDMENTS.—

(1) INVESTMENT ADVISERS ACT OF 1940.—Section 203A of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996.—Section 306 of the National Securities Markets Improvement Act of 1996 (15 U.S.C. 80b–10, note) is repealed.

SEC. 8. STATE INSURANCE AND SECURITIES JURISDICTION ON MILITARY INSTALLATIONS.

(a) CLARIFICATION OF JURISDICTION.—Any provision of law, regulation, or order of a State with respect to regulating the business of insurance or securities shall apply to insurance or securities activities conducted on Federal land or facilities in the United States and abroad, including military installations, except to the extent that such law, regulation, or order—

(1) directly conflicts with any applicable Federal law, regulation, or authorized directive; or

(2) would not apply if such activity were conducted on State land.

(b) PRIMARY STATE JURISDICTION.—To the extent that multiple State laws would otherwise apply pursuant to subsection (a) to an insurance or securities activity of an individual or entity on Federal land or facilities, the State having the primary duty to regulate such activity and the laws of which shall apply to such activity in the case of a conflict shall be—

(1) the State within which the Federal land or facility is located; or

(2) if the Federal land or facility is located outside of the United States, the State in which—

(A) in the case of an individual engaged in the business of insurance, such individual has been issued a resident license;

(B) in the case of an entity engaged in the business of insurance, such entity is domiciled;

(C) in the case of an individual engaged in the offer or sale (or both) of securities, such individual is registered or required to be registered to do business or the person solicited by such individual resides; or

(D) in the case of an entity engaged in the offer or sale (or both) of securities, such entity is registered or is required to be registered to do business or the person solicited by such entity resides.

SEC. 9. REQUIRED DEVELOPMENT OF MILITARY PERSONNEL PROTECTION STANDARDS REGARDING INSURANCE SALES; ADMINISTRATIVE COORDINATION.

(a) STATE STANDARDS.—Congress intends that—

(1) the States collectively work with the Secretary of Defense to ensure implementation of appropriate standards to protect members of the Armed Forces from dishonest and predatory insurance sales practices while on a military installation of the United States (including installations located outside of the United States); and

(2) each State identify its role in promoting the standards described in paragraph (1) in a uniform manner, not later than 12 months after the date of enactment of this Act.

(b) STATE REPORT.—It is the sense of Congress that the NAIC should, after consultation with the Secretary of Defense and, not later than 12 months after the date of enactment of this Act, conduct a study to determine the extent to which the States have met the requirement of subsection (a), and report the results of such study to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(c) ADMINISTRATIVE COORDINATION; SENSE OF CONGRESS.—It is the sense of the Congress that senior representatives of the Secretary of Defense, the Securities and Exchange Commission, and the NAIC should meet not less frequently than twice a year to coordinate their activities to implement this Act and monitor the enforcement of relevant regulations relating to the sale of financial products on military installations of the United States.

SEC. 10. REQUIRED DISCLOSURES REGARDING LIFE INSURANCE PRODUCTS.

(a) REQUIREMENT.—Except as provided in subsection (e), no person may sell, or offer for sale, any life insurance product to any member of the Armed Forces or a dependent thereof on a military installation of the United States, unless a disclosure in accordance with this section is provided to such member or dependent at the time of the sale or offer.

(b) DISCLOSURE.—A disclosure in accordance with this section is a written disclosure that—

(1) states that subsidized life insurance is available to the member of the Armed Forces from the Federal Government under the Servicemembers' Group Life Insurance program (also referred to as ''SGLI''), under subchapter III of chapter 19 of title 38, United States Code;

(2) states the amount of insurance coverage available under the SGLI program, together with the costs to the member of the Armed Forces for such coverage;

(3) states that the life insurance product that is the subject of the disclosure is not offered or provided by the Federal Government, and that the Federal Government has in no way sanctioned, recommended, or encouraged the sale of the life insurance product being offered;

(4) fully discloses any terms and circumstances under which amounts accumulated in a savings fund or savings feature under the life insurance product that is the subject of the disclosure may be diverted to pay, or reduced to offset, premiums due for continuation of coverage under such product;

(5) states that no person has received any referral fee or incentive compensation in connection with the offer or sale of the life insurance product, unless such person is a licensed agent of the person engaged in the business of insurance that is issuing such product;

(6) is made in plain and readily understandable language and in a type font at least as large as the font used for the majority of the solicitation material used with respect to or relating to the life insurance product; and

(7) with respect to a sale or solicitation on Federal land or facilities located outside of the United States, lists the address and phone number at which consumer complaints are received by the State insurance commissioner for the State having the primary jurisdiction and duty to regulate the sale of such life insurance products pursuant to section 8.

(c) VOIDABILITY.—The sale of a life insurance product in violation of this section shall be voidable from its inception, at the sole option of the member of the Armed Forces, or dependent thereof, as applicable, to whom the product was sold.

(d) ENFORCEMENT.—If it is determined by a Federal or State agency, or in a final court proceeding, that any person has intentionally violated, or willfully disregarded the provisions of, this section, in addition to any other penalty under applicable Federal or State law, such person shall be prohibited from further engaging in the business of insurance with respect to employees of the Federal Government on Federal land, except—

(1) with respect to existing policies; and

(2) to the extent required by the Federal Government pursuant to previous commitments.

(e) EXCEPTIONS.—This section shall not apply to any life insurance product specifically contracted by or through the Federal Government.

SEC. 11. IMPROVING LIFE INSURANCE PRODUCT STANDARDS.

(a) IN GENERAL.—It is the sense of Congress that the NAIC should, after consultation with the Secretary of Defense, and not later than 6 months after the date of enactment of this Act, conduct a study and submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on—

(1) ways of improving the quality of and sale of life insurance products sold on military installations of the United States, which may include—

(A) limiting such sales authority to persons that are certified as meeting appropriate best practices procedures; and

(B) creating standards for products specifically designed to meet the particular needs of members of the Armed Forces, regardless of the sales location; and

(2) the extent to which life insurance products marketed to members of the Armed Forces comply with otherwise applicable provisions of State law.

(b) CONDITIONAL GAO REPORT.—If the NAIC does not submit the report as described in subsection (a), the Comptroller General of the United States shall—

(1) study any proposals that have been made to improve the quality of and sale of life insurance products sold on military installations of the United States; and

(2) not later than 6 months after the expiration of the period referred to in subsection (a), submit a report on such proposals to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

SEC. 12. REQUIRED REPORTING OF DISCIPLINARY ACTIONS.

(a) REPORTING BY INSURERS.—Beginning 1 year after the date of enactment of this Act, no insurer may enter into or renew a contractual relationship with any other person that sells or solicits the sale of any life insurance product on any military installation of the United States, unless the insurer has implemented a system to report to the State insurance commissioner of the State of domicile of the insurer and the State of residence of that other person—

(1) any disciplinary action taken by any Federal or State government entity with respect to sales or solicitations of life insurance products on a military installation that

the insurer knows, or in the exercise of due diligence should have known, to have been taken; and

(2) any significant disciplinary action taken by the insurer with respect to sales or solicitations of life insurance products on a military installation of the United States.

(b) REPORTING BY STATES.—It is the sense of Congress that, not later than 1 year after the date of enactment of this Act, the States should collectively implement a system to—

(1) receive reports of disciplinary actions taken against persons that sell or solicit the sale of any life insurance product on any military installation of the United States by insurers or Federal or State government entities with respect to such sales or solicitations; and

(2) disseminate such information to all other States and to the Secretary of Defense.

(c) DEFINITION.—As used in this section, the term ''insurer'' means a person engaged in the business of insurance.

SEC. 13. REPORTING BARRED PERSONS SELLING INSURANCE OR SECURITIES.

(a) ESTABLISHMENT.—The Secretary of Defense shall maintain a list of the name, address, and other appropriate information relating to persons engaged in the business of securities or insurance that have been barred or otherwise limited in any manner that is not generally applicable to all such type of persons, from any or all military installations of the United States, or that have engaged in any transaction that is prohibited by this Act.

(b) NOTICE AND ACCESS.—The Secretary of Defense shall ensure that—

(1) the appropriate Federal and State agencies responsible for securities and insurance regulation are promptly notified upon the inclusion in or removal from the list required by subsection (a) of a person under the jurisdiction of one or more of such agencies; and

(2) the list is kept current and easily accessible—

(A) for use by such agencies; and

(B) for purposes of enforcing or considering any such bar or limitation by the appropriate Federal personnel, including commanders of military installations.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall issue regulations in accordance with this subsection to provide for the establishment and maintenance of the list required by this section, including appropriate due process considerations.

(2) TIMING.—

(A) PROPOSED REGULATIONS.—Not later than the expiration of the 60-day period beginning on the date of enactment of this Act, the Secretary of Defense shall prepare and submit to the appropriate Committees of Congress a copy of the regulations required by this subsection that are proposed to be published for comment. The Secretary may not publish such regulations for comment in the Federal Register until the expiration of the 15-day period beginning on the date of such submission to the appropriate Committees of Congress.

(B) FINAL REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate Committees of Congress a copy of the regulations under this section to be published in final form.

(C) EFFECTIVE DATE.—Final regulations under this paragraph shall become effective 30 days after the date of their submission to the appropriate Committees of Congress under subparagraph (B).

(d) DEFINITION.—For purposes of this section, the term ''appropriate Committees of Congress'' means—

(1) the Committee on Financial Services and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Banking, Housing, and Urban Affairs and the Committee on Armed Services of the Senate.

SEC. 14. STUDY AND REPORTS BY INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) STUDY.—The Inspector General of the Department of Defense shall conduct a study on the impact of Department of Defense Instruction 1344.07 (as in effect on the date of enactment of this Act) and the reforms included in this Act on the quality and suitability of sales of securities and insurance products marketed or otherwise offered to members of the Armed Forces.

(b) REPORTS.—Not later than 12 months after the date of enactment of this Act, the Inspector General of the Department of Defense shall submit an initial report on the results of the study conducted under subsection (a) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, and shall submit followup reports to those committees on December 31, 2008 and December 31, 2010.

The SPEAKER pro tempore (Mr. BONNER). Pursuant to the rule, the gentleman from Kentucky (Mr. DAVIS) and the gentleman from Georgia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. DAVIS of Kentucky. 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 insert extraneous material thereon.

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

There was no objection.

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume but first would like to recognize the distinguished chairman of the Financial Services Committee, Mr. OXLEY of Ohio.

Mr. OXLEY. Mr. Speaker, I rise in support of S. 418, the Military Personnel Financial Services Protection Act, which protects the men and women serving in our Nation's military from deceptive financial practices and unsuitable financial products.

I want to pay a particular tribute to the sponsor of the House legislation that came through the Financial Services Committee. This bill that we have before us is almost identical to the bill that passed out of our committee. Mr. DAVIS, a veteran and West Point graduate, led the way in protecting our military men and women on this issue early last year. Early last year he secured a bipartisan voice vote in committee and a resounding 405–2 bipartisan victory in the House.

Congratulations also go to former Congressman Max Burns of Georgia who led the charge protecting our military personnel in the 108th Congress.

□ 1615

We are pleased with giving the Senate credit for their bill number if we get to enact the protections for our military as envisioned by Mr. DAVIS and Max Burns.

Mr. Speaker, since the tragic day of September 11, 2001, our country has been at war with terrorism around the world. In the prosecution of that war, our armed services have performed heroically. Many have made the ultimate sacrifice for the cause of freedom, and all have worried about the safety and security of their loved ones as they leave to serve our country.

Unfortunately, there are a few bad actors in the financial services industry who have been taking financial advantage of our soldiers. These unscrupulous companies and their sales teams infiltrate our military installations and use aggressive, misleading, and often illegal sales tactics to sell high-cost products of dubious value that are unsuitable for any investor, and are particularly unsuitable for most military personnel.

The Pentagon has issued directives intended to prevent these abuses. But with the ongoing confusion over regulatory jurisdiction, the lack of communication among government agencies, and the lack of sufficient investor protection standards for certain financial products, it is clear that our military personnel can never be adequately protected unless Congress enacts this bill.

The Davis bill bans bad financial products and coercive sales practices on military bases, including obscure and high-cost ''contractual plans.'' It clarifies the regulatory jurisdiction on military installations within the U.S. and abroad, adds appropriate consumer protections and disclosures for financial products sold on military bases, and ensures proper reporting systems between our military and the financial regulators to catch bad actors before they can do more harm.

It also makes the process of selecting a financial adviser more transparent for all investors by providing online access to background information on broker-dealers, including disciplinary actions. This last provision was taken from legislation introduced by the gentleman from Arizona (Mr. SHADEGG) that passed the House in April 2005.

The overwhelmingly bipartisan support for this bill within Congress and the military is the result of strong leadership by the gentleman from Kentucky (Mr. DAVIS) as well as former Member Max Burns, as well as the chairman of the Subcommittee on Capital Markets, Mr. BAKER, who led our committee's investigation into abusive practices and bad products, Congressman JIM RYUN and Congressman STEVE ISRAEL. Mr. RYUN and Mr. ISRAEL worked closely together on the reporting requirements of this bill, and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) for ensuring appropriate SEC review of broker-dealer sales practices on military installations.

Their hard work and passion for protecting our military personnel is well reflected on this legislation. I urge my colleagues in the full House to vote ''yes'' on S. 418.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

First, let me extend my deep appreciation and thanks to our distinguished chairman, Chairman OXLEY of Ohio. As many of us know, Chairman OXLEY will be leaving us and I want to take this opportunity to recognize what an outstanding chairman you have been to our Committee on Financial Services. It has been a pleasure serving with you, and you have been an outstanding chairman.

It is also a pleasure to stand here as I represent our ranking member, the gentleman from Massachusetts (Mr. FRANK), who has provided outstanding leadership on our Financial Services Committee, and has led the way for this to be a strong bipartisan effort, to Mr. DAVIS of Kentucky. Certainly it is a pleasure to work with you on this measure.

I think this is a very important bill because of the timeliness of it, especially with so many of our military men and women in harm's way overseas, especially in Iraq and Afghanistan, that we put forward a measure designed to help protect their financial security.

Senate 418, the Military Personnel Financial Services Protection Act, the measure before us today, will address some serious problems of predatory lending and financial abuse targeted at our military men and women.

In 2004, the New York Times ran a series of very good stories which detailed misleading sales practices of financial products to members of the military. A few unscrupulous agents had made misleading pitches to captive audiences by posing as counselors on veterans benefits, and they solicited soldiers while on duty.

This issue is important to me, as it is to all of us in this Congress, but especially to me and those of us from Georgia, because so many of these reported scams occurred at Fort Benning in my State of Georgia.

So I joined with my colleagues on the Financial Services Committee and we held hearings to investigate these predatory and abusive lending practices, and then we went to work on finding legislative remedies.

This legislation that we worked on is very similar to Senate 418. Our legislation was passed by a large majority in the House, but was not brought up for action on the Senate floor until recently. What we have before us as Senate 418 represents the final bipartisan and bicameral product in addressing these important issues. This is indeed the work of the House and the Senate.

What S. 418 will do, it will ban all future sales of periodic payment plans. It will require greater regulation of insurance sales on military bases. It will require the Department of Defense to create a registry of agents who are prohibited from selling financial policies on bases, and it will expand investor access to registration information for brokers, for dealers and advisers.

I would like to give just a little more detail about a few of the protections afforded our military personnel in this measure. Senate 418 will give State insurance regulators jurisdiction over insurance sales on Federal facilities and bases within the United States as well as abroad. Many of the abuses that occurred on bases continued because of confusion about regulatory jurisdiction, and especially at overseas bases. This bill resolves that. This provision clears up that concern.

Also my colleague, the gentleman from New York (Mr. ISRAEL), authored a provision contained in section 13 of this measure. This provision requires the Secretary of Defense to notify the appropriate State regulators when an insurance agent or financial adviser is added or deleted from a registry of agents or advisers banned from military bases. This provision will prevent unscrupulous sales agents from moving to other jurisdictions to avoid detection.

Further, insurance companies could not sell or solicit policies to military personnel on a base without first providing clear written notice that federally subsidized life insurance is available through the Federal Government, and that the sale of the private plan is not sanctioned or recommended by the government.

To ensure our servicemembers are capable of addressing their financial needs, we must first provide them with adequate compensation. At the same time, we must help our soldiers exercise financial responsibility. It is necessary that military personnel have financial literacy, something that I have worked very hard on since my first day arriving in Congress. These individuals can face financial questions from Internet-based sales, from sales off base, and from being faced with decisions in the civilian world. As we know, predatory sales practices are not limited to the base.

Our military folks have enough to worry about. They constantly live in a life-and-death situation. They certainly do not need these added financial insecurity pressures that are placed upon them by predatory lenders and financial abusers.

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

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

Mr. Speaker, I want to commend the work of the gentleman from Georgia on this important issue which affects so many of our men and women in uniform.

I rise today in support of S. 418, the Military Personnel Financial Services Protection Act. First, let me thank Senators ENZI and CLINTON for sponsoring the Senate companion to my bill, H.R. 458, which passed the House last year by a vote of 405–2.

This important legislation will protect our troops from certain insurance and investment products, and in particular, the contractual plan.

Contractual plans have virtually disappeared from the civilian market due to excessive sales charges, but sales persist among servicemembers and their families, who are often new to managing finances and unaware that there are alternative or more cost-effective opportunities out there. The hallmark of the deceptively expensive plans are front-loaded commission fees of up to 50 percent. S. 418 prohibits the sales of these predatory investment products.

Unfortunately, there are some bad actors still out there in the insurance and securities industry that have been taking advantage of military personnel by marketing these questionable products.

Mr. Speaker, I understand firsthand the sales tactics used by these companies on our soldiers. As a young officer in the Army, a group of salesmen showed up on my post and convinced me and my fellow soldiers to purchase a contractual plan. I fell for the sales pitch for this contractual plan because the company made it appear as though they were part of the Armed Forces family, and the salesman, a respected military veteran, was somebody I thought I could trust because of his record in the military. That trust was betrayed simply because of our ignorance.

What we discovered as time went by was that there were tremendous other options out there; and that many, many service personnel were losing tens of thousands of dollars that could have gone directly into investment products that were available in the commercial world.

I invested what was a lot of money to me at the time, not because I was a financial expert, I was a combat arms officer, but because a retired servicemember was working as a salesman and was pushing a product with the referral of other veterans. It was not until I got out of the Army and into the business world that I discovered how uncompetitive these products were when compared to other investment opportunities. However, it was too late. My wife and I lost nearly half our life savings on this so-called investment.

S. 418 also addresses the sale of life insurance to servicemembers. The bill requires life insurance companies to provide written disclosures that, among other disclosures, state that subsidized life insurance is available through the Servicemembers' Group Life Insurance Program and fully disclose the terms of the agreement and any savings feature of the product. The disclosure must be in plain and readily understandable language and in a normal type font.

Additionally, I would like to state I am disappointed that the Senate removed the qualifying words ''in person'' from the requirements provision of section 10 on disclosures regarding life insurance products. I have concerns that this could prevent certain well-respected life insurance companies from

continuing to do business the way they have for many years, which enables the issuing of insurance in a timely manner to servicemembers who are often about to be deployed or go into combat.

I plan to continue monitoring the status of this issue, and I will pursue legislative options in the future should my concern manifest itself.

Regulation of these types of insurance and investment products on military bases has clearly been inadequate to this point. The situation required congressional action to address the situation and protect our servicemembers.

I applaud my colleagues in the Senate for moving forward with S. 418, and I appreciate the leadership of the House for bringing it to the floor for a vote.

I would encourage the Department of Defense to continue with its efforts to improve financial literacy of our troops. I cannot emphasize strongly enough how I agree with my colleague from Georgia on the importance of teaching our young soldiers, sailors, airmen and marines about the opportunities that they have and the benefits they can accrue from taking wise counsel and go for sure and certain return on their investment while they are serving this Nation.

However, we as a Congress cannot allow these abusive sales practices to continue. We must not ask the men and women of our armed services to make sacrifices for our security without doing all we can to protect their financial futures. They are laying their lives on the line and putting their families under tremendous stresses and pressures right now. The last thing we must permit to take place is predatory sales practices upon these soldiers while they are getting ready to deploy and weigh these serious life decisions without proper information. Working together, we will solve this problem.

Thank you again to Senators ENZI and CLINTON for sponsoring the Senate version of my bill, H.R. 458, and to Chairman BAKER and Chairman OXLEY for their diligent examination of this issue in the House Financial Services Committee.

I also want to emphasize that this has truly been a bipartisan effort working together on a compromise that never weakened the provisions but actually made a stronger bill in the long run, particularly with the House version that came out last year.

I thank the ranking member, Mr. FRANK, and Chairman OXLEY for their leadership and the example they set for every committee in the House of Representatives on working together in a bipartisan manner to craft legislation that benefits the American people.

The gentleman from Georgia (Mr. SCOTT), the gentleman from New York (Mr. ISRAEL), the gentleman from Kansas (Mr. RYUN), the gentleman from Pennyslvania (Mr. FITZPATRICK), and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) have all been integral to this dialogue to offer key provisions and key counsel to strengthen this bill.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield 4 minutes to the distinguished gentleman who has long championed the military, and on this issue has been at the forefront in providing great leadership on this issue, protecting our military from financial abuses, and that is the gentleman from North Dakota (Mr. POMEROY).

□ 1630

Mr. POMEROY. Mr. Speaker, I thank my friend for yielding.

In a prior life I used to be a State insurance commissioner, and I want to tell you how completely disgusted I am that there are still companies and agents that would prey upon the young men and women that are serving our country, in many instances young soldiers preparing for deployment to Iraq. Seizing this incredibly sensitive and exposed period in their lives, they use every trick in the book to load them up with coverages that are inappropriately priced, may well be ill-matched to the financial needs of the soldier, and they do it all for one lousy reason, personal profiteering, profiteering on those who would literally put their lives on the line to protect our freedoms. That is about as low as you can get.

And I very much appreciate the debate that we have had here. Congressman DAVIS, you related your own story about how, as a young soldier, you had some respected veteran peddling a product from a company that just fills the sales materials with flags and banners. This is just so wrong.

Frankly, I am disappointed that the State insurance commissioners have allowed this to go as far as they have. Maybe there was some confusion about what their regulatory enforcements could be relative to proximity to Air Force or Army bases. I don't understand. I believe more could have been done at the State regulatory level, and I hope this represents a good swift kick in the behind to any enforcement official looking at predatory lending practices.

This is a clear bipartisan statement from Congress that we don't countenance this at all, and we want to crack heads on anybody engaged in this kind of activity.

I also want us to note there is more to do. Both sides of the aisle have so well expressed our need for financial literacy. Let me just give you exhibit A in terms of why we need it so badly. Right outside the base gates, payday loans, predatory lending shops, not addressed in this bill, unfortunately, and still a matter we need to look at because soldiers, often young, trying to make it on pretty skinny checks, fall prey to these predatory lending practices of the payday lenders.

And I want to send a signal to this industry: We see what you are doing. We hate it, and we are going to try to figure out how we address those payday loan practices, the predatory lending practices. Surely any reputable lender, any major bank that would engage in a surcharge lending practice for the subprime market of military bases is wrong. We will not accept this surcharge on the subprime market of young soldiers, and we intend to expose and we intend to further and fully discuss these practices. So if you don't want to see your names in the paper relative to ripping off our soldiers, quit those payday loan practices. We are coming after you next. Agents, insurance companies, we are getting you with this legislation, but the subprime market is coming next. Don't make any mistake about it.

I thank the sponsors of this legislation.

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

I want to echo some comments that were made by Mr. POMEROY. Our title II language of the original House bill directly addressed the predatory lending issue, and we were disappointed, many of us, that that language was removed from the Senate version. However, I believe that there will be good news in the defense authorization. We have worked very tirelessly over the past couple of weeks, and I am serving as a conferee on the joint House/Senate committee, and I believe that we are going to have some very strong language to begin to address this issue, to control the fees and the percentage rates and ultimately to dissuade our young soldiers, sailors, and airmen from participating in these processes that take advantage of them financially.

One thing that I would like to point out is an aspect of my own story and the nature of this behind the bill. I remember experiencing the invitation to the steak dinner at a meeting hall where many soldiers came out to hear a presentation about how much money they could possibly make by joining these programs, and the importance of insurance and how that was going to help, and how one salesperson asked my wife if she would feel safe on the amount of insurance that she had from the servicemen's group life program at that time. She even won a $50 lucky drawing during that. And it wasn't until several years later that we realized that we had based our trust on a false premise and had purchased a product that we didn't need.

One of the great things in America is the equalizing capability of the American people, that every person has a say with votes, that we can pursue goals and opportunities, and as the old saying goes, ''What goes around comes around.'' I remember sitting as a new Member in the House of Representative when the then CEO of that very company was sitting across from my desk

wanting us to not bring H.R. 458, the Military Personnel Financial Services Protection Act, to the floor. And having lived that, and knowing the concern of the other Members on the committee, we are very pleased to take this first step as we are addressing many steps in protecting our servicemembers and also enhancing their financial literacy.

With that, I want to commend both sides for having worked together. I thank the gentleman from Georgia especially for his long-time interest in this. And I want to say a special note to outgoing Financial Services Committee Chairman MIKE OXLEY. I believe that he has set a stellar example of leadership in his tenure. He has been a mentor to me and other members of the committee. What he has shown is that we can work in a spirit of comity and comedy, that we can have fun as we deal with very, very serious issues. He always kept the vision, the end goal, in sight that we were working toward to keep things in perspective so that when the pressures of the time or the fatigue of the long days might move emotions in a different direction, he was always there to keep us pointed towards that end goal as we run that race to have good financial services legislation like this bill that we have today.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I just want to extend my feelings of great appreciation to Mr. DAVIS from Kentucky, the distinguished gentleman, who has truly provided the leadership on this bill. And you could tell from his eloquent statements earlier of his own experience in this issue that really clearly points to why we need this bill.

And I thank you, and it has been a pleasure working with you on this, Mr. DAVIS.

I again want to echo when he said about the chairman. I am very fortunate on this committee to have two mentors, Democrat and Republican. And as a Democrat, I am not ashamed to say one of my mentors is a Republican, and that is OXLEY. Chairman OXLEY. I call him ''Oxley.'' On top of everything else, he is a great baseball man. And, of course, with Ranking Member FRANK, it gives a great balance to the bipartisanship on that committee, which I think enables us to deal with ticklish matters like this very appropriately.

As far as the payday situation is concerned, we will visit that another day. There is no question about that. We want to make sure that we get the good apples out of the way of the bad apples and move forward. But this bill here clearly gives us a very important statement. And it is with this statement that we are saying to these predators, keep your grubby hands off of our soldiers. We have got 18- and 19-year-old kids who are just getting out of high school, many of them, and there these predators are, waiting on them at a time when they are faced with such life-and-death issues as going into harm's way, all of those pressures. It is not right. It is not fair. And this is why we are moving on this very important legislation, so that we can protect our fighting men and women against unscrupulous investment sales.

I urge the House to move to pass this important bipartisan measure today.

Mr. SPRATT. Mr. Speaker, I rise in support of this bill, to defend those who defend us. Our young men and women in uniform should not be prey to unscrupulous types who take advantage of their inexperience, in ways that they pay for, and for years thereafter.

Our service members are focused on the mission at hand: defending our nation. In their enthusiasm, and on the eve of their deployments, they should not be subjected to unscrupulous agents who exploit their fears of family members not being provided for, should they be killed or wounded in the line of the duty. They should not be exposed to brokers making promises of big returns on investments, while extracting exorbitant fees up front.

We have worked hard to improve the benefits that our government provides for our troops and their families. We have increased the death gratuity dramatically. We have increased life insurance coverage.

But we can do better.

We can ban the sale of periodic payment plan certificates.

We can clarify the law by making it known that the states have a duty to regulate sales conducted on military bases.

We can ensure that our young men and women in uniform are educated about the benefits the government provides for them and their families, and that they receive clear and comprehensible information about the federally subsidized life insurance available to them.

We can require registration of agents and a registry for complaints about agents so that our service members can see who has had complaints and disciplinary actions.

And Congress can monitor these practices better.

This bill does these things. And while it does not go as far as some of us in the House would like, I believe it is a good place to start. It enables us to stop some of the most damaging practices against those who defend our

I urge support of this bill.

Mr. SHADEGG. Mr. Speaker, today we are considering S. 418, the Military Personnel Financial Services Protection Act. At a time when so many of our brave men and women are deployed across the world defending our freedom, this bill is a small step to ensure that our military personnel to not fall victim to deceptive financial practices at home.

Furthermore, Mr. Speaker, this bill includes provisions that reach beyond just our military personnel to protect all investors. I would like to thank the Chairmen of the Financial Services and Banking Committees for including language from H.R. 1077, the Realtime Investor Protection Act, which I authored and which passed as a stand alone bill last year.

This language will require the National Association of Securities Dealers (NASD) to make its database of complaints against brokers publicly available on a secure Internet site. This is extraordinarily simple and extraordinarily efficient. The result will be more informed investors with greater trust in the markets.

Although the NASD already maintains this database, BrokerCheck, the organization is prohibited from making it available online. The current system requires potential investors to submit a request for broker/dealer information via telephone or e-mail The investor must then wait for a response. In today's high tech world, this procedure is outdated and highly inefficient.

BrokerCheck is an invaluable tool for investors, through which they can learn about the professional background, business practices, and conduct of NSD-registered firms and brokers, free of charge. Specifically, an investor can discover: Whether or not their broker has a criminal record; whether or not they have been subject to a regulatory action by the Securities Exchange Commission (SEC); and, whether or not they had customer complaints filed against them.

This bill will bring investor protection up to speed with investing technologies. Interestingly, of the 4.4 million requests NASD received through BrokerCheck for information in 2004, 99 percent were through the Internet e-mail request system, only 1 percent were by telephone. Clearly, investors prefer using the Internet to request information.

I encourage my colleagues to support this bill to protect military personnel, and the public at large, by prohibiting abusive practices and encouraging investor education.

Ms. BORDALLO. Mr. Speaker, I rise today in support of S. 418, a bill that speaks to an issue that has been of concern to Congress for several years now. I believe that the time has come to stop talking about unscrupulous practices that unfairly target U.S. servicemen and women and to act to end them. This bill serves that end.

This bill addresses the issue of deceitful insurance schemes that take advantage of U.S. service men and women by pitching important investment and insurance programs while hiding within them antiquated fee schemes. For those who offer important financial and life planning programs to hide within such plans unfair, this bill removes the ability to hide expansive and outdated fee schedules that bilk vulnerable, young service men and women.

S. 418 protects the financial interests of those who serve. I urge my colleagues to support this legislation and to support our men and women in uniform and their families.

Mr. SCOTT of Georgia. 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 Kentucky (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 418.

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. DAVIS of Kentucky. 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.

WICHITA PROJECT EQUUS BEDS DIVISION AUTHORIZATION ACT OF 2005

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1025) to amend the Act entitled ''An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes'' to authorize the Equus Beds Division of the Wichita Project.

The Clerk read as follows:

S. 1025

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 ''Wichita Project Equus Beds Division Authorization Act of 2005''.

SEC. 2. EQUUS BEDS DIVISION.

The Act entitled ''An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes'' (Public Law 86–787; 74 Stat. 1026) is amended by adding the following new section:

''SEC. 10. EQUUS BEDS DIVISION.

''(a) AUTHORIZATION.—The Secretary of the Interior may assist in the funding and implementation of the Equus Beds Aquifer Recharge and Recovery Component which is a part of the 'Integrated Local Water Supply Plan, Wichita, Kansas' (referred to in this section as the 'Equus Beds Division'). Construction of the Equus Beds Division shall be in substantial accordance with the plans and designs.

''(b) OPERATION, MAINTENANCE, AND REPLACEMENT.—Operation, maintenance, and replacement of the Equus Beds Division, including funding for those purposes, shall be the sole responsibility of the City of Wichita, Kansas. The Equus Beds Division shall be operated in accordance with applicable laws and regulations.

''(c) AGREEMENTS.—The Secretary of the Interior may enter into, or agree to amendments of, cooperative agreements and other appropriate agreements to carry out this section.

''(d) ADMINISTRATIVE COSTS.—From funds made available for this section, the Secretary of the Interior may charge an appropriate share related to administrative costs incurred.

''(e) PLANS AND ANALYSES CONSISTENT WITH FEDERAL LAW.—Before obligating funds for design or construction under this section, the Secretary of the Interior shall work cooperatively with the City of Wichita, Kansas, to use, to the extent possible, plans, designs, and engineering and environmental analyses that have already been prepared by the City for the Equus Beds Division. The Secretary of the Interior shall assure that such information is used consistent with applicable Federal laws and regulations.

''(f) TITLE; RESPONSIBILITY; LIABILITY.—Nothing in this section or assistance provided under this section shall be construed to transfer title, responsibility, or liability related to the Equus Beds Division (including portions or features thereof) to the United States.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated as the Federal share of the total cost of the Equus Beds Division, an amount not to not exceed 25 percent of the total cost or $30,000,000 (January, 2003 prices), whichever is less, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein, whichever is less. Such sums shall be nonreimbursable.

''(h) TERMINATION OF AUTHORITY.—The authority of the Secretary of the Interior to carry out any provision of this section shall terminate 10 years after the date of enactment of this section.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. JONES of North Carolina. 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 bill under consideration.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

S. 1025, introduced by Senator PAT ROBERTS and supported by our Kansas colleague TODD TIAHRT, authorizes the Secretary of the Interior to assist in the funding and implementation of an aquifer recharge program near the city of Wichita.

The Equus Beds aquifer has supplied water to Wichita for over 60 years, but groundwater levels continue to decline. The bill's project will use excess water flows from the Little Arkansas River to recharge the aquifer and would provide significant new water storage capacity for area water consumers. This enhanced aquifer recharge and storage concept will help impede saline water intrusion and enhance the region's long-term water needs.

I urge support of the bill.

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

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

Mr. Speaker, Mr. JONES has explained very well this bill. We have no objection to passage of S. 1025. The Committee on Resources approved similar legislation in the 108th Congress. The Federal cost-share for this project is not excessive, and the project itself will have a beneficial effect on local groundwater supplies.

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

Mr. JONES of North Carolina. Mr. Speaker, at this time I would like to yield such time as he may consume to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I would like to thank the gentleman from North Carolina. He has not only been a good leader, but a great friend, and I appreciate his yielding the time and the work he has done in favor of this bill.

Mr. Speaker, I rise today in favor of the Wichita Project Equus Beds Division Authorization Act, S. 1025. The bill authorizes the Equus Beds aquifer recharge project in south-central Kansas and will help meet the water needs of nearly 500,000 people in the State. This is an environmentally sound project, and it will help ensure local residents, agricultural irrigators, and industrial businesses have access to clean water for decades.

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I want to thank Chairman POMBO for his leadership in assisting me over the past few years on this important water project. Both he and the staff on the House Resources Committee have been very good to work with.

Chairman POMBO has helped ensure authorization for the needed recharge of the Equus Beds aquifer, and ensured that it was done right away. I appreciate my colleague and good friend, Senator PAT ROBERTS, for his championing this effort in the authorization bill in the Senate. He got the job done in the other body. Now it is time to finish the process in the House today.

Because the House has already approved authorization language contained in S. 1025 last year, passage of this bill today will be the final step needed to send it to the President for his signature.

I should also thank the city of Wichita officials for their effort in helping move this project forward. Their vision to ensure the greater Wichita area has a sustainable source of water both now and in the future is why this project started. Wichita's water supply projects administrator, Gerry Blain, has been great to work with. Gerry has been especially helpful to me and my staff in navigating the details of the recharge project. I appreciate his dedication to public service.

The Equus Beds aquifer recharge project involves taking floodwater from the Little Arkansas River and depositing that excess water into the aquifer through water supply wells, after going through a filtration system. Since the 1950s, the water levels in the aquifer have dropped 40 feet because of water rights and pumping excesses. The aquifer's natural recharge rate of 6 inches per year will not keep up.

Due to this overusage, saltwater from the Southwest and oil field brine from the Northwest have threatened the aquifer. When the aquifer's levels were higher, the elevated levels created a natural barrier to keep the contamination at bay.

But now that the water levels have dropped, the natural barrier is no longer there. If the aquifer is not replenished, the maximum chloride levels will eventually exceed what is permitted in both agricultural and municipal usage. This aquifer recharge project is a win-win project for all of the communities that depend on its water.

The city of Wichita and surrounding municipalities benefit because water can be safely stored to meet short-term

and long-term water supply needs. Agricultural irrigators benefit because the risk of saltwater contamination is reduced. Without this natural barrier, an elevated water level in the aquifer, the water would eventually become contaminated to the point where it would not be suitable even for use on crops. Irrigators should see reduced costs associated with pumping, since the water levels of the aquifer will rise.

The Little Arkansas River and its ecosystem will also benefit. During the times of drought, a natural discharge from Equus Beds' aquifer into the river will occur, creating a more stable base flow.

Under S. 1025 the city of Wichita will be required to maintain and operate the recharge project, which ensures the Federal Government will not bear the cost associated with this ongoing operation.

Recharging the Equus Beds is the most cost-efficient means to provide water for the communities in south central Kansas. And it is the best option available to keep salt and oil field brine out of its critical water supply without greatly restricting water usage. So I urge my colleagues to join me today in supporting S. 1025.

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

Mr. JONES of North Carolina. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. JONES) that the House suspend the rules and pass the Senate bill, S. 1025.

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

A motion to reconsider was laid on the table.

TYLERSVILLE FISH HATCHERY CONVEYANCE ACT

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4957) to direct the Secretary of the Interior to convey the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center to the State of Pennsylvania, as amended.

The Clerk read as follows:

H.R. 4957

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

TITLE I—TYLERSVILLE FISH HATCHERY CONVEYANCE

SECTION 101. SHORT TITLE.

This title may be cited as the ''Tylersville Fish Hatchery Conveyance Act''.

SEC. 102. CONVEYANCE OF TYLERSVILLE NATIONAL FISH HATCHERY TO THE STATE OF PENNSYLVANIA.

(a) CONVEYANCE REQUIREMENT.—Within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Pennsylvania without reimbursement all right, title, and interest of the United States in and to the property described in subsection (b) for use by the Pennsylvania Fish and Boat Commission as part of the State of Pennsylvania fish culture program.

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) consists of—

(1) the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center comprised of approximately 40 acres leased to the State of Pennsylvania Fish and Boat Commission, located on 43 Hatchery Lane in Loganton, Pennsylvania, as described in the 1984 Cooperative Agreement between the United States Fish and Wildlife Service and the State of Pennsylvania;

(2) all improvements and related personal property under the control of the Secretary that is located on that property, including buildings, structures, equipment, and all easements and leases relating to that property; and

(3) all water rights relating to that property.

(c) REVERSIONARY INTEREST.—If any of the property conveyed to the State of Pennsylvania under this section is used for any purpose other than the use authorized under subsection (a), all right, title, and interest in and to all property conveyed under this section shall revert to the United States. The State of Pennsylvania shall ensure that all property reverting to the United States under this subsection is in substantially the same or better condition as at the time of transfer to the State.

TITLE II—NATIONAL FISH AND WILDLIFE FOUNDATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Fish and Wildlife Foundation Reauthorization Act of 2006''.

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

Section 10(a)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(1)) is amended by striking ''fiscal years 2001 through 2005'' and inserting ''fiscal years 2006 through 2010''.

SEC. 203. APPLICATION OF NOTICE REQUIREMENT LIMITED TO GRANTS MADE WITH FEDERAL FUNDS.

Section 4(i) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(i)) is amended by striking ''grant of funds'' and inserting ''grant of Federal funds in an amount greater than $10,000''.

SEC. 204. CLARIFICATION OF AUTHORITY TO USE FEDERAL FUNDS TO MATCH CONTRIBUTIONS MADE TO RECIPIENTS OF NATIONAL FISH AND WILDLIFE FOUNDATION GRANTS.

Section 10(a)(3) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(3)) is amended by inserting '', or to a recipient of a grant provided by the Foundation,'' after ''made to the Foundation''.

TITLE III—NEOTROPICAL MIGRATORY BIRD CONSERVATION IMPROVEMENT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Neotropical Migratory Bird Conservation Improvement Act of 2006''.

SEC. 302. AMENDMENTS TO NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

(a) FINDINGS.—Section 2(1) of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101(1)) is amended by inserting ''but breed in Canada and the United States'' after ''the Caribbean''.

(b) PURPOSES.—Section 3(2) of such Act (16 U.S.C. 6102(2)) is amended by inserting ''Canada,'' after ''United States,''.

(c) DEFINITION OF CARIBBEAN.—Section 4 of such Act (16 U.S.C. 6103) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (5), respectively;

(2) by inserting after paragraph (1) the following:

''(2) CARIBBEAN.—The term 'Caribbean' includes Puerto Rico and the United States Virgin Islands.''; and

(3) by inserting after paragraph (3), as so redesignated, the following:

''(4) FUND.—The term 'Fund' means the Neotropical Migratory Bird Conservation Fund established by section 9(a).''.

(d) AUTHORIZATION OF PROJECTS TO ENHANCE CONSERVATION IN CANADA.—Section 5(c)(2) of such Act (16 U.S.C. 6104(c)(2)) is amended by inserting ''Canada,'' after ''the United States,''.

(e) COST SHARING.—Section 5(e)(2)(B) of such Act (16 U.S.C. 6104(e)(2)(B)) is amended to read as follows:

''(B) FORM OF PAYMENT.—

''(i) PROJECTS IN THE UNITED STATES AND CANADA.—The non-Federal share required to be paid for a project carried out in the United States or Canada shall be paid in cash.

''(ii) PROJECTS IN LATIN AMERICA AND THE CARIBBEAN.—The non-Federal share required to be paid for a project carried out in Latin America or the Caribbean may be paid in cash or in kind.''.

(f) ADVISORY GROUP.—

(1) COMPOSITION.—Section 7(b)(1) of such Act (16 U.S.C. 6106(b)(1)) is amended by adding at the end the following: ''The advisory group as a whole shall have expertise in the methods and procedures set forth in section 4(2) in each country and region of the Western Hemisphere''.

(2) ENCOURAGEMENT TO CONVENE.—The Secretary of the Interior is encouraged to convene an advisory group under section 7(b)(1) of such Act by not later than 6 months after the effective date of this Act. This paragraph shall not be considered to authorize delay of the schedule previously established by the United States Fish and Wildlife Service for the submission, judging, and awarding of grants.

(g) REPORT.—Section 8 of such Act (16 U.S.C. 6107) is amended by striking ''October 1, 2002,'' and inserting ''2 years after the date of the enactment of the Neotropical Migratory Bird Conservation Improvement Act of 2006''.

(h) NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND.—

(1) IN GENERAL.—Section 9 of such Act (16 U.S.C. 6108) is amended by striking so much as precedes subsection (c) and inserting the following:

''SEC. 9. NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury a separate account, which shall be known as the 'Neotropical Migratory Bird Conservation Fund'. The Fund shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

''(b) DEPOSITS INTO THE FUND.—The Secretary of the Treasury shall deposit into the Fund—

''(1) all amounts received by the Secretary in the form of donations under subsection (d); and

''(2) other amounts appropriated to the Fund.''.

(2) ADMINISTRATIVE EXPENSES.—Section 9(c)(2) of such Act (16 U.S.C. 6108(c)(2)) is amended by striking ''$80,000'' and inserting ''$100,000''.

(3) CONFORMING AMENDMENTS.—Such Act is amended further as follows:

(A) In section 4 (16 U.S.C. 6103), by striking paragraph (1) and inserting the following:

''(1) FUND.—The term 'Fund' means the Neotropical Migratory Bird Conservation Fund established by section 9(a).''.

(B) In section 9(d) (16 U.S.C. 6108(d)), by striking ''Account'' and inserting ''Fund''.

(4) TRANSFER.—The Secretary of the Treasury may transfer to the Neotropical Migratory Bird Conservation Fund amounts that were in the Neotropical Migratory Bird Conservation Account immediately before the enactment of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 10 of such Act (16 U.S.C. 6109) is amended to read as follows:

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence;

(2) by striking ''$5,000,000 for each of fiscal years 2001 through 2005'' and inserting ''for each of fiscal years 2006 through 2010 the amount specified for that fiscal year in subsection (b)''; and

(3) by adding at the end the following:

''(b) AUTHORIZED AMOUNT.—The amount referred to in subsection (a) is—

''(1) $5,000,000 for each of fiscal years 2006 and 2007;

''(2) $5,500,000 for fiscal year 2008;

''(3) $6,000,000 for fiscal year 2009; and

''(4) $6,500,000 for fiscal year 2010.

''(c) AVAILABILITY.—Amounts appropriated under this section may remain available until expended.

''(d) ALLOCATION.—Of amounts appropriated under this section for each fiscal year, not less than 75 percent shall be expended for projects carried out outside the United States.''.

TITLE IV—ED FOUNTAIN PARK EXPANSION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''Ed Fountain Park Expansion Act''.

SEC. 402. DEFINITIONS.

In this title:

(1) ADMINISTRATIVE SITE.—The term ''administrative site'' means the parcel of real property identified as ''Lands to be Conveyed to the City of Las Vegas; approximately, 7.89 acres'' on the map entitled ''Ed Fountain Park Expansion'' and dated November 1, 2005.

(2) CITY.—The term ''City'' means the city of Las Vegas, Nevada.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

SEC. 403. CONVEYANCE OF UNITED STATES FISH AND WILDLIFE SERVICE ADMINISTRATIVE SITE, LAS VEGAS, NEVADA.

(a) IN GENERAL.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the administrative site for use by the City—

(1) as a park; or

(2) for any other recreation or nonprofit-related purpose.

(b) ADMINISTRATIVE EXPENSES.—As a condition of the conveyance under subsection (a), the Secretary shall require that the City pay the administrative costs of the conveyance, including survey costs and any other costs associated with the conveyance.

(c) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines that the City is not using the administrative site for a purpose described in paragraph (1) or (2) of subsection (a), all right, title, and interest of the City in and to the administrative site (including any improvements to the administrative site) shall revert, at the option of the Secretary, to the United States.

(2) HEARING.—Any determination of the Secretary with respect to a reversion under paragraph (1) shall be made—

(A) on the record; and

(B) after an opportunity for a hearing.

TITLE V—CAHABA RIVER NATIONAL WILDLIFE REFUGE EXPANSION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Cahaba River National Wildlife Refuge Expansion Act''.

SEC. 502. DEFINITIONS.

In this title:

(1) REFUGE.—The term ''Refuge'' means the Cahaba River National Wildlife Refuge and the lands and waters in such refuge in Bibb County, Alabama, as established by the Cahaba River National Wildlife Refuge Establishment Act (Public Law 106–331).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 503. EXPANSION OF BOUNDARIES.

(a) EXPANSION.—The boundaries of the Refuge are expanded to include land and water in Bibb County, Alabama, depicted as ''Proposed National Wildlife Refuge Expansion Boundary'' on the map entitled ''Cahaba River NWR Expansion'' and dated March 14, 2006.

(b) AVAILABILITY OF MAP.—The Secretary shall make the map referred to in subsection (a) available for inspection in appropriate offices of the United States Fish and Wildlife Service.

SEC. 504. ACQUISITION OF LAND AND WATER IN EXPANDED BOUNDARIES.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may acquire by donation, purchase with donated or appropriated funds, or exchange the land and water, and interests in land and water (including conservation easements), within the boundaries of the Refuge as expanded by this title.

(b) MANNER OF ACQUISITION.—All acquisitions of land or waters under this section shall be made in a voluntary manner and shall not be the result of forced takings.

(c) INCLUSION IN REFUGE; ADMINISTRATION.—Any land, water, or interest acquired by the Secretary under this section—

(1) shall be part of the Refuge; and

(2) shall be administered by the Secretary in accordance with—

(A) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(B) the Cahaba River National Wildlife Refuge Establishment Act; and

(C) this Act.

TITLE VI—CHERRY VALLEY NATIONAL WILDLIFE REFUGE

SEC. 601. SHORT TITLE.

This title may be cited as the ''Cherry Valley National Wildlife Refuge Study Act''.

SEC. 602. FINDINGS.

The Congress finds the following:

(1) The scenic Cherry Valley area of Northeastern Pennsylvania is blessed with more than 80 special-concern animal and plant species and natural habitats.

(2) In a preliminary assessment of Cherry Valley, United States Fish and Wildlife Service biologists ranked Cherry Valley very high as a potential national wildlife refuge.

(3) Six species that are listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) have been documented within or near Cherry Valley: The bog turtle (possibly the most significant population of the listed subspecies), the dwarf wedge mussel, the northeastern bulrush, the small whorled pogonia, the bald eagle, and the Indiana bat (a historic resident, with efforts under way to re-establish favorable conditions).

(4) Cherry Valley provides habitat for at least 79 species of national or regional concern, which either nest in Cherry Valley or migrate through the area during critical times in their life cycle, including—

(A) neo-tropical migratory birds such as the Cerulean Warbler, the Worm-eating Warbler, and the Wood Thrush, all of which nest in Cherry Valley;

(B) waterfowl such as the American Black Duck;

(C) several globally rare plants, such as the spreading globeflower; and

(D) anadromous fish species.

(5) The Cherry Valley watershed encompasses a large segment of the Kittatinny Ridge, an important migration route for birds of prey throughout the Northeastern United States. Every migratory raptor species in the Northeast is regularly observed along the Kittatinny Ridge during the autumnal migration, including the bald eagle, the golden eagle, and the broad-winged hawk.

(6) The Kittatinny Ridge also includes a long segment of the Appalachian Trail, a nationally significant natural-cultural-recreational feature.

(7) Many of the significant wildlife habitats found in the Cherry Valley, especially the rare calcareous wetlands, have disappeared from other localities in their range.

(8) Ongoing studies have documented the high water quality of Cherry Creek.

(9) Public meetings over several years have demonstrated strong, deep, and growing local support for a Cherry Valley National Wildlife Refuge, as demonstrated by the following:

(A) Area landowners, business and community leaders, media, and elected officials have consistently voiced their enthusiasm for a Cherry Valley National Wildlife Refuge.

(B) Numerous local communities and public and private conservation entities share complementary goals for protecting Cherry Valley and are energetically conserving wildlife habitat and farmland. Along with State land-management agencies and the National Park Service, these local entities represent potential strong partners for the United States Fish and Wildlife Service, and view a Cherry Valley National Wildlife Refuge as a complement to existing private, county, municipal, and State efforts.

(C) A number of local landowners have already put their land into conservation easements or other conservation arrangements.

(D) A voter-approved Monroe County Open Space Fund and a voter-approved Stroud Township municipal land conservation fund have contributed to many of these projects.

(10) Two federally owned parcels of land are contiguous to the area to be studied under this title as for acquisition and inclusion in a future Cherry Valley National Wildlife Refuge: The Delaware Water Gap National Recreation Area and a 700-acre segment of the Appalachian Trail owned by the National Park Service.

SEC. 603. STUDY OF REFUGE POTENTIAL AND FUTURE REFUGE LAND ACQUISITION.

(a) STUDY.—The Secretary shall initiate within 30 days after the date of the enactment of this Act a study to evaluate the fish and wildlife habitat and aquatic and terrestrial communities located in Northeastern Pennsylvania and identified on the map entitled, ''Proposed Cherry Valley National Wildlife Refuge—Authorization Boundary'', dated February 24, 2005, for their potential acquisition by the United States Fish and Wildlife Service through donation, exchange, or willing seller purchase and subsequent inclusion in a future Cherry Valley National Wildlife Refuge.

(b) CONSULTATION.—The Secretary, while conducting the study required under this section, shall consult appropriate State and local officials, private conservation organizations, major landowners and other interested persons, regarding the identification of eligible lands, waters, and interests therein that are appropriate for acquisition for a national wildlife refuge and the determination

of boundaries within which such acquisitions should be made.

(c) COMPONENTS OF STUDY.—As part of the study under this section the Secretary shall do the following:

(1) Determine if the fish and wildlife habitat and aquatic and terrestrial communities to be evaluated are suitable for inclusion in the National Wildlife Refuge System and management under the policies of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(2) Assess the conservation benefits to be gained from the establishment of a Cherry Valley National Wildlife Refuge including—

(A) preservation and maintenance of diverse populations of fish, wildlife, and plants, including species listed as threatened species or endangered species;

(B) protection and enhancement of aquatic and wetland habitats;

(C) opportunities for compatible wildlife-dependent recreation, scientific research, and environmental education and interpretation; and

(D) fulfillment of international obligations of the United States with respect to fish, wildlife, and their habitats.

(3) Provide an opportunity for public participation and give special consideration to views expressed by local public and private entities regarding lands, waters, and interests therein for potential future acquisition for refuge purposes.

(4) The total area of lands, water, and interests therein that may be acquired shall not in the aggregate exceed 30,000 acres.

(d) REPORT.—The Secretary shall, within 12 months after date of the enactment of this Act, complete the study required by this section and submit a report containing the results thereof to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate. The report shall include—

(1) a map that identifies and prioritizes specific lands, waters, and interests therein for future acquisition, and that delineates an acquisition boundary, for a potential Cherry Valley National Wildlife Refuge;

(2) a cost estimate for the acquisition of all lands, waters, and interests therein that are appropriate for refuge status; and

(3) an estimate of potentially available acquisition and management funds from non-Federal sources.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $200,000 to carry out the study.

SEC. 604. DEFINITIONS.

In this title the term ''Secretary'' means the Secretary of the Interior acting through the Director of the United States Fish and Wildlife Service.

TITLE VII—GREAT APE CONSERVATION

SEC. 701. GREAT APE CONSERVATION ASSISTANCE.

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

(1) in subsection (d)—

(A) in paragraph (4)(C), by striking ''or'' after the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.''; and

(2) in subsection (i)—

(A) by striking ''Every'' and inserting the following:

''(1) IN GENERAL.—Every'';

(B) in paragraph (1) (as designated by subparagraph (A)), by striking ''shall'' and inserting ''may''; and

(C) by adding at the end the following:

''(2) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).''.

SEC. 702. GREAT APE CONSERVATION FUND.

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

(1) by striking ''expand'' and inserting ''expend''; and

(2) by striking ''$80,000'' and inserting ''$100,000''.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6305) is amended by striking ''fiscal years 2001 through 2005'' and inserting ''fiscal years 2006 through 2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. JONES of North Carolina. 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 bill under consideration.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4957 contains several important conservation titles. It would first convey the Tylersville National Fish Hatchery to the State of Pennsylvania, a provision authored by Congressman JOHN PETERSON and Senator RICK SANTORUM.

The Pennsylvania Fish and Boat Commission has been operating this facility under a long-term lease agreement with the Fish and Wildlife Service. By all accounts they have operated this hatchery in a highly effective manner, producing adult trout for thousands of recreational fishermen and investing nearly $4 million in improvements. The U.S. Fish and Wildlife Service has testified that this facility is not considered an active component of the Federal Fish Hatchery System.

Title II of this bill is based on the text of H.R. 1428, the National Fish and Wildlife Foundation Reauthorization Act, as passed by the House. It will simply extend the existing authorization levels for the National Fish and Wildlife Foundation. The foundation has funded more than 6,500 conservation projects and involved more than 1,800 conservation organizations.

The goal of those projects has been to increase resources for fish and wildlife conservation and develop innovative conservation solutions while respecting private property rights and sustaining healthy ecosystems.

Title III of the legislation will extend the Neotropical Migratory Bird Conservation Act of 2000, legislation which has already been passed by the House. This will allow the Secretary of the Interior to continue to approve grants for the conservation of the more than 800 species of neotropical birds that migrate and reside throughout North America.

Title IV incorporates the text of the Ed Fountain Park Expansion Act, approved by the other body on July 11. Under this provision, about 8 acres of Federal land would be conveyed from the Fish and Wildlife Service to the city of Las Vegas, Nevada. There, land was once used as the headquarters for the Desert National Wildlife Refuge, but the only remaining structure on the property is an abandoned storage building.

The city of Las Vegas would pay administrative transfer costs and the property would revert back to the Federal Government if not used for a park.

Title V incorporates the House-passed language of H.R. 4947, the Cahaba River National Wildlife Refuge Expansion Act. The Cahaba River is the longest free-flowing river in the State of Alabama, and it may have the greatest fish biodiversity per mile of any river in the United States. This measure will modestly expand the boundaries of the existing refuge.

Title VI incorporates the House-passed text of H.R. 5232, the Cherry Valley National Wildlife Refuge Study Act. This legislation requires the Fish and Wildlife Service to evaluate the potential of creating a new national wildlife refuge in northeastern Pennsylvania.

Finally, there is an extension of existing authorization of appropriation levels for the Great Ape Conservation Act taken from S. 1250 which passed the Senate earlier this month.

For the past 6 years, about $1 million per year has been spent to stop great ape species from sliding toward extinction. The Fish and Wildlife Service has assisted endangered chimpanzees, gorillas and orangutans through 155 projects in dozens of range States and leveraged an additional $7.7 million in private matching funds.

Mr. Speaker, I urge an ''aye'' vote on this legislation.

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

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

Mr. Speaker, I support H.R. 4957, an omnibus package of fish, wildlife and conservation legislation. I thank Chairman POMBO and Ranking Member NICK RAHALL of the Committee on Resources for bringing this legislation to the House floor.

Title I of H.R. 4957 is noncontroversial legislation sponsored by Representative JOHN PETERSON. It will direct the Secretary of the Interior to convey the Tylersville National Fish Hatchery to the State of Pennsylvania.

Mr. Speaker, also included in the omnibus legislation before us today are a number of other important conservation measures, all of which have previously passed either the House or the Senate.

Title II contains the text of H.R. 1428, legislation sponsored by Chairman POMBO. It will reauthorize the National Fish and Wildlife Foundation which has been a valuable resource in fostering private-public conservation partnerships.

Title III includes H.R. 158, legislation sponsored by Congressman RON KIND, that would reauthorize and enhance the Neotropical Migratory Bird Conservation Act. Since 2000, $17.2 million of Federal funding under this act has supported 186 conservation projects in 42 U.S. States and 30 Latin American and Caribbean countries.

This investment has leveraged an additional $89.1 million in total partner contributions to conserve some 3.2 million acres of bird habitat. I applaud Congressman KIND for his dedication and leadership on this critical conservation issue.

Title IV includes H.R. 4345, legislation sponsored by our colleague from Nevada, Representative SHELLEY BERKLEY, which would transfer abandoned Federal property to the city of Las Vegas to enhance popular park and recreational programs. Both Representative BERKLEY and Senator HARRY REID of Nevada deserve credit for this initiative.

Title V includes H.R. 4947, a bill sponsored by Representative BACHUS which would expand the Cahaba National Wildlife Refuge in Alabama.

Title VI includes H.R. 5232, a bill sponsored by Representative KANJORSKI, which directs the Fish and Wildlife Service to complete its study for a new refuge in the Cherry Valley region of northeast Pennsylvania.

Representative KANJORSKI has worked throughout the process to address the concerns of all stakeholders, and this study would be the catalyst towards achieving the long-term protection of this area.

Mr. Speaker, last but certainly not least, Title VII contains S. 1250, legislation sponsored by Senator JEFFORDS, that would reauthorize funding for the Great Ape Conservation Act.

I commend the sponsor of the House companion bill, H.R. 2693, and the author of the original act, Representative GEORGE MILLER of California, for his continued leadership in international wildlife conservation, for raising awareness of the dire plight of great apes in Africa.

In closing, the fish and wildlife and conservation titles in this legislation are all worthy of our support. I urge adoption of H.R. 4957.

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

Mr. JONES of North Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentleman from Michigan for being so gracious with this legislation that is so important to my constituents.

Mr. Speaker, I rise today in strong support of this legislation. My primary interest in this bill, although all of it is very laudatory, is title IV, which incorporates the language of legislation I introduced earlier this year, the Ed Fountain Park Expansion Act.

This language, which, as has been previously mentioned, has already been approved by the Senate and would transfer a vacant 8-acre parcel of land from the U.S. Fish and Wildlife Service to the city of Las Vegas for the expansion of the Ed Fountain Park. The city of Las Vegas intends to build a new community center on the site to complement the existing recreational elements of the park, which include lighted soccer fields, outdoor basketball courts, an artificial turf football field, a bicycle track, and picnic areas.

The Fish and Wildlife Service has no further use for this property, which had previously housed the headquarters of the Desert National Wildlife Refuge at a time when this location was on the outskirts of Las Vegas. Due to the phenomenal growth we have experienced in southern Nevada, the site is very much now in the middle of town, and I cannot think of a better use for it than expanding a popular and valuable community resource.

□ 1700

Again, I would like to thank Chairman GILCHREST and Ranking Member PALLONE from the Fisheries Subcommittee for their assistance in moving this issue forward. I urge all the Members to support the underlying bill, and again thank the chairman and the ranking member for their extraordinary support.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of this legislative package, which will reauthorize important international fish and wildlife conservation programs and will expand national parks and wildlife refuges.

In particular, I want to draw special attention to the Great Ape Conservation Act. The reauthorization that's before us today was introduced by Senator JEFFORDS last June, following a bill that I introduced in May 2005 with Rep. BAIRD.

It has now been more than 5 years since the Great Ape Conservation Act was signed into law. In that time, this program has helped protect threatened primates, including chimpanzees, gorillas, bonobos, orangutans, and gibbons. I'm very pleased that the House is now poised to pass this reauthorization, which is needed to continue progress in this important field.

As the Fish and Wildlife Service testified in the Resources Committee last June, "Much of the success of the Great Ape Conservation Act has been a direct result of the unique small project focus on on-the-ground conservation projects in Africa and Asia." The funds provided by the Great Ape Conservation Act have gone to such diverse projects as: protecting chimpanzee habitat from logging operations; establishing anti-poaching enforcement units; starting conservation education programs; coordinating gibbon population surveys and threat assessments; and implementing ape health monitoring programs.

Like the other Multinational Species programs, Federal funds under the Great Ape Conservation Act are distributed as matching grants, meaning that the expense for these projects is shared between the Federal government and project partners. This match requirement has leveraged over $7.7 million in non-federal contributions over the period of 2001–2005 and has more than doubled the actual funding for conservation projects.

But despite the ongoing successes of the Act, the threats to these noble primates continue, and time is not on our side. Press accounts and reports from the field indicate that these species continue to be placed in jeopardy by habitat loss, poaching, logging, and the bush meat trade. The bill before us today specifically authorizes funding to address these root causes of threats to great apes.

The contributions of the Great Ape Conservation Act have been very important in the international efforts to protect and conserve the great apes of Africa and Asia, but there is much work yet to be done. Accordingly, today's bill extends the program's authorization through the year 2010.

As I said when I introduced the Great Ape Conservation Act of 2000, the task ahead is daunting. But the ecological consequences of not acting are far more tragic if it means that great apes will cease to exist in the wild.

I want to thank the Resources Committee staff, especially Dave Jansen, for their work in shepherding this bill through the House, and I urge my colleagues to support this legislation.

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

Mr. JONES of North Carolina. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. JONES) that the House suspend the rules and pass the bill, H.R. 4957, 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 direct the Secretary of the Interior to convey the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center to the State of Pennsylvania, and for other purposes."

A motion to reconsider was laid on the table.

PARTNERS FOR FISH AND WILDLIFE ACT

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 260) to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners For Fish and Wildlife Program.

The Clerk read as follows:

S. 260

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 "Partners for Fish and Wildlife Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) approximately 60 percent of fish and wildlife in the United States are on private land;

(2) it is imperative to facilitate private landowner-centered and results-oriented efforts that promote efficient and innovative ways to protect and enhance natural resources;

(3) there is no readily available source of technical biological information that the public can access to assist with the application of state-of-the-art techniques to restore, enhance, and manage fish and wildlife habitats;

(4) a voluntary cost-effective program that leverages public and private funds to assist private landowners in the conduct of state-of-the-art fish and wildlife habitat restoration, enhancement, and management projects is needed;

(5) durable partnerships working collaboratively with willing private landowners to implement on-the-ground projects has lead to the reduction of endangered species listings;

(6) Executive Order No. 13352 (69 Fed. Reg. 52989) directs the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to pursue new cooperative conservation programs involving the collaboration of Federal, State, local, and tribal governments, private for-profit and non-profit institutions, non-governmental entities, and individuals;

(7) since 1987, the Partners for Fish and Wildlife Program has exemplified cooperative conservation as an innovative, voluntary partnership program that helps private landowners restore wetland and other important fish and wildlife habitat; and

(8) through 33,103 agreements with private landowners, the Partners for Fish and Wildlife Program has accomplished the restoration of 677,000 acres of wetland, 1,253,700 acres of prairie and native grasslands, and 5,560 miles of riparian and in-stream habitat since 1987, demonstrating much of that success since only 2001.

(b) PURPOSE.—The purpose of this Act is to provide for the restoration, enhancement, and management of fish and wildlife habitats on private land through the Partners for Fish and Wildlife Program, a program that works with private landowners to conduct cost-effective habitat projects for the benefit of fish and wildlife resources in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL TRUST SPECIES.—The term ''Federal trust species'' means migratory birds, threatened species, endangered species, interjurisdictional fish, marine mammals, and other species of concern.

(2) HABITAT ENHANCEMENT.—

(A) IN GENERAL.—The term ''habitat enhancement'' means the manipulation of the physical, chemical, or biological characteristics of a habitat to change a specific function or seral stage of the habitat.

(B) INCLUSIONS.—The term ''habitat enhancement'' includes—

(i) an activity conducted to increase or decrease a specific function for the purpose of benefitting species, including—

(I) increasing the hydroperiod and water depth of a stream or wetland beyond what would naturally occur;

(II) improving waterfowl habitat conditions;

(III) establishing water level management capabilities for native plant communities;

(IV) creating mud flat conditions important for shorebirds; and

(V) cross fencing or establishing a rotational grazing system on native range to improve grassland nesting bird habitat conditions; and

(ii) an activity conducted to shift a native plant community successional stage, including—

(I) burning an established native grass community to reduce or eliminate invading brush or exotic species;

(II) brush shearing to set back early successional plant communities; and

(III) forest management that promotes a particular seral stage.

(C) EXCLUSIONS.—The term ''habitat enhancement'' does not include regularly scheduled and routine maintenance and management activities, such as annual mowing or spraying of unwanted vegetation.

(3) HABITAT ESTABLISHMENT.—The term ''habitat establishment'' means the manipulation of physical, chemical, or biological characteristics of a project site to create and maintain habitat that did not previously exist on the project site, including construction of—

(A) shallow water impoundments on non-hydric soils; and

(B) side channel spawning and rearing habitat.

(4) HABITAT IMPROVEMENT.—The term ''habitat improvement'' means restoring, enhancing, or establishing physiographic, hydrological, or disturbance conditions necessary to establish or maintain native plant and animal communities, including periodic manipulations to maintain intended habitat conditions on completed project sites.

(5) HABITAT RESTORATION.—

(A) IN GENERAL.—The term ''habitat restoration'' means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning the majority of natural functions to the lost or degraded native habitat.

(B) INCLUSIONS.—The term ''habitat restoration'' includes—

(i) an activity conducted to return a project site, to the maximum extent practicable, to the ecological condition that existed prior to the loss or degradation, including—

(I) removing tile drains or plugging drainage ditches in former or degraded wetland;

(II) returning meanders and sustainable profiles to straightened streams;

(III) burning grass communities heavily invaded by exotic species to reestablish native grass and plant communities; and

(IV) planting plant communities that are native to the project site;

(ii) if restoration of a project site to its original ecological condition is not practicable, an activity that repairs 1 or more of the original habitat functions and that involve the use of native vegetation, including—

(I) the installation of a water control structure in a swale on land isolated from overbank flooding by a major levee to simulate natural hydrological processes; and

(II) the placement of streambank or instream habitat diversity structures in streams that cannot be restored to original conditions or profile; and

(iii) removal of a disturbing or degrading element to enable the native habitat to reestablish or become fully functional.

(6) PRIVATE LAND.—

(A) IN GENERAL.—The term ''private land'' means any land that is not owned by the Federal Government or a State.

(B) INCLUSIONS.—The term ''private land'' includes tribal land and Hawaiian homeland.

(7) PROJECT.—The term ''project'' means a project carried out under the Partners for Fish and Wildlife Program established by section 4.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. PARTNERS FOR FISH AND WILDLIFE PROGRAM.

The Secretary shall carry out the Partners for Fish and Wildlife Program within the United States Fish and Wildlife Service to provide—

(1) technical and financial assistance to private landowners for the conduct of voluntary projects to benefit Federal trust species by promoting habitat improvement, habitat restoration, habitat enhancement, and habitat establishment; and

(2) technical assistance to other public and private entities regarding fish and wildlife habitat restoration on private land.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act not more than $75,000,000 for each of fiscal years 2006 through 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. JONES of North Carolina. 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 bill under consideration.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support S. 260, the Partners For Fish and Wildlife Act, and compliment the House and Senate authors of this legislation, Representative JOHN SULLIVAN and Senator JAMES INHOFE of Oklahoma.

This is not a new Federal program. It has been administratively managed by the U.S. Fish and Wildlife Service for over two decades. It is based on the innovative concept that wildlife populations and their habitats can be effectively conserved, managed and restored through voluntary agreements between private landowners and the Federal Government.

During the past 20 years, more than 35,000 agreements have been signed throughout the United States. The result has been remarkable with the protection, restoration and enhancement of nearly 2.5 million acres of important fish and wildlife habitat. In specific terms, over 700,000 acres of wetlands, 1.5 million acres of upland habitat and 6,000 miles of riparian and instream habitat have been restored. In addition, over 120,000 acres have been treated for invasive species, and 194 barriers to the fish passage have been removed.

What this legislation simply proposes is to build upon the existing successes by converting the line item within the Fish and Wildlife Service budget to a congressionally authorized program. By so doing, we will provide stability to the program, highlight the benefits of public and private partnership, and increase the amount of congressional oversight in the future.

S. 260 is strongly supported by the Bush administration to States, private landowners and wildlife conservation organizations. The Partners Program has been a huge success, and we should ensure that this innovative program will flourish in the future.

I urge an ''aye'' vote on this legislation.

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

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

Mr. Speaker, we support this legislation that will provide a statutory authorization for the Partners for Fish and Wildlife program. This popular program facilitates cooperation between the U.S. Fish and Wildlife Service and non-Federal organizations to voluntarily protect, conserve and restore habitat important to fish and wildlife.

It is our understanding that this legislation ratifies the existing administrative program, and that the service will implement the act under its existing regulations. I urge Members to support S. 260.

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

Mr. JONES of North Carolina. Mr. Speaker, I yield as much time as he may consume to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise today in strong support of S. 260, the Partners for Fish and Wildlife Act, which was introduced in the Senate by my friend and fellow Oklahoman, Senator INHOFE.

I would like to thank some of the people that work on the staff, Nathan Richmond and the famous Ryan Jackson on the Public Works Committee for all their support. The bill is supported by 34 different sportsmen and conservation groups.

I would like to thank my colleagues, Fisheries and Oceans Subcommittee Chairman GILCHREST and House Resources Chairman POMBO, for their consideration and leadership on this bill. I was proud to introduce companion legislation, H.R. 2018, in the House last year.

Senate bill 260 will authorize the popular Partners for Fish and Wildlife program. The Partners Program provides technical and financial assistance to private landowners to voluntarily restore wetlands and other fish and wildlife habitat on their own land.

With more than 80 percent of the fish and wildlife in the United States on private lands, S. 260 is needed to encourage public-private landowners in Oklahoma and around our Nation to enter into agreements with the Federal Government to conserve valuable natural habitat and wildlife.

Since 1987, the U.S. Fish and Wildlife Service has operated the Partners Program as a separate line item under the President's budget, subjecting these funds to reprogramming within the Fish and Wildlife Services.

Senate bill 260 authorizes up to $75 million through fiscal year 2011 to allow this successful program to stabilize and expand. Given that thousands of landowners are eager to participate in the Partners Program, Senate bill 260 couldn't come at a better time.

As a sportsman, I believe that it is our responsibility to protect and preserve our natural resources. There are few things I enjoy more than fishing with my kids, and we owe our future generations the same opportunity.

Most people think that wildlife conservation and the rights of private landholders are a naturally combative force and are mutually exclusive. The Partners Program is a shining example of how we can protect wildlife and the property of individuals at the same time.

The simple fact is the future of our natural resources depends on the conservation of habitat, the successful management of wildlife, and the control of invasive species on private land. Passage of S. 260 today is critical to ensure its continued success.

Mr. JONES of North Carolina. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from North Carolina (Mr. JONES) that the House suspend the rules and pass the Senate bill, S. 260.

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

A motion to reconsider was laid on the table.

CITY OF OXNARD WATER RECYCLING AND DESALINATION ACT OF 2006

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2334) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California, as amended.

The Clerk read as follows:

H.R. 2334

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 ''City of Oxnard Water Recycling and Desalination Act of 2006''.

SEC. 2. OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

''SEC. ____. OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Oxnard, California, may participate in the design, planning, and construction of Phase I permanent facilities for the GREAT project to reclaim, reuse, and treat impaired water in the area of Oxnard, California.

''(b) COST SHARE.—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.

''(c) LIMITATION.—The Secretary shall not provide funds for the following:

''(1) The operations and maintenance of the project described in subsection (a).

''(2) The construction, operations, and maintenance of the visitor's center related to the project described in subsection (a).

''(d) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the last item the following:

''Sec. . Oxnard, California, water reclaimation, reuse, and treatment project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise their remarks and include extraneous material.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2334, sponsored by Congresswoman LOIS CAPPS, authorizes the Bureau of Reclamation to participate in a water recycling and desalting project with the city of Oxnard, California.

As water demands grow and supplies become more scarce in southern Carolina, this bill will help provide regional water supply solutions to the Oxnard Plain. Using an innovative recycling and groundwater injection system, this program will provide many regional benefits and is designed to help meet the city's water supply needs through the year 2030. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in strong support of H.R. 2334, legislation sponsored by the gentlewoman from California, LOIS CAPPS.

With almost no assistance from the Federal Government, the city of Oxnard is making significant improvements to its municipal water system. A key part of their project, called the GREAT project, is to stretch local water supplies with new projects for desalting and water recycling. Especially in our western States, projects

like this can help cities protect themselves from drought and reduce the need to import water from distant reservoirs. H.R. 2334 will make a very modest amount of Federal financial help available to help construct this project.

I urge my colleagues to support H.R. 2334.

Mr. Speaker, at this time, I yield such time as she may consume to the gentlewoman from California, LOIS CAPPS.

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, my hope is that I can explain and demonstrate sufficiently the enthusiasm for this legislation by my constituents in the city of Oxnard. I rise in support of H.R. 2334, and it is called the Oxnard Water Recycling and Desalination Act.

First I want to thank Chairman POMBO and Ranking Member RAHALL for their support of this measure. I also want to thank the subcommittee chairman, Mr. RADANOVICH, and Ranking Member NAPOLITANO and their staffs for the key role in the bill's passage.

H.R. 2334 authorizes a regional water resources project. It is named the Groundwater Recovery Enhancement and Treatment Act, or, as the initials will summarize to, it is the GREAT program, and it is great in many ways, located in my congressional district.

Oxnard, California, as so many communities today, are faced with the difficult task of providing reliable and safe drinking water for their customers. The city of Oxnard has taken this situation and worked on it. It is one of California's fastest growing cities. The water needs of the city's agricultural users has exceeded its local water resources. Agriculture is the mainstay of the economy and the region, but at the same time many people are moving to the area.

Now, consequently, over 50 percent of its water has had to be imported from outside sources. Recognizing these challenges, Oxnard developed the GREAT program to address its long-term water needs, and as my colleague, Mr. KILDEE from Michigan illustrated, the city itself and the surrounding areas grappled with this issue themselves, recognizing that they needed to be creative and come up with a solution that would meet their needs.

This GREAT program includes a new regional groundwater desalination facility to serve potable water customers in the city of Oxnard. It includes a recycled water system to include agricultural water users and an added protection against seawater intrusion.

Finally, it includes a wetlands restoration component that reuses the discharges from the groundwater desalination and recycled groundwater treatment facilities. It is a full-circle opportunity to take every advantage of the water supplies that are there to enhance them and even to reuse them.

Implementation of this GREAT program will provide many significant regional benefits. It will reduce the consumption of groundwater for agricultural and industrial purposes. It will cut imported delivery water requirements, and it will improve local reliability of high-quality water deliveries. It will also add enormously to the restoration of the wetlands in the region.

Mr. Speaker, I commend this Resources Committee for trying to find innovative and effective ways of extending water supplies in the West.

□ 1715

In my view, the City of Oxnard Water and Desalination Act offers such a creative solution.

Again, I thank the Committee on Resources for supporting this bill, and I urge its immediate passage.

Mr. Speaker, I rise in strong support of H.R. 2334, the City of Oxnard Water Recycling and Desalination Act.

First, I want to thank my colleagues from California, the chairman of the Resources Committee, Mr. POMBO, the chairman and ranking member of the Subcommittee on Water and Power, Mr. RADANOVICH and Ms. NAPOLITANO, as well as the ranking member of the full committee, Mr. RAHALL, for expediting the consideration of this legislation and for bringing H.R. 2334 before us today.

H.R. 2334 would authorize a proposed regional water resources project—the Groundwater Recovery Enhancement and Treatment or GREAT Program—located in my congressional district.

As you know, many communities today are faced with the difficult task of providing reliable and safe water to their customers. The city of Oxnard is no exception.

Oxnard is one the California's fastest growing cities and is facing an ever growing crisis: It's running out of affordable water. The water needs for the city's agricultural and industrial base, together with its growing population, has exceeded its local water resources. Consequently, over 50 percent of its water has to be imported from outside sources.

However, through a series of local, State and Federal restrictions the amount of imported water available to the city is shrinking, while the cost of that water is rising. Recognizing these challenges, Oxnard developed the GREAT Program to address its long term water needs.

The GREAT Program elements include: a new regional groundwater desalination facility to serve potable water customers in Oxnard and adjacent communities; a recycled water system to serve agricultural water users, and added protection against seawater intrusion and saltwater contamination; and a wetlands restoration and enhancement component that efficiently reuses the brine discharges from both the groundwater desalination and recycled water treatment facilities.

Implementation of the GREAT Program will provide many significant regional benefits.

First, the new desalination component will serve ratepayers in Oxnard and adjacent communities, guaranteeing sufficient water supplies for the area.

Second, Oxnard's current water infrastructure delivers approximately 30 million gallons of treated wastewater per day to an ocean outfall. The GREAT Program will utilize the resource currently wasted to the ocean and treat it so that it can be reused by the agricultural water users in the area.

During the non-growing season, it will inject the resources into to the groundwater to serve as a barrier against seawater intrusion and saltwater contamination. To alleviate severely depressed groundwater levels, this component also includes pumping groundwater into the aquifer to enhance groundwater recharge.

Finally, the brine produced as a by-product of the desalination and recycling plants will provide a year-round supply of nutrient rich water to the existing wetlands at Ormond Beach.

Mr. Speaker, I commend the Resources Committee for trying to find innovative and effective ways of extending water supplies in the West. In my view, the city of Oxnard Water Recycling and Desalination Act offers such a creative solution. It will reduce the consumption of groundwater for agricultural and industrial purposes, cut imported water delivery requirements, and improve local reliability of high quality water deliveries.

Again, I would like to thank the Committee on Resources for supporting this bill, and urge its immediate passage.

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

Mr. JONES of North Carolina. 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 North Carolina (Mr. JONES) that the House suspend the rules and pass the bill, H.R. 2334, 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 amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California.''

A motion to reconsider was laid on the table.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2006

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2832) to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.

The Clerk read as follows:

S. 2832

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 ''Appalachian Regional Development Act Amendments of 2006''.

SEC. 2. LIMITATION ON AVAILABLE AMOUNTS; MAXIMUM COMMISSION CONTRIBUTION.

(a) GRANTS AND OTHER ASSISTANCE.—Section 14321(a) of title 40, United States Code, is amended—

(1) in paragraph (1)(A), by striking clause (i) and inserting the following:

''(i) the amount of the grant shall not exceed—

''(I) 50 percent of administrative expenses;

''(II) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which a distressed county designation is in effect under section 14526, 75 percent of administrative expenses; or

''(III) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which an at-risk county designation is in effect under section 14526, 70 percent of administrative expenses;''; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), of the cost of any activity eligible for financial assistance under this section, not more than—

''(i) 50 percent may be provided from amounts appropriated to carry out this subtitle;

''(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this subtitle; or

''(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this subtitle.''.

(b) DEMONSTRATION HEALTH PROJECTS.—Section 14502 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (2) and inserting the following:

''(2) LIMITATION ON AVAILABLE AMOUNTS.—Grants under this section for the operation (including initial operating amounts and operating deficits, which include the cost of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with amounts authorized by this section, may be made for up to—

''(A) 50 percent of the cost of that operation;

''(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of the cost of that operation; or

''(C) in the case of a project to be carried out for a county for which an at-risk county designation is in effect under section 14526, 70 percent of the cost of that operation.''; and

(2) in subsection (f), by adding at the end the following:

''(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to the lesser of—

''(A) 70 percent; or

''(B) the maximum Federal contribution percentage authorized by this section.''.

(c) ASSISTANCE FOR PROPOSED LOW- AND MIDDLE-INCOME HOUSING PROJECTS.—Section 14503 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) LIMITATION ON AVAILABLE AMOUNTS.—A loan under subsection (b) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be made for up to—

''(A) 50 percent of that cost;

''(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of that cost; or

''(C) in the case of a project to be carried out for a county for which an at-risk county designation is in effect under section 14526, 70 percent of that cost.''; and

(2) in subsection (e), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A grant under this section for expenses incidental to planning and obtaining financing for a project under this section that the Secretary considers to be unrecoverable from the proceeds of a permanent loan made to finance the project shall—

''(A) not be made to an organization established for profit; and

''(B) except as provided in paragraph (2), not exceed—

''(i) 50 percent of those expenses;

''(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of those expenses; or

''(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of those expenses.''.

(d) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Section 14504 of title 40, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

''(1) 50 percent may be provided from amounts appropriated to carry out this section;

''(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

''(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.''.

(e) ENTREPRENEURSHIP INITIATIVE.—Section 14505 of title 40, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

''(1) 50 percent may be provided from amounts appropriated to carry out this section;

''(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

''(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.''.

(f) REGIONAL SKILLS PARTNERSHIPS.—Section 14506 of title 40, United States Code, is amended by striking subsection (d) and inserting the following:

''(d) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

''(1) 50 percent may be provided from amounts appropriated to carry out this section;

''(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

''(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.''.

(g) SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.—Section 14507(g) of title 40, United States Code, is amended by adding at the end the following:

''(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to 70 percent.''.

SEC. 3. DISTRESSED, AT-RISK, AND ECONOMICALLY STRONG COUNTIES.

Section 14526(a)(1) of title 40, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C);

(2) in subparagraph (A), by striking ''and'' at the end; and

(3) by inserting after subparagraph (A) the following:

''(B) designate as 'at-risk counties' those counties in the Appalachian region that are most at risk of becoming economically distressed; and''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 14703 of title 40, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—In addition to amounts made available under section 14501, there are authorized to be appropriated to the Appalachian Regional Commission to carry out this subtitle—

''(1) $95,200,000 for fiscal year 2007;

''(2) $98,600,000 for fiscal year 2008;

''(3) $102,000,000 for fiscal year 2009;

''(4) $105,700,000 for fiscal year 2010; and

''(5) $109,400,000 for fiscal year 2011.''.

SEC. 5. TERMINATION.

Section 14704 of title 40, United States Code, is amended by striking ''2006'' and inserting ''2011''.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act take effect on October 1, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Speaker, S. 2832 reauthorizes and improves the Appalachian Regional Commission, the ARC. I want to point out very early on that there are no earmarks in this legislation.

The ARC has been a successful program for the past 40 years and has helped reduce the Appalachian region's poverty level, cut the infant mortality rate, increased the percentage of adults with a high school diploma, provided water and sewer services to a significant number of households and businesses, and created new jobs.

S. 2832 is a simple 5-year reauthorization, increasing authorization levels to adjust for inflation. The reauthorization also makes a minor change to the economic status designations of ARC counties. Currently ARC has four statutory designations which are determined by the unemployment rate, per capita income and poverty rate of each ARC county.

The bill creates an additional designation to assist counties that are at

risk, yet don't fully qualify as distressed. Currently these counties may only be funded up to 50 percent of project costs. At-risk counties have fragile economies and have significant difficulty meeting the current 50 percent match rate to participate in the program.

In many cases, at-risk counties were recently distressed and eligible for an 80 percent Federal match. The addition of the ''at risk'' designation will further assist counties as they transition from distressed to the transitional designation and fund projects in these counties up to 70 percent of the project costs.

The ARC is viewed by most as a successful model for economic development, and the ARC has done a great job encouraging local economic development by making use of local resources for the benefit of the community.

It was recently estimated that each dollar of ARC funding leveraged $2.57 in other public funding and $8.46 in related private funding. The ability to leverage a large amount of other public and private funding makes ARC a very valuable tool for our communities.

The Appalachian Regional Commission is a vital tool for economic development in Appalachia, and the program will end in 10 days unless we pass S. 2832 today. I want to repeat, the program will end in 10 days unless we pass S. 2832 today. We must ensure continuation of the successful program and further express our support of the hard-working people in the Appalachian region.

I want to remind my fellow colleagues that there are no earmarks in this reauthorization.

I encourage my colleagues to join me in support of S. 2832.

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

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Mr. Speaker, it is with true regret that I rise to urge my colleagues to oppose S. 2832, a bill to reauthorize the Appalachian Regional Commission. I urge my colleagues to oppose this bill not for what it does, but for what it does not do. S. 2832 does not protect each ARC State funding allocation from the effects of earmarking in this Chamber.

The House bill does contain such protection. H.R. 5812, which has strong bipartisan support, contains language that provides each State with protection against raiding its funding allocation for earmarked projects. The House bill contains a provision that says, ''Funds approved by the Commission for a project in an Appalachian State pursuant to Congressional direction shall be derived from such State's portion of the Commission's allocations of appropriated amounts among the States.''

By requiring that funds for earmarked projects come from the State allocation, this language protects all rank-and-file members in ARC counties from an inequitable distribution of ARC funds.

The Senate bill contains no such provision. It is inconsistent with earmark reform legislation and does nothing to stop the unbalanced distribution of funds that is characteristic of earmarking. With its very limited amount of program funds, it is essential that fund allocations be done based on need, not on the whims of a few.

We are all aware of the phenomenal success of the Appalachian Regional Commission. Since its creation in 1965, the ARC has worked to transform the Appalachian region and bring it into the American economic mainstream. The number of economically distressed counties has been cut by more than half. The per capita income gap between Appalachia and the U.S. has been reduced from 22 percent below the national average in 1965 to 18 percent in 2001. Infant mortality rates have fallen, and adults with high school diplomas have increased by over 70 percent.

To ensure progress and ongoing success of this breakthrough ARC program, it is essential that each State receive its fair share based on the ARC formula. S. 2832 opens the door for tampering with this successful formula, and I encourage my colleagues on both sides of the aisle to oppose S. 2832.

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

Mr. Speaker, I would just like to remind the gentleman, my good friend from Tennessee, that if we oppose this legislation, in 10 days this important legislation and important Commission will expire, so it is imperative that we pass this piece of legislation.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from West Virginia (Mrs. CAPITO), who has been a great leader on moving forward this reauthorization bill.

Mrs. CAPITO. Mr. Speaker, I would like to thank the chairman for not only his interest in this legislation, but his willingness to come to my State and his support.

I rise in support of this legislation to reauthorize the Appalachian Regional Commission through 2011. My State of West Virginia is the only State fully within the boundaries of the ARC, and I am proud of the work that the Commission has accomplished in our State.

Since the last reauthorization, three counties in my congressional district, and I have 18 counties, three of those counties, Lewis, Upshur and Randolph, have been removed from the list of economically distressed counties. That is good news. Putnam County, another one of my counties, has jumped to the competitive category.

I am pleased that this legislation codifies ARC's at-risk designation to protect counties like Lewis and Upshur that have fragile economies and could be in danger of falling back into the distressed category. This bill will permit the ARC to fund up to 70 percent of the cost of projects in designated at-risk counties.

The chairman of the subcommittee Mr. SHUSTER, the ARC Federal cochair Anne Pope, and I held a listening session earlier this month in Randolph County to hear some of the ways that the ARC has helped spur growth. We heard from several local elected officials, and we heard from really a variety of different entities in the county on how the ARC has helped spur development in Randolph County.

The director of the West Virginia Wood Technology Center spoke to us about an ARC grant that helped workers learn the skills they need to work in the timber industry, in the forest industry. We heard from a teacher who received an entrepreneurship award to train high school students and actually won an award for that and traveled to Washington with her student to accept that award, and has since spurred that student on to graduating from college and becoming an accountant.

We heard from the chairman of a rural public service district who is expanding sewer service with ARC funds. And we heard from the director of a regional planning council that assisted a seven-county region in obtaining grant funds for economic development.

Job training, economic development, education benefits, housing and helping to build a community infrastructure are just some of the achievements of the ARC in this one county over the last several years.

Mr. Speaker, I look forward to the day when every West Virginia county and every Appalachian county is strong enough economically that the ARC is unnecessary. Until then, since 1965 until in 2011, until then, however, ARC is a tremendous asset in improving communities across the region.

I know that there is some disagreement regarding this legislation, we heard about that, but the ARC and the programs it supports has broad bipartisan support across Appalachia. The Senate passed this bill by unanimous consent, and I hope my colleagues will pass the bill so that it can be signed into law.

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

Mr. Speaker, I love the Appalachian Regional Commission. I love what it has accomplished. I have followed the work of Franklin D. Roosevelt, Jr., when he was designated by John F. Kennedy to travel throughout the 13 States of the Appalachian region and report back to him on his findings and suggestions of what to do and how to rebuild the economies of those 13 States.

Out of that came the Appalachian Regional Commission. I was staff director on the Committee on Public Works then at the time and participated in the drafting of the ARC bill, and separately the writing of the Public Works and Economic Development Act of 1965. I have one of the pens that Lyndon

Johnson used to sign the EDA bill into law.

Years later, when it became my opportunity to be a Member of Congress and to chair the Investigations and Oversight Subcommittee, and the Economic Development Subcommittee prior to that, it was at a time when President Reagan had just been elected and submitted his budget to the Congress, the Budget Reconciliation Act. It called for abolishing the Appalachian Regional Commission and the Economic Development Administration.

I said that is not right. We are not going to stand and let that happen. The gentleman's predecessor, his father Bud Shuster, stood with us as we stood up to the Reagan administration, to Budget Director Stockman, and we traveled throughout the Appalachian region holding hearings.

We heard such wonderful testimony as before the Appalachian Regional Commission. The way up for people in this region was a bus ticket north to Detroit and Chicago and Cleveland. But the economy for 100 years was characterized by 80 acres and a mule.

We went to Duff, Tennessee, and heard from Tilda Kemplen, director of a child development center, who said at the conclusion of her testimony, ''Gentleman,'' and the gentleman there at the hearing were myself and Mr. Clinger of Pennsylvania, the ranking Republican on the subcommittee, she said, ''Gentleman, when you go back to Washington and look at the dollar, try to look over the top of the dollar, not to see George Washington, but to see a child.''

And when we went into West Virginia, we stayed with the previous speaker. The mayor of the little town at which we held our hearing took us around the town to see what it had looked like and what it was coming to be with the investments from ARC. And as I stood in the store which the mayor owned and operated, behind the cash register on the wall was a little sign that said, ''God never put nobody in a place too small to grow.'' That is the spirit of Appalachia.

Over the years, those investments of the ARC have taken this region, which was at 45 percent of per capita income, and boosted it up to 75 percent of national capita income. That is an extraordinary accomplishment.

The Backbone Highway System that has opened the region up to trade and growth and opportunity has been critical to the growth of this region. But in 1982, the administration said, no, we don't want to continue this program. But the Congress said yes. We reported a bill from the Committee on Public Works, brought it to the House floor, passed 382 to something. But the Senate wouldn't act on it; it was a Republican majority in the Senate. They were working with the administration, and they said no.

But because the House had spoken, the House Appropriations Committee, they said the House has spoken on this, and we will appropriate the funds and the authorization with it, and for 16 years that is the way it went.

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In appropriations we would in every Congress pass the reauthorization of ARC. The administration would oppose it, Reagan one and two and Bush one, and the House would speak in the appropriations, and the authorization would pass, until Chairman SHUSTER.

In 1998, we finally got an authorization bill through the House and through the Senate by the same 380-plus margins. But what has happened since then is the funding authorization numbers have not been matched by the appropriation numbers. A phenomenon has occurred in the last 2 fiscal years, the Appropriations Committee substituting its judgment for the judgment of the grassroots people in the Appalachian region.

This is a unique process by which people come to approval of projects. It starts at the county level, starts with the regional development commission, starts with the mayor, council. The business people meet, decide what their needs are, make recommendations. It is approved by the development district organization. It then goes to the State and then goes to the Commission, and the Commission then approves the projects and then the budget comes to the Congress.

Then the Appropriations Committee, in the last 2 years, has said, oh, you know, forget about that; we have our own priorities and we are going to designate money. But their designations dilute the funding for the other States. There are three States. Ohio doubled its share, 113 percent increase of ARC funding; West Virginia, 31 percent increase; North Carolina increase, 14 percent. What does that mean for the rest of the States? That means Alabama is down 20 percent, Georgia is down 19.6, Kentucky is down a percent and a half; Maryland is down 20 percent. I will put these all in the RECORD at this point and not go through every one of them because we are dealing with a closed circle.

To pay for these earmarks, most of the other 10 ARC States' formula funds are cut by 20 percent: Alabama, −20.4 percent; Georgia, −19.6 percent; Kentucky, −1.5 percent; Maryland, −20.3 percent; Mississippi, −21.1 percent; New York, −19.5 percent; Pennsylvania, −20.0 percent; South Carolina, −20.5 percent; Tennessee, −20.5 percent; and Virginia, −19.1 percent.

What does that mean to those who participate and believe in the grassroots process, that government starts from the bottom up, not from the top down? It means we disrespect your judgment. We are substituting our judgment just because we, one or another person, happens to be in an Appropriations Committee that can substitute its judgment for the grassroots.

It has been discouraging. I have talked to the development districts, and so when we fashioned our bill in the House, and in our committee, to reauthorize ARC, page 10 of the bill that was introduced in July, July 17, that the gentleman from Pennsylvania cosponsored, Chairman YOUNG cosponsored, I will not go through all the others, section 4, subsection (b), allocation of funds: Funds approved by the Commission for a project in an Appalachian State pursuant to congressional direction shall be derived from such State's portion of the Commission's allocation of appropriated amounts among the States.

That is the anti-earmarking. That respects the grassroots process. That is the bill that we introduced but it was not reported from committee. It should have been. We could have done this in July. We could have had a bill pass through the House practically on unanimous consent, or had a recorded vote that had been 400-plus to zero, but instead we waited for the Senate to pass a bill. The Senate dropped that language.

In the suspension process, we do not have an opportunity to offer to reinstate the House language, to stand up for the House position. That is why I come with a heavy heart to oppose this bill because it is the wrong process, because it guts the House provision, because it takes away the opportunity for all States to participate equally.

Now, the chairman of the subcommittee, I have to respectfully disagree, the program is not going to run out in 10 days. The Appropriations Committee has included in its appropriation a continuation of the authorization, as we have done for 16 years, and will continue the authorization through the appropriation process, but it will not be as valuable as if we include the House language to stop the raid on the other States within the Appalachian region.

We are not talking hundreds of millions of dollars, or billions, as we are in the transportation bill. We are talking $65 million for fiscal year 2006 and $26 million in formula funds for the coming fiscal year and $35 million total. So out of that $26 million in formula funds, $9.3 million have been earmarked. That means other States get proportionally less money than those who are fortunate to have someone on the Appropriations Committee take care of them. That is not right.

What is this, a week ago this body passed an anti-earmarking bill as rules for the House. We did even better. We are not saying list who they are for. We are saying do not do it in this particular program. That is what offends me. Process means respect for the system. Process guarantees, or should, integrity.

I am saying we ought to restore integrity. We ought to send this bill back to the Senate and have a real negotiation and do the right thing for the rest of the Appalachian States.

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

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

The gentleman from Minnesota, I appreciate the fact that he loves ARC, but more importantly to me, the gentleman's passion for ARC is most impressive, especially noting that he does not hail from the Appalachian region, which I do, and the people of the Appalachian region that I hail from. Small towns like Hymen, Pennsylvania, and Salisbury, and counties like Fayette and Huntington County, they have seen the good works of the Appalachian Regional Commission, and we do not want to lose that.

I am not so bold to try to explain to the gentleman the legislative process. He knows far better than most in this Chamber that we have been able to, in the Senate bill, get some significant provisions in there that we wanted authorizing as an at-risk category, which is extremely important to counties all throughout the Appalachian region, increasing the authorization funding amounts in this bill.

So the gentleman knows those provisions are in there, and as I said earlier, if we do not act in 10 days, this will sunset. This will terminate. It will end and we may lose it forever, which I am not willing to take that risk. I do not believe that the Senate is going to pass that appropriations bill in 10 days, and as I said, as I read the legislation, it will sunset. It will terminate.

I would encourage Members to look at that fact, and I am willing to work with the gentleman to move forward, because I do understand your concerns about earmarking. And I want to remind Members of this Chamber, there are no earmarks in this reauthorization. This bill is going to move forward and make sure that the ARC survives for another 5 years and can continue to do the great work that it has done in the 13 States in that region.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume to just add to the discussion that I do not think government will come to a halt in 10 days. The House will pass a continuing resolution so that we can get through October, come back after election on November 13, and take up these appropriation bills. The Appalachian Regional Commission will continue.

Quite right, the gentleman has stood firmly against earmarking in the authorization process, but it is in the appropriation. It is where the money is delivered where the evil occurs, if you will, and in this context, this is not a bill to be tinkering with with earmarks when there is so clearly a grassroots process that is fair and equitable and has input from the people whose lives and livelihoods are affected.

It goes all the way up through the top, and when it gets up here say, oh, sorry, you do not count; your judgment is not of value. To take nearly a third of the money, a limited amount of funds in the appropriation process, and designate it for projects and thereby diminish the amount the other States get, that is not right. It is just simply not right.

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

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

Once again, I understand the gentleman's concern, and I would suggest that we take care of this earmarking problem in the appropriations process. I know that the Senate bill has language in their appropriations bills that deal with this, and I think that is the appropriate place to do it.

Again, I have great concern if we do not reauthorize this and get it to the President's desk that we, in fact, could sunset and terminate this program. That is something that I am not willing to take the risk on.

Once again, I appreciate the gentleman's support for ARC, his passion for ARC. I want to remind my colleagues that there are no earmarks in this reauthorization bill and that I would encourage my colleagues to vote to continue ARC, the Appalachian Regional Commission's positive impact that it has had, extremely positive impact it has had on our region of the country that needs it.

Mr. RAHALL. Mr. Speaker, today the House plans to take up the reauthorization of the Appalachian Regional Commission. Every one of the southern West Virginia counties I represent is encompassed by the Appalachian Regional Commission and ARC support is critical to our communities' livelihood and well-being.

It is ARC's ability to serve its mission by adapting it actions to fit the times that makes ARC such an invaluable resource to Appalachia and the Nation. From the Appalachian Development Highway System to e-commerce and broadband initiatives, ARC continues to serve its mission by advocating and partnering with the people of Appalachia to create opportunities for self-sustaining economic development and improved quality of life.

For these reasons, among others, I will support the legislation before us today to reauthorize ARC. However, I do so with reservations.

For most of the past 41 years of ARC existence, its program has been free of congressional earmarks. Congress has appropriated funds to ARC and ARC, through a formula based largely on need, has apportioned Federal money to the States.

In fiscal year 2006 and fiscal year 2007, we have seen significant earmarking of the ARC account. Indeed, my home State of West Virginia has received a number of these earmarks.

Why is this? In most instances Members have not requested these funds come from ARC formula funds. However, committee leadership has been forced into this practice of feeding on our own. Why? Because the priorities of Congress have shifted from Middle America to the Middle East.

Our appropriators are faced with this dilemma because the $8 billion per month spent in Iraq precludes us from investing in needed infrastructure here at home. I've said many times that dollars for Baghdad would be better spend in Beckley—Beckley, WV.

While one of the funded projects has benefited many southern West Virginians directly by providing much needed water and wastewater assistance, I believe it is important we refrain from earmarking the very scarce resources allocated to ARC and, if earmarking the ARC account continues, Congress should require that congressional earmarks are derived from that State's formula allocation of ARC funds.

I believe adopting such a provision will benefit all ARC member States and the long-term viability of ARC itself.

Mr. SHUSTER. 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 Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the Senate bill, S. 2832.

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. OBERSTAR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

REPEAL OF PROHIBITION ON USE OF CERTAIN FUNDS FOR TUNNELING IN CERTAIN AREAS WITH RESPECT TO LOS ANGELES TO SAN FERNANDO VALLEY METRO RAIL PROJECT

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4653) to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California.

The Clerk read as follows:

H.R. 4653

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

SECTION 1. REPEAL OF PROHIBITION.

The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

H.R. 4653 repeals a 20-year-old prohibition on the use of certain Federal transit funds to tunnel in the San Fernando Valley area west of Los Angeles.

In 1985, an explosion of naturally occurring methane gas blew up a department store in the Wilshire Boulevard

corridor in Los Angeles, injuring 22 people. Concerned about the safety of tunneling in this area of Los Angeles, the Los Angeles City Council created a task force to investigate the explosion. The task force identified methane risk zones along the Wilshire Boulevard corridor.

In 1985, the Los Angeles Red Line subway line was in the planning and design stage. Since then, the Red Line has been completely funded and built and has been in operation since 1993, with an extension to North Hollywood that was completed in 2000.

The fiscal year 1986 transportation appropriations bill included a legislative provision that prohibits the use of Federal transit funds associated with the Los Angeles project for tunneling in or through an identified methane risk zone. The language was written very broadly, binding future funds provided by Congress and affecting all parts of the Metro Rail subway project, including future extensions.

However, in November of 2005, a panel of engineering experts reported that tunneling along the Wilshire Boulevard corridor can be done safely if proper procedures and appropriate techniques are used.

This bill, H.R. 4653, was introduced by Congressman WAXMAN in December of 2005 and will repeal the current prohibition on tunneling in the Wilshire Boulevard corridor. With its passage, a more comprehensive transportation planning process can take place in the corridor, and future transportation proposals that involve tunneling will be eligible for Federal funding.

I encourage my colleagues to join me in support of H.R. 4653.

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

□ 1745

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds to say that the gentleman from California (Mr. WAXMAN), with whom I entered Congress together in 1975, has been a champion of this project, but with a watchful eye on the way in which it was crafted and carried forward. And it has been his inspiration that has brought this project to the point where it is now, an agreed-upon initiative and financially sustainable and operationally successful.

I yield such time as he may consume to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I want to thank everyone who assisted in bringing this bill to the floor today, Chairman DON YOUNG, Ranking Member OBERSTAR, Representatives JERRY LEWIS and DAVID DREIER.

H.R. 4653 is noncontroversial legislation. It repeals a law enacted in 1985 that prohibits subway tunneling in an area of Los Angeles that I represent.

I authored the 1985 measure after a methane gas explosion demolished a Ross Dress for Less store in the Third and Fairfax area of Los Angeles.

At the time, serious safety concerns were raised about the city's plans to extend the subway through this area due to underground pockets of methane gas. In recent years, experts have indicated that technologies have been developed that could make tunneling in this area safe.

In 2004, the Los Angeles City Council passed a motion urging a reversal of the 1985 law, and in February 2005 the Los Angeles Metropolitan Transportation Authority's board voted to renew discussions of the subway's expansion in this area. As a result, I worked with Mayor Antonio Villaraigosa to select a panel of scientific experts to conduct an independent safety review. These experts made a unanimous determination in a November 2005 report that tunneling in the methane gas area can be done safely if proper procedures and appropriate technologies are used.

H.R. 4653 simply lifts the Federal tunneling prohibition that has been in place since 1985. The Transportation Infrastructure Committee reported this bill unanimously on July 19, and I urge my colleagues to support it as well.

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

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

Mr. Speaker, the gentleman from California and the gentleman from Pennsylvania have fully explained the provisions of this bill and the need for the project. It needs no further elaboration.

This project moves us further in the direction of advancing the cause of transit in our national transportation intermodal system.

Transit is the fastest growing sector of the transportation in America. We are adding 1 million new transit riders a day last year, for 375 million new transit trips, for 10.5 billion transit trips in America. At a time in the 1960s, 1970s, and 1980s, New York accounted for over 60 percent of all transit trips in America. No longer. New York's share is down somewhere around 39 percent because the rest of the Nation is catching up and accelerating its use of transit.

In fact, if we could, as is done in Europe, have a mode shift of 10 percent of all trips taken for all purposes by transit, in America we would save 550 million barrels of oil a year, and that is the amount we import from Saudi Arabia.

The move to transit is inexorable; it is a necessary part of our overall balanced transportation system in America, and in this intensely populated area of Los Angeles, the San Fernando Metro Rail Project will make an enormous contribution to mobility and to savings in fuel consumption in America.

Mr. Speaker, I rise to support the passage of H.R. 4653, to repeal a prohibition on the use of Federal transit funds for tunneling in certain areas for the construction of the San Fernando Valley Metro Rail project in Southern California.

More than 20 years ago, an explosion caused by the ignition of methane gas that had been accumulating along the Third Street corridor in the Wilshire-Fairfax District of Los Angeles rocked the area. The resulting explosion severely damaged a building structure and injured 22 people. A preliminary investigation into the cause of the explosion pointed to ignition of underground pockets of pressurized gas.

This incident raised safety concerns related to the proposed tunneling in the area to build the planned Metro Rail subway system. To address the safety concerns, the Los Angeles City Council created a Task Force to investigate the explosion to determine the cause of the accident and to make recommendations to avoid future incidents. The results of the investigation identified two methane risk zones.

To ensure that the safety concerns related to construction of the Metro Rail subway system were fully addressed prior to the use of Federal transit funds for the construction of the project, a provision was included in the fiscal year 1986 Transportation and Related Appropriations Act prohibiting the use of Federal funds for the project until certain safety concerns has been properly addressed.

Mr. Speaker, I am pleased to report that the initial concerns related to possible methane gas explosions associated with the construction of the project have been resolved through extensive reviews and studies. In October 2005, a peer review panel of engineering experts was convened at the request of the Los Angeles County Metropolitan Transportation Authority Board to conduct an independent evaluation of gas-related safety issues associated with the proposed tunneling of the extension of the Metro Rail Line subway along Wilshire Boulevard. Based on the findings, the five-member panel of experts reported that tunneling along the Wilshire Boulevard corridor can be done safely using proper procedures and appropriate techniques.

In response to the findings of the peer review panel of experts, the City of Los Angeles and the gentleman from California (Mr. WAXMAN) who represents areas along the proposed Metro Rail subway system corridor have joined together to support the enactment of H.R. 4653. The passage of H.R. 4653 will help advance badly needed transit projects throughout the Los Angeles to San Fernando Valley region.

Mr. Speaker, I urge the passage of H.R. 4653 to remove the funding prohibition for the Los Angeles to San Fernando Valley Metro Rail Project.

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

Mr. SHUSTER. Mr. Speaker, I just want to encourage my colleagues to join me in support of H.R. 4653, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 4653.

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.

PETS EVACUATION AND TRANSPORTATION STANDARDS ACT OF 2006

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3858) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pets Evacuation and Transportation Standards Act of 2006''.

SEC. 2. STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL PLANS.

Section 613 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL PLANS.—In approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), the Director shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency.''.

SEC. 3. EMERGENCY PREPAREDNESS MEASURES OF THE DIRECTOR.

Section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196) is amended—

(1) in subsection (e)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(4) plans that take into account the needs of individuals with pets and service animals prior to, during, and following a major disaster or emergency.''; and

(2) in subsection (j)—

(A) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) The Director may make financial contributions, on the basis of programs or projects approved by the Director, to the States and local authorities for animal emergency preparedness purposes, including the procurement, construction, leasing, or renovating of emergency shelter facilities and materials that will accommodate people with pets and service animals.''.

SEC. 4. PROVIDING ESSENTIAL ASSISTANCE TO INDIVIDUALS WITH HOUSEHOLD PETS AND SERVICE ANIMALS FOLLOWING A DISASTER.

Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(J) provision of rescue, care, shelter, and essential needs—

''(i) to individuals with household pets and service animals; and

''(ii) to such pets and animals.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, at this time I would like to yield to the gentleman from Connecticut, who is the prime mover on H.R. 3858, Mr. SHAYS.

Mr. SHAYS. Mr. Speaker, I thank the gentleman from Pennsylvania. I would like to just amend the gentleman's comment by saying there are two prime movers, Mr. LANTOS and myself, and I appreciate the opportunity to speak on this legislation.

I rise in support of H.R. 3858, the Pets Evacuation and Transportation Act, referred to as the PETS Act, which Congressman LANTOS and I both as co-chairmen of the Friends of Animal Caucus introduced.

This commonsense bill requires State and local preparedness planners to include plans for evacuation of pet owners, pets, and service animals. Having passed this legislation once in the House, we now have an opportunity to include several important provisions that have been included by the Senate strengthening the bill, and then being able to send it directly to the President. These provisions include granting FEMA the authority to assist in developing evacuation plans, and authorizing financial help to States to create emergency shelters for people with their animals. Hurricane Katrina left so many victims in its wake, including up to 600,000 animals that lost their lives or were left without shelter.

To qualify for Federal Emergency Management Agency, FEMA, funding, a jurisdiction is required to submit a plan detailing their disaster preparedness plan. The PETS Act would simply require State and local emergency preparedness authorities to plan for how they will accommodate households with pets or service animals when presenting these plans to FEMA.

This bipartisan legislation is necessary because it became evident during Hurricane Katrina, when asked to choose between abandoning their pets or their own personal safety, many pet owners chose to risk their lives and remain with their pets, and some of them perished. This is first a public safety issue, but also an animal welfare issue. Roughly two-thirds of American households own pets. We need to ensure owners and their pets are protected.

The human horror and devastation in Louisiana, Mississippi, and Alabama was a failure we needed to immediately address, but it was also heartbreaking to hear stories of forced evacuees to choose between being rescued or remaining with their pets. The plight of the animals left behind was truly tragic.

In the middle of hurricane season, it is imperative that regulations to include pets in evacuation plans be placed in anticipation of future tragedies.

This is an important bill. I urge its passage so that we can send it directly to the President.

Again, I want to thank the chairman for bringing this bill out and marshaling this bill both times we have been before the Chamber. And I also want to thank my colleague, my co-chairman, Mr. LANTOS for all that he has done. He is a pleasure to work with.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the leader on our side, an advocate for this legislation, the gentleman from California (Mr. LANTOS).

Mr. LANTOS. I want to thank my friend Congressman OBERSTAR for yielding. I want to thank Chairman YOUNG of Alaska and Congressman OBERSTAR for their stewardship of this important piece of legislation that my friend Congressman Chris Shays and I introduced, and we are thrilled and delighted that we have reached this day, and hopefully it will pass.

I also would like to congratulate our colleagues in the Senate, Senators STEVENS of Alaska and LAUTENBERG of New Jersey, for leading the fight to pass the PETS Act by a unanimous vote. In my own office, three young and committed men worked hard on this legislation, Ron Grimes, Jason Rosenstock, and Guido Zucconi, and I want to express my appreciation to them. But primarily I want to thank my wife, Annette, who, over a long lifetime together, taught me the love of animals.

Mr. Speaker, if I may, I would like to call special attention to three doggies in our office, Masko, Chippy, and Cassie, who bring a civilized tone, joy, fun, pleasure, and wit to our congressional office. Their work, along with the tireless efforts of animal welfare organizations, will ensure the safety of household pets and service animals and their owners as well.

Mr. Speaker, before the images of the gulf coast hurricanes of last year begin to fade from our national memory, it is imperative that we help our citizens prepare for the next disaster. Our legislation, the PETS Act, will ensure that families and people with disabilities will never be forced to choose between being rescued or remaining with their pets or service animals.

The scene from New Orleans of a 9-year-old little boy crying because he was not allowed to take his little white dog Snowball was too much to bear. Personally, I know I wouldn't have been able to leave my little white dog Masko to a fate of almost certain death.

As I watched the images of the heartbreaking choices the gulf residents had to make, I was moved to find a way to prevent this from ever happening again. Requiring local and State emergency planners to take into consideration the needs of evacuees with household pets and people with disabilities who have service animals is a simple

and effective way to ensure saving as many human lives as possible. If people can leave their homes knowing that all members of their family, including their pets, will be safe, it will make for a more civilized and more efficient evacuation.

That is the reason why, along with my colleagues, Mr. SHAYS, Mr. YOUNG, Mr. OBERSTAR, and Mr. FRANK of Massachusetts, I introduced the Pet Evacuation and Transportation Standards Act, which we call the PETS Act. Never before in my long congressional career have I received so much support and encouragement for a piece of legislation, Mr. Speaker, not only from citizens in my own district, but from a national audience that shares my concerns for the safety of these animals and their owners.

Since the hurricanes of last year, the PETS Act has influenced State officials to make plans for people with pets and service animals. Miami-Dade and Broward Counties in Florida have shelters that accept animals, as well as careful instructions for people forced to leave their homes who may have animals. This demonstrates that emergency planners are more than capable of making effective plans for people with pets or service animals.

Now, more than ever, with hurricane season upon us, this bill is of the utmost importance. The PETS Act will ensure that States will continue to plan for their pet and service animal populations, which will in turn ensure a smoother and safer evacuation for all members of the family.

On behalf of the tens of millions of families across our Nation who have pets, I urge all of my colleagues to vote for this important legislation.

□ 1800

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

I am pleased to be here today to pass an important reform to our emergency management system. Like many Americans, I watched in disbelief last year as our government struggled to respond to the death and destruction caused by Hurricane Katrina. I believe we were all shocked by FEMA's performance, given FEMA's outstanding reputation just a few years earlier.

Breaking FEMA up and burying its pieces within the massive Homeland Security bureaucracy was a mistake, I believe. Since Hurricane Katrina, the Transportation Committee, the Select Committee on Hurricane Katrina, held dozens of hearings on Katrina and drafted the most comprehensive report on reforming our emergency management system.

Just a few days ago the chairman of the authorizing committees, Chairman YOUNG, Chairman DAVIS, Chairman KING, Chairman REICHERT and I reached an agreement with the Senate authorizers to rebuild FEMA and reform the Nation's emergency management system. With the leadership, authority and resources necessary to respond effectively to the next disaster, FEMA can once again be a premier agency within the Federal Government.

I am pleased to have one of these specific reforms on the floor today, H.R. 3858, the PETS Act, that ensures the needs of people with household pets and service animals are considered by State and local emergency preparedness plans.

The Senate amended the PETS Act to permit FEMA to fund structures that will accommodate pets and service animals and provide essential assistance to people with pets and service animals following a disaster.

People become very attached to their pets. I have a Wheaton terrier that has become part of the family, and it would be very difficult to leave Chloe behind in a disaster. I certainly can understand and empathize with those folks who have household pets.

I would like to thank Chairman YOUNG, who is an original sponsor of this legislation for his leadership and guidance on the bill, and on the broader emergency management reform bill that will be on the floor, we hope, next week.

I would also like to commend Mr. SHAYS for his dedication and hard work in moving this legislation. Mr. SHAYS has been a champion of this issue and has worked to ensure that owners don't have to make a choice between their personal safety and their pet's safety.

I would also like to commend Mr. SHAYS for his leadership on the committee's investigating response to Hurricane Katrina. He worked tirelessly to resolve the flaws in our Nation's emergency management system that became apparent during Hurricane Katrina.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds.

Do I understand, Chairman SHUSTER, that if we pass this bill tonight, it goes directly to the President for his signature?

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. That is my understanding, yes, sir.

Mr. OBERSTAR. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) and Chairman Shuster, Mr. SHAYS, and Mr. LANTOS for your support of this bill.

What is noteworthy is that in the last few days, this Congress has had three pieces of legislation in front of it that have a similar theme: The tribute that we paid to the Dalai Lama, and yesterday our support for the one day of peace, and today our support for the PETS Act, all are about compassion and the recognition of the importance of compassion in the life of this Nation.

I think it is important for us to reflect that this is a strong capacity that we have that when we touch it, it touches people's hearts everywhere.

I encourage my colleagues to join in support of H.R. 3858, the Pets Evacuation Transportation Standards Act. Passage of this bill is essential to the safety of all citizens and their pets in emergency and disaster circumstances. Hurricanes Katrina and Rita will long be held in our collective conscious. It has been just over 1 year since we saw the terrified and helpless faces of the victims these natural disasters claimed, displaced, and horrified. The unbearably inadequate response to these disasters exacerbates the shame, the heartache and insecurity that has resulted. The images haunt us; and it is not just the images of our fellow human beings, but that of our gracious household pets and service animals.

Among the injustices incurred in the gulf coast were citizens forced to choose between their own safety and that of their pet or service animals. And the example that Mr. LANTOS gave of the 9-year-old boy who had to part with his beloved dog is an example of the heartbreak that all of us can relate to.

Some chose to compromise their own safety, unwilling to evacuate without their pet, despite the great risk to themselves and their families. Others were forced to leave these important friends behind, abandoned and alone. Animals were left to survive on their own with little hope of survival, causing the very understandable human emotions of pain and agony that accompanied this choice.

Some, dependent upon a service animal for their own safety and survival, were made to leave their companions behind, a direct threat to their own security.

It is estimated that well over half of U.S. households include a pet or vital service animal as a member of the family. In the Kucinich household, we have three dogs, two beagles and one cocker spaniel, and anyone who has a pet understands how it would tug at your heart to have to be separated from that pet in a time of emergency.

We know that the gulf coast region affected by the hurricanes had as many as 600,000 pets and service animals. Most of these animals could not be saved, and few have been reunited with their original owners.

H.R. 3858, the PETS Act, will ensure that emergency preparedness for the safety of our own citizens includes the proper protocol to identify, evacuate, and shelter people, pets and service animals in times of emergency evacuations.

Natural disasters are unavoidable; compromising the safety of our citizens is not. That is why I ask my colleagues to join me in support of H.R. 3858, the PETS Act, to ensure that in times of disaster no citizen is forced to compromise their own safety or well-being for that of their service animal.

Mr. OBERSTAR. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it is refreshing in a time of perception of contentiousness in the legislative bodies that we can consider a matter of this nature and have such thoughtful, constructive, civilized dialogue on a matter that touches the heart of so many of our fellow citizens. And how fitting to have a survivor of the Holocaust whose whole life and career has been concerned with saving people from tragedy, to lend his voice and his stature, his character and dignity to saving the lives of pets.

And to the gentleman from Connecticut (Mr. SHAYS), who has been associated so much with the process of campaign finance reform and other similar matters, to lend his support and his concern, his character, to a matter of this kind and to partner with the gentleman from California, both coasts joining to support something greater than all of us.

As others have said, my wife and I watched the horror of Hurricane Katrina. Jean's home is New Orleans. Her family were there. Two brothers both had property losses, severe property loss. She knew as the cameras moved around the city from one street to the next, I walked that street, I know the people in that house. They have a pet. That dog is up in the attic and they are not going to leave because they cannot rescue the pet.

We will now make it possible to avoid such dire choices in the future by putting in place a structure by which we can accommodate the needs of people and the lives they lead and the pets they have that are important to their living.

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

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman very much. I wanted to rise and thank Chairman SHUSTER for marshaling this bill through and making sure that Members treated it with seriousness.

I thank the ranking member of the full Transportation Committee, Mr. OBERSTAR, for his partnership in this effort.

I also thank Congressman LANTOS. We have been through many battles together, and this has been one of the most enjoyable ones.

I also wanted to stand up and acknowledge the fine work of Senator COLLINS and the ranking member, Mr. LIEBERMAN, in the Senate for their help in getting this bill through. Had they not taken action and treated this bill seriously, we would not be here today. And, frankly, they made it a better bill. I just wanted to thank Senators COLLINS and my friend JOE LIEBERMAN, who I love very dearly.

Mr. SHUSTER. Mr. Speaker, I yield myself the balance of my time.

I will close very quickly because I am in danger of being labeled as a big softy if I give too much in the way of closing comments. I will close by just asking all of my colleagues to support this piece of legislation which is important to millions and millions of Americans.

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

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3858.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have up to 5 legislative days to revise and extend their remarks and include extraneous material on S. 2832, H.R. 4653 and H.R. 3858.

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

There was no objection.

ROBERT LINN MEMORIAL POST OFFICE BUILDING

Ms. FOXX. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4768) to designate the facility of the United States Postal Service located at 777 Corporation Street in Beaver, Pennsylvania, as the ''Robert Linn Memorial Post Office Building''.

The Clerk read as follows:

H.R. 4768

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

SECTION 1. ROBERT LINN MEMORIAL POST OFFICE BUILDING

(a) DESIGNATION.—The facility of the United States Postal Service located at 777 Corporation Street in Beaver, Pennsylvania, shall be known and designated as the ''Robert Linn Memorial Post Office Building''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

Mr. Speaker, H.R. 4768, offered by the gentlewoman from Pennsylvania (Ms. HART), would designate the facility of the United States Post Office in Beaver, Pennsylvania, as the ''Robert Linn Memorial Post Office Building.''

Mr. Speaker, Robert Linn passed away in August 2004, at the age of 95. His accomplishment of serving the citizens of Beaver, Pennsylvania as mayor for a record-setting 58 years was a testament to his lasting dedication and friendship to the community.

In 1995 Mayor Linn was officially listed in the Guinness Book of World Records as the longest-serving mayor in the United States. Although he had a long list of accomplishments, his Streetscape initiative, a town beautification project that removed power lines and concrete sidewalks from the main street, was among his greatest.

Not only did Robert Linn serve his community as mayor for a record-setting number of years, but he served as an educator at Beaver Falls Junior High School for 6 years, followed by a 36-year career at Duquesne Light Company.

Mayor Linn's passion was socializing with the people he served, and many in town knew that one of his favorite activities was running the scoreboard for football games at Beaver High School.

Although the position of mayor was a part-time job, Robert Linn will be remembered by the citizens of Beaver as their full-time champion. With gratitude for his devotion and service to the Beaver community, I ask all Members to join me in supporting H.R. 4768.

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

□ 1815

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

Mr. Speaker, as a member of the House Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 4768, which names a postal facility in Beaver, Pennsylvania, after Robert Linn. H.R. 4768 was introduced by Representative MELISSA HART on February 16, 2006. This measure, which has the support and cosponsorship of the entire Pennsylvania congressional delegation, was unanimously reported from our committee on May 4, 2006.

Robert Linn, a native of Pennsylvania, was mayor of Beaver Borough for 58 years until his death on August 22, 2004. He is remembered for his success in making improvements on Main Street, renovations of historic buildings, and preservation of the history and charm of his city.

Anyone who serves a city as its mayor for 58 years unequivocally and without a doubt had its interest at heart. And I can think of no more appropriate way of recognizing his impact than to name this facility in his honor.

I strongly support this resolution.

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

Ms. FOXX. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Speaker, I thank the gentlewoman for yielding.

This is a very important issue to discuss. I think it is one that many of us often look at very casually as we are naming a post office, but many times citizens of America whose names go on these post offices are people that we know we need to remember. And I bring one of those individuals before us today in our legislation to name the post office in Beaver, Pennsylvania, after Robert Linn.

Robert Linn was one of those amazing people who anybody who ever met him would never forget. So I rise in support of the Robert Linn Memorial Post Office in Beaver, Pennsylvania.

He was sworn into office as the mayor of Beaver, Pennsylvania, on January 2, 1946, and he served the Borough of Beaver, Pennsylvania, for 58 consecutive years as mayor. I am not exaggerating. It was really 58 years. So he was able to see many of the people he married as mayor welcome their grandchildren and great-grandchildren into the world.

Prior to taking over the position of mayor at its original salary of $2,500 a year, Mayor Linn worked for the Duquesne Light Company. His first job was handling customer service before he eventually became supervisor of employee benefits, and he actually retired from the company in 1974. He continued his service both in the public and private sector throughout his life, and he was really known as a gracious gentleman. As I mentioned, anybody who knew him would never forget him. He showed up every day in a coat and tie. It didn't matter if it was Sundays, Saturdays, early, late. He was always in a coat and tie.

In 1995, the Guinness Book of World Records recognized Robert Linn as the longest-serving mayor in American history. His selflessness, his regard for the greater good, is reflected in these 15 consecutive terms that he served up until his death at age of 95 on August 22, 2004.

There is much more to Bob Linn than just being the longest-serving mayor in American history. It was Bob Linn, the father of four daughters, Mary Scheidmantel of Beaver; Eleanor Hesser of Beaver; Mary Hockenberry of New Cumberland, Pennsylvania; and Beth Mitchell of Virginia Beach, Virginia. There was Robert Linn, a grandfather of eight and a great-grandfather of one. He was definitely a dedicated family man, and he would do anything for his loved ones, including everyone in the Borough of Beaver.

For example, when he was in his early 80s, he wanted to show his grandson that he, too, could ride a bicycle. Unfortunately, he learned the hard way that maybe he shouldn't be riding a bicycle. Although he was capable of running the town quite effectively as mayor in his advanced years, he was a little past his prime when it came to bike riding, when he fell off and broke his wrist, but he continued in his public service.

There was Robert Linn, the mentor. A Beaver police chief was quoted as saying, ''One of the most important things that Mayor Linn ever told me was 'You can think what you want, but once it is said, it is said.'" He said, ''I still to this day use this advice, and I pass it on to others. He was like a father to me,'' said Chief Anthony Hovanec.

Bob Linn was a teacher for 6 years at the Beaver Falls Junior High School and a volunteer scorekeeper for the Beaver High School football games. He was just a man who loved his community.

Finally, there was Robert Linn, the American and dedicated public servant, the one that I knew the best. He was a man dedicated to the community in which he lived to making sure it became better and better with every year he served in public life.

Beaver Borough was Bob Linn's passion. His crowning achievement was the Streetscape project, which he proudly declared his finest accomplishment as mayor. This project received the Beaver Area Heritage Foundation's Harry S. Truman Beautification Award. The Streetscape transformed the Borough of Beaver into a real-life version of a Norman Rockwell painting. It removed all the utility poles, all the parking meters, and replaced them with trees and Victorian-style street lamps and bricked the sidewalks and streets.

The Borough of Beaver and the 5,000 residents who live there still agree that Bob Linn's assessment that the borough was one of the ''best places you can be'' is certainly true. Mayor Linn was also successful in having the borough named a National Registry Historic District in 1996 and successfully converted the old freight train station in town into a museum. In fact, so many locals gathered there in October of 2000 that then-Governor George Bush, when he stopped his train on his cross-country tour, attracted so many residents of Beaver that they had to stop the train.

The Borough of Beaver and the 5,000 residents who live there still agree that Bob Linn was the most effective community leader they have ever seen. And I think beyond just the Borough of Beaver, people in the Commonwealth and people across the Nation need to see as an example of public service what Bob Linn did.

His effect on the borough goes much farther than aesthetics. He was a father, mentor, teacher, volunteer, and really the embodiment of a public servant. He truly loved Beaver to its core. He tirelessly dedicated himself and his life to making it the best place that it can be.

I urge my colleagues to support the Robert Linn Memorial Post Office to honor a man who so generously dedicated his life to the town that he loved so future generations can know all about Bob Linn.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 4768.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the bill, H.R. 4768.

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.

BENJAMIN FRANKLIN TERCENTENARY COMMISSION ACT OF 2005

Ms. FOXX. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4586) to extend the authorization of the Benjamin Franklin Tercentenary Commission, as amended.

The Clerk read as follows:

H.R. 4586

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 ''Benjamin Franklin Tercentenary Commission Act of 2005''.

SEC. 2. BENJAMIN FRANKLIN TERCENTENARY COMMISSION.

Section 9(b) of the Benjamin Franklin Tercentenary Commission Act (Public Law 107–202; 36 U.S.C. note prec. 101) is amended by striking ''not later than January 16, 2007'' and inserting ''not later than January 16, 2009''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

Mr. Speaker, Benjamin Franklin stands out in American history as a Founding Father of this country and a true Renaissance man.

Since childhood, we have all enjoyed the wonderful stories of his remarkable life as statesman, scientist, inventor, and diplomat. We have now been afforded the opportunity of bringing the

life and times of Benjamin Franklin to cities across the United States and overseas through the work of the Benjamin Franklin Tercentenary Commission. This Commission was established by Congress in 2002 to commemorate the 300th anniversary of Benjamin Franklin's birth in 2006.

The Commission hosts exhibits in a number of communities around the United States as well as in France, where Franklin served as the American Minister to Paris. These exhibitions represent a rare opportunity for the public to view the largest collection of Franklin artifacts through displays of his household furnishings, original works of art, manuscripts, and documents. In addition, through interactive multimedia exhibits and an Internet Web site, viewers are able to immerse themselves into the Franklin experience. The Franklin celebrations, organized under the Commission's guidance, offer the public an opportunity to become more familiar with Benjamin Franklin by getting a glimpse into the inspiring life of this American treasure.

Because of the expanded nature of its program, it is requested that the life of this Commission be extended so that they can continue their valuable work.

I urge all Members to come together and recognize the life and continuing legacy of Benjamin Franklin by supporting H.R. 4586.

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

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

Mr. Speaker, as a member of the House Government Reform Committee, I am pleased to join my colleague in the consideration of H.R. 4586, the Benjamin Franklin Tercentenary Commission Act.

This bill, which was introduced by Representative MICHAEL CASTLE of Delaware on December 16, 2005, and was unanimously reported by the Government Reform Committee on March 30, 2006, extends the authorization of the Commission until fiscal year 2009.

Mr. Speaker, in 2002 Congress created the Benjamin Franklin Tercentenary Commission, a panel of 15 outstanding Americans chosen to study and recommend programs to celebrate Franklin's 300th birthday and to mint a commemorative coin of Ben Franklin. Extending the Commission past 2007 to 2009 will allow the funds from the sale of the recently issued Ben Franklin commemorative coins to truly benefit the many Commission programs planned and underway to honor Ben Franklin.

The Benjamin Franklin Tercentenary, which was founded in 2000 by a consortium of five Philadelphia cultural institutions, is currently presenting an international traveling exhibition entitled ''Benjamin Franklin: In Search of a Better World.'' This exhibit has been organized to commemorate the 300th anniversary of Franklin's birth and will travel around the United States and France. The exhibit premiered in Philadelphia last year and just recently stopped in St. Louis, Missouri, and from there it would go on to Houston, Texas; Denver; Atlanta; London; and Paris.

Benjamin Franklin was this Nation's greatest citizen perhaps, diplomat, statesman. He was a scientist, a philanthropist, humanitarian, inventor, and humorist.

As a matter of fact, Mr. Speaker, I can remember when I was a child and found things to read that reading about Benjamin Franklin was really just simply one of the great joys of growing up, and I never will forget one thing that he said. I mean, he had all of these ideas about virtue, and he said on temperance, ''Eat not to dullness, drink not to elevation.'' And I was asking a young fellow the other day what that meant, and he said that Franklin was saying don't eat until you get too filled and don't drink until you get too high. So, obviously, there are a lot of people in our country and our society who could remember that.

But I am indeed pleased that we are recognizing the amazing achievements of Benjamin Franklin by celebrating his 300th birthday and presenting an international traveling exhibition.

I firmly support H.R. 4586 and urge its passage.

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

□ 1830

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 4586, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the bill, H.R. 4586, 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 extend the life of the Benjamin Franklin Tercentenary Commission.''.

A motion to reconsider was laid on the table.

JACOB FLETCHER POST OFFICE BUILDING

Ms. FOXX. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5664) to designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the ''Jacob Fletcher Post Office Building,'' as amended.

The Clerk read as follows:

H.R. 5664

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

SECTION 1. JACOB SAMUEL FLETCHER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, shall be known and designated as the ''Jacob Samuel Fletcher Post Office Building''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, H.R. 5664, offered by the distinguished gentleman from New York (Mr. KING) would designate the post office building in Babylon, New York, as the Jacob Samuel Fletcher Post Office Building.

Mr. Speaker, Jacob Fletcher's love for his country was second to none, and his patriotism was evident in his service in the United States Army. He was a 1994 Babylon High School graduate who enlisted in the Army shortly after the terrorist attacks on September 11, 2001.

After completing basic training, he continued on to earn his wings as a paratrooper. Based in Camp Ederle, Italy, Jacob Fletcher was one of the first Americans to land, along with his fellow paratroopers, just north of Baghdad during the first week of the war. Jacob, just 11 days shy of his 29th birthday, was killed on November 13, 2003, when a roadside bomb exploded next to the bus he was on in the town of Samarra.

With gratitude for his bravery and sacrifice to our country, I ask all Members to join me in naming the Babylon, New York, postal facility in his honor.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he might consume to the gentleman from New York (Mr. ISRAEL), one of the great sons of New York.

Mr. ISRAEL. Mr. Speaker, I thank my distinguished friend from Illinois for yielding me time.

Mr. Speaker, I also thank my friend from Long Island, Congressman PETER KING, for sponsoring this resolution and for allowing me to cosponsor it with him.

Mr. Speaker, I rise today to honor Jacob Fletcher and his family, and urge my colleagues to support this resolution to name the Babylon post office in his honor.

Mr. Speaker, the Babylon post office no longer resides in my congressional

district, but I do have the privilege and the honor of representing Jacob's mother, Dorrine Kenney. She is a constituent; she is also a dear friend. She has become an important advisor to me on so many military issues that I confront as a member of the House Armed Services Committee.

Her son, Jacob Samuel Fletcher, was a native of Long Island, and if this bill is passed, all of Long Island will know about his life and his untimely death. Jacob Fletcher grew up on Long Island, he dreamed of serving his country on Long Island. He represented us proudly when he went to Iraq.

On March 23, 2003, he and the 173rd Airborne Brigade jumped into northern Iraq and made their way to Kirkuk. On November 12, 2003, Jacob was killed by an IED on Highway 1 in Samarra.

Mr. Speaker, this kind of news does not tell us the fullness of a life. We see a name in the newspaper, we see a face, we see statistics and numbers, but none of that really describes the fullness of a life, and so I want to take this opportunity to share with my colleagues and with all America the life of Jacob Fletcher.

He was an athlete. He was an artist with a talent for drawing. He played drums. He wrote poetry. He was described as having a big heart, and of being a good listener. And those are the traits that I see in his mother.

In response to her son's death, Dorrine Kenney had every right to retreat into her own grief, to wait for the entire world to feel sorry for her and to support her. But she refused to do that. Instead she created the Jacob's Light Foundation. It sends care packages to our servicemembers in dangerous places around the world. It sends toiletries and food and snacks and reading materials and sunscreen and writing materials, all of the necessities that our troops require.

Rather than retreating into her grief, Dorrine Kenney felt it was her responsibility in her son's name to help improve the quality of life for her son's comrades.

A few months ago she came to my office, Mr. Speaker, and she was angry. We sat down and she said that she was receiving e-mails from troops in the field in the theatre in Iraq complaining that they had not received coagulant bandages, which the Department of Defense has said could save 50 percent of casualties in Iraq, and she asked me to look into it.

We called the Pentagon, and it took us a few weeks, but, in fact, we were able to solve that problem. And we are working with the Army even today to make sure that those bandages are arriving in dangerous places like Iraq and saving lives.

Another example, Mr. Speaker. This woman could have felt sorry for herself. Instead, she dedicated herself to coming into my office and working with the Army to make sure that those who were still in Iraq and Afghanistan had the life-saving supplies that they need.

The Army did not respond because of me, it did not respond because of the hearings we had in the Armed Services Committee; it responded because this mother of a son who was killed was contacted by men and women in Iraq who asked for her help.

That is exactly what Jacob Fletcher was all about, helping when people needed help, listening when people needed to be listened to. It is fitting that there is a foundation named for Jacob Fletcher which sends parcels to servicemembers who need them. And it would be even more fitting, Mr. Speaker, to name a post office in honor of Jacob Fletcher where parcels will be sent, and where the American people and those who live in Long Island will understand what he stood for, what our country stands for, and will remember him always.

Again, I thank the gentleman from Illinois for giving me this time. I thank the gentleman from New York for his leadership on this.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Speaker, like my colleagues, I am very proud to stand today in support of H.R. 5664. I was very proud to introduce the resolution. And I want to thank Mr. ISRAEL, my colleague from New York, for the strong support that he has given me on this resolution and also for the strong support that he has given to the Kenney and Fletcher families.

Mr. Speaker, it has been discussed what Jacob Fletcher achieved during his life, what he achieved in his death. And he was an exceptional, exceptional human being and a young man. As was stated, he grew up in Long Island, but he dreamed about joining the military even as a young boy.

In fact, the story, it is a true story, that he actually submitted an application to join the Army when he was only 8 years old. And his mother had to explain and turn away the enlistment officers when they came to the house that Jacob was too young to join the Army. She had a tougher job of actually explaining it to Jacob that he was too young to join the Army.

But his patriotic passion cannot be extinguished, and after the September 11 attacks against our country which killed so many New Yorkers and so many Americans and also claimed a family friend, Jacob joined the Army and fulfilled his life-long calling to serve his Nation.

Jacob came from a military family. His father, his stepfather served in the Armed Forces during the Vietnam War, and Jacob's grandfather was a veteran as well.

As Congressman ISRAEL and Ms. FOXX mentioned, Jacob completed his basic training and his airborne school at Fort Benning, and he was among the very first Americans to land in Iraq, parachuting under the cover of darkness during the first week of the war.

During his time in Iraq, Jacob and his fellow soldiers spent much of their time in Iraq training police officers. And in conversations with his family, he spoke of how much he wanted to help these people as this was his calling. He very clearly felt that this was the right thing to do.

Unfortunately Jacob's life ended tragically before he could return home and before he could fulfill all of his dreams. On November 13, 2003, a roadside bomb exploded near the convoy he was in near the town of Samarra, and he died the next day, November 14. He was just 28 years young. He was awarded a Purple Heart and a Bronze Star, and he was also posthumously promoted to specialist.

Like Congressman ISRAEL, I have had the privilege of working with his mother Dorrine, who, again, rather than curse the darkness, has done so much to help those who are in combat in Iraq, in Afghanistan, throughout the world. She has brought Brownies to my office, Girl Scouts. She is active on so many different issues involving the welfare of our solders. I admire her for having the strength that she does.

Congressman ISRAEL and I were at a recent 9/11 commemoration at Farmingdale University. She was there at that, Dorrine was there. So she again has done so much in memory of her son.

Similarly, I have the privilege of having his father, Mo Fletcher, reside in my district. Mr. Fletcher is a Vietnam veteran. He is also a very courageous man who gives so much of his time to veterans, to the military. Whenever a soldier is killed in combat who is from Long Island and adjoining areas, Mo Fletcher goes to the wake, goes to the funeral, stays with the family. So he is a very, very decent human being. And you can see why Jacob turned out to be the outstanding man that he was.

In addition, Jacob is survived by his stepfather, his sister Tara, and his brothers Scott and Josh.

I just urge all the Members of this body to really cast their vote for a true American hero, Jacob Fletcher, who gave his life so that all of us could be free, and may he rest in peace, and, again, may God bless him and his entire family.

Mr. DAVIS of Illinois. Mr. Speaker, I would yield myself the balance of our time.

Mr. Speaker, as a member of the Government Reform Committee, I am pleased to join my colleagues in consideration of H.R. 5664, which names the postal facility in Babylon, New York, after Jacob Samuel Fletcher.

H.R. 5664 was introduced by Representative PETER KING and strongly supported by Representative ISRAEL. This measure, which has the support and cosponsorship of the entire New York congressional delegation, was unanimously reported from our committee on July 20, 2006.

Jacob Fletcher, a native of New York and graduate of Babylon High School, was a young man with a life-long goal

of joining the military. Finally at the age of 27, he was able to join the Army. A member of the 173rd Airborne Brigade, Private First Class Fletcher made an historic jump into Iraq on March 23, 2003, the first week of the war.

Sadly he was killed when a roadside bomb exploded the bus on which he was riding on November 14, 2003, in Samarra, Iraq.

Mr. Speaker, designating the Cooper Street Post Office in Private First Class Jacob Fletcher's name honors the tremendous sacrifice of this soldier, and demonstrates how much we value his life. I urge swift passage of this bill.

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

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 5664, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the bill, H.R. 5664, 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 designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the 'Jacob Samuel Fletcher Post Office Building'.''.

A motion to reconsider was laid on the table.

□ 1845

HONORING SERGEANT GERMAINE DEBRO

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

Mr. FORTENBERRY. ''It's hard to be sad when I'm so proud. You are my hero.'' These were the words Alvin Debro, Jr., used to bid his brother, Sergeant Germaine Debro, a final goodbye.

Sergeant Debro was killed near Balad, Iraq, on September 4 when his Humvee hit a roadside bomb. A member of the Nebraska National Guard, he had served in both Bosnia and Kuwait. Because of these recent deployments, he was not required to go to Iraq. But as a single man with no children, he volunteered so other soldiers would not have to leave their families.

At the funeral service at Morningstar Baptist Church in North Omaha, Pastor Leroy Adams said to us: I look across this sanctuary, and I see America, one Nation, under God, in a church brought together by Germaine. It's not how long you live, it's how well you live.

His friends recall Germaine's love for life, selflessness and compassion for others. Germaine's mother, Pricilla, said her son died a proud soldier. Our Nation will be forever grateful to Sergeant Germaine Debro and his ultimate sacrifice.

COMMUNICATION FROM THE HONORABLE BOB NEY, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from the Honorable BOB NEY, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER HASTERT: It has been an honor and a privilege to serve the House as Chair of the Franking Commission. I am grateful to Chairman Ehlers for the opportunity I have had to serve in this position.

I have thoroughly enjoyed working with the majority and minority staff of the Franking Commission, as we have worked together to ensure the standards of the Commission have been met. In particular, I would like to commend Jack Dail and Rich Landon for unending dedication to the commission. The purpose of this letter is to inform you that I am removing myself from the Franking Commission effective today.

Sincerely,

BOB NEY,
Member of Congress.

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.

AMERICA EVEN BETTER THAN WAL-MART

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

Mr. POE. Mr. Speaker, some say it's the best part of Wal-Mart, those happy greeters wearing a smiley face like this one I have here, giving helpful directions, giving coupons away. Others say these greeters even help with shoplifting. I just love Wal-Mart and those greeters. If a product is not at Wal-Mart, you just don't need it. Wal-Mart greeters make a good place even better.

However, the same could not be said of our national greeters. When I look at our southern border, I see policies that have turned our Border Patrol into an army of glorified gun-toting Wal-Mart greeters. They stop some of the thieves from coming into America, but they seem to end up acting like our official greeters, because our government has tied their hands.

Our government seems to be more concerned about the people who enter America illegally than our border agents, those that are already here and charged with protecting our border. Their work is subject to extensive intimidation by the Mexican Government, because Mexico doesn't want their own citizens, so they send them to the United States. Mexico uses treaties and lawsuits to give their citizens the protection that even Americans don't have.

The Mexican Government even gives illegals, heading north, maps so they can know where they illegally enter the United States and confront our border agents. Mexico is handing out shopping carts and the store directory to the virtual Wal-Mart, America.

But because we don't secure the border, we are opening up our aisles. But our version of Wal-Mart has an even better deal for these invaders, because it's all free. The American taxpayer pays for everything the illegals take from our Nation.

Take for instance, aisle number one, free health care. Mexico won't take care of its citizens, so the United States has become the free HMO of Mexico. It is a known fact that there are signs in Mexico telling expectant mothers what clinics across the border can deliver their anchor babies. Once those babies get sick, aisle one is the place where all their health care needs can be met: doctors, free health insurance, formulas, immunizations with no questions asked, and, of course, no bills. What a deal.

Aisle number two, it's the best education money can buy. Illegals enroll their child, and they can go to school through the 12th grade for free. In Mexico, that government only educates their children through the sixth grade. So the government says, go to America. The Americans will give you a free education in our language, Spanish, and if the student is hungry or needs after-school care, don't worry, aisle number two has free hot lunches, free after-school programs and, after all, our Wal-Mart only has the best.

We can't forget aisle number three. For all your identification needs, we have matricular cards for these illegals. Plenty of States and even the government accepts them for driver's licenses, Social Security and even fake IDs.

Let us go to aisle number four, free Social Security benefits for you and your kids. Aisle number five. It's free welfare to illegals, food stamps, housing, day care.

Mr. Speaker, I did not come up with the idea of calling our border agents Wal-Mart greeters. The truth is, that's what they call themselves. Because they know they are on the side of the American law, but the American law is not really on their side. They end up appearing to greet illegals instead of having the authority to send them back home.

If border agents are really allowed to do their job, our government doesn't seem to back them up. Today, Ignacio Ramos and Jose Compean, two Border Patrol agents who shot a Mexican drug dealer, are being punished by a disloyal American government for just doing their job. After all, shooting a drug smuggler is no way for a greeter to act.

A border agent told me in Laredo recently that agents are told by supervisors at our legal ports of entry, quote, We are a port of entry, not a port of denial. So when in doubt, let people in, don't keep them out.

What an absurd policy for security, but a great greeter policy. Our Border Patrol agents should not be Wal-Mart greeters. They are law enforcement officers. They need American policy that is very clear. Keep the drug smugglers, the human smugglers and the terrorists out of America. Protect the sovereignty of our Nation.

After all, it is illegal to come to America without permission. It makes no difference what the Sly Fox of Mexico or his replacement, Commander Calderon, think. It is still our country. Unless we are serious about border security and have firm, well-defined laws on border security, we may as well replace the badge our Border Patrol agents wear with a smiley face of a Wal-Mart greater.

And that's just the way it is.

REPUBLICANS FENCING OUT ORDINARY AMERICANS

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

Mr. MCDERMOTT. Mr. Speaker, the Republicans are so concerned about their own hides that today they voted to fence off the U.S. Constitution from the American people. There is nothing to do with borders between the U.S. and Mexico or between the U.S. and Canada. It has everything to do with the Republican Party fencing out ordinary Americans from participating in their own government.

Why let everyone vote when they might actually vote for the Democrat or for the independent? Democracy is messy for the Republican Party these days, so they are going to short-circuit the process. Who needs to stay up late to watch the vote returns or worry about exit polls, when Republicans have come up with a plan to deny 7 million ordinary Americans the right to vote?

Of course, they have targeted people they don't think will vote Republican: the disadvantaged, the disabled, the elderly, Native Americans, among others. Republicans like to say they are spreading democracy around the world. Here at home, they are using this bill to disenfranchise American people.

Republicans have created a nonexistent crisis because their right-wing base is unhappy and in need of attention. Today the Republicans moved to solve a crisis they created. They want everyone to have an official government-issued photo ID before they could vote.

So much for that Republican line about getting the Federal Government out of our lives. The Republicans want the Federal Government in your face, snapping pictures. Before you could vote, you would have to produce an official government-issued photo ID. A passport would work. You know, that is the kind of document that the rich have, because they take vacations in other countries. The poor don't take vacations at all. No passport, no vote. No problem for Republicans.

Of course, the Republicans will rush to the podium over here to say that you can use your driver's license. They will not tell you that the National Commission on Federal Election Reform in 2001 estimated that up to 10 percent of Americans eligible to vote do not have official State photo ID, like a driver's license; no photo ID, no vote, no problem for Republicans.

Now, in Georgia and Missouri, they tried this. It was thrown out in court. So today we do it at the national level. We are going to do it for everybody. They will be delighted if ordinary Americans stay home on election day. In fact, they would be relieved.

They know that this bill will encourage it. That is why Republicans are behind it 150 percent. It is the latest step in the Republican strategy to hold on to power in the election of 2006, even if they have to dismantle the democracy to do it. They passed the Help America Vote Act, and then amended it to become the Help Republicans Stay in Power Act by underfunding the legislation.

They said they were helping, but they put no money out there. It is reminiscent of Florida in 2000. Republicans are building a border fence inside our borders to keep the American people out of participating in their own government. This bill will prevent millions of people from casting a ballot, exactly what the Republicans want.

Republicans want to replace the fundamental right in America, the government of the people, by the people and for the people with something else: government of the few, by the privileged and for the rich. This is the creed of the Republican 1 percent Party.

The President of the League of Women Voters, Mary Wilson said, ''This is an attempt to politicize the voting process by erecting barriers to keep many eligible legal voters from participating. Congress should not be playing politics with our right to vote,'' closed quote.

Yet the Republicans are hijacking the right to vote of an ordinary Americans. Why? Because they are afraid of losing power and afraid they can't scare the American people into submission any longer. Letting every eligible American vote means the American people might actually choose the person they want.

That is something Republicans find truly frightening, so they are building a fence to keep the Americans out of America. But the fence won't go up in this bill till 2008, so the American people have a mid-term election ahead. You know what they are up to. You know what they want to do.

But you have a chance to vote, still, everybody has a chance to vote, and the people can vote and protect their right to vote by voting against people who will put up this kind of legislation. We saw in 2000 the efforts to keep people away in indirect ways. This is a direct shot at Americans' right to vote.

□ 1900

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

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

IN RECOGNITION OF OPERATION HOMETOWN GRATITUDE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from North Carolina.

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. GUTKNECHT. Mr. Speaker, Harry Truman once said, ''America was built on courage, on imagination and an unbeatable determination to do the job at hand.''

I rise today in recognition of Operation Hometown Gratitude. Operation Hometown Gratitude is an effort started by students from Rochester, Minnesota, Public Schools to recognize the hard work and sacrifice of our Armed Forces. The operation was formed to thank our troops by sending care packages and supplies.

I would like to recognize all of the students for their dedication. I am especially thankful to student organizers Katie White, Kelcey Evers, Brian Ehni, Corey Hinsch, Dayton Root, Greg Tri, Mitch Haack, Lucas Kirkam, Jon Nelson, Paul Keehn and Jayna Rench. As someone who has witnessed firsthand the gratitude of our Armed Forces when they receive these care packages and letters of encouragement, I can assure each of these young people that their work is important.

The energy and enthusiasm of these young people was harnessed by a great American. Gary Komaniecki is a teacher at both Rochester John Marshall and Mayo High Schools. Gary is the advisor for these young people and should be recognized for his continued support for our men and women in uniform. Gary has received assistance from Judy Evers, Brenda White, Deanna Mandler, Arthur and Shirley Scammell and Maggie Hovel.

I would also like to recognize the sponsors of this program: VFW Post 1215; all three Rochester HyVee locations; Terry Timm of Ye Olde Butcher Shop; Dave Evans from The Printers; Darel Nigon from Nigon Woodworks; Shawn Flippin from National Pawn Company; Rochester Culvers, both north and south; Jim Rush from A–Z Embroidery; and Homestyle Pizza.

Make no mistake, this job is not easy. The people of Iraq and Afghanistan lived under brutal regimes for decades. There is much to be done, and our Armed Forces continue to do their jobs well.

Mr. Speaker, the young people who have spearheaded Operation Hometown Gratitude, as well as the sponsors who seeded this work, are not just sending care packages and supplies. By their support and their effort, they are displaying what Harry Truman meant by ''unbeatable determination'' and playing a major part in doing the job at hand.

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.)

ON THE CRISIS SITUATION IN DARFUR

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to claim the time of Mr. DEFAZIO.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to commend Mr. PAYNE of New Jersey and all of those who have demonstrated tremendous leadership on this issue.

I have been told time and time again that the only way that evil can triumph is when good people do nothing, and I believe it was Dante who suggested that the hottest places in hell are reserved for those who declare neutrality and do nothing in times of great crisis.

We have all heard of the atrocities that are continuously being heaped upon the people in the Sudan. It is now time for us to act, and to act convincingly. We have to ask ourselves the question, if not us, then who? If not now, then when?

I am here tonight to help sound the alarm once again on genocide in the Sudan. There is no room for neutrality in the face of the crimes being committed there each day. Amnesty International has renewed its charge that the international community is not doing enough to protect women in the Darfur region and the refugee camps in Chad where mass rape is being used as a weapon.

Since 1983, more than 2 million black civilians have died during the civil war in the south Sudan. That struggle was especially brutal for the civilian population. Slave raids resulted in the enslavement of women and children, gang rape, ethnic cleansing and the imposition of famine conditions for hundreds of thousands of people.

On October 21, 2002, the President signed the Sudan Peace Act, which stated in part that the acts of the Government of Sudan constitute genocide as defined by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. That bill requires President Bush to certify every 6 months that the government in Khartoum is negotiating in good faith for an end to the civil war. According to some sources, we may be close to a framework for peace in that region.

Mr. Speaker, only a short time ago we paused here to mark the 10th anniversary of the genocide in Rwanda, where more than 800,000 people died while the world watched and did nothing. Once again, genocide has unfolded before us, and those who have taken note have expressed their horror at what we have seen. But where is the public outcry? Where are the front page pictures? Where is the response of our government on behalf of the American people? I can tell you there has been some, but there has not been nearly enough.

So I join with my colleagues here this evening to call for the unequivocal, absolute declaration that genocide in the Sudan must end, and that it must end now. Not next year, not next month, but tonight.

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.)

ADDRESSING THE MEDICARE PART D DOUGHNUT HOLE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Nebraska.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. BURGESS. Mr. Speaker, we heard a lot last spring about the voluntary Part D prescription drug program that seniors had available to them for the first time. We haven't heard much about it recently, but it is important to revisit the concept because of two aspects.

One is the open enrollment period, which is going to begin the middle of November and run through the end of the year; and the other is to address the fact that some seniors are coming upon what is called the coverage gap. They have received enough help in the prescription drug program, and they have come into a period of spending where they are expected to cover the whole cost of their prescription drug components until they get up to a catastrophic level, after which they will only be responsible for 5 percent of their drug expenditures.

Mr. Speaker, last spring when we talked about the Medicare prescription drug program back home, I would tell my constituents to focus on cost, coverage and convenience. If cost is your biggest driver, then look for the plan that has the lowest cost. That is pretty easy to do if you have got a computer and can go to Medicare.gov and scroll through the various computer screens of the plans out there.

In my State in Texas, there were some 48 different plans and combinations of plans that were available, but it is pretty easy to pick out the ones that are the lowest cost. If cost was the main driver, that is what I would encourage people to do, and then focus in on those three or four that were the lowest-cost plans.

If coverage was the main driver, there was a column devoted to coverage as well. You can certainly pick and choose from plans that covered 95, 98 percent or even 100 percent of the drugs in the Medicare formula.

Finally, convenience. If you want to use mail order, make sure that the program that you are looking at conforms to that expectation. If you want to use the Wal-Mart pharmacy, if you want to use the mom-and-pop drugstore down on the corner, make certain that that dispensing entity is available on the drug plan.

But by focusing on cost, coverage and convenience, then this rather daunting prospect of looking at 48 different drug plans became a whole lot easier.

Remember, Mr. Speaker, when we passed the Medicare drug prescription program, the idea was with the finite number of dollars we had available we were going to cover the people most in need. That meant the people who had the most trouble with illness, who were on the most medications, and those people who were the least well off. The sickest and the poorest received the greatest amount of help from the Medicare prescription drug program. And that indeed has been borne out. But of necessity, those of us who are more well off or perhaps not as ill will find ourselves exposed to some expenditure for prescription drugs in the so-called coverage gap.

Well, 92 percent of the people who signed up for Medicare are not affected by the coverage gap. That is, 45 percent of all Medicare beneficiaries will be eligible. Some fall into a category where they are eligible for low-income subsidies and therefore not affected by the gap. They have annual drug expenditures well below the $2,250 level and will never reach the gap, or they have chosen an enhanced Part D plan that provides some coverage in the coverage gap. An additional 47 percent have prescription drug coverage from plans outside of Part D, government plans, veterans plans or another Federal program, or an employer-sponsored program. Or there are those 9 percent who just said, I don't get sick, I don't need drugs, I don't take drugs, and I am not going to sign up. Forty-seven percent of Americans fall into that group. So 92 percent of people will never be affected by the coverage gap.

But of those 8 percent who are, and this is the most important part, they need to concentrate on one of the enhanced plans when the open enrollment period comes up on the 15th of November.

Every Medicare beneficiary, every single Medicare beneficiary, 100 percent are covered for catastrophic.

What I would like to do with the balance of the time is to focus on the individuals who would benefit from being on an enhanced drug program.

Mr. Speaker, I have just taken a random page from some of the plans that are available in my State of Texas. This is what will appear on someone's computer screen. You have the company name, the plan name, monthly drug premium, the annual deductible, the cost-sharing coverage in the gap, the formulary percentage of drugs covered, and a checkmark for whether or not someone is enrolled in that plan.

If the plan you are in leaves you exposed in the coverage gap, I encourage people to go back to the computer screen or have their grandchild go to the computer for them and scroll through the plans available.

If you look down, Mr. Speaker, you will find that some of the plans, albeit they are more expensive from the standpoint of the monthly premium, but look, here is one with a zero dollar annual deductible. Yes, it has some cost sharing, between $2 and $40. Coverage in the gap, yes. Generic only, but if a person is on a blood pressure medicine, cholesterol-lowering medication or reflux medication, this may be a very valuable plan. And then the one right below it, again no deductible, but generic and branded.

This is the type of coverage someone needs to focus on if they found themselves having the expenditures in the so-called coverage gap.

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

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

ADDRESSING THE CRISIS IN DARFUR

Mr. WATT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from New Jersey.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. WATT. Mr. Speaker, as chairman of the Congressional Black Caucus, I want to start by thanking my colleagues in the Congressional Black Caucus, Representative DANNY DAVIS, who has already spoken, and the other members of the Congressional Black Caucus who are here this evening to shed more light on what is going on in the Sudan and to challenge our other Members of Congress and our administration to take action in this dire situation.

Many people, when they saw the movie Hotel Rwanda, believed that it was a fictional movie. Unfortunately, the actions, the things that were depicted in that movie, were not fictional at all. It is true that actors and actresses played the roles, but it depicted something that had actually transpired in our world, which has been described by Representative DANNY DAVIS as over 850,000 people killed through acts of genocide.

□ 1915

Unfortunately, that occurred with our United States Government and people around the world knowing that genocide was taking place in Rwanda and not taking any action to do anything about it.

Well, we are now facing a similar situation in the Sudan. We are up now to what is estimated to be 450,000 people having been killed by official governmental actions, genocide. We have declared it to be genocide. Our government has declared it to be genocide. And in addition to the 450,000 people who have been killed, over 2 million people have been displaced from their home communities, their villages, because they are fearful of staying in their communities lest they be killed by genocide also. And the beat goes on daily.

Mr. Speaker, this is something that must stop. It is inhumane and it is something that our country and people around the world should not continue to tolerate.

We visited, a number of us, Members of the Congressional Black Caucus and others, visited the Sudan and actually went into the displaced persons camps where we found conditions were horrible, where we found disproportionately women and children, because the men had stayed behind to fight, and most of them had been the victims of the killings and genocide. So we are going to have a situation where more and more and more children are going to be without parents if we do not act, and that is unacceptable.

The African Union troops have gone in to try to stabilize the situation, but we met with the African Union troops and their resources are depleted and they are not mobile enough. Even when they know another act of genocide is about to occur, they cannot move fast enough to the location where they know it is going to happen to prevent it from happening.

And so we have made it clear that the only way this can be resolved is for United Nations troops to be put into that area to stop the genocide that is going on.

Now, let me tell you what happened. The U.N. met and a resolution was passed, and still the United Nations troops are not in Sudan. The U.N. met and a resolution was passed authorizing troops to go into Lebanon, and the U.N. troops are already in Lebanon.

So there is something going on here, Mr. Speaker, that we need to expose to the world. We cannot distinguish between folks just because they are in Africa as opposed to the Middle East. We have got to take action. We call on our Congress and our administration and people around the world to do so this evening.

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

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

DARFUR

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

Ms. KILPATRICK of Michigan. Mr. Speaker, the world is in total crisis. The conflict and the devastation in the Darfur region of Sudan is abominable. I call on the President of the United States, who named Andrew Natsios at the U.N. to be the Special Envoy, that we put the full might and credibility of what we have left in our country behind the genocide that is taking place in Darfur.

You have heard the numbers. Atrocities, government-sponsored terrorism, where the President of Sudan does not even acknowledge not only the U.N. forces, not only the African coalition that is there to help secure his people, but that genocide and the killings really exist.

I was on one of the delegations that went to Sudan earlier this year in a bipartisan, bicameral visit. It was outrageous what we saw. Yet, today, as the heightened conflict, killings, this government in Khartoum is now dropping bombs on the civilian population in the refugee camps. Just think about it. They have run them out of their villages. They have burned their villages. They have raped the women. They killed the men and had the children in total chaos and asking for help.

We are the most powerful Nation in the world today. We say that all the time. We must rise up to save the young children, the women, and the men for the sake of their own country.

President al-Bashir has turned his head on it. The Janjaweed, men on horses who ride herd on those villages, kill people, innocent civilians, it could be you, but you are living in another country.

I am asking tonight that we recognize the genocide, the horrific conditions that are going on in Darfur, which is in the southwest region of Sudan. Sudan is the largest country geographically in Africa. It has black Africans, African Arabs and others in the country.

Khartoum in the northern part of the country is where the seat of government is. They just recently signed a

southwest agreement in Darfur that they might be better, and better take care of their people, which they are not doing.

The security is deteriorating. There is a credible threat of famine that exists. More and more people are going hungry and starving, and the world relief food efforts are not able to get to the people who have been run off of their land.

The cease-fire is in shambles. The U.N. peacekeeping authority must keep in, and President al-Bashir is not letting them in.

Rise up. We need the Nations that surround the Sudan to speak up.

Egypt President Mubarak, I have been a strong supporter of Egypt, and I still will be, but you must speak up. You must do more. You and I have talked about this. You must do more.

Jordan, King Abdullah, you have got to get involved. You have got to get involved. People are dying as we speak.

The region must rise up. How can you let this happen one more time in any part of the world? These are people who cultivate and live and grow food before this atrocity which now has outlasted any other, including Rwanda, in terms of its devastation and loss of life.

The Chad-Sudan border that I visited on another occasion is overwhelmed by the people who are fleeing Sudan. Do we want to keep the chaos going? Do we not really have to sign up as God's people, one Nation under God and treat all of His people the same?

We have the authority, we have the power, and we have the partnerships to bring this to a conclusion. So I join my CBC colleagues this evening and ask that America rise up, that the Middle East region speak out to help people who cannot help themselves.

I want to thank Congressman DONALD PAYNE who is the author of a resolution that we sponsored and passed, H.R. 3127. We passed it in April. We sent it to the Senate, where they sat on it. Now, I understand a Senator does not want to pass it because it was too strong. How can a resolution be strong, too strong when it is about the very subsistence of life for a people?

So I call on all good men and women of the world, Darfur needs us to step up, the people, the children, the women, the men, the villages. We can do better.

I ask that we stand and fight and speak and work, that the people in Darfur can have life and have it more abundantly.

Mr. Speaker, today the African Union agreed to extend its mandate of peacekeeping forces in Darfur through the end of the year ensuring that international troops will remain in the Sudanese province for now. I rise today to support H.R. 3127, the Darfur Peace and Accountability Act. Current circumstances dictate that we develop tangible solutions, in order to provide hope to the people of Darfur. Darfurians are suffering extreme hardships. Every day is a struggle to survive for the Internally Displaced Persons, IDPs, in camps in Chad.

The Sudanese conflict in Darfur is the longest running civil war in Africa, and there are no clear signs of a negotiated resolution. President Bashir has said time and time again that he will not approve U.N. forces to come in to his country.

There are at least 2.61 million people affected by the conflict. Children no longer attend school, women face the prospects of rape, violence and death each day as they exist in refugee camps and venture outside the confines of camp for water and firewood. 70,000 people have already lost their lives. The number of displaced persons continues to expand and is estimated now at 1.9 million people.

When I say the situation is worsening, the facts reinforce the reality. Even as I stand before you, the Sudanese government is engaged in aerial bombings directed at the refugees. The Janjaweed are directing increasing bold and violent attacks, massacres of refugees. The African Union has affirmed its intention to fulfill its mandate, but it is imperative that the transition to a United Nations force be made consistent with Security Council Resolution 1706.

The world is watching as genocide engulfs victims in an African country. It appears that we did not learn the lessons that resulted from the genocide efforts that occurred in Rwanda. We vowed never to forget; yet, we are not doing enough to ensure the safety and security of innocent victims in Darfur.

It is critical to place the matter of Darfur in context. The porous border between Sudan and Chad is expected to see a massive influx of about 20,000 refugees at the expiration of the AU mandate. A number of estimates suggest that this number will be closer to 50,000 people. The World Food Program has stated unequivocally that they are incapable of providing food and assistance whenever the current crisis deteriorates. The fact of the matter is the current conflict presents a moral imperative for the world and for people of conscience. If nothing is done, there will be negative impact in neighboring countries. Many of the neighboring countries will be overextended as their limited resources are stretched to cope with the needs of the refugees.

It cannot be overemphasized that more leadership must occur in order to end the crimes against humanity occurring in Darfur. It is clear that the government of Khartoum thinks that the world, the U.N. and African and Muslim countries lack the moral resolve to tackle this issue. The countries of Egypt and Nigeria must exert their considerable influence to tackle this ever-widening problem. God and history will judge all of us harshly if we do not rescue the current victims of Janjaweed atrocities.

Former Secretary of State Colin Powell declared that genocide was occurring in Darfur, Sudan. Even with a declaration of genocide, the suffering continues.

We in the Congress have told the people of Darfur that help is on the way. The FY 07 request includes $108 million for refugee assistance, $60 million for conflict management in Sudan, $170 million for Peacekeeping Operations, PKO, which is $30 million less than the request, and approximately $70 million for Contributions to International Peacekeeping, CIPA. But these resources are far from enough.

What is required is a moral imperative and clear, decisive mandates emanating from the UN that provide blue helmet soldiers on the ground with the authority to uphold peace.

I have traveled to Darfur, and I am pained to say that the genocide occurring in Darfur is tantamount to ethnic cleansing by Arab Muslims against indigenous African Muslims. There is no escaping this reality.

In closing, it is crucial that the following occur. We must support the Special Envoy for Sudan, Andrew Natsios, former USAID Administrator appointed by President Bush. Nonetheless, there is still a strong need for passage of the Special Envoy Resolution, H. Res. 992. This resolution not only calls for the appointment of a Special Envoy but also for that individual to have a strong mandate, staff and backing of senior administration officials. Passage of this bill will show Congressional support for the Envoy. All 4 Co-chairs of the Sudan Caucus are co-sponsors.

Finally, the Darfur Peace and Accountability Act, H.R. 3127, passed the House last spring. Another version of this bill, S. 1462, also passed the Senate. House and Senate staff met in April to agree on a compromise. The Senate had agreed to take up H.R. 3127. For months the bill languished. Last Monday, Senator LUGAR introduced a new version of H.R. 3127. Procedurally and time-wise this presents several problems. It is crucial that Congress pass a bill that will address the plight of the victims of Sudan before we adjourn, and that, in turn, the president sign the legislation.

We must send a clear and strong message to our suffering brothers and sisters in Darfur to hold strong.

ENDING THE GENOCIDE IN DARFUR SHOULD BE A TOP PRIORITY

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 rise to add my voice to my colleagues' plea to this administration to make ending the genocide in Darfur a top priority.

Mr. Speaker, I rise, joining my colleagues, thanking them for all of the work that they have done. The Congressional Black Caucus, led by Mr. DONALD PAYNE, have done everything we could possibly do.

Members of the Congressional Black Caucus and other concerned Members of Congress have written letters to the Bush administration, letters to the United Nations, visited the United Nations on more than one occasion, met with Kofi Annan. We have done everything we could possibly do. Each of us individually have written letters. I wrote to the President back in 2004 and implored him to take action.

In July of 2004, I sent letters to the other members of the United Nations Security Council, urging that the United Nations take action to end the slaughter in Sudan. This letter was signed by 41 Members of Congress, including my good friend from across the aisle, Congressman SPENCER BACHUS.

Last April, Members of Congress sent a letter to Secretary of State Condoleeza Rice expressing our support for the appointment of a Special Envoy

for Sudan. Well, I understand 2 years later, after the administration even admitted and agreed that genocide was going on and after the Members of Congress have sent letters to the Secretary of State and to the President, finally an envoy is being sent to the Sudan. A little bit late, but we are appreciative for that. We are desperate.

Also, last April the House of Representatives passed H.R. 3127, the Darfur Peace Accountability Act by an overwhelming vote of 416–3. This bill would impose sanctions on the Government of Sudan and block the assets and restrict travel to individuals who are responsible for acts of genocide, war crimes and crimes against humanity in Darfur. Unfortunately, the Senate has yet to take up the bill. I understand that the Senate will be taking up the bill, but they have stripped out an important part of the bill on divestment, but we are desperate. Even with that part of it stripped out, we want this bill passed.

My colleague DONALD PAYNE who helped to author this bill has done everything that he could possibly do to get the Senate to move this bill. We humbly come before the people of this country tonight, not only imploring the President of the United States to use his bully pulpit to make this a priority, to talk with the Chinese, to talk with whomever needs to be talked with, to get something done, to get those troops up there to stop this genocide.

Earlier this year, I traveled to Sudan as part of a bipartisan congressional delegation led by NANCY PELOSI, the minority leader. We visited the refugee camps. As far as the eye could see, there were crowds of displaced persons who had been driven from their homes, living literally on the ground, the little tarps just covering them. It is unconscionable that this should continue.

On April 28, and again on May 16, several of my colleagues were arrested in front of the Embassy of Sudan, protesting the genocide.

And as I said, yesterday, finally, Bush appointed a Special Envoy for Sudan, and this is 2 years after the Bush administration determined that genocide was taking place in Darfur. Again, it is late, but we are appreciative; but we want to say in no uncertain terms, the President must lead an all-out diplomatic offensive in support of a robust United Nations peacekeeping force that will have the authority to protect the people of Darfur.

More than 450,000 people have died since 2003 as a result of the genocide in Darfur. There are 2.5 million displaced people in camps in Darfur and another 350,000 in refugee camps in neighboring Chad. Almost 7,000 people are dying every month in Darfur. There can be no doubt that what is taking place in Darfur is genocide and the Government of Sudan is responsible.

Crimes against humanity in Darfur have escalated in recent months. Over 500 women were raped over the summer in one camp alone. There have been renewed attacks and aerial bombardment and 12 humanitarian workers were killed, two of them in the last 4 weeks. If the United Nations does not intervene in Darfur now, the death toll could rise dramatically in the next few months.

The world stood by and watched the genocide that occurred in Rwanda. The world has noted over and over again the atrocities of the Holocaust. Well, enough said.

Yet we cannot seem to get the international community to move fast enough to stop the genocide that is taking place in Darfur.

The Bush Administration and the international community cannot continue to ignore this genocide. The United Nations must put an end to these crimes before millions more men, women and children are allowed to die.

□ 1930

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4830, BORDER TUNNEL PREVENTION ACT OF 2006; FOR CONSIDERATION OF H.R. 6094, COMMUNITY PROTECTION ACT OF 2006; AND FOR CONSIDERATION OF H.R. 6095, IMMIGRATION LAW ENFORCEMENT ACT OF 2006

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109–671) on the resolution (H. Res. 1018) providing for consideration of the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or subterranean passageway between the United States and another country; for consideration of the bill (H.R. 6094) to restore the Secretary of Homeland Security's authority to detain dangerous aliens, to ensure the removal of deportable criminal aliens, and combat alien gang crime; and for consideration of the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures, which was referred to the House Calendar and ordered to be printed.

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.)

GENOCIDE IN DARFUR

Ms. MOORE of Wisconsin. Mr. Speaker, I would like 5 minutes to address the body.

The SPEAKER pro tempore. Without objection, the gentlewoman from Wisconsin is recognized for 5 minutes.

There was no objection.

Ms. MOORE of Wisconsin. Mr. Speaker, I, like other Members of this body, am very reluctant to use inflammatory rhetoric, and it is very, very inflammatory to label what is going on in Darfur as genocide. It is inflammatory, it is accusatory, it indicts the government. And, moreover, Mr. Speaker it pricks our humanity, because if we were to not deny that it were genocide, there is no way that we could just sit back and do nothing. If we deny that it is genocide, it is just easy to walk away and say that what is going on there is somebody else's business.

Well, the international legal definition of the crime of genocide is found in Article 2 of the Convention on the Prevention and Punishment of Genocide. It describes the two elements that constitutes genocide as, one, a mental element attempting to destroy in whole or in part a national, ethnic, racial, or religious group; and, two, a physical element, which includes five types of violence, Mr. Speaker: killing of members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about the physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group.

Now, if you look at what is happening in Darfur, if you pull off the blinders, you will find that more than 400,000 people have been killed by the government forces and militias from 2003 to the present time, and the killing continues.

Bodily and mental harm certainly has occurred as young women and girls are raped by soldiers and militias. Such physical and mental harm will continue to affect these women and families for generations to come.

Hundreds of thousands of lives have been lost to the deliberate destruction of homes, crops, water resources; physical displacement of over 2 million people, resulting in conditions of famine, disease, epidemics in both inaccessible areas and in camps for displaced people; the killing of pregnant women; the use of rape as a weapon of genocide, as many perpetrators have been arrogant enough to state that their intent is to change the ethnic identity of the child conceived by rape.

2004, July, this House and the Senate declared that the atrocities in Darfur constitute genocide. 2004, September, then-Secretary of State Colin Powell announced that the killing, raping, and other atrocities occurring in Darfur was genocide. But 2 years and much empty talk later, the violence continues, Mr. Speaker.

The U.N. and humanitarian organizations continue to report a continuing deteriorating situation. Twenty-six thousand Sudan Armed Forces are headed to the Darfur region for a major offensive against people. Humanitarian groups have remained concerned that

their ability to continue to provide aid to over 2 million displaced victims are insecure as the violence continues.

The time for debating this genocide or declaring it genocide is over. It is time to do something now.

There are only two options, Mr. Speaker, as I leave to go back to my seat. One would be to extend the African Union peacekeeping force mandate; or, two, to send in the U.N. peacekeepers in Sudan, even though the Sudanese Government refuses to accept them.

Of course, Mr. Speaker, there is one other option: To continue to do nothing. For evil to triumph, it is only necessary that good men do nothing.

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.)

DARFUR

Ms. PELOSI. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. PELOSI. Mr. Speaker, how many times can people say, ''Never again,'' and then proceed to observe the systematic elimination of a people, of genocide? When it happened in Rwanda, we were shocked, horrified. While it was happening and after it happened, we all examined our consciences and said, how could we have let that happen? Never again. That had been said after Bosnia; of course, after the Holocaust, which was the ultimate, of course, genocide.

So here we are with a very well-documented genocide where the people of the world are appalled by it. There is great sadness about the loss of life and displacement of people, much dismay about the fact that the humanitarian assistance cannot be delivered. In fact, some of the humanitarian deliverers of that aid are being killed in the Sudan and Darfur region now. And yet, for some reason, as a country, as a world, we seem incapable of taking the necessary action.

I want to commend DONALD PAYNE for his tremendous leadership on this important issue. With that leadership, some of us went to the Darfur region earlier in the spring of this year. We saw the children. The little ones still sort of had a bright spark in their eyes, the little babies, but as the children got a little bit older, you could see that pall come over them. They had seen too much, pillaging of villages, kidnapping of their fathers, and murder perhaps of their parents, the raping of their mothers; just unthinkable, unimaginable horrible acts of violence right in front of the children. And in their cases, some of them, too, were victims of the same atrocities that I just named.

We had a great delegation. Congresswoman BARBARA LEE was a very important part of it, and she brought her significant knowledge of Africa and of poverty and of divestment in her initiative to lead the divestment movement in this country, and I hope that in the Senate version of the Darfur Accountability Act that the divestment language will be as written by Congresswoman BARBARA LEE.

The chair of our Congressional Black Cause, Congressman MEL WATT, was on our trip. The chair of our caucus, Chairman CLYBURN, MAXINE WATERS. It was a very distinguished delegation, and we went there with the idea that we would make a difference, that our voices would be heard with much greater authority when we came home.

When we came home, we went to the United Nations and we met with Kofi Annan and said how urgent the situation was and that something had to be done, and we had hoped that it would be just a matter of weeks, that was in March, that something would be done. We met with the President of the United States and offered to work together on the issue of the resolving this terrible, terrible genocide in the Sudan.

But the time has gone by. And we said at the time, we can't wait 6 months. They said, well, we probably can't get a U.N. force in there until 6 months. And we said, no, we can't wait 6 months. These children will be gone by then.

We were in a camp that had 100,000 people. These children, these beautiful little children, were living in huts that were made of just discarded materials. And I couldn't help but think that when we send our aid, whether it is grain or rice or whatever foodstuffs we send in those bags that say ''Made in the U.S.A.,'' you wouldn't have thought that you would see those same bags as huts. That is what people lived in, these bags draped over sticks.

The conditions were unhealthy, contributed to the health problems and the loss of life. The situation was desperate. And still, 6 months later, we are still looking for the answer.

Everybody bears a responsibility for this. The American people certainly care, and they have voiced their concern. College campuses across the country are the scene of rallies for Darfur. Central Park on Sunday and other places throughout the country, people turned out for Darfur. Here in Washington a few months ago, an incredible record-breaking crowd came out. The Jewish community, God bless them, has taken the lead. Rabbi David Sapperstein and others have come together, brought the Jewish community to be a major part of this because they knew and they know what ''never again'' means.

So let us, in making these statements that we are making tonight, be part of a resolve that this is a top priority for our country. Last week our delegation, we come together regularly to see how we are doing, where we can make a difference, where we go from here, we met with many of the humanitarian groups that minister to the needs of the people in the Darfur region. They told us that 14 humanitarian deliverers of aid had been killed, as I mentioned. They told us about the horrendous conditions and how it all worsened and how difficult it was to deliver the aid. And we promised them that we would make an even more concerted effort.

So we wrote to the President, talked about the deteriorating situation in Darfur, and we did ask him to appoint a special envoy, and we are very pleased that he made that announcement at the U.N. this week and that there would be an extension, a request to the African Union to renew its mandate until a U.N. force can take over. And that seems to be the course of action that will be taken.

It is not enough. The African Union force is doing a good job for the resources that they have, but they have no mobility, they have no charge to really keep the peace. But they are a presence and a respected one, and I admire the work that they are doing. But they can't do the job without funds, without mobility, the trucks, whatever, to move around quickly, because they are covering an area the size of Texas. This small band is covering an area the size of Texas. Mr. GREEN knows a lot about the size of Texas and the size of Darfur.

We also want to be able to bring our delegation, our delegation was a bipartisan group, together hopefully to meet with the President to set some goals, state the resolve, get the job done.

But this behavior that we saw in Darfur, the treatment of these people, was outside the circle of civilized human behavior.

What we saw from the authorities in the Sudan was denial of what was happening in Darfur. So that makes the challenge even greater. But if our word is to mean anything and our credibility is to be intact, we can't really say never again when we see the horrors of a genocide and the look in the eyes of the children to whom we owe more.

Many of us are very committed to our faith, whatever religion we espouse, and we are taught that we are all God's children and every person is made in the image and likeness of God and that we all carry a spark, a spark of divinity within us; and every person, therefore, is worthy of respect. I believe that is the case.

So what is the justice in these children and their families being at the mercy of the brutality that is being exacted upon them, without the whole world not only saying it but acting upon the words ''never again.''

So in that spirit I express my appreciation to Mr. PAYNE for his leadership. Nobody knows more on the subject, has

more dedication, and has been more courageous in going into places that have been a danger to him personally in order to represent the American people with great distinction and effectiveness. I thank you, Mr. PAYNE, and look to you for your ongoing leadership on this important issue.

□ 1945

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 gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WHERE DO WE STAND?

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I rise to remind my colleagues that Dr. King was right when he proclaimed that the measure of a person is not where a person stands in times of comfort and convenience, but, rather, where a person stands in times of challenge and controversy.

I have a question for my colleagues, Mr. Speaker. The question is: Where do we stand on one of the great challenges and controversies of our time? Where do we stand, Mr. Speaker, on the question of genocide in Darfur? A question that transcends race because there really is but one race, and that is the human race; a question that transcends gender because what is happening in Darfur is happening to persons of both genders. Where do we stand on one of the great questions, one of the great controversies of our day?

It has been said that hundreds of thousands have been killed. Nobody really knows how many; millions displaced, but nobody really knows how many. Where do we stand on this great challenge and controversy of our time?

I have been to Darfur. I was there in the month of August. I have seen the throngs of humanity living in huts made of straw, living on the ground and off of the land, persons living under conditions that we would not want animals and lower life forms to live under. I have seen these conditions. No running water, no electricity, no sanitation facilities. Where do we stand on one of the great challenges and controversies of our time?

I met with the general of the AU forces. He made it very clear that they were being outgunned, that they were being overpowered under certain circumstances, that they needed help, and he would welcome the presence of the U.N. forces. Where do we stand on one of the great challenges and controversies of our time?

We met with NGOs. They told us of how 11-year-old babies had been raped, and how the government would not allow an offense report to be filed. File an incident report, say that it happened, but don't give enough details so that a proper prosecution could take place. Where do we stand on one of the great challenges and controversies of our time?

I met with former rebel leaders who are now part of the government. They want the U.N. forces. They understand that genocide is still taking place in Darfur. They understand that unless we have outside intervention, it will continue. Where do we stand on this great challenge and controversy of our time?

A superpower has to have super vision. Where there is no vision, the people perish. And when a superpower doesn't have super vision, you have super deaths, super atrocities. Where do we stand on one of the great challenges of our time?

Mr. Speaker, Mr. PAYNE, members of the CBC, Leader PELOSI, we stand with the people of Darfur, the indigenous population. We stand for justice, for the least, the last and the lost. We stand for making sure that no decent, self-respecting company does business with Darfur. Any company that does business with Darfur commits a sin. This is one of the great tragedies of our time. We stand for standing against those businesses that are allowing this tragedy to continue, because if you do business with this country, you are doing business with those who are perpetrating genocide.

So, Mr. Speaker, I want you to know that there are good people in this House, and we are calling on people of goodwill to take a stand against one of the great challenges and controversies of our time.

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

(Mr. HULSHOF 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 Missouri (Mr. SKELTON) is recognized for 5 minutes.

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

GENOCIDE IN DARFUR

Ms. LEE. 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. LEE. Mr. Speaker, I thank Representative PAYNE for his leadership, and for being that lone voice many, many years ago, calling to our attention the atrocities, the genocide, that has been taking place in Darfur.

We have debated this genocide for nearly 2 years now. It is time for action. As we speak, the violence in Darfur escalates while the hands of the United Nations, quite frankly, are tied by Sudanese President al-Bashir.

Mr. Speaker, this is the moment of truth. The world is watching. Just yesterday, the President announced at the United Nations General Assembly that Andrew Natsios will serve as the President's Special Envoy for Sudan. A special envoy is long overdue.

The situation in Darfur has deteriorated rapidly over the last few months. Rapes have increased. There were about 500 rapes over the summer in one camp alone. Twelve humanitarian workers have been killed, including two in the last 4 weeks.

Mr. Speaker, 26,000 Sudan armed forces are headed to Darfur for major offensive. There has been renewed aerial bombardment. Twelve years ago, the world stood by when almost 1 million people were slaughtered in Rwanda. And for the most part the only thing our government did was say ''I'm sorry,'' and that was after the fact.

Now we have said, ''Not on our watch. We will not have another Rwanda,'' so our credibility, quite frankly, is on the line. We cannot let Darfur become another Rwanda. Already too many people, we are hearing upwards of 400,000 to 450,000 people have died. Too many women have been raped, too many villages have been burned, and too many people have been displaced.

I witnessed this ongoing tragedy on two occasions. The first time was in January of 2005 in a bipartisan delegation under the leadership of Chairman ED ROYCE. We visited the refugee camps in Chad and went into Darfur with two great humanitarian leaders, Don Cheadle, the brilliant Academy Award nominee, star of ''Hotel Rwanda,'' and also Paul Rusase-bi-gee-na whose courage in Rwanda saved many, many lives.

During that visit we saw children and we talked to the children who were traumatized. Everyone was traumatized. You could see it in their eyes. They were dazed. The children painted pictures when we said what happened. They painted pictures of airplanes and helicopters with bombs dropping on the villages. Then at the bottom of picture, what was there but men on horseback with guns and with machetes burning down the villages and killing the people. This is what children saw and what they were communicating with us and begging and pleading us to stop.

Most recently, under the great leadership of Minority Leader NANCY

PELOSI, she led a bipartisan delegation, we once again visited refugee camps in another region of Darfur and saw the same suffering. This was a year and a half later, and it was escalating and getting worse. We talked to people and saw once again, genocide is taking place right during our watch. We have to be more about action and not just about talk. We have to use every tool available to end this genocide. That is why we are doing everything we can do.

We are frustrated by the slow action of this Congress and especially the Senate. The House passed the bipartisan Darfur Peace and Accountability Act in April. Who knows how many lives would have been saved had that bill been moved out of the Senate quickly?

Yes, I believe we have to hit Khartoum where it hurts, and that is in their pocketbook, and allow States to divest of their pension funds in companies with blood on their hands, companies that have invested and are doing business in the Sudan. You may remember that divestment was a successful tool in ending the apartheid regime of South Africa.

Today, young people, State legislatures, colleges, universities, States, Illinois, New Jersey, Oregon and Maine, have all passed legislation mandating divestment of State funds from companies that conduct business in the Sudan. The divestment legislation in California awaits signature of our Governor. States like Massachusetts, Rhode Island, North Carolina, Kansas, Wisconsin, Indiana, Georgia, Maryland, New York, Iowa and Texas, all of these States have legislation, they are drafting it or it is in place, to divest of State funds from companies that conduct business in the Sudan. It is a shame that we can't get this provision in the bill or keep it in the bill as it moves out of the Senate.

Additionally, Students Taking Action Now: Darfur (STAND) are driving their respective colleges and universities to divest from companies doing business in the Sudan.

And yes, we have introduced the Darfur Accountability and Divestment Act which applauds the divestment efforts and provides preemption language to protect their divestment activities.

And we also believe in this bill that we are going to go a little bit further and say the United States Government prohibits contracts with any multinational company doing business in the Sudan if the nature of the business relationship is with the national, regional, and local Government of Sudan, and many other aspects of really calling out those companies who continue to hide behind the shield of their business operations and investment operations, but really what they are doing is contributing to the Sudanese Government in their efforts to wipe out a whole group of people.

We are not without options to stop this genocide and the suffering in Darfur. If we have the political will, we can end the suffering. It is a desperate situation. It is a humanitarian catastrophe. We must insist upon a real political settlement, a peace agreement that goes far beyond the May 6 agreement.

We have to ensure that Darfurians return to their villages quickly and reclaim their lives. We have to bring the perpetrators of this State-sponsored genocide, and that is what it is, State-sponsored genocide; we have to bring them to justice. I thank Mr. PAYNE for his leadership.

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

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

□ 2000

BLAME AMERICA FIRST CROWD; CONDEMN OUR TROOPS

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore (Mr. POE). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. GOHMERT. Mr. Speaker, there are some that come before this body, come to this floor and like to play the blame America first. Let us play the blame game, blame America first. We have had people come here, and even a former marine came to this floor and called Active Duty marines cold-blooded killers who had not been tried, who had not been even charged, and, as I understand it, not even charged today, accused people of coverups.

There is so much good in the United States military services. It deserves to be addressed. The members of our military deserve accolades. Having spent 4 years in the United States Army, I can tell you that these members serving now are some of the best that have ever served in the United States armed services.

So rather than blame America first, as so many want to do, I thought it would be more appropriate to come to the floor and talk about heroes of our American military, people of whom we are proud.

Now, you are going to end up hearing me do this quite a bit from here on. We have asked for information from the Department of Defense about people who have won honors for their heroic acts, and so I want to present to you tonight about Sergeant First Class Paul Smith. He served with Bravo Company, 11th Engineer Battalion, 1st Brigade Combat Team, 3rd Infantry Division out of Fort Stewart, Georgia, during the invasion of Iraq in March of 2003.

On April 4, 2003, Sergeant Smith was setting up a temporary enemy prisoner of war holding area during the seizure of Saddam International Airport when his unit came under attack. Smith kept his soldiers focused during the fight while engaging the Iraqi force of around 100 men with his M16, one hand grenade, and an AT4 antiarmor weapon.

At one point in the battle, Sergeant Smith manned a .50-caliber machine gun in the exposed turret of a damaged M113 armored personnel carrier and began firing at the main force of the enemy. He fired about 400 rounds of ammunition, which gave his soldiers time to regroup, time to mount an attack of their own. And when the shooting stopped, the Iraqi force had been defeated. Unfortunately, that was not before Sergeant Smith suffered an enemy bullet to the head.

Two years to the day later, Sergeant First Class Paul Smith's 11-year-old son David was presented this Nation's highest honor, his father's Medal of Honor, by President Bush. The President did not fall short on recognizing the significance of Sergeant Smith's heroic actions. He said, ''Sergeant Smith gave his all for his men. Five days later Baghdad fell, and the Iraqi people were liberated. We count ourselves blessed that we have soldiers like Sergeant Smith.''

Jesus said, ''Greater love hath no one than this, that one lay down his life for his friends.'' Sergeant First Class Paul Smith laid down his life for all of his men, for his country, and we are the better for it.

May God bless Sergeant Smith, his soul, his family, his soldiers. And may God continue to bless America.

DARFUR PEACE AND ACCOUNTABILITY ACT

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

Mr. RUSH. Mr. Speaker, we are at a very dangerous point in time in our fight for human rights and human dignity as the atrocities in the Sudan continue to spiral out of control and hundreds of thousands of lives are held in the balance.

Millions of Sudanese have already been brutalized, raped, murdered, and displaced as the world stands idly by and waits to decide whether they are going to intervene or not on behalf of those victims.

Mr. Speaker, we cannot afford to wait any longer. This Nation, our Nation, America must reclaim its role as the world's moral leader and the world's greatest defender of the oppressed. At a time when we are asking others to trust our judgment and join us against tyranny, there is no other call as just as the one we face in Darfur.

America cannot and the world cannot continue to turn a blind eye to the atrocities taking place in Sudan. History would judge us harshly for allowing these acts of brutality to fester,

and this purge on humankind will forever and ever stain our collective memories.

President Bush, in looking back on these same atrocities that took place in Rwanda, once a very long time ago declared, ''Not on my watch.''

Indeed, all decent, responsible peoples now look back in disgrace and horror as we recall how genocide was passively allowed to take place in our modern and civilized world, and we did nothing, absolutely nothing, to stop it.

Today, as we face the same predicament, it is imperative that we act quickly and decisively to stop the brutality before it spreads any further, stop the rapes, stop the murders before they spread any further, because this type of mass murder and brutality not only hurts those who are being oppressed, but it also damages the souls and the psyches of those who stand by and provide no help. If we are the true leader of the free world, then America has the added responsibility and the duty to stand up and fight for the oppressed. We have the power. We have the prominence. We have the influence to act, and that is what we must do. We do not have to use brute force in Sudan to fight these atrocities, but at the very least, we must, we must, we must rally the world to this cause. We must show honor. We must show courage. We must lead others in this struggle for human dignity and respect.

My friends, this is not a Republican or a Democratic issue. This is not even an American issue. This is a human issue. And we all have a stake in the outcome, because if we live in a world where people are allowed to be mutilated and raped, where people can be pushed out of their homes and murdered indiscriminately and without reproach while the powerful just stand by and watch, then we are losing the war against terror, and the world we are leaving for our children will be one not worth fighting for.

We must act. We must act now. We must stop the murder and the genocide in Darfur.

THE WORSENING GENOCIDE IN DARFUR

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

Mr. JEFFERSON. Mr. Speaker, I thank Congressman PAYNE, Congressman MCGOVERN, and Congresswoman BARBARA LEE for their leadership and for their commitment to bring peace and security in the war-torn region in western Sudan that we have talked about today as Darfur.

I rise today to echo what my colleagues of the Sudan Caucus have already said. We all know what is going on in Darfur and what needs to be done. What else needs to be said or done for the United Nations to act effectively?

The situation in Darfur has deteriorated rapidly over just the last few months, with increased rapes, 500 rapes over the summer in one camp alone; renewed attacks on innocent victims, 12 humanitarian workers killed, including 2 in the last 4 weeks; 26,000 Sudan Armed Forces headed to the Darfur region to engage in a major offensive; renewed air bombardments; the peace agreement not working; continued integration of the Janjaweed into the security forces of the national police of the government; government-sponsored terrorism against innocent victims.

How many lives need to be affected, Mr. Speaker, before we say it is enough? Two point six million, is that not enough?

How many people need to be displaced, Mr. Speaker? Two million? Two million is not enough?

How many people need to die? Four hundred thousand women and children, innocent people?

How many women need to be raped before we say enough is enough in that region of the world, and our Nation will not stand for it?

Someone said the death of any person diminishes each one of us. If that be true, and if we are truly involved in the global world, then all of us, every life in this country, every life in America, every life in the world, is made smaller and less significant by the suffering we let others endure and by the suffering we tolerate of them in Darfur.

The people of Darfur are suffering a slow and painful death, and it is a catastrophe that doesn't have to take place. We have options. We can do things about this. And as other speakers have said, it doesn't involve brute force. It doesn't involve going to war. It involves making sure that the United Nations does its job, that America does its job, that we engage the government there, but that we don't wait for the government to give permission to come into the region, that we do what needs to be done. Because that region is so vast and so large and so difficult to patrol, it takes a lot of forces in there to make it work. And it takes, also, people on the ground feeling confident and hopeful enough to take some things into their own hands. Right now they don't have any idea what tomorrow is going to bring, and they cannot have hope in that sort of situation.

So, Mr. Speaker, we are here tonight to urge the American people to become engaged with us in the Congress, with the voices that are here that are now trying to tell the people in this country how important Darfur is to all of us, to our country not because it has a lot of oil or a lot of sugarcane or a lot of other things that we are using in this country, not because it has a lot of people there who are committed to democracy and to America, but because there are human beings there who are suffering needlessly, and we can stop it. We can do something about it. And if we don't, it makes us smaller in our efforts to increase our stature in the world.

There is no way, as some have said, that we are going to take America's credibility seriously on the issues of human rights and the issues of democracy if we do not do it where it is taking place in the worst and most flagrant fashion. So that place today happens to be Darfur.

We watched in astonishment when we saw the atrocities in Rwanda. We watched in other places around the world. But the major place right now where we have so much going on in one place, one little corner of the world where innocent people are dying and we can do something about it, is Darfur.

So I hope the American people get this name in their minds, look this country up on the map, and come to understand what is going on. It is important to us. It is important to us as human beings that we do something about this. And we are here tonight almost just as voices in the wilderness crying about this thing. Look, it is time for America to act. It is time for our President to act. It is time for our Congress to act. It is time for all of us to engage in this.

So that is why we are on the floor tonight, to make sure that those who are at home now around their dinner tables, who are sitting and watching some show on television might take a minute just to think about the people in Darfur and try to find a way with all of us to join hands with them to help to end their suffering.

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

(Mr. SHERMAN 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 Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

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

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

(Ms. ZOE LOFGREN of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Ms. ESHOO addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

GENOCIDE IN DARFUR, SUDAN

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

Mr. PAYNE. Mr. Speaker, let me thank the Members who have participated in the dialogue on what is going on in the Darfur region of Sudan.

Let me thank our leader, Leader PELOSI, for her participation, Chairman WATT of the Congressional Black Caucus from North Carolina, Congresswoman KILPATRICK from Michigan, Congresswomen LEE, WATSON and WATERS from California, Congressmen RUSH and DAVIS from Illinois, Congressman GREEN from Texas, Congresswoman MOORE from Wisconsin, and Congressman JEFFERSON from Louisiana for their participation this evening.

Let me also acknowledge other Members who were not here tonight but have been real troopers in this battle for justice. Congressman CAPUANO from Massachusetts, and on the other side of the aisle, this is indeed not a partisan issue, because there is no person who has fought harder for the last 20 years or so on Sudan than Congressman WOLF from Virginia. He is there all of the time.

Congressman TANCREDO from Colorado, Congressman ROYCE from California, Congressman SMITH from New Jersey, all Members of the House who have said that enough is enough, that we must do more. And so 2 years ago, we declared genocide in Darfur. And that was 10 years after the world ignored Rwanda when genocide went on.

And had the world done something in Armenia in 1916, when the so-called young Turks came in and had genocide on the Armenia population, perhaps this would not have happened today. Or in 1939 as the German Nazis went through Europe and created the Holocaust, perhaps this would not have happened.

If in Cambodia when Pol Pot and his regime killed millions of people, perhaps this would not have happened. If in Rwanda, when we saw the genocide happen, perhaps it would not be happening in Darfur. But we looked the other way in all of those instances and genocide is still here today. We must stop the genocide.

There is no reason for people to still be slaughtered as they are being. You have heard the figures, and I will not repeat them. But the National Congress Party, formerly the National Islamic Front, cannot and should not get away with this campaign of murder and terrorism.

This government under President Bashir came to power in a bloody coup d'etat in 1989. The NIF Government harbored Osama bin Laden for 5 years, from 1991 to 1996. From there his operatives planned the assassination attempt on President Mubarak of Egypt. The NIF Government never was held responsible for harboring terrorists.

They were responsible for millions of deaths before and they continue now to do this in Darfur. We must hold them accountable. There has been an authorization of 20,000 U.N. peacekeepers to go into Darfur. The government says no. We must, as President Bush said at the United Nations yesterday, we can no longer allow this to go on.

The U.N. must go into Darfur to help the 7,000 AU troops who cannot handle this job alone. I was quite pleased that President Bush was forceful in his remarks yesterday at the 61st United Nations General Assembly.

President Bush said, ''If the Sudanese Government does not approve this peacekeeping force quickly, the United Nations must act.''

He then stated that, ''the UN's credibility was on the line.'' President, Mr. Bush, I agree. And we must add that the credibility of the United States Government is also on the line. We cannot allow genocide to continue.

I welcome the appointment of Andrew Nazios as the Presidential envoy for Sudan. We look forward to working with him. But he must have a robust mandate. He must have the proper staff. He must have access to the White House. He must have leadership in the State Department if we are going to have a success.

Finally, countries with influence in Khartoum must be used to urge the Government of Khartoum to stop the genocide.

China, who our country, with the balance of trade to them, have made them a robust country with 500 million middle-class people as a result of their selling their products to us, must tell the Government of Sudan that they must stop what they are doing.

We should be able to force China to get involved and say that enough is enough. And Russia must continue, must be stopped from selling arms to Sudan.

The Arab League must step up to the plate. And Egypt that gets $2 billion a year from the United States taxpayers must stand up and tell their neighbors, their friends, the Government of Sudan, that enough is enough. We must hold our so-called friends accountable.

Mr. Speaker, I appreciate having the opportunity for us to have this discussion. We look forward to our government stepping up to the plate. Once again, enough is enough. It should really be ''never again.''

Let me just conclude by thanking the Metro West and the Jewish community in the State of New Jersey and throughout the United States who have come up and have been so supportive. And we are getting many more groups getting involved.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the subject of my Special Order tonight.

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

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. 3408. An act to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that act.

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. 4954. An act to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4954) ''An Act to improve maritime and cargo security through enhanced layered defenses, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints from the—

Committee on Homeland Security and Governmental Affairs: Ms. COLLINS, Mr. COLEMAN, Mr. BENNETT, Mr. LIEBERMAN, and Mr. LEVIN; and

Committee on Commerce, Science, and Transportation: Mr. STEVENS, Mr. LOTT, Mrs. HUTCHISON, Mr. INOUYE, and Mr. LAUTENBERG; and

Committee on Finance: Mr. GRASSLEY, Mr. HATCH, and Mr. BAUCUS; and

Committee on Banking, Housing and Urban Affairs: Mr. SHELBY, and Mr. SARBANES; and

As Additional Conferee: Mrs. MURRAY to be the conferees on the part of the Senate.

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. 1035. An Act to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 3525) ''An act to amend subpart 2 of part B of title IV

of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes'', with amendments to the text and title of the bill.

CONTINUING THE BATTLE AGAINST ISLAMIC EXTREMISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 60 minutes as the designee of the majority leader.

Ms. ROS-LEHTINEN. Mr. Speaker, thank you for the opportunity to talk about the issue that is of foremost importance to our Nation, and that is continuing the battle against Islamic extremists.

Some seem to have forgotten that the front lines of our war against these Islam extremists is not limited to the countries with active conflicts such as Iraq and Afghanistan. Nor is our approach solely military.

On the contrary, from the onset of this war on terror, formally initiated by the enemy on September 11, 5 years ago, the U.S. has also employed all available political, diplomatic, and economic tools to address the growing threat which for far too long had been ignored by the previous administration.

We have undertaken bilateral strategies, built coalitions, and worked through regional and U.N. forums. Make no mistake, we are engaged in a battle of ideas, and one for our very survival. The Islamic extremists have declared war against freedom-loving nations.

Last year, a terrorist attack was foiled in Australia. But 52 people were killed by suicide bombers while on a public transit system in London. On November 5, 2005, the world once again looked in horror at the destruction caused by homicidal extremists in Jordan.

In 2005, and as recently as in April of this year, the people of Egypt also fell victim to jihadists. Months later, in July of this year, Islamofascists attacked India's financial capital, killing over 200 innocent people.

Last month, authorities in the United Kingdom announced that they had disrupted a plot to hijack as many as 10 aircraft that were headed from the U.K. to the U.S.

Hezbollah carried out attacks against Israel with the assistance and the support of Syria and Iran, the world's most active state sponsor of terror, that seeks nuclear weapons capability. All of these attacks are further evidence that the war against Islamic extremists is global, it is ongoing. And it is brutal.

In order to prevent future attacks, we must remain alert and proactive in the war against Islamic extremists. We need to bring the fight to their doors, and infiltrate their hierarchy, and to gain intelligence that will lead to the disruption and the fall of these groups so that they may no longer inflict harm upon the free world.

Iraq and Afghanistan serve as examples of what has been done so far and what remains to be done. But daily news reports focus only on the violence and attacks feeding into these efforts by the enemy to weaken our resolve so that they can capitalize on our weakness.

But there is a larger picture which is certainly more encouraging. For example, I was recently on a call with a senior Iraqi official who detailed how, despite the violence, the Iraqi Government and Iraqi forces, with the help of U.S. and coalition forces, have been able to deny the insurgents and the Islamic terrorists strongholds in the country.

Iraqis participated in elections three times since the year 2005. In 2005, we also saw Iraq draft a constitution that included their right to vote, that protected individual rights and religious beliefs, and safeguarded minority rights.

Iraq now has a unity government that draws upon different religious, political and ethnic groups. As Iraq has made substantial steps in its political institutions, it has also made great strides in its capabilities to secure their nation.

In his August 30 briefing, General Casey, the commanding general of the multinational forces, stated that the three-step process in building up Iraqi security forces to a point of being independently capable of providing security is almost 75 percent complete.

Iraq today is an Iraq transformed, an Iraq we helped rescue from the darkness of tyranny and guided them into the light of freedom.

My stepson Dougie and his wife Lindsey served as Marine officers in Iraq. And we thank all of the men and women who proudly wear their Nation's uniform. And in Afghanistan, Mr. Speaker, we have denied the al Qaeda terrorist network sanctuary, and we have assisted its transition to a multiparty democracy.

Once the terrorist refuge under the repressive Taliban regime, which hosted the likes of terrorist mastermind KSM, Afghanistan is now a full partner in our war on terror. There can be no safe haven allowed for Islamic extremists and their activities. They must be brought out of the shadows and seen for what they truly are.

In order to rout the Islamic extremists, we have been working with like-minded allies to create a global network of information used to monitor and destroy jihadist groups and their plots. We must also work to prevent the world's deadliest weapons from reaching the hands of these Islamic jihadists and from countries of concern such as Iran.

Toward that end, in May of 2003, President Bush launched the Proliferation Security Initiative, the PSI. The PSI is dedicated to stopping all aspects of the proliferation trade, and to denying terrorists, rogue states and their supplier networks access to WMD-related materials and their delivery systems.

Since its inception, the PSI has grown from a handful of nations to a global partnership of more than 70 countries from all around the world.

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In December of 2003, the PSI enjoyed tremendous success when, as a result of a critical interdiction, Libya, a nation once designated as a state sponsor of terrorism, declared that it would eliminate all elements of its chemical and nuclear weapons program, that it would declare all nuclear activities to the International Atomic Energy Agency, that it would accept international inspections to ensure Libya's complete adherence to the Nuclear Nonproliferation Treaty and sign the IAEA additional protocol, and that Libya would eliminate all chemical weapons stocks and munitions and accede to the chemical weapons convention.

The PSI is but one component of our multiprong nonproliferation strategy, which is also a critical component of our broader counterterrorism efforts. Another important pillar of our counterterrorism strategy focuses on denying terrorists the funds to carry out attacks.

Just days after the 9/11 attacks, President Bush issued an executive order to starve terrorists of their support funds. The order immediately froze the financial assets of 27 different entities. It also prohibited any U.S. economic transactions of these groups. They included organizations, individual leaders, corporations and so-called nonprofit organizations, which are nothing more than fronts for Islamic extremists and jihadists.

In short, as the threats evolve or modify, so do our responses. New methods and strategies are being developed to keep our country safe in the face of this indiscriminate enemy. We must not waver. We must not lose focus. We must press on. As echoed in the words of Winston Churchill, ''One ought never to turn one's back on a threatened danger and try to run away from it. If you do that, you will double the danger. But if you meet it promptly and without flinching, you will reduce the danger by half.''

Our country, therefore, Mr. Speaker, must remain vigilant and forward-looking to ensure that we defeat the extremists and their murderous ideology. A few weeks ago, we commemorated, sadly, the fifth anniversary of the deplorable attacks against our Nation. Five years ago, our eyes could not accept the images being shown around the world. Our mind could not fathom the hatred that could drive these individuals to kill thousands of innocent human beings. At first we were surprised, but with the help and guidance

of good friends and allies around the world, especially Israel, which for decades has been targeted by the likes of 9/11 hijackers, we quickly turned our sorrow, our dismay and our anger into a catalyst for action, a strategy to combat the enemy wherever it rears its head. The September 11 attacks brought into sharp focus the scope of the threat from Islamic extremists. Defeating Islamic extremists and these organizations of global reach, denying them the promise and the benefits of state sponsorship, severing their lines of financing, closing their much-needed sanctuaries and preempting the proliferation of weapons and technology are all central components of this struggle. As Chair of the Subcommittee on the Middle East and Central Asia, this is my compass.

There is a great documentary called ''Obsession,'' which expresses how radical Islam is fixated on hatred and destruction and poses a tremendous threat to the United States, to Israel, and to all who refuse to be subjected to this distorted ideology of hate. Central to defeating the fanatics who have distorted this religion is the realization that we are facing an enemy that has decided to declare a full-fledged war upon us and is determined to destroy western civilization and the principles upon which it is based. Islamofascism is an ideology that is engrossed in destruction and world domination. Their view is wrong and highly misguided.

Consider the recent crisis in Lebanon which was triggered by Hezbollah extremists crossing the Israeli border and murdering eight Israeli soldiers and kidnapping two. It is clear that this unprovoked attack by Hezbollah was not triggered by occupation, as Israel was not occupying a single inch of Lebanese territory. Rather, it was an attack on Israel's very existence and everything that the Jewish state stands for. It was an attack against justice, democracy, tolerance and freedom, principles that are engrained in the foundation of the U.S., of Israel and the entire free world.

We must recognize this as a struggle of values, a battle of freedom and tolerance versus oppression and hatred. On the one hand, an ideology that views life as the most precious possession and, on the other, one infatuated with death and destruction. Israel's mere existence in the region is a thorn to the Jihadist ideology which seeks to impose terror and oppression. It is dangerous to believe that if only Israel is to give up more land, the conflict would be resolved and everything would be all right. This theory was proven wrong in Lebanon after Israel's withdrawal in 2000 and has proven to be wrong again after Israel made the painful withdrawal from the Gaza Strip just last year. In both cases, the extremists became emboldened and enhanced their attacks against Israel, thereby clearly indicating that no land-for-peace deal would ever solve the conflict, since the ultimate goal of these extremists is, in their very own words, to wipe Israel off the face of the world. In the words of a Hamas leader, ''We do not recognize the Israeli enemy, nor his right to be our neighbor, nor to stay on the land, nor his ownership of any inch of land.''

We must not negotiate with Hamas or with any government in which an Islamic terrorist group which refuses to lay down its arms and refuses to recognize Israel's right to exist as a Jewish state participates. Although Israel has been the primary target of Islamic terrorism, radical Islam threatens all who do not embrace it. The horrific attacks on 9/11 drove home the point that this clash expands well beyond the Arab-Israeli conflict.

It is also a tremendous mistake to believe that if the U.S. weren't such a strong supporter of Israel, extremists would stop their aggression against America. Terror bombings committed by these Islamic extremists in Buenos Aires, in Madrid, in London, and the brutal murder in Amsterdam of a Dutch filmmaker who was critical of radical Islam are just a few examples indicating that the fundamentalists are waging a war beyond Israel, beyond the United States, and that this war targets western civilization as a whole.

It is astonishing to me that after seeing the barbaric acts of this radical Islamofascist movement in their own countries that many in Europe still fail to see the threat posed by these fundamentalists. Surprising and dismaying as well is Europe's tremendously unbalanced condemning approach toward Israel. For a long time, Israel has been fighting on the front lines of a battle against radical Islam and it is a battle for all who value life, freedom and tolerance to join forces in the battle against these Jihadists who are threatening to destroy us.

The European Union, for example, should add Hezbollah, an extremist group responsible for murdering hundreds of Europeans, Americans and Israelis, on their list of terrorist organizations. Failure of civilized nations to place groups such as Hezbollah on their list of terrorist organizations is shocking, given all the innocent people brutally murdered by these Islamic extremists. The international community must wake up from its slumber and realize the threat posed by radical Islam, and it must be dealt with decisively or we would risk eradicating ourselves because of it.

In order to defeat the threat posed by radical Islam, it is essential to eliminate terror organizations like Hamas and Hezbollah that implement the brutal attacks and to isolate rogue regimes like Iran and Syria that provide the financial and military support to these extremists. As such, we must not and we cannot negotiate with any Palestinian Authority where Hamas or other Islamic terrorist entity participates. There are those who seek to bifurcate U.S. policy toward the P.A. and allow U.S. assistance to flow to ministries and offices of the Palestinian Authority that are not controlled by Hamas. But money is fungible. Assistance sent to one office can easily be diverted to Hamas or other Palestinian terrorist groups. Even the lines between Fatah and the al-Aqsa Martyr's Brigade are blurred.

The U.S. must isolate the Hamas-led government politically and diplomatically through implementing the Palestinian Anti-Terrorism Act, which I introduced, and which was overwhelmingly adopted by the House in May. The bill prohibits direct assistance to the Palestinian Authority, including the PLC and other P.A. bodies; it prohibits travel to the United States by members or associates of Hamas; it audits all committees, offices and commissions focused solely on the Palestinian agenda at the United Nations and calls for their elimination; it calls for the P.A. to be designated as a terrorist sanctuary; it calls for a reduction in diplomatic ties with the Palestinian Authority and the closure of the P.A.'s office in the U.S.

The version of the bill passed by the Senate, however, lacks several essential provisions that are necessary for the legislation to be effective. I am in discussions with Senate colleagues to reach a final agreement on the legislation and send a bill to the President that would make it significantly more difficult for terrorists to get their hands on U.S. funds. Without these provisions, our ability to prevent the terrorists from getting their hands on U.S. funds will be greatly diminished.

Passing the Palestinian Anti-Terrorism Act in its strongest form is an imperative part of achieving our objectives. Our stance against Islamic terrorism must be uncompromising. We must not allow political or military victories to be used by the extremists to further their hateful agenda. We must ensure that Hamas, Hezbollah and other radical Islamic entities are weakened. A critical starting point is by cutting off their lifeline of funds and weapons.

This is why, in light of the resurgence of Syria's support for terrorism, its aid to Iraqi insurgents, its pursuit of dangerous weapons and its stranglehold over Lebanese sovereignty, I recently spearheaded an effort urging President Bush to implement all currently unexercised sanctions available to him under the Syrian Accountability and Lebanese Sovereignty Restoration Act which I introduced with my colleague ELIOT ENGEL. If the U.S. fails to impose further sanctions on the Syrian regime and if the United Nations fails to enforce its own resolutions, Syria will be emboldened to wreak further havoc.

Similarly with Iran, which is at the core of the fight against Islamofascism worldwide and whose attempt to project its power poses a threat to Israel, to the United States and to international global security, we must take immediate steps to deny it the

materials, technology and much-needed funds to pursue their dastardly agenda.

The Iranian regime has for years supported Hezbollah and Hamas as well as the insurgents in Iraq who carry out attacks against our U.S. troops. The recent crisis in Lebanon made it very clear how intensely involved Iran is in supplying Hezbollah with Jihadist ideology, weapons and finances. Iran has used Hezbollah to expand its tentacles into the western hemisphere. As I said, we witnessed the 1992 bombing of the Israeli Embassy in Argentina and the July 1994 bombing of the AMIA Jewish Community Center, also in Buenos Aires.

□ 2045

This is just the tip of the iceberg. The Iranian leadership has continuously made threats to wipe Israel off the map. It has embarked on a mission through its nuclear pursuit and expansion of its chemical, biological and missile capabilities to implement this plan.

There is still time to contain the threat that is posed by Iran and adopt short and long-term policies that will compel Iran's extremist regime to change its unacceptable behavior. The Iran Freedom Support Act, which I authored and which has overwhelmingly passed the House, provides the tools to achieve the necessary short and long-term goals to counter the mounting Iranian offensive against Israel, against the United States and other freedom-loving nations.

The threat of Islamic jihadists is here, and global jihad will not go away on its own. It is up to us to confront and eliminate this threat. In the past we have defeated the evil of Nazism and communism. Today we can and we must work to defeat Islamic jihadists.

The film ''Obsession'' helps to explain how something as horrific and inconceivable as the events of September 11, 2001, could have transpired and why we must persevere in the international war on terror. This understanding is essential to our effective response.

Even with all that has occurred lately in the Middle East, I am hopeful that the cause of moderation in the Middle East is succeeding and that progress is being made to quell the threats. Moreover, we must stand up to those who criticize our policies of supporting our allies, like Israel, and who want to apologize to the terrorists and appease them.

We can remind them of the words that Churchill used to depict the scourge of Nazism, which he described as ''a monstrous tyranny, never surpassed in the dark, lamentable catalogue of human crime.''

Today we face an enemy as diabolical in its thirst for domination and destruction. We have no choice but to pursue victory, for our very civilization depends on it.

I would like to yield to my colleague, Mr. THADDEUS MCCOTTER, who has been a leading spokesman on our Subcommittee on the Middle East as well as on our full Committee on International Relations, to further expand on the war on terror, our war on radical Islamic jihadists, and why the United States will prevail with the help our allies.

Mr. MCCOTTER. Mr. Speaker, I thank the chairwoman. It was my hope to emphasize a point which you raised in your rather enlightening remarks today, and I thought I would best be able to do that through illustration with a map.

We often hear people wonder what the United States policy is currently in the Middle East in terms of our military and in turn how it affects our national security. Why does Iraq matter?

I will not use this occasion to dwell upon the past, because, as you have quoted Churchill, if I may myself, Winston Churchill pointed out that if we seek to open a quarrel between the past and the present, we will lose the future. We are where we are.

So let me explain. When you look at a map, you see Iraq right here in the heart of the Middle East. Surrounding Iraq are Syria and Iran, two state sponsors of terror.

If we allow what happened in the 1930s to happen here, you will see Syria continue to assist the insurgency in Iraq, Iran continue to assist the insurgency in Iraq, al Qaeda continue to infiltrate Iraq, and should Iraq's efforts towards democracy fail, you will see all three countries linked.

The crushing weight of putting Iraq back into the terrorist and the jihadist-fascist camp will have enormous ramifications, because the sheer combined weight will immediately press upon the Kingdom of Jordan. It will lead to the destruction finally with a counterattack by Hezbollah in the south to the Cedar Revolution in Lebanon. It will have enormous adverse effects in Egypt through the Muslim Brotherhood. It will also lead to the destabilization of Saudi Arabia, and, eventually, what Iran has professed, the destruction of the State of Israel itself.

Again, a historical parallel with Iraq at the present time can be drawn between the Nazi-Soviet non-aggression pact of the 1930s, which ultimately sparked the war, where they had Germany on one side, the Soviets on the other and Poland sat in between, and in their non-aggression pact they carved that country to pieces.

Iran and Syria now have a mutual defense pact. We have seen its ramifications within Lebanon and we are experiencing its ramifications within Iraq itself.

The alternative to seeing the unholy alliance between Syria, Iraq and Iran that are run by terrorist sponsoring states, that are run and shielded by a nuclear powered Iran, is quite simple to grasp.

Over here you have Afghanistan, which is struggling for democracy. Here you have Iraq, which is struggling for democracy. You have the moderate Kingdom of Jordan, you have Egypt, you have Saudi Arabia, which is trying to strive toward reform, and you have Turkey, which is a moderate, a relative concept, but a moderate democracy, Muslim democracy.

If Iraq becomes democratic and Afghanistan becomes democratic, the pressure then is no longer on the people who seek their own liberty within these countries. It becomes a pressure point for Iran and a pressure point for Syria to explain, to have these despots explain within their own nations how they can oppress their citizens and why they do not deserve the type of better life that they have in hopefully a democratic Iraq and a democratic Afghanistan, as they do in Turkey and elsewhere.

This is not going to be easy to achieve, for what we see in Iraq basically is a counterattack. After the initial removal of the Hussein regime, you had infiltrations of insurgent support from Syria, infiltrations of insurgent support from Iran. You had al Qaeda come into Iraq, because they know that if Iraq goes democratic, history could very well, and I believe will, repeat itself.

One of the things we face in the Middle East today is the threat of World War II, of an inherently invidious ideology, jihadist fascism, which in many ways more closely resembles a death cult than any governing philosophy, combined with the approach that won the cold war. I repeat that, we face the threat of World War II, and we are addressing it with the solution of the cold war.

As you recall, what ultimately ended the cold war was when the Berlin Wall fell and Eastern Europe was freed. And it was after freedom swept through the satellite states of Eastern Europe that eventually the Soviet Union collapsed, not from a nuclear exchange or other military exchange with the United States and the West, but from the aspirations of the Russian people themselves for a better life and a life of liberty.

When we look at this map, when you can see an Afghanistan that is democratic and free, when you can see an Iraq that is democratic and free, when you can add that with Turkey, with the Kingdom of Jordan, with the reforms in Egypt, with the reforms in Saudi Arabia, with the successful resolution and triumph of the peaceful Cedar Revolution, what you will then see is serious people demanding to share the lifestyle and the freedoms that are enjoyed by their fellow Muslims in the world.

You will see Iranians, many of whom are under the age of 30, many of whom are not opposed to westernized ideas, or at least pluralism and tolerance, and you will see the Iranian people demanding their freedom. This will never happen if this goes back to being a terrorist state sponsor.

And for those who are rightly concerned that in this period in our Nation's history we could face war without end, I ask you this question: If you disagree with my scenario, with my analysis that a democratic Iraq combined with a democratic Afghanistan will eventually put pressure on Syria and Iran whereby they will collapse from within, if you disagree with that, find me a better solution. Because I assure you that if Iraq goes back to being a state sponsor of terror and Iran gets a nuclear weapon, that scenario is far more likely to produce the war without end than will be the liberation and emancipation of people throughout that region and the demands of Syrians and Iranians for the freedom that we here so often take for granted.

I yield back to the distinguished gentlewoman.

Ms. ROS-LEHTINEN. Thank you, Mr. MCCOTTER. I could not agree more.

The stakes are high. The stakes are high in Iraq. The stakes are high in Afghanistan. But the stakes are even higher and the threat is even worse were we to pull out, were we to set arbitrary deadlines, and were we to tell those Iraqi citizens who three times came out in an incredible show of their love for democracy, under threats of death to them and to their family members were they to vote, those proud days when they wore their purple finger upright and said yes, I was happy to vote.

They have stood up a democracy, through very difficult ethnic, religious and a lot of political divisions that Saddam Hussein, the dictator who ruled for too many years sowed in order to keep himself in power. And now they have got a unified government. Now Saddam Hussein is on trial. Now we have captured so many of those al Qaeda leaders, the successes that we have had in Afghanistan in making sure that the Taliban would not control that beautiful country again. Were we to fail in these efforts, what would we say to those Iraqi families who sacrificed so long and so hard to finally have a democracy?

For those freedom-loving Afghani citizens, for those freedom loving Iraqi citizens, and for the United States' own survival, we have got to make sure we win this war against these jihadist entities.

THE 30-SOMETHING WORKING GROUP: DEMOCRATIC PROPOSALS

The SPEAKER pro tempore (Mr. MCHENRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 60 minutes as the designee of the minority leader.

Mr. DELAHUNT. Mr. Speaker, I can take the time of the gentleman from Florida (Mr. MEEK), but I certainly cannot replace the leader of our group which we call the ''30-somethings.'' I happen to be the ''something'' of that 30-something group.

I am sure that the younger members of the group will join me soon, but they are out right now. If they are watching, I hope they come soon to the floor, where we can talk about the problems with our economy, and clearly there are many. But as I sat here listening to the previous speakers, who are members of the House International Relations Committee, I feel compelled to speak to their remarks.

I think the gentlelady who chairs the Middle East Subcommittee spoke about the unified government that now sits in Iraq. Well, her understanding and my understanding of the term ''unified'' I would suggest are irreconcilable.

The Iraqi parliament since it was constituted has been unable to agree on hardly any issue. In fact, they have entered into a particularly fractious moment where the continued existence of the government is in some doubt.

But what I find interesting is the only issue that they have agreed on, and it is important to understand that there is some 275 members of the Iraqi parliament, is a resolution condemning the State of Israel for defending itself.

□ 2100

The language that the Iraqi Parliament used in that resolution was condemning the criminal aggression of the State of Israel in defending itself.

Now, clearly we can have a debate on the relationships in the Middle East where we can have differences and we can educate and inform each other, but to say that there is a unified government in Iraq today is simply inaccurate. It is not true. It is very problematic, and both speakers and their colleagues and friends of mine continue to make references to Iran and how we need to have a strong, democratic Iraq to help us as we attempt to navigate the shoals of the political realities in the Middle East.

But the problem is what is not spoken about, at least in this Chamber, on this night, is the fact of a growing warm relationship between Iraq and Iran, not the United States and Iraq, but Iraq and Iran.

Mr. Speaker, this is irrefutable. There are some in the Iraqi Parliament today who are stridently adversarial to the United States. Moqtada al-Sadr, a Shiite leader, who has at his disposal a militia that is called Ahmadi Army, has 30 members of that 275-member body who are loyal to him. And maybe it has been forgotten, but it was the United States military that sought to apprehend him on the charges of murder some several years ago.

We cannot make it up, Mr. Speaker. We have to speak the truth, the unvarnished truth, and stringing together platitudes about democracy does not cut it, Mr. Speaker.

What is the reality today in Iraq? Well, this photo to my right speaks to that reality. To the far right is the Prime Minister of Iraq, Mr. Maliki, and with him is the President of Iran who spoke yesterday in the United Nations, spoke in the United States in New York at the U.N., who I hear many in this Chamber demonize, and with some cause. He is a Holocaust denier, but who he is shaking hands with, Mr. Speaker? He is shaking hands with the Prime Minister of Iraq.

And by the way, Mr. Speaker, we invited the Prime Minister of Iraq to come and address the United States Congress, which he did right in this very Chamber, and a week or two later he is in Tehran, shaking hands with the President of Iran. Now, that is not the full story, Mr. Speaker. There is more. There is much more.

Now, I am not suggesting that there is an alliance yet between Iraq and Iran, but do not let it go unnoticed that many in the current government in Iraq spent years in exile in Tehran. There are relationships between many of the political figures in both of these countries. Let us not continue to paint this rosy scenario that simply is inaccurate. It is not true. I am not suggesting anyone is intentionally misleading, but these are the facts. This is the picture.

Now, one might say, well, they are neighbors and there has to be some rapport that benefits everybody. I do not necessarily disagree with that; but go back to 1980–1988, they were 8 years at war, Mr. Speaker, a war that took hundreds of thousands of lives on both sides. Iraq and Iran were bitter enemies, and today, Mr. Speaker, we have a handshake; but, like I said, we have much more.

The Iranians, not the Americans, Mr. Speaker, but the Iranians are building an international airport near Najaf, which is a major Shiite city in southern Iraq. Mr. Speaker, the Iranian Government is providing $1 billion worth of credits to the private sector in Iraq.

But this is the cherry on top of the ice cream sundae, Mr. Speaker. Iraq and Iran, which dominates the conversation here in Washington, which is part of the front-page news daily in this country, Iraq and Iran have consummated a bilateral military cooperation agreement, Mr. Speaker. Can anybody explain that? I cannot explain it, Mr. Speaker. I cannot. I cannot figure that out.

But what I do see is the reality of almost 3,000 American soldiers dead in Iraq, in excess of 20,000 wounded, many of whom are severely wounded, whose lives are forever impaired by some permanent disability. I see the expenditure of hundreds of billions of dollars of American taxpayers' hard-earned income in Iraq. And what is the progress that I see, Mr. Speaker? Well, I see the handshake, I see this relationship, and I see a bilateral military cooperation agreement, Mr. Speaker. Can you or somebody from the majority side please explain what that is all about?

I have to tell you, Mr. Speaker, that information came to me from the Congressional Research Service, and Mr. Speaker, realize that that service is a

bipartisan agency, created by Congress to provide Members unvarnished, factual information.

So we stand here on the floor and we talk about how good it is and we are for democracy, but you know what, Mr. Speaker? What kind of democracy are we getting at the cost of thousands of lives of American soldiers and hundreds of billions of dollars from the hard-earned income of the American taxpayer? Is this what we are getting? Does this serve our national interests? I do not know, Mr. Speaker. I do not know. But I have to tell you something. I do not think anybody in this body knows, and that is an indictment, Mr. Speaker, on the wall of this institution because the majority party ought to have insisted, in the course of the exercise of its oversight role and responsibility, on answers to these very simple questions. But oh no, let us ignore them and get up and talk about democracy.

My friend from Michigan, a very erudite, very thoughtful gentleman, has an interesting view of history, is conversant with history, and history gives us context, but to ignore what the reality is on the ground, I see my friend from Florida walked in. I want to welcome him. I know he has had a busy evening. It is good to have Mr. MEEK here finally.

Mr. MEEK of Florida. Mr. Speaker, if the gentleman would yield, it is always a pleasure to join you in doing the 30-Something hour, and since us ''somethings'' are carrying the hour tonight, since we do not have the 30s here, I understand they are en route, but I want to thank you for your dedication to be able to deliver a positive message here in the Congress.

Mr. DELAHUNT. I am not really delivering a positive message. What I am is expressing a concern about the lack of oversight and the lack of accountability or calling to account the actions of this administration by this Republican Congress. We have a right to know. It is a debt that is owed us. It is a debt of blood and hundreds of billions of dollars, Mr. Speaker.

There is a long list of emerging relationships and agreements between these two countries. Iran and Iraq just recently signed a memorandum of understanding, under which pipelines would be constructed to allow Iran to import Iraqi crude oil from Basra. Under the agreement, Iran is to finance the three pipelines that will be built to implement the agreement. Again, this is from a report from the Congressional Research Service dated June 14, 2006. That is before the famous handshake.

To say or suggest that things are going well in Afghanistan, Mr. Speaker, is a disconnect from reality, and the American people deserve the absolute, full truth as to what the reality is.

□ 2115

Mr. Speaker, we had a hearing today in International Relations. Its focus was Afghanistan. It was extremely disturbing, Mr. Speaker, because 5 years later, Afghanistan is heading quickly in the wrong direction.

President Bush says we are winning the war on terror. And I will stipulate not on Iraq, but our invasion of Iraq, which I and every other Members of Congress voted for, was about the war on terror. Well, Mr. Speaker, if we are going to win the war on terror, we need to change Commanders in Chief and have a Congress that will hold these people responsible, because I will tell you something, we are doing everything to lose Afghanistan. It has become a narcostate. In the year 2001, there were 73 tons of opium, which is used to make heroin. This past year, there were 6,100 tons of poppy and opium.

Mr. MEEK of Florida. Will the gentleman yield?

Mr. DELAHUNT, when I came and shared with you the positive message, I mean, when I said the positive message, I wanted to make sure that people understand there are people here in the Congress willing to work in a bipartisan way to make sure that we do the things that we need to do to make sure that the American troops that are on the ground not only in Afghanistan, but in the war in Iraq, that there are Members of Congress who are willing to come to the floor and give voice to those individuals who are there.

Mr. DELAHUNT. If the gentleman would yield for just a minute. I was here listening to several of our colleagues on the other side speak about these various issues, and I just felt the need to put out what the realities are rather than simply talk in terms that are hopeful and optimistic, but in a world apart from what the reality is.

If this administration is sincere, of course it is, about winning the war on terror, there has to be a dramatic change in direction. Listen to this just for one moment, if you would. If you would, Mr. MEEK.

Mr. MEEK of Florida. I have to, Mr. DELAHUNT.

Mr. DELAHUNT. This is in contrast to what was said earlier here on the floor: United States efforts in Afghanistan are failing. Afghanistan faces its highest levels of violence and corruption since its liberation. Drug money continues to finance terrorism. That failure, coupled with the aggressive efforts of the terrorists, threatens to destroy Afghanistan's democracy, a free government that Americans and coalition forces have died to support.

Mr. MEEK, Mr. Speaker, those are not my words. Those are the words of the Chairman of the House International Relations Committee, HENRY HYDE, in a letter that he sent this week to President Bush.

So please don't come down to this floor and paint a rosy picture. We are in trouble. The world is in trouble. And if we are going to win the war on terror, we have got to change direction and develop a strategy that will accomplish that after 5 years. It is 5 years since 9/11, and Afghanistan is back to ground zero.

Mr. MEEK of Florida. Thank you, Mr. DELAHUNT. I think it is important to the point, sir, that the 30-Something Working Group, we come to the floor to share the truth and to share the reality of what is happening here in Congress and what is not happening here in Congress. And I think it is very, very important, very important that we bring the facts to the floor.

As you know, General Abizaid, who is over Central Command and the lead commander in Iraq, said earlier this year that after Iraqi elections, Mr. Speaker, that we would see a downtick in U.S. troops in Iraq, in the war in Iraq.

Because of a lack of a coalition, Mr. Speaker, Iraqis are no longer in the driver's seat as it relates to being able to stand up on behalf of their country. And so because we don't have a coalition, and the second largest coalition in Iraq, Mr. DELAHUNT, is U.S. contractors paid for by U.S. taxpayers.

And I have another example, because I believe there is a war in Iraq, but there is also misunderstanding and deception here as it relates to border security, Mr. DELAHUNT. This is fact, not fiction. And I just want to take 3 minutes to just talk about fact, not fiction, because I know that Mr. RYAN is here, Ms. WASSERMAN SCHULTZ is here, and we need to be able to lay these facts out.

Just today was a story leaked, and tomorrow the Boeing Company will receive what we call the SBInet that will do surveillance on the border between the U.S. and Mexico and also between the U.S. and Canada.

Mr. Speaker, I have to say that we had two other initiatives prior to this one as it relates to surveillance of our borders that spent $426 million, Mr. Speaker, and it was cost overruns and did not meet the contractual agreement that they made with the Department of Homeland Security. Now, this is a $2.5 billion initiative that Boeing will have.

Let's put Boeing aside, because I am not here to talk about Boeing. I am here to talk about the lack of capacity of the Department of Homeland Security and the lack of effort as it relates to the Congress to make sure that we protect our borders.

The 9/11 Commission that I spoke of in detail last week, Mr. Speaker, said that we need 2,000 Border Patrol agents per year; 2,000 Border Patrol agents per year. You thought the President heard that message? Maybe not. You want to talk tough on border security and homeland security, or you just want to talk common sense on border security and homeland security?

The President sent his budget to this Congress because he felt that he could do it, because this Congress, A, doesn't have the will and the desire as it relates to the Republican majority to make sure that we have enough border agents on the border. Now, we can burn

all kinds of Federal jet fuel in the Republican leadership going down to the border talking about, ''Oh, I am here to make sure that we protect our borders, and we want to make sure that things go the way they are supposed to go.'' But the bottom line is, and I think this is important for every Member of Congress to understand, the fact is that 215 border agents were requested by this administration.

On the Democratic side of the aisle, Mr. RYAN, Ms. WASSERMAN SCHULTZ, Mr. DELAHUNT, Mr. Speaker, we call for 2,000 border agents in line with the bipartisan 9/11 Commission report. Now, $2.5 billion, the Department of Homeland Security and even before they were created legacy agencies that are now in the Department of Homeland Security oversaw the two initiatives prior to this new one, changing the name, but not the oversight.

Now, I am the ranking member on Homeland Security and the Subcommittee on Oversight, Management, and Integration. We have three hearings, Mr. Speaker, and we had those hearings because the inspector general of the Department of Homeland Security said that the money was squandered, 426 million of the U.S. taxpayers' dollars. They had cameras that didn't work. They had cameras in areas where Border Patrol agents could not even respond to watching individuals cross the border because they didn't have enough agents.

On 9/11, combining three shifts of 24-hour shifts on 9/11, there were 250 agents on the border between Canada and the United States of America, 250. Now, we are not talking about all at once, we are talking about three shifts. So I think it is important.

If we are going to talk about what the facts are, and that is what I enjoy about our working group that we have here is that we come to the floor with the facts. We have the will and desire because we have amendment after amendment that shows that here on this side of the aisle that we called for the 2,000 border agents since the 9/11 report was released, that was a book in Barnes and Noble and on Amazon.com and a number, and I encourage Americans to take a look at that, because this Republican majority is not following that. Come to the floor, tough talk, but not backing it up.

And the great frustration of so many Americans as it relates to not only responding, yes, we can go out and link ourselves up and sing ''God Bless America'' out here on the steps of the Capitol, but the real commitment to protecting and having real security that we call for in our plan, HouseDemocrats.gov, anyone can get it, any Members of Congress can get it, of real security is making sure that we scan our containers for nuclear weapons, to make sure that we check air cargo before it goes in. We have passengers and Americans basically taking off everything to get on a plane, but meanwhile the cargo goes in the bottom of the plane unchecked.

The frustration that Mr. DELAHUNT has is the fact that people come down to the floor saying one thing, and it is actually another. It is like me saying, ''Look over there,'' when the action is over here, or the lack thereof.

So I think it is important that we outline these issues. Not the Democratic Caucus, not Mr. RYAN, not Ms. WASSERMAN SCHULTZ, not Mr. DELAHUNT that comes here with this report. We are talking about the inspector general of the Department of Homeland Security that says the Department of Homeland Security doesn't have the management capacity to oversee a contract even smaller than the $2.5 billion contract. So nowadays before the election, Mr. RYAN, the Department of Homeland Security is saying that we have monitors, and that we are going to monitor the movement on the border. How about the apprehension of individuals who are crossing the border? How about having border agents who are able and detention centers that are able to handle the capacity of those individuals who are coming over?

And then we had an amendment on the floor, a bill on the floor, recently saying that we are going to build a double-link fence. I voted against it because it was a joke. We are going to build a double-link fence of 200 miles or so on the border that individuals are crossing; but, better yet, it doesn't appropriate any money to build the fence. You want to talk about the Potomac two-step in the worst way. That is just like me going to my kids and saying, ''Hey, guess what? We are getting ready to go to Walt Disney World, but meanwhile we don't have the gas money to get there.''

I mean, you know, we are making fun of this, but what I am saying is that this is for real. And so we have Members coming to the floor who are representing to not only, Mr. Speaker, you, other Members of the House that we are actually doing something on the majority side, and we are not doing anything but saying we are going to go right, but then going left. I am talking about the Republican majority that is doing that.

So if we are going to be real, if we are going to have real security, Mr. Speaker, that we talk so much about here on this floor on this side of the aisle, if we get the majority of this House, we have the will and the desire to implement the full recommendations of the 9/11 Commission.

You want to respect those families, Ms. WASSERMAN SCHULTZ, that you talked so eloquently about just a couple of days ago here on this floor when you took the opportunity to walk the Members through what they haven't done and what they should do? We want to respect the memory of those individuals, we want to respect those first responders who put their lives on the line, climbed up that building; some lost their lives; some are still living with the aftermath of their heroism. If we want to respect them, then let's do what they said do. And if you are a Republican, Independent, or Democrat, you have to have a problem with the fact that these Members are coming to the floor representing one thing and doing another.

So they can burn all kinds of Federal jet fuel and taxpayers' expense all they want to, Mr. DELAHUNT. And your frustration as it relates to Afghanistan when we had them on the run and now we have commanders, need it be NATO commanders or need it be U.S. commanders, saying we need help. General Abizaid, he had a press conference 48 hours ago, says, no, troop levels won't be coming down; we are going to still have 140,000 troops in the war in Iraq.

□ 2130

We have 147,000 troops right now in the war in Iraq, and we will probably end up having 147,000 troops that are on their fourth and fifth deployments.

Yesterday in Iraq, we lost four marines, leave alone the countless number of Iraqi individuals that are not even wearing a uniform, just trying to make a living, that have lost their lives. We have a policy here in the U.S. Congress of saying, because the President said stay the course, and we have a rubber-stamp majority that is not even exercising Article I, section 1 of the U.S. Constitution.

The lack of oversight and the lack of legislative authority, and this is what we get. We get individuals coming to the floor making statements that they know full well are not true on the reality of the appropriation and the reality of the direction of the policy of this country. Follow the President. So shall it be written, so shall it be done. That is not the democracy that the American people woke up early one Tuesday morning to vote for representation here in this House.

Mr. RYAN, as I yield to you, Democrats, Republicans, Independents, Green Party, Reform Party, they voted for representation and we are saying that we have the will and the desire to provide that representation.

Mr. RYAN of Ohio. If you just look at what the gentleman from Florida (Mr. MICA) has said, ''Unfortunately, Congress is not ready to face the reality of the problem.'' He is talking about airline security. That is not us. That is not Democrats saying it. Republicans now are saying it, Newt Gingrich, generals, Republicans, Bill Buckley. I mean, come on, they are all saying this, that they are not addressing the need of the problem.

Mr. DELAHUNT. Before you go any further, I have a quick point to make. I think we should acknowledge, and I would be remiss if we didn't acknowledge that our friend and colleague from Ohio is here tonight playing hurt. He is a real trooper. I understand, and maybe Mr. MEEK can elaborate on this, and yes, bring out the crutches. But last night TIM RYAN and KENDRICK MEEK, along with a bipartisan group of Members of this House, played a football

game against the Capitol Police, and Mr. RYAN went down fairly quickly, I understand.

Mr. RYAN of Ohio. Would the gentleman yield?

Mr. MEEK of Florida. He is yielding to me. Mr. RYAN, it is better when someone else talks about your great contribution.

Mr. RYAN of Ohio. I made it to the third quarter.

Mr. MEEK of Florida. Mr. Speaker, even you participated in this fund-raiser. This is very important. This was a fund-raiser to raise money for the police officers who lost their lives here protecting the Capitol, to make sure that their children have an opportunity to go to college and be all that they can be.

Mr. RYAN got caught up into the moment last night. He played quarterback. Made a couple of plays, running the ball, bad knee and all, and ended up hurting his knee. Tonight he comes with not only the will and the desire, but the dedication. He is standing here on one leg with crutches. He is here to deliver the message on behalf of the 30-somethings. We commend your dedication for watching out for not only the American people but those at the U.S. Capitol. We appreciate your sacrifice for being here tonight, standing on a bad leg and trying to recover at the same time.

Mr. DELAHUNT. Mr. MEEK, let me interrupt one more time.

To be serious for a moment, I want to acknowledge both of you for participating. I would add that those who are watching should understand that this is an effort by both Republicans and Democrats for a tremendous cause. The men and women who serve in the Capitol Police, as well as the men and women who serve in this Congress, some of whom are behind us right now, are dedicated professionals. They do an extraordinary job. It is difficult. In the case of those two Capitol Police who were killed, what we can do for their family is something that we all participate in, and we owe a debt of gratitude to them. Great job.

Mr. RYAN of Ohio. If the gentleman would yield, last year we raised $50,000 for a trust fund for the kids of these families. This year we raised $30,000, so there will be $80,000. Hopefully we can raise more in the next couple of years. I am not necessarily saying I will play in the game next year. I will be happy to write a check, but to make sure that there is a trust fund there for all of these kids, I think we should eventually expand it to all of Capitol Police who get killed in the line of duty protecting us and protecting this Capitol. I think it is important.

I didn't really want to bring it up, but our coach for the team is TOM OSBORNE, the former great coach of the University of Nebraska. He was our coach, and I was an old quarterback. So if TOM OSBORNE is my coach, I am going to try to impress him.

Mr. DELAHUNT. And that is the result.

Mr. RYAN of Ohio. This is the result for my trying to impress TOM OSBORNE.

Ms. WASSERMAN SCHULTZ. If the gentleman would yield, this is obviously not a playing field I can participate in terms of the debate or the discussion, given the difference in my stature, and I mean physical stature, versus yours.

But Mr. RYAN, I will point out as your athletic prowess absolutely precedes you, given the baseball performance and now the football performance, perhaps you should become a charitable donor henceforth as opposed to participant on the field.

Mr. RYAN of Ohio. If the gentlewoman would yield, last night's injury has now relegated me to yoga and golf. So I have changed my future. At 33 years old, I am now limited to different forms of yoga and improving my golf game. No basketball. No baseball. In fact, last night Mr. MEEK, as he drove me from the field to the locker room and almost to the hospital, said this morning when he picked me up to take me to the gym, he said, ''I have your spikes in my car.'' And I said, ''You can burn them because I am never going to need them again.''

Ms. WASSERMAN SCHULTZ. But we digress.

It is a pleasure to be here with you. I am happy to yield my usual spot so you can utilize the benefit of the chair.

I want to pick up on some of what Mr. MEEK has been talking about this evening, because for the last 2 weeks or so we have been subjected as Americans to the onslaught of dialogue on the Republican side of the aisle in terms of their view of national security and how it is only through their continued leadership and their continued driving of the agenda and continuing in the direction that they have taken America that we will be able to remain safe.

Yet I find it really interesting, and I have an illustrative chart here that I would like to walk through quickly, that there are people, very prominent people, people who have the expertise, that know that nothing could be further from the truth.

In fact, last Monday, which was the anniversary of September 11, former Governor Tom Kean of New Jersey and former Member of Congress Lee Hamilton, Republican and Democrat, the co-chairs of the 9/11 Commission, issued a blistering analysis that was published in papers across the country, but particularly in the Boston Globe, which is your home paper, Mr. DELAHUNT, that they reiterated that the report card that the 9/11 Commission had given the Congress in December included 10 Cs, 12 Ds and 4 Fs. That was a clarion call last December to the Congress and this Republican leadership.

They were saying look, you are not moving in the right direction. You have an opportunity to change course. You have an opportunity to make a commitment to homeland security and to shoring up our national security; do it. We are the ones that reviewed the gaps, and we recommended to you how we could close those gaps and you have not done it.

Here is what they said last Monday. They said, ''What we argued then is still true now. Americans are safer, but we are not yet safe.'' Then they walked through what still needed to be done. This chart is illustrative of what they talked about in this editorial.

First, they said homeland security dollars must be allocated wisely. They indicated that right now we are not allocating funding on the basis of risks and vulnerabilities. The Republican leadership is actually doing it on an earmark basis. They are giving out little pots of money around the country to make individual Members happy so they can say I brought home some security dollars for my district instead of concentrating on the areas where the real risks and vulnerabilities are.

They went on further and said States and localities need to have emergency response plans and practice them regularly. The problem is, there isn't a creation of State and local response plans going on, and from the moment disaster strikes, all first responders need to know what to do and who is in charge, and that is not happening.

Third, they called on Congress to give first responders a slice of the broadcast spectrum that is ideal for emergency communications. Right now, as you can see, that is not going to happen until 2009. Do you remember the intraoperability and communication that was talked about as the problem that occurred on 9/11 when the firefighters and the police officers and all of the first responders and then the Intelligence Community, FBI and all of the law enforcement agencies, couldn't talk to each other because their systems don't communicate with each other. That still hasn't been fixed, and one of the problems is that the broadcast spectrum is not going to be turned over until 2009.

Number four, there has not been enough progress on information sharing among government agencies. There are still turf fights and gaps in information sharing, especially with State and local authorities. We have to shut off the turf battles, increase information sharing among government agencies, and make sure that these entities can talk to each other.

This can't be about turf anymore. This has to be about making sure that there is a seamless system, that there is a system through which information can flow so that when there is danger that is either imminent or is occurring, there can be the communication that was so absent on 9/11.

Fifth, FBI reform is moving in the right direction, but far too slowly. They said you need to speed up FBI reform, improve FBI technology and analytical capabilities, and lower the workforce turnover. Those things still have not occurred 5 years later.

Six, we have taken a special interest in the Privacy and Civil Liberties Oversight Board which we recommended and the Congress and created, but we have to protect privacy and civil liberties and make sure that they function with oversight with the executive branch.

Clearly, Mr. DELAHUNT and I know better than anybody after our Judiciary meeting today, there isn't any interest in oversight in terms of the Republican leadership in this Congress. They have essentially been willing to cede our legislative authority to the executive branch. It is shocking. I don't know whether they just didn't take the same civics classes as we did or whether they are just so trusting of this Presidency.

Mr. DELAHUNT. If I may offer another theory, another hypothesis. It is about politics. It is about retaining power.

What happened in the Committee on the Judiciary today was on the issue of the detainees. The President has come out with a proposal and that proposal was summarily rejected by three prominent U.S. Senators, all Republican. One was the chairman of the Armed Services Committee, JOHN WARNER; JOHN MCCAIN, who was imprisoned during Vietnam for years, who understood what it means to serve his country in the most dire of circumstances, and exit a hero; and LINDSEY GRAHAM, a lawyer who served in the military as a military lawyer; because they understood that if the President's proposal is accepted, it will put at risk American service personnel.

□ 2145

And what we did today, in effect, was to turn our back and not listen, not just to them, but more than 40 retired generals, admirals, men and women who have served this country, including the former Chief of Staff of the Joint Chiefs, former Secretary of State Colin Powell, who said this is a mistake in a letter endorsing the proposal to JOHN MCCAIN.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. DELAHUNT. Yes.

Mr. RYAN of Ohio. Because it comes down to this, that this is another, I think, election year situation. But the bottom line is this: We opt out of the Geneva Convention, and we make a certain set of rules to say how military prisoners should be treated, just because if we do that, we have a certain set of standards, it does not mean other countries won't opt out, and their standards will be a heck of a lot lower than our standards.

Mr. DELAHUNT. Mr. RYAN, the military doesn't want us to do it.

Mr. RYAN of Ohio. Nobody wants to us to do it.

Mr. DELAHUNT. The military, because they know that the men and women that serve will be put at risk, they will be in danger, that is why they don't want it to happen.

Mr. RYAN of Ohio. JOHN MCCAIN, who has actually been through it, the most well-known political prisoner in our country's history, now, given the modern media today and the kind of fame that he has generated, says that this is a bad thing for our soldiers. This isn't about anyone else's soldiers. This is about our soldiers. You want to be promilitary? You want to be pro-U.S. soldier? You want to protect our soldiers? You failed them on body armor. You failed them with a plan to get out. And now if they get caught, you are going to say there are no international standards in which we can hold these other countries by, and you will be able to do anything you want to the American soldiers.

Now, we know there are rogue people, but there are many people who will get political prisoners and actually abide by the rules. We know there are some that won't. But to go against JOHN MCCAIN and to go against a JAG officer like LINDSEY GRAHAM, and to go against Mr. WARNER, Chair of the Armed Services Committee, who has been in for years.

Mr. DELAHUNT. That is inviting danger for the American soldier, the American service personnel. And by the way, testimony before the Senate by the senior serving JAG advocate said we don't need it.

Mr. RYAN of Ohio. And let's be honest here, Mr. Speaker. This is a joke because this is about 84 percent of America's top national security experts saying we are losing the war in Iraq. This is about all these generals that we have been showing night in and night out saying there is no plan to get out of here, there was a bad plan to get in, there was a bad plan to start with. There was no plan, bad information, bad intelligence, nothing was right. Look back at everything they said about using the oil for reconstruction money, about being greeted as liberators, about all this nonsense that we heard before.

This is an opportunity for this administration, Mr. MEEK, to try to change the subject. And all of a sudden we are talking about a few political prisoners, and it has enormous ramifications.

But the bottom line is this: This administration wants to talk about anything but the war and the economy. They want to change the subject anytime they get a chance to. And now we have got this debate about military prisoners. And I am not saying it is not important, but my God, you have got millions of people living in poverty. You have got seniors whom you are threatening with their Medicare. You have got 40 some million people with no health insurance. You have stagnant wages. You have gas prices going up. You have health care going up. You have tuition going up. You have poverty rates going up. You have got veterans' benefits going down. And you want to talk about this one little sliver to change the subject, and you are coming up with all these new phrases again, ''Islamofascism'' and all this other stuff.

Mr. MEEK of Florida. Will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman.

Mr. RYAN of Ohio. Let me finish, Mr. MEEK, because the bottom line is this, here is the cost: $8.4 billion per month, $1.9 billion per week in Iraq, $275 million per day in Iraq, $11.5 million per hour in Iraq. If this is the legacy of the Bush administration, you know what? If I was in the White House, I wouldn't want to talk about this either. I would talk about anything possible other than this fact.

You want to start talking about providing health care for millions of citizens? You want talk about lower tuition costs? You want to talk about investing in alternative energy sources to reduce our dependence on foreign oil? You want to talk about what Mr. MICA wants to do with airline security and port security? We have got the money. We have got the money. But we are spending it in a black hole called Iraq.

Mr. MEEK of Florida. If the gentleman will yield, I am going to have to leave before the hour is over, and I have to take Mr. RYAN since he laid it out in the field last night. But let me say this very quickly. The facts are what the facts are. Some individuals say it is what it is. And the bottom line is we have a rubber-stamp Republican majority.

I do not spend a lot of time, Mr. Speaker, talking about what the White House should have done and what they did do or whatever the case may be because I am a Member of Congress; so by my being elected in the 17th Congressional District, Ms. WASSERMAN SCHULTZ, right next to your district, by the people of South Florida, they federalized me to come to the Congress to do what? Carry out Article I, section 1 of the U.S. Constitution. That means the legislative body has oversight and is the investigative body. We are not doing any of those.

Let me just take a moment. Today we had a number of visitors to the Capitol. The American Cancer Society came to the Capitol. A number of survivors came to the Capitol. They have a walk that is going on right now outside on the Mall near the reflection pool of the Capitol.

I want to commend them for their efforts for coming here to Washington, D.C. I want to also say they have a Wall of Hope out there for those individuals that are survivors and those individuals that have passed on. I know Ms. WASSERMAN SCHULTZ had a joint press conference on breast cancer today. I think it is important that we lift those individuals up because I know that there are Americans who could not make it.

My sister is a breast cancer survivor. I went out with Mr. RYAN this evening to sign the wall for Florida, and I put

my sister's name in. She couldn't be here. I called her and told her that I put her name on the wall. I had an opportunity to sign it.

I know that we in the Congress, all of us, are a part of making sure that we have enough research to be able to look and find ways that either we can prevent cancer from happening, or find medicines and procedures that can take away the issue of cancer. I know there is a commitment by 2015 to eradicate all cancer here in the U.S. So that is very, very important.

I just wanted to lay that out because I know we wanted to all commend them. We have serious issues that we are talking about, but at the same time, Mr. Speaker, we have got to lay out the commitment of those who did come up here.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. MEEK. I am glad you touched on that. I lost both my grandmothers to lung cancer, and, unfortunately, in America we all know someone who has been touched by cancer, and it is so incredibly important that Congress redouble its effort and commitment to funding the research so that in our lifetimes as 30-somethings, we can see a cure for not just lung cancer, but cancer of all types in our lifetime and during our congressional careers. So I know we all are committed to that.

Mr. DELAHUNT, I think we are wrapping up. Do you have any additional items to add?

Mr. DELAHUNT. Again, I would say that I think what is being revealed to the American people is that this administration is really driven by politics.

We hear now about immigration and border protection, but for 6 years they have been the majority in this body, they have been the majority in the Senate and have owned the White House, they had an opportunity to vote and to support Democratic proposals which would have strengthened border security. And a comparison, I think, is in order here right now.

The average number of new Border Patrol agents that were added per year during the Clinton administration was 642; during the Bush administration, 411. Immigration fraud cases that were completed in 1995, almost 6,500; in 2003, on the average, 1,300.

And what I find particularly fascinating is those cases that were filed against employers for hiring illegal immigrants, in 1999 there were some 417. In 2004, there were three.

The reality is the resources were never provided to enforce the existing laws that would have served us well, and now we are hearing about border protection. There is no other conclusion that one can reasonably reach other than it is great politics in an election year to energize the so-called base. But it is not fair to the American people on an issue that really needs to be debated in a respectful and civil way and analyzed appropriately.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. MCHENRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate once again the opportunity to come before the House of Representatives tonight and bring the latest version of the Official Truth Squad.

You have heard a lot of information over the last hour, much of which, in terms of its tenor and its tone, was the genesis for the Official Truth Squad, because what we as Republican freshmen Members of Congress determined about a year or a little over a year ago was that there was an awful lot of disinformation and misinformation and distortion and demagoguery and division, attempting to divide the Nation in such a way that it did a disservice to everybody. And, Mr. Speaker, you have heard an awful lot of that over the last hour.

We have got some very serious things to talk about tonight, but I wanted to spend a few moments and just try to lower the temperature a little bit, try to decrease the calamity that you have just heard. You have heard a lot of discussion about all sorts of issues, mostly national security issues. You have heard some claims about the 9/11 Commission and how none of the recommendations of the 9/11 Commission have been proposed or adopted by Congress.

But what the Official Truth Squad is all about is about truth. It is about fact. It is about real things. And one of our favorite quotes comes from Senator Daniel Patrick Moynihan, who had just a great quote. He said that everyone is entitled to their own opinion, but nobody is entitled to their own facts. Everyone is entitled to their own opinion, but not their own facts. And that is important, Mr. Speaker, because when you hear all these things, these accusations and incredible distortions that are leveled, very rarely are they ever rooted in fact.

And I am here to give you a few instances of fact, and I just want to spend a few moments to talk about national security and the 9/11 Commission recommendations because the distortions have been phenomenal.

We have on the other side of the aisle, the Democrat side of the aisle, a leader who has said within the last 2 weeks that she didn't believe that the capture of Osama bin Laden would make America any safer. That is a stunning statement from the individual who wants to be third in line to the Presidency, a stunning statement. She has also, as well as so many individuals on the other side have, called for the implementation of the recommendations of the 9/11 Commission. Well, in fact, what they ought to do is look in the mirror or talk to their colleagues, because Capitol Hill Democrats have repeatedly, repeatedly opposed legislation implementing recommendations of the 9/11 Commission that were meant to strengthen America's national security and prevent further terrorist attacks. And I have just got a couple of them here for you, Mr. Speaker, that I would like to share with you.

The 9/11 Commission stated: ''The government has made significant strides in using terrorism finance as an intelligence tool.''

□ 2200

Yet the Democrats voted, 174 of them voted ''no.'' Voted ''no'' for the bill that would allow us to continue to use that kind of intelligence in making certain that we can capture terrorists, find terrorists. ''No.''

The 9/11 Commission recommendation, they call for its adoption and its implementation. We propose it on the floor of the House in a responsible way, in a positive way to try to make America safer, and what do the vast majority of the Democrats on the other side of the aisle do? Vote ''no,'' 174 of them.

The 9/11 Commission says, ''The REAL ID Act has established statute standards for State-issued IDs acceptable for Federal purposes, though State compliance needs to be closely monitored.''

So the REAL ID Act that this House passed that was signed into law with the good work of a Republican House and a Republican Senate and signed by the President, how many folks on the other side of the aisle, our good friends who have just been clamoring for adoption of the 9/11 recommendations, how many supported it? Well, I will tell you that 152, the vast majority of them, voted ''no,'' voted ''no'' on the REAL ID Act.

Again, the 9/11 Commission says, the House and the Senate have taken positive steps, but Secretary Chertoff and his team still report to too many bosses. The House and the Senate Homeland Security Committees should have exclusive jurisdiction over all counterterrorism functions of the Department of Homeland Security.

And when that recommendation of the 9/11 Commission is proposed on the floor of the House, where are our friends on the other side of the aisle who clamor over and over for adoption of these recommendations? The majority of them, 120, vote ''no,'' vote ''no,'' Mr. Speaker.

So as a member of the Official Truth Squad, as an individual who has been frustrated, when I go home and talk to folks, they want us to work together. And I encourage individuals to work together. These are not Republican problems that we have or Democrat problems, they are American problems, they are American challenges.

So I encourage my colleagues on the other side of the aisle to throw fewer stones, throw fewer barbs, be less political. I know it is an election season, and that is fine, but there are real problems and real challenges to solve.

We have real solutions, and we encourage and invite our colleagues on

the other side of the aisle to indeed join us in solving these issues, especially, especially in the area of national security.

Now, Mr. Speaker, I am going to be joined tonight by a number of individuals who want to talk about a very, very serious issue as it relates to not just our Nation, but indeed the world. And that is, again, an attempt to try to lower the temperature, try to lower the pressure points and talk objectively and within reason about the issue of nations, about the issue of religion, about the issue that has grown into a firestorm with the Pope's comments that I believe have been taken out of proportion.

And to open that, I would like to just share a comment from the Pope. And we all know the comments that have been made and how they have been taken most recently. And the quote that I find most instructive from the Pope is this. It says, ''For the careful reader of my text, it is clear that I in no way wanted to make mine the negative words pronounced by the medieval emperor, and their polemical content does not reflect my personal conviction.''

I think that is a powerful statement, Mr. Speaker. Powerful statement. And what the Pope has attempted to do, I believe, is to try to talk within reason about the issue of religion and about the issue of politics, because it is extremely important for us as a world at this stage right now.

The response that has been received, however, has not been as reasoned. And this is a quote from a branch of al Qaeda, and it is troubling, Mr. Speaker, it is troubling, these words. ''We tell the worshiper of the cross, the Pope, that you and that the West will be defeated, as is the case in Iraq and Afghanistan and Chechnya. We shall break the cross and spill the wine. God will help Muslims to conquer Rome. God, enable us to slit their throats and make their money and descendants the bounty of the Mujahadin.''

That is a quote, Mr. Speaker. So I would call on all individuals of goodwill, all Christians, all Jews, all Muslims, all members of any religion around the world to take a deep breath, to take a step back. This kind of verbal assault does nothing to assist us in the world community to solve any of the challenges that we have.

I would point to a comment that was in the L.A. Times where they noted that the Pope paused twice during his speech to remind the audience that he was quoting another individual and departing from his prepared text. The Pope twice reminded the audience that he was quoting someone else, an indication that he was clearly aware of the sensitivity of his comments.

Finally, there was a press communication that was put out by the Vatican that said that the Pope's option in favor of interreligious and intercultural dialogue is equally unequivocal. In his meeting with representatives of the Muslim communities in Cologne, Germany, on August 20, 2005, he said that such dialogue between Christians and Muslim ''cannot be reduced to an optional extra. The lessons of the past must help us to avoid repeating the same mistakes. We must seek paths of reconciliation and learn to live with respect for each other's identity.''

So it is in that context, Mr. Speaker, that we open the discussion tonight with some good colleagues and good friends who are reasoned in their discussion and their perspective on this issue.

Mr. Speaker, I am pleased to be joined by many of them this evening. I wish to introduce and yield to the gentlewoman from Pennsylvania (Ms. HART), who I, as just a freshman member of the Republican Conference, have found to be a stalwart individual, individual who truly speaks the truth, and an individual whom I know her heart is good. I yield to my good friend, Congresswoman HART from Pennsylvania.

Ms. HART. Mr. Speaker, I thank the gentleman for yielding and for his comments. You know, I am pleased that we have joined the Official Truth Squad, because the main reason why several of us wanted to be on the floor tonight was to further discuss and hopefully enlighten each other and anybody who may be listening about what Pope Benedict was really talking about in Regensburg.

Unfortunately, there was a significant amount of negative response and I believe inaccurate characterizations of the speech, or actually the class he was teaching as Regensburg, a university where he taught.

And the discussion was regarding many things, but I think his focus was a hopefulness that faith and reason should always be joined together. Many of us have been speaking of this to each other, kind of challenging each other in our thought processes about why the reaction to his speech was so negative, and, in fact, why he was accused of being critical of Islam in the comments that he cited that were made in the Middle Ages during a conversation, an intellectual conversation, between a Christian and a Muslim about their faith, when at the time they could speak, I guess, honestly and peacefully to each other.

Pope Benedict discussed it, and I think it is important that his actual words be cited. I know that Congressman MURPHY wants to say a few things about that, but I want to open with the passage that so many people have been decrying. He said, ''Show me just what Mohammed brought that was new.''

Now, this is a quote. This is not the Pope's words. He is quoting from a Byzantine emperor, Manuel II Palaeologus, and his discussion with a man they called an educated Persian on the subject of Christianity and Islam.

And the quote from the Byzantine Emperor was, ''Show me just what Mohammed brought that was new, and there you will find things only evil and inhuman, such as his command to spread by the sword the faith he preached.''

The emperor goes on to explain in detail the reasons why spreading the faith through violence is something unreasonable. Violence is incompatible with the nature of God and the nature of the soul.

It does not end there, however. The statement is, ''God is not pleased by blood, and not acting reasonably is contrary to God's nature. Faith is born of the soul, not the body. Whoever would lead someone to faith needs the ability to speak well and reason properly without violence and threats. To convince a reasonable soul, one does not need a strong arm or weapons of any kind or any other means of threatening a person with death.''

Mr. PRICE of Georgia. Mr. Speaker, I think it is extremely important that we appreciate that those were not the Pope's words, correct?

Ms. HART. Mr. Speaker, he was quoting as an example of a discussion between two educated people of different faiths.

Mr. PRICE of Georgia. Mr. Speaker, I think that is incredibly important. I do not think we can repeat that often enough, given the response that has been seen. These were not the Pope's words. He was using this quote from 600 years ago as an instructive tool.

I yield.

Ms. HART. I thank the gentleman.

Yes. I mean, his goal was to challenge those faiths today, not just Christians, not just Jews, not just those of the Islamic faith, not just anyone in particular, but everyone to be challenged, to always include together in their thoughts and their discussion and discourse with others, sure their faith as a basis, but reason as well.

And I believe today, unfortunately, much of the discourse, and certainly the response, was completely inappropriate to what the Pope was teaching that day in Regensburg; was exactly, unfortunately, an illustration of a radical, really, faith without reason.

In fact, it was illustrated as without reason in the reaction that we saw, that was reported in the news, much of which was reported as being a response to what the Pope said; you know, threats on lives, threats on the Pope's life, unfortunately a murder of an Italian nun, and basically a demand that the Pope apologize.

Now, clearly he did apologize for the reaction to his words, but I believe that he had hoped and expected that his words would stand as stated. That it is a call to all people of all faiths to enter a discourse; do not abandon your faith, but bring along with it the reason and the goal of being peaceful-minded and having the goal of getting along with those of other faiths as the two gentlemen did who he cited in his quote.

I would be interested in yielding to Mr. MURPHY, if that is all right with you, Mr. PRICE?

Mr. PRICE of Georgia. Absolutely. I appreciate so much the importance of connecting faith and reason, because I think that is what the Pope has challenged all of us to do is to reflect upon our own faith.

Clearly we are in a point in this world now where there are individuals who are not desirous of joining faith and reason together. And so I think we ought to be commending the Pope for bringing forward this incredibly important issue that will allow us, should we be able to navigate these waters well, that will allow us to continue to survive in a world at peace.

Ms. HART. Hopefully, if I may move us in the direction of a discourse without threats of violence, without acts of violence, and toward the goal that all of these leaders profess to have, at least most of them, which is peace.

Mr. PRICE of Georgia. Which is, in fact, the end point in the goal of all of the great religions.

Ms. HART. That is right.

□ 2215

Mr. PRICE of Georgia. I welcome my good friend from Pennsylvania, as well, Dr. MURPHY, joining us this evening. I look forward to his comments.

Mr. MURPHY. Thank you.

I thank the gentleman for yielding and the gentlewoman from Pennsylvania, also, to spend some time on some of the important points in our world today. We are so very deeply concerned that throughout our world and really throughout the history of humankind, so many people have lost their lives and blood has been shed and cities have been burned and armies have been massed, unfortunately, in the name of religion. It has sometimes and very frequently distorted its goals.

I wanted to start off by going back to some of the speech that Pope Benedict gave. In a sentence that followed his quote under question again, where he is continuing his quote about the emperor and saying, The emperor, after having expressed himself so forcefully, goes on to explain in detail the reasons why spreading the faith through violence is something unreasonable. Violence is incompatible with the nature of God and the nature of the soul. ''God,'' he says, ''is not pleased by blood, and not acting reasonably is contrary to God's nature. Faith is born of the soul, not the body. Whoever would lead someone to faith needs the ability to speak well and to reason properly without violence and threats. To convince a reasonable soul, one does not need a strong arm, or weapons of any kind, or any other means of threatening a person with death.''

As I read this, I am also struck by some of the similarity with an article about religious tolerance in Islam. There are several quotes which I need to read into the record, too, to talk about some things we need to understand as Americans and the world needs to understand. Our nation, predominantly a Christian nation and one that is founded on many of those principles and very much a part of our history, our Constitution and our laws, there is so much we need to learn. I say these things not in any kind of way of being conciliatory but a way of saying we need to approach things with understanding and not the violence which is occurring around the world. It is so disturbing to see churches burned, to see a nun shot, to see calls and crying out for assassinations. This is not the way to seek peace.

Let me read here from this article on religious intolerance in Islam about piety, where the author, Dr. Abdullah M. Khouj, writes:

Piety eliminates any type of racial, social or national discrimination. Religious discrimination is completely incompatible with Islam. Islam was revealed in a part of the world and at a time when the majority of people were polytheists. Islam came and showed people the need to believe in one God as the only way to understand themselves and to improve their lives. Allah confirmed to the prophet that we must believe all previous messengers and that we must reach a level of understanding with other religions. He says:

''Say ye: 'We believe in God and the revelation given to us, and to Abraham, Ishmael, Isaac, Jacob and the tribes, and that given to Moses and Jesus, and that given to all prophets from their Lord: We make no difference between one and another of them: And we bow to God in Islam.'''

The author goes on to say:

And when a Muslim discusses religion with a non-Muslim, Allah enjoins us to speak with reason and good manners.

Again he continues:

''And dispute ye not with the People of the Book, except with means better than mere disputation, unless it be with those of them who inflict wrong and injury: But say, 'We believe in the revelation which has come down to us and that which came down to you. Our God and your God is one; and it is to him we bow in Islam.'''

Again the author continues:

Indeed, Allah requires us to ensure that religious discussion never be allowed to become violent.

Finally he quotes:

''Let there be no compulsion in religion. Truth stands out clear from error. Whoever rejects evil and believes in God hath grasped the most trustworthy hand-hold that never breaks. And God heareth and knoweth all things.''

As I read those words that have come from the Islamic Center, I am struck that really throughout history, so many faiths and governments have dealt with religious conflict. Early this evening, in fact, I was meeting with folks from Northern Ireland, from Ireland and the United Kingdom who have themselves been dealing with a conflict which has gone on more predominantly for the last few decades but really for centuries of conflicts between Catholics and Protestants/Christians in Northern Ireland. Much blood has been shed. There have been revolutions. There has been a peace agreement which has been in place since 1998 but a government is not yet set. It is true these things we have to remember, that when people have religious intolerance and wars and bloodshed ensues, it is of terrible consequence.

One of the reasons we are here today is to say that we are are not here to support any kind of intolerance. We are here to call the world to do what it should do in terms of those principles of religious freedom which are so important for bringing peace to the world.

Here let me call upon something that George Washington said. He said, back in 1792, ''Of all animosities which have existed among mankind, those which are caused by difference of sentiments in religion appear to be most inveterate and distressing and ought most to be deprecated. I was in hopes that the enlightened and liberal policy which has marked the present age would at least have reconciled Christians of every denomination so far that we should never again see the religious disputes carried to such a pitch as to endanger the peace of society.''

He goes to say, in 1775:

''As the contempt of the religion of a country by ridiculing any of its ceremonies or affronting its ministers or votaries has ever been deeply resented, you are to be particularly careful to restrain every officer from such imprudence and folly and to punish any and every instance of it,'' he was saying to Benedict Arnold.

''On the other hand,'' Washington continues, ''as far as lies in your power, you are to protect and support the free exercise of religion of the country and the undisturbed enjoyment of the rights of conscience in religious matters with your utmost influence and authority.''

It would seem to me at that time, as Washington has said, as so many countries have dealt with these issues, that what we need to have is not more violence, not more accusations, not more calls for assassinations and murders and burnings, not more continuation of war, hiding behind these with some extremists who have themselves captured or are hiding behind some aspects of faith, but understand that we are in a world that can little tolerate these burnings, these assassinations, these murders but on one which really must call for an interfaith dialogue, of patience, of understanding; truly seeing what the words are and not using them as some sort of vehicle for more incendiary language.

There is so much that we need to use and perhaps, in the Pope's words, those should really be a stepping-off point to continue this dialogue, not to continue on with this violence which we are seeing. The world can little afford more war. As I watched also the comments of the United Nations today from leaders to continue these comments, this is

not the way the world should be operating. This is not the way the U.N. should be operating. My hope is that every American of every faith, that every man or woman of the cloth of every faith, not only here in the United States but throughout the world, sees this as an opportunity to be called upon by their Maker to speak out and say that if there is any hope for us in this world, if there is any hope for the faiths of which we adhere, that this is the time above all times when truth and dialogue are needed to discuss things rather than swords.

Mr. PRICE of Georgia. What a wonderful picture you paint. I thank you so much for those remarkable words. It is not often that we get the opportunity here in Congress to talk about these overarching issues and matters that come before us. And what a beautiful quote you read from the father of our country, George Washington, to talk about conscience and to talk about religious liberty and religious freedom. If ever there was a nation that was founded upon the principle of religious tolerance, I would suspect that it is indeed the United States of America. And maybe it is this discussion tonight that begins that call to individuals truly across America and around the world to enter into that dialogue that you talk about, because it is so extremely important that we turn away from the sword, that we move toward a path of discussion and dialogue and of joining together faith and reason so that we can walk together in peace as opposed to challenge each other to arms which was so distressing, as you mentioned, to see at the United Nations today. I was so distressed to see so many of the comments that were made there.

We are joined as well by my dear friend and colleague in the freshman class, Mr. FORTENBERRY from Nebraska, who is a man of deep faith, I know, and a dear friend. I look forward to your comments on our discussion this evening.

Mr. FORTENBERRY. I thank the gentleman from Georgia for coordinating tonight's discussion, and I thank the gentleman from Pennsylvania as well for his beautiful insights that he read that, as you so well said, have helped us create an opportunity not just tonight but through the events of the day, the difficult tensions, nonetheless, maybe there is a moment here which will allow us to explore, to unpack the inextricable link between faith and reason.

I would like to tell a story, though, that might augment some of these reflections. As a much younger man, I spent a considerable amount of time in the Middle East and I was in a country that was predominantly Moslem and was being hosted by a Moslem family who were extraordinarily generous to me in welcoming me into their home. They lived in an oasis area that was just rich in agricultural production. Their neighbor was a Christian man. My host made a point to introduce me to him, knowing of my own faith tradition. He very humbly showed me, because I did not understand the language, the nature of their community, the nature of the way they lived. If I recall correctly, he took his Christian neighbor's hand, bowed down and gave it a kiss to show again the unity, in spite of the distinctions that are their faith tradition, the ability to live next to one another out of respect and humility, out of respect perhaps for a higher good, a higher calling to be a member of the human family. And perhaps again what has already been discussed tonight in terms of the Pope's comments, it gives us an opportunity to explore that beautiful wedding of faith and reason as it flows out of the very nature of the divine.

If you recall, though, the Pope's very first writing, his first encyclical, was Deus Caritas Est, God is Love. If I could read some reflections on that, they are these:

''The Holy Father has already made clear in Deus Caritas Est that love of our neighbor is not primarily a government project, that justice is not enough, and often is not even a beginning. We simply cannot just talk of faith and justice without beginning and ending in charity and the reasons for it.'' In other words, the reasonableness of acting in faith or acting out faith in love and the unreasonableness or the irrationality of imposing the faith, particularly, or enforcing a faith particularly through violence. I think again the opportunity to unpack that discussion tonight is extraordinary.

I appreciate the gentleman's allowing me a little bits of time to speak.

Mr. PRICE of Georgia. I thank the gentleman so much from Nebraska for those comments and for that experience.

I think that we can all hearken back to those times in our lives when we shared those experiences with individuals of a different faith and recognize when you get right down to it, the core of each of the great religions in this world is the ability or the call to live together in peace. I think that is what the Pope was attempting to move us as a world in the direction of discussing that.

I yield to my good friend from Pennsylvania.

Ms. HART. I thank the gentleman from Georgia and also want to reflect for a moment on the statement of the gentleman from Nebraska regarding the Pope's statement and also what the goal was, a reflection by a Father James Schall.

Mr. FORTENBERRY. If the gentlewoman will yield, thank you for quoting the source. I didn't say that earlier.

Ms. HART. Which both he and I have read, was an outstanding analysis of the speech that the Pope made. After he cited what the Holy Father had said in the Deus Caritas Est, in the statement of Love Thy Neighbor, the analysis goes on to say that this speech, after that, was his second shot of trying to get us all to realize what is wrong with our current world, with the state of our current world and the state of mind of our current world. According to Father Schall, these shots are designed to do what all good intellectual battle does, namely, to make it possible for us to see again what is true and to live it.

□ 2230

My colleague from Nebraska's real-life experience that shows that many people do live it and that those are the examples that we need to see more of. Unfortunately, our news carries with it from day-to-day stories of violence that those carrying it out carry out in the name of God, Allah, or the name of their faith.

Congressman MURPHY reflected on the problems in Northern Ireland, again, violence carried out often in the name of faith. It is such a misuse of the teachings in the Old Testament, in the New Testament, and what most people would accept as a, I would say, progressive interpretation of the Koran, that that is not encouraged. What is encouraged is this peaceful dialogue. What is encouraged is this goal of us finding a way towards peace.

The analysis by many in the days since the Pope's speech at Regensburg I think are fortunately giving a second look, after the unfortunate analysis in the New York Times which criticized him for his words. Phillip Blond from the International Herald Tribune made a statement that I think is extremely poignant and to the point. He said, ''Secular reason as value free and religiously neutral is meant to police interactions.'' Unfortunately, it really doesn't always work for us.

He states, ''Little wonder then that religious people are so unable to interact about what is most crucial to them. Pope Benedict wants to change this. He wishes to restore the last time the great faiths talked to each other when he cited the High Middle Ages, when faith and reason were not separated and Christians could criticize Islamic conceptions of God and Muslims could do likewise. His address was intended to inaugurate an authentic theological engagement between the faiths. That this has been so misunderstood only stresses the urgency of this application.''

I think those are the telling words we must take to heart here in the United States, in the Middle East, in Europe, throughout the world, as we seek to solve the serious problems we face: Nuclear arms in the hands of Iran, the wars that we face on extremists in Afghanistan, in Iraq, the challenges we face in our own country where people are not willing to engage and discuss the truth on a level of honesty. It is a challenge to all of us.

I am very pleased that we are taking the opportunity tonight to really analyze it a little bit more, to understand it a little bit more.

I yield back to the gentleman.

Mr. MURPHY. If I may ask the gentleman to yield to me for a moment, I appreciate that. I want to follow up with some things that my colleague from Pennsylvania was saying as part of this.

Again it is important as our words are heard, my colleagues and Mr. Speaker, that we are not standing here in a conciliatory posture. This is not a matter of asking people to surrender their beliefs or their strength or undercut that which is the basis of our Constitution. It is in fact something that strengthens it.

An article that was written in Time Magazine that just appeared commented here about an analysis of things that Pope Benedict said. It is important to note that this article, by Jeff Israely, said that ''Pope Benedict spoke about the need for the West.'' He was saying ''His questions are not reserved for the Islamic world, as he has done before. Benedict spoke about the need for the West, especially Europe, to reverse its tendency towards godless secularism. He believes that the gift of reason that he cherishes in Christianity has been warped by the West into an absolutist doctrine and that, he believes, prevents the opening of a productive channel for dialogue with a more faithful Islamic society. Reason and faith, he insists, must come together in a new way.''

This is so important for where we are in this crossroads of the world. When I listened today to the President of Iran and the President of Venezuela, or listening to these incendiary words, calling out more criticism and calls for more violence among so many, and when these are underscored and peppered by comments that are meant to provoke violence on the basis of faith, this is the very thing that I believe that the Pope was trying to prevent. Unfortunately, his words were distorted, misquoted, and, in some cases, not quoted fully at all. That is in part why we are here tonight to talk about it in more detail.

Our role here as Members of Congress is punctuated and exentuated by that of which when we took our oath of office to uphold the Constitution of the United States, I remind us all that here in the very Preamble of the Constitution, where we are here to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense and promote the general welfare, here is where it is important to say that we are calling for reason and dialogue as it comes to questions of faith, and that should be something we should all agree to.

But we must also recognize that we cannot give in to those who continue to threaten violence, who would attack, would kill and do anything in that manner. We will continue to defend those principles of our Nation.

But it is something that we are so keenly aware of, because we have struggled with this as a nation. One of the reasons in our own Bill of Rights we have freedom of speech, which was included, and that itself could not have been part of the initial Constitution in 1787, we recall. They couldn't even agree how to put that in. That required another Constitutional amendment that they agreed to and didn't get in for a couple years when the States had to ratify those amendments.

This was the time when George Washington was also trying to keep our Nation together as its first President. But he had here, and this is another quote from 1783, at that time he said, ''I now make it my earnest prayer, that God would have you, and the State over which you preside, in his holy protection, that he would incline the hearts of the Citizens to cultivate a spirit of subordination and obedience to Government, to entertain a brotherly affection and love for one another, for their fellow Citizens of the United States at large, and particularly for their brethren who have served in the field, and finally, he would most graciously be pleased to dispose us all, to do Justice, to love mercy, and to demean ourselves with that charity, humility and pacific temper of mind which were the Characteristics of the Divine Author of our blessed Religion, and without a humble imitation of whose example in these things we can never hope to be a happy Nation.''

Indeed it is our own Nation which has struggled with issues of religious freedom, freedom of the press, freedom of the person, habeas corpus, all of those things which are part of it. We have not done those struggles without bloodshed. We have faced our own wars here, our own problems, our own riots, our own violence. And as we reflect upon those, that is perhaps why tonight we are particularly motivated to say these aspects of continuing to take things out of context, to misrepresent them and to call upon more violence, simply have to stop and the strength of our Nation and people must stand behind them.

Let me also add this, as I have talked to citizens in my district since these comments were made and watched the reactions. It is in many ways to serve as a wake-up call for all of us, that there are those factions, and I do not believe for one second these are the beliefs of all Muslims, but there are those factions who use this as an excuse to an attack the West, use it as an excuse to attack those who are Christians or Jews or even other Muslims.

Those things cannot be tolerated by anybody in the world. It is unfortunate, and yet I hope it is only a temporary thing and it is fixed soon. The U.N. has been silent on those principle. And I would hope in the midst of all this other vituperative rhetoric that has taken place in the U.N. today and continues around the world, that leaders of nations, leaders of faith, will speak out and say this is not the way we should operate as democracies and as a people who want to live together in peace.

Mr. PRICE of Georgia. I thank you so much. The silence truly has been deafening, and it is disappointing and it is disconcerting. But as a Christian, but a non-Catholic, I have struggled and attempted to find folks who have a perspective on what has occurred over the past number of days, and there are a couple individuals that I find that have given some hope. Some people have called back through history and brought my attention back to the fact that religions can grow, that spirituality can grow.

There is a quote that I would like to share before I yield again from Michael Potemra, who said, ''The Koran is one of the loveliest books ever written, a distillation of monotheism that is full of spiritual wisdom, and I never fail to profit from the reading of it. But the global mainstream of Koran interpretation stresses passages that are harmful and slights those that are irenic. The Pope's words approached without quite touching this unpleasant truth. As a result of the current riots, there will be even more Western voices calling for 'a clash of civilizations against Islam itself.' Before we decide that Islam cannot be saved from its darker side, we should call to mind Christian history. Less than 150 years ago, Pope Pius IX was still formally condemning freedom of religion as a heretical notion, and John Calvin, the spiritual progenitor of the theology of America's Founding Fathers, ran a cruel theocracy in Geneva that, among other things, executed the theologian Servetus for his heresy.''

I might not agree with all of that. However, I think it is important to appreciate his conclusion, and that is that ''religions acted on by the spirit can change and our Muslim brothers and sisters needs our prayers and they need us to support the forces among them that are resisting the lure of religious hatred.''

That ends the quote. I would be happy to yield to my good friend from Nebraska.

Mr. FORTENBERRY. I would like to thank the gentleman from Georgia. I would like to return to some of the commentary that the gentleman from Pennsylvania made, because in our founding documents, in another of our founding documents, the Declaration of Independence, here are the words. ''We hold these truths to be self-evident, that all men are created equal, and are endowed by their creator with certain inalienable rights, and among these are life, liberty and the pursuit of happiness.''

In other words, the founding document in a certain sense separated the institution of church and state, yet at the same time affirmed the transcended values, the transcended ideals that make democratic politics possible.

Frankly we are at a crossroads, because I think for the world to progress in the name of civil reform, in the name of civilization, we have to recognize this fundamental principle, that

every person has inherent dignity and rights. That is the foundation of an order that can then be built upon justice and in charity.

That is what we are facing worldwide. It is so essential that those of us who have been given the gift of stabilized societies, who have lived with the blessings of that philosophical context, help others who are reaching out as well for civil society and to build up the institutions that can promote that very principle, that every person has inherent dignity and rights.

This is the crossroads that we face I think in the world today, because all of civilization hinges upon that key principle. We have had to work that out in our country. It has been imperfect. We have fought. It is not perfect today. And yet at the same time, this has spread beyond our shores, this idea, because of the transnationalism that has now occurred, because of the advances in communications, in technology and transportation have caused the world to shrink very, very rapidly. So we have an opportunity to rethink some of the foundations on which the very order is built.

So, again, this is an opportunity to explore it a little more deeply, some of our own history, some of the goodness embedded in our own history and perhaps what other people are longing and reaching out for.

Mr. PRICE of Georgia. I appreciate those comments. We have been joined by some others.

I yield to my good friend from Pennsylvania for their introduction.

Ms. HART. I thank the gentleman for yielding. I am pleased we have been joined by two more of our colleagues. I wanted to wrap up my points if I may.

Is this the most important thing that we need to learn, and not just us standing here when I say we, I mean everyone who is hopefully going to be part of a dialogue among the faiths toward hopefully a more peaceful world, is something better than what we see at the typical interfaith meeting or the typical interfaith discussion, something beyond we will be nice to each other for an hour and then we will go home. We need to build real understanding and real respect for each other and for each other's rights to be here.

For example, the discourse that we have been hearing that denies Israel's right to exist cannot exist in a discussion that is aimed toward peace. I would like to quote an editorial from the Wall Street Journal from a couple of days ago. ''Everyone at the table must reject the irrationality of religiously motivated violence.'' It goes on to say, ''The Pope wasn't condemning Islam. He is inviting it to join, rather than reject, the modern world.''

□ 2245

I would like to turn it over if I may to my colleague from Michigan.

Mr. PRICE of Georgia. We welcome the gentleman from Michigan (Mr. MCCOTTER) to this discussion, an individual who has great wisdom, and we look forward to your comments.

Mr. MCCOTTER. Mr. Speaker, I thank the gentleman from Georgia for confusing me with someone else, but in all seriousness, as someone with a very pluralistic district, who myself have many friends in the Muslim community, I wish to join the number of voices that are echoing the call for dialogue between all of the great religions.

But I think we would be remiss if we missed a simple intelligible fact, as if one of the fundamental dialogues that must occur is within the Muslim community itself, both here and home.

While conversation amongst the religions is always very healthy, we face a dire situation in the Muslim community where there are those who are bent on the death and destruction not only of non-Muslims but upon Muslims themselves.

So I would ask my Muslim friends to engage in that dialogue amongst their co-religionists because, in the final analysis, I, as an outsider, in my own mind, in my own heart, can think of no truer definition of an infidel than someone who claims to be a Muslim, killing their fellow Muslims in the name of Allah.

Mr. PRICE of Georgia. I thank the gentleman for his comments and appropriate perspective and call once again for dialogue which I think is the underlying message that we would deliver this evening, and that is, that faith must be connected to reason and that dialogue between peoples is what will bring us to a peaceful solution.

I welcome my good friend, the honorable gentleman from Pennsylvania (Mr. ENGLISH), once again great friends from Pennsylvania joining us tonight.

Mr. ENGLISH. Mr. Speaker, I want to thank the gentleman for an opportunity to share, the opportunity to comment on I think on what has been a very important moment.

It is a sobering sign of the times, in my view, that a papal speech that was meant to address the harmony between faith and reason and deplore the idea of religious violence is contradictory to the nature of God would inspire demonstrations and violence in a large cross-section of the Islamic world.

The angry reaction of some Muslim leaders and politicians to the September 12 academic lecture by Pope Benedict XVI in Germany has disturbed Catholics and non-Catholics alike and raised many questions about the possibilities of honest dialogue between Islam and the non-Islamic world, particularly in a world of 15 second sound bites.

The Holy Father's lecture was not intended obviously to be a critique, let alone a criticism, of Islam. It was instead a very esoteric discussion of three different views on the nature of knowledge, particularly the knowledge of God. The pope used a quote by the late Byzantine emperor, not a Catholic, Manuel II Paleologus, regarding Islamic teachings on holy war and the command to spread the faith by the sword, as a starting point of his discussion.

The basic thrust of the Pontiff's remarks were that Christian theology derives from Hellenic roots that view God as the embodiment of reason and is, therefore, bound by reason because to be otherwise would be contrary to his own nature. He contrasts Christian theology with a strain of Islamic thought which, in the Holy Father's description, posits that God transcends reason and, therefore, is not bound by any restrictions whatsoever. He also contrasts Christian theology with the evolving viewpoint that reason needs no embodiment, that it stands outside of any form of divine authorship and views Christ as merely an inspired moral philosopher rather than as the Logos, the embodiment and author of reason and the creator of the physical world.

A careful reading of the pope's remarks quickly reveals that he spends more time describing the dehellenisation of Christian theology than discussing Islamic theology and never at any point disparaged or insulted Islam. In fact, he specifically describes the emperor's remarks as brusque and is astounded by the quality. At no point does the pontiff endorse the emperor's remarks or make them his own.

Mr. Speaker, there are three points that need to be made about the extreme reaction of the pope's quotation of the Byzantine emperor.

First, the current turmoil is in large part the fault of those in both the West and the East who have misrepresented the pope's words and the pope's intent. In the West, the news media has done a spectacularly poor job of reporting on the talk and putting it in context. When the pope apologized for the upset that his words caused, Jim Lehrer of PBS' Lehrer News Hour said the apology ''stopped short of retracting his statement,'' as if the pope had made the emperor's words his own.

The persistent misreporting of the controversial quote as the words of the pope himself was evident also in the demands by Muslim leaders for a papal apology. From Turkey to Iraq to Iran to the West Bank, many leaders and politicians have exploited the controversy to suit their own ends. This kind of debased manipulation of religious sensibilities for demagogic gain should be condemned by moderate Muslim leaders in the West.

Second, both Christianity and Islam needs to come to terms with their historic mistakes and excesses. Christianity has much to answer for in its history, including inquisitions, pogroms, forced conversions and holy wars which have left scars that have yet to fully heal. Nevertheless, Islam is not without its own transgressions. From its 7th century destruction of Christian churches in north Africa to its repeated invasions of Christian Europe,

Islam has a long history of conquest. Indeed, Christendom's Crusades need to be understood within the context of Islam's assaults on the Byzantine Empire and the continued threats to Europe.

Mr. Speaker, if only Muslims are allowed to express historical outrage and only Christians are required to apologize for past wrongs, there will be no chance of a deep historical and cultural dialogue. More importantly, experience demonstrates that while we may learn from history, we must put past offenses behind us if we are ever to hope to live in peace. Conflicting sects and ethnic groups from Northern Ireland to South Africa recognize that demanding Draconian justice for intergenerational grievances leads only to prolonged conflict and have chosen instead to concentrate on building a better future for their children. The Christian and Islamic worlds can and must do the same.

Third and finally, this particular controversy underscores the importance of the pope's call for a dialogue based on faith and reason. Even religions as different in their conceptions of God as Christianity and Islam must find ways to engage politically, culturally and, over time, theologically. My home State, Mr. Speaker, was founded by William Penn, a refugee of an oppressed political minority who created an environment where sects could live together and exchange views and have mutual respect and even admiration. Voltaire wrote at the time that Pennsylvania had the freest air on earth. Pope Benedict's commitment to this kind of genuine dialogue is clear.

Despite the fact that Pope Benedict never intended any offense, the pontiff has repeatedly expressed regret at the misinterpretation and misunderstanding of his remarks on Islam. He has expressed deep respect for the faith of Muslims.

Speaking at the September 21 general audience in St. Peter's Square in front of more than 40,000 people, the pope noted from his recent trip to Bavaria and told his audience, ''This quotation, unfortunately, has lent itself to misunderstanding.''

I think we can take him at his word. I think in my view we can let this matter die, and we should use it as a starting point for a genuine dialogue between the Christian West and those of us in the West who want to see a liberal society and also Islam.

Thank you, Mr. Speaker, for the opportunity to comment on this recent turn of events.

Mr. PRICE of Georgia. Mr. Speaker, I thank my good friend from Pennsylvania for joining us this evening and for those wonderful, wonderful words of wisdom.

We have just a very few short moments left. In closing, let me just thank my good friend also from Pennsylvania Congresswoman HART who truly organized this activity this evening. I think this has been a remarkable discussion. It has been a lofty discussion. It truly has been a privilege to come to the floor, and the privilege of service is indeed the privilege of leadership.

I guess if I were to summarize I would say that what we call our colleagues to this evening is, in fact, not just our colleagues, but all Members of the civilized world, is to an appreciation that faith and reason go hand-in-hand and that dialogue is what is absolutely necessary if we are to solve the remarkable challenges that we have as a diverse world.

Mr. Speaker, we live in a glorious and a wonderful Nation. It is a Nation of religious liberty. It is a Nation that continues to be a beacon of hope and a vessel of liberty truly to the world. The opportunity that we have here is remarkable in order to initiate that new dialogue, and it is a privilege to come to the floor Mr. Speaker.

If I may, I want to call on you and I ask all of our colleagues and all of the individuals watching in this time, in this very, very challenging time of an election season here in the United States, that the comments that you have heard before we began our discussion 59 minutes ago and the comments you are about to hear are most likely one of division, of disinformation and of misinformation. I challenge my colleagues on the other side of the aisle to raise the level of rhetoric, raise the level of discussion and debate in this body so that we may indeed join together and solve the remarkable challenges that we have as a Nation.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 60 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is again a pleasure to be on the floor this evening with the 30-Something Working Group, and my colleague Mr. MEEK my will be joining me in a few short minutes.

But I say to my good friend from Georgia who has just issued a call to raise the tone of the dialogue, I think the Official Truth Squad would do well to engage in a little truth and acknowledge that it is they who have engaged in the vicious rhetoric that has gone back and forth for the last dozen or so years that they have controlled this chamber, and that the direction that they have moved this country in has given us neither faith nor reason to believe that this country will be able to be put on the right track unless we making some significant changes, not the least of which is in our economy.

Security, Democrats believe that security is incredibly important, not just our national security and our homeland security, but economic security, and no matter what this district is I travel to, no matter what district you represent, the people in this country are yearning for a commitment from this Congress to move this country in the right direction on economic security. That does not appear to be the commitment of the leadership of this institution. One has only to look at the commentary across the country to know that it is not just my opinion, but this is the opinion of many, many people both who have expertise in economics as well as the rank-and-file individuals who are struggling to make ends meet on a daily basis.

I want to just walk through some of the commentary that we have seen recently and compare the rosy picture that has been painted by this administration and by this Republican leadership, compared to what the reality on the ground every day for working families is.

Let us look at the economy according to essentially do-nothing Washington Republicans, and the way we are characterizing them is simply because we have spent the least amount of time at work during this 109th Congress than in history. We have worked the least number of days, produced the smallest amounts of legislation, and yet the administration and the Republican leadership continues to toot a horn that does not deserve to be tooted.

Let us look at what President Bush said just the other day. Just 2-days ago he said, I would say look at what the recent economy has done. It is strong. We have created a lot of jobs.

You also have majority leader JOHN BOEHNER say on September 1 that the American economy is strong; it continues to provide more economic opportunity and higher wage jobs to working families across the country.

What I would say to the President and to my colleague Mr. BOEHNER is that I am not sure what country they are living in or who they are speaking to, but they seem to believe that if you say something enough times and repeat it often enough that eventually it will sink in and someone will believe it.

□ 2300

But if you ask about the economy according to America's working families, let's see what one young woman talked about from her point of view. Denine Gordon, who is 32 years old and is a waitress who makes the minimum wage, news about her latest trouble. Her van has been in the shop for a week because she and her husband can't afford to fix it. ''This is the least I have ever made in my entire life,'' the Republican and mother of three said. ''The gas prices went up, and the tips went down.'' She said that in the newspaper as reported by AP just 2 days ago.

Debbie Brewer, a 50-year-old woman and a deli owner, rattled off her biggest complaints about the economy as she counted change while closing her register for the night. ''We will never see 99 cents again,'' the Republican said, of

gas prices. ''Everything is jumping, your gas, your food, and everything, but your wages don't go up.''

And what both of these young women are speaking about is the fact that in 9 years we have not had an increase in the minimum wage. We still have not provided just a minimal increase to those who make the least amount of money in the country, who certainly can't afford to uphold the costs that their families have on a minimum-wage salary. We have a Republican Congress here that has repeatedly refused to raise the minimum wage, and no opportunity in the next 1½ weeks, it appears, that we are going to be able to do that. We have legislation that is been amended, we have the Labor and Health and Human Services appropriations bill that has an amendment sitting on it that the Republican leadership refuses to bring to the floor because it was successfully adopted in the appropriations subcommittee. As a result, that bill was stalled, never to see the light of day because, God forbid, it would give the Members an opportunity to have a straight up-or-down vote on the minimum wage. Their fear is that it actually would pass. And that is just incredibly, incredibly sad.

Let's take a look at some more reality about the economy. This is the real economic change under this President. While the minimum wage has not increased since 1997, let's look at what has increased. You look at this chart over here, all the way on the left you see zero percent increase in the minimum wage. But let's take a look at the price of whole milk. That has increased 24 percent. Let's take a look at the price of a loaf of bread. That has increased 25 percent. How about the price of a 4-year public college education? That has increased 77 percent.

Let's peruse how much health insurance has gone up. And, Mr. Speaker, I can tell you that health insurance in particular is an item that people in my district and districts all across the country, I am sure yours as well, people are totally frustrated, don't know what to do, are tearing their hair out because of the ever-increasing upwards of 15 percent increases in health care costs.

It doesn't matter whether I sit next to a mom with young kids or a small business owner or a CEO of a large corporation. I just talked to a CEO of a large corporation today. The cost of health care is their number one concern.

We have 46 million people in this country that don't have access to health insurance, and that number is constantly going up, not down. And the reason it is going up is because more and more employers have less and less of an ability to provide access to health insurance for their employees, so they are just dropping the coverage and leaving their employees on their own to figure out how they are going to get that coverage.

What it means when someone doesn't have health insurance coverage, Mr. Speaker, is that when their child is sick, when they are sick, they can't afford to go to the doctor.

And I can tell you a little story about how, when I first ran for the State legislature in Florida, which was back in 1992, I was walking door to door. And I knocked on a door, I knocked on 25,000 doors in my first election. And as I was walking door to door, it took a young woman who was home at the time a particularly long time to get to the door before she could answer it. And she called to me from inside of the apartment and said, ''Just a minute, just a minute. I will be right there.''

So I waited patiently. And when she finally got to the door and opened it, you couldn't help but notice that her foot was incredibly, incredibly swollen. And of course, I couldn't help but ask her what happened, what was wrong, because she was obviously in agonizing pain. And she literally said to me, and this has been an issue all the way this number of years. That was 14 years ago. She literally said to me that she now had an infection on her foot, but that she didn't have health insurance, so she now was about to actually, as I have knocked on her door, she was about to go down to the emergency room at the local hospital because she was no longer able to wait.

And she didn't have health insurance, so she couldn't take care of it and go to the doctor for just a chance for him to look at her foot when there was only something minor wrong with it; she had to wait until it was bad enough for her to take herself to the emergency room so that she could get it taken care of.

And that is the story for millions of people across the country, Mr. Speaker. And the problem with 14 years has not gotten better, it has gotten worse, a 97 percent increase in the cost of health insurance.

How about gas prices? Amazingly, people have been rejoicing or at least breathing some sighs of relief that there has been a drop in the cost of gas lately. What is sad is that there has been a drop from upwards of $3 to somewhere between $2.75 and $2.95. You know, when we are at the point in this country where people are excited about gas prices that are lower than $3, but are still higher than $2.50, there is something seriously wrong. Our expectations are out of whack, because America can certainly do better. We can certainly move this country in a new direction.

And I guess that the whole issue of gas prices boils down to, the way I summarized it, what happens, I think, in this country is that it must be on the other side of the aisle that the Republican leadership here isn't filling their own gas tank, or maybe they haven't filled their own gas tank in so long that they don't remember what the cost of a gallon of gas is. They are not standing there at the pump watching it tick dime after dime. It used to be pennies. When I was a child, when you would pump gas and when my parents were pumping gas, you would watch the pennies tick off. Now you watch the dimes tick off.

And pretty soon, if we don't get a handle on making sure that we don't totally rely on foreign oil or oil in general as a resource, we are going to probably see quarters rattle off on that end column on the gas tank as opposed to dimes or as opposed to pennies like it used to when I was a child.

That is the only explanation I can find to the callous disregard on the part of the leadership here for getting a real handle on how to address gas prices so that we don't have joy and so that we are not forced to delight in a 20-cent drop that brings us to about $2.70 or $2.50. It is just our priorities seem to be backwards.

What we need to do and what Democrats will do in our new direction for America if we are given an opportunity after November 7 is we would make a real investment in exploring alternative energy. We would make an investment in the Midwest instead of the Middle East. We would make an investment in ensuring that we can expand the use of ethanol; that we can truly, like Brazil did.

Brazil, Mr. Speaker, is now a country that has broken their addiction to foreign oil. They actually are self-sufficient. They grew their way out of the problem. They have crops that give them the ability to produce enough ethanol, and now they have American automobile manufacturers building cars for them that are sold and marketed in Brazil so that they can again be energy self-sufficient and not reliant upon OPEC and the Middle East.

And what we have is our Energizing America Plan. We have a plan to have farmers fuel America's energy independence, and we have an action plan to do that so that we can be truly energy-independent within 10 years. It is not rhetoric, it is a plan.

It is not rhetoric like what we heard here with the President's State of the Union where he talked about wanting to end America's addiction to foreign oil. Well, where is the beef, Mr. Speaker? Where is the backup behind the words? Because I haven't seen it, and I have only been here 2 years now and completing my freshman term in Congress, but I have only seen energy legislation that is written for the oil companies, that gives them the ability to not pay subsidies, that gives away the store, that gives them the ability to drill all they want without paying royalties to the government. And, the last time I checked, the oil industry is the most profitable industry on the planet.

Literally, in the fourth quarter of last year, I believe it was ExxonMobil that made more money, more profit than any company in history. And let's just take a look at the oil companies'

record profits. Yet we are passing legislation that gives them even more money.

In 2002, you have the oil industry making $34 billion. In 2003, they made $59 billion. In 2004, they made $84 billion; in 2005, $113 billion. Yet, we pass legislation here in this House that actually gave them more. Didn't make them pay the royalties and the subsidies that they would normally owe to the Federal Government. Why? Because there is no commitment on the part of this Republican Congress to actually end our addiction to foreign oil, because that would end the direction that this profit margin is going. It would make sure that there was some balance. It would make sure that we invest, like our plan would, in America, in the Midwest, and in my home State where we have sugar farmers who could benefit from producing sugar that could be made into ethanol. I have a company in my district that has the ability to do that, and if we will only give them the opportunity to help move this country in the right direction.

Let's take a look at what is happening with the individuals who work for the oil industry. This is Lee Raymond. Why is he smiling in this picture? Because he got a $398 million retirement package and a $2 million tax break. Really. When we are talking about who gets tax cuts that have been passed out of this Chamber again and again and again since you and I have been here, Mr. Speaker, this is the person and the type of person that those tax cuts are designed to help. We passed tax breaks and subsidy giveaways for the oil industry, and we refuse to raise the minimum wage for people like waitresses and our workers who are only trying to make ends meet. It is just abominable.

What we would do as Democrats is we would move this country in a new direction. We would make a real commitment to economic security. We would focus on the domestic needs of this Nation. We would make sure that we cut the student loan rate in half. It is at its highest rate ever. We would make sure that we make a real commitment to expanding access to health care, to the 46 million Americans that don't have it. We would pass a real prescription drug benefit for senior citizens, and not a prescription drug benefit that was written to benefit the pharmaceutical industry.

Right now, Mr. Speaker, the Medicare Part D prescription drug benefit, and we are getting close to September 22, which is the date in which many, many senior citizens, and they are already dropping through it as we speak, that many, many senior citizens are going to fall into what is called the doughnut hole, the point at which the Medicare prescription drug benefit that was passed in 2003, before you and I came to this Chamber, the senior citizens that we represent will fall into this doughnut hole. And this is how it is going to happen.

There is a gap in coverage in the prescription drug benefit designed in this bill that makes it so that when a senior citizen participating in a drug plan reaches $2,250 in prescription drug expenses, and now I am not talking about out-of-pocket expenses, the way you get into the doughnut hole is they take the actual cost of the drug, not what the insurance plan pays for it, but the actual cost of the drug, plus the copay, and they add that up together. When it gets to $2,250, you fall into the doughnut hole.

But it is a bait and switch. You don't get out of the doughnut hole when you reach $5,100 in those kinds of costs. You can't climb out of the doughnut hole until you reach $5,100 in out-of-pocket expenses. So what that means is that many, many senior citizens will never climb out of the doughnut hole.

How is that going to help senior citizens reduce their drug costs and not to have to choose between medicine and meals?

□ 2315

The reason it was designed that way was so the pharmaceutical industry wouldn't have to be on the hook for losing a ton of money. The Republicans could essentially say they passed a prescription drug benefit that really does not help a lot of people.

Another problem with the prescription drug benefit is that it actually is prohibited in the law from allowing the government to negotiate for lower prices with the pharmaceutical industry. There is a specific prohibition against that.

That is outrageous. It seems like common sense that we should be able to negotiate the best possible deal for our seniors. But we can't do it, it is not allowed, even though the Veterans Administration is able to do it and is able to get better prices than the Federal Government can for our senior citizens.

That is why people are importing their drugs from Canada. It is shocking but true that they actually have American-manufactured drugs in Canada available for less money than they are available for here, even though they are developed and manufactured in America.

I was in New York over the weekend, and while I was there I heard a radio ad that shocked me. It was a bald-faced radio ad that marketed directly to seniors, that encouraged them to contact this Canadian company and buy their drugs directly from Canada.

That is what we have come to. We have to have our own citizens get their prescription drugs from outside this country because we are not taking proper care of them.

Democrats would do better. We would move this country in a new direction. We would close the doughnut hole by changing the law and allowing for the negotiation of lower prices. That savings would fill the doughnut hole so there would not be a gap in coverage.

Those are the kinds of things we would do. We would make sure that we put Americans and their economic security first and not the wealthiest few, not the CEOs of oil companies, not the oil industry itself. And we put action behind our words.

The gentleman from Georgia concluded his hour by saying we need to tone down the rhetoric. Well, if we could tone down the agenda and focus the agenda on the needs of the American people, then the rhetoric would not need to be so sharp.

Forgive me, but I happen to consider myself a direct and straightforward person. I am going to call it like I see it. The way I see it and have seen it since I have been here, Mr. MEEK, is that we are for working families; we are for making sure that we move this country in a new direction; that we expand access to health care; that we increase the minimum wage; that we cut the student loan rate in half so we can expand access to higher education; that we reduce the deficit; restore pay-as-you-go spending so we don't spend more than we take in; so we reduce the foreign debt, as you so eloquently talk about night after night; so we make sure that we reorder America's priorities so that we focus on homeland security. Only 5 percent of the containers that come into our Nation's ports are checked, and virtually no packages or cargo that is put in the belly of passenger planes are checked.

These are the things that we would do in our new direction for America. It is time. We have 48 days. Americans have 48 days to send a signal that they want us to move in a new direction. I am looking forward to November 8 when we can wake up and implement all of the things that we talk about night after night after night.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, I think it is important that we take this in a very serious manner. Even though it is Eastern Standard Time, it is approximately 11:20 p.m., and we have worked a full legislative day. We have a full legislative day tomorrow. And we are here to give voice to those that are counting on not only Members of Congress, but Members of Congress that have the will and desire to move us in a new direction.

Mr. Speaker, I think it is important that for those Members who want to join this side of the aisle in making sure that veterans, those who have allowed us to salute one flag, to be able to get the kind of health care that they deserve from this government, to allow those small businesses that want to provide affordable health care for their workers, all of the way up to the Fords and the GMs of the world who would like to provide health care, because we haven't addressed those issues here in this Congress. The corporate community and also the business community are suffering because of it, as well as the workers. Forty million Americans are trying to figure out how they are going to provide health care to not only children but for individuals who punch in and punch out every day.

These are issues that we are willing to address and that we have had here as it relates to legislation in this Congress. I think it is important that we focus on bringing balance to this process, not just coming to the floor, having discussions. I can see if we were just here talking about what the majority is not doing. We are not only identifying what they are not doing, but at the same time we are saying on HouseDemocrats.gov that we have plans for security. We have plans for making sure that we invest in the Midwest versus the Middle East. We have plans as it relates to a real strategy for the war in Iraq versus just a slogan that says stay the course.

We have a plan to make sure that we educate our children, an innovation agenda that has been out for a very long time. It is nothing new, nothing that we revealed in days before the election, some under 50 days before the next election.

The American people, and I am not talking about just the Democratic American people, I am saying Independents, the Reform Party, all have an opportunity to make a decision on behalf of the future of our country.

The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and the 30-something Working Group, as you know we were here earlier with Mr. DELAHUNT and Mr. RYAN, and for those others of the 30-something Working Group that were not able to make it to the floor, making sure that college is affordable for the next generation, making sure that we are not worrying about competing with the school down the street but competing with a school on another continent, we want to make sure that we do everything that we are supposed to do here in this Congress in giving every American a level playing field, if not an advantage over other countries, and making sure that they have what they need.

We have fought the obvious battle here in making sure that our troops have body armor, making sure that those families that had to buy body armor for their loved ones, husbands, wives, uncles, daughters, making sure that we fought for those issues.

I would give credit to some Members on the other side of the aisle who did stand up against the majority. But unfortunately, we have overwhelming support for a rubber-stamp majority, those individuals who are willing to follow the Republican leadership and not standing up on behalf of the American people.

I think it is important that we give voice to those individuals. I am glad Ms. WASSERMAN SCHULTZ talked about the minimum wage and she focused on domestic issues. We have a war in Iraq, but we have a huge challenge here in the United States of America. We have a huge challenge. We have blue and red States that are suing the Federal Government for lack of funding on Leave No Child Behind, which was a bipartisan piece of legislation that we felt we could move forth in a bipartisan way, not only in this Chamber but also in the Senate.

But it takes a majority to bring about true bipartisanship. We have shown that we have been able to do it. We have shown on this side of the aisle that we can balance the budget and secure the future of not only Social Security but also secure the future of our country, not having other countries having their hand in the pocket of the American taxpayer.

Earlier Ms. WASSERMAN SCHULTZ talked about the whole issue of border security. It was an hour that the majority had, not the last hour, the hour before that, talking about how we are securing America and we are strong, this, that, and the other, and coming to the floor and sharing words without third-party validators. Who are the third-party validators? Our third-party validators are the American people who are saying that they are concerned about what is happening in this country because we don't have the kind of balance that our democracy calls for.

Who is going to hold in check an administration that is willing to do anything to make sure that, you know, let's say the poll numbers, or to use 9/11, something that is not dealing with honoring those families and those first responders, but to talk about a false agenda as far as securing America. We can do a better job.

Have the majority done some things? Yes, they have done some things. I am a level-minded person, and there are some things that have been done. But have we secured America in the way we should? As it relates to our agenda and securing America, we have put that up front. Not just as it relates to uniforms and badges, but also from a fiscal standpoint, we are saying we don't want America's back broken because of the record-gaining debt of this administration and the Republican Congress.

Ms. WASSERMAN SCHULTZ, I am going to tell you right now, this poster here is very interesting because this poster is the longest-living poster that we have in the 30-Something Working Group arsenal of posters, to be able to break this down so everybody can understand.

We don't want to confuse Members or the American people by using big words and acronyms and just kind of talking inside a Washington game. We want to make sure that people understand. We want to make sure that people understand that here as it relates to our efforts on the Democratic side of the aisle, that it is not about the Democratic National Committee. That it is not about, because I am a Democrat, I am right. It is not about okay, I am going to speak to only the Democratic Members of the House, because that is not what this democracy is set up to do.

This democracy, Article I, section 1, of the U.S. Constitution, says as a legislative body, we have oversight and investigative powers. We are supposed to hold this government accountable.

The House is the only body you have to be elected to. The Senate, you can be appointed as a Senator. If a Senator was to say I have to retire, health reasons or whatever the case may be, or somebody is picked for Vice President, a Governor in that given State can appoint an American citizen to carry out that Senator's term. That has happened. That has happened in this Congress.

When we look at the House of Representatives, we are the true body of the democracy. We have to be elected. If any Member of the House has to leave, they have to hold a special election to fill a seat. Let me say, it takes the House and the executive branch to do what has happened. $1.05 trillion has been borrowed in 4 years between 2001–2005. President Bush, he is our Commander in Chief and he is our President, period, dot, but he cannot do it by himself. The Republican Congress allowed him to do it in raising the debt ceiling. We had those letters out here, and we still have those letters from the Secretary of the Treasury saying we have to raise the debt ceiling.

What does that mean? That means we haven't been responsible, the Republican majority, in administering the dollars that the American people have given in trust to this Congress and this House to do on their behalf. Spending is out of control, borrowing is out of control. Borrowing is out of control. $1.05 trillion. In 224 years, and here I am in the 109th Congress, a second generation Member of the House, okay, and this has never happened in the history of the Republic. This is not something that happened maybe 20 years ago, even 100 years ago. In 224 years, 42 Presidents have not been able to accomplish what the Bush administration and the rubber-stamp Republican Congress has been able to accomplish in allowing foreign nations to buy our debt, to have their hands in the pockets of the American people, and counting.

This chart, as far as I am concerned, when we get back here after November, we are probably going to have some new numbers. That $1.05 trillion is higher. This chart is falling apart, goodness gracious, because this chart has been the wake-up call.

We decided to come up with this chart to paint the picture, regardless of what the Members on the other side who come to the floor say about fiscal responsibility. The Government Accountability Office released a report that there are agencies that are coming to the Hill that can't explain where millions of dollars have gone.

□ 2330

And we are supposed to have oversight. We have the Secretary of Defense Donald Rumsfeld that says if anyone in the Pentagon says anything else about redeployment of troops or a different strategy than what I believe, ''I believe,'' or that the administration has embraced, then they are fired. Ms.

WASSERMAN SCHULTZ, not even a hearing, not even a Member from the Republican side outraged to the point where they are going to their party leaders saying we have got to call the Secretary of Defense in and find out what he is talking about, because this thing is supposed to be, using your own words, Mr. Speaker, using their words, saying if we hear from the military commanders on the ground what they need, we are going to give it to them.

So when you have this lack of oversight, no matter what your party affiliation is, no matter what your motivation may be to vote or not vote in November, you have to have issue with individuals that are saying, ''Either it's my way or the highway.'' That is okay if you had a household somewhere and you are the big paycheck guy or gal or whatever the case may be and you are paying the bill. But when you are paying the bills with U.S. taxpayer dollars, we have to bring issue to that. And because of that relationship that this Republican majority has with the executive branch of this government, of our government, I must add, it is problematic when you have folks that are not willing to ask the question.

When we walk through these doors into this Chamber, Mr. Speaker, and the lights are up in this Chamber, and it says the board is open, what we call the voting board is open, and we take our voting card out, and we come in here to vote, we are voting on behalf of 600- or 700,000 Americans that have elected us to come here to represent them, not what the special interests say that we should do here in this House. There are some very obvious issues that should be resolved, that need to be resolved, but will not be resolved as long as we have a rubber-stamp Congress in place.

Ms. WASSERMAN SCHULTZ, I sleep well knowing that we spend every moment that we can here on this floor until the clock runs out by the rules of this House to allow us to come here and give voice to those Americans that deserve better. We are saying that we are willing to put this country in a new direction, not just saying it in fiction. It is on the Internet. It is on housedemocrats.gov. We have press conferences. We file amendments in committee. And the only reason why those amendments and that legislation does not have breath in the lungs of the legislation that we file, the reason why it doesn't have a heartbeat, is the fact that we are in the minority.

Now, the only way that can change, Mr. Speaker, is that we need a majority of this House to bring accountability back to this government to make sure that we have balance, to make sure we have fiscal responsibility, to make sure that we stand up on behalf of children who can't even vote, and to make sure that we give voice and to make sure that we give direction and to make sure that we have the backs of our men and women that have sand in their teeth right now in the war in Iraq, and to make sure that those individuals that are in Afghanistan that are standing on behalf of the hope and the prayer and hopefully the willing desire of this Congress, to make sure that we have their back, to make sure that we have a true coalition, to make sure that other countries can look at this country and know when that whatever the President's says, it does not necessarily mean that that is the final word.

Yes, we support our President. But at the same time, Mr. Speaker, we have to be able to allow this Congress and this legislative branch to function in a way that it is supposed to function. And right now that is not the case because individuals are willing to rubber-stamp exactly to the word, to the comma, to the period to what the President calls for. And it is on domestic policy, and it is also on foreign policy. And I think it is important, Ms. WASSERMAN SCHULTZ, that we carry out our duty.

No other President in recent times, Mr. Speaker, I must add, has been able to celebrate the kind of rubber stamp that the Bush administration has received. That is not good for America. That is not good for any party affiliation anyone may have, and that is not good for the future of our country. And that is the reason why we are here in that light.

Ms. WASSERMAN SCHULTZ. Thank you so much, Mr. MEEK. And I have to tell you that I know I am less senior than you are. I came here a term behind you, and I am just completing my second year in the Congress. And what I have been shocked by is the lack of oversight. I sit on the Judiciary Committee and Financial Services. And in the Judiciary Committee in particular, which is supposed to be the place where we are protecting our civil liberties and protecting the Constitution of the United States of America, even in the Judiciary Committee in this House, we have ceded our authority, our authority for oversight, and holding the administration's feet to the fire to the executive branch. The Republican leadership here has thrown up their hands and said, you do whatever you want. It is okay.

Honestly, sometimes I ask myself, other than our taking the floor each night and individually trying to do what we can and as a caucus collectively trying to do what we can to hold the administration's feet to the fire, I wonder why these people who are running this institution bother showing up to work, because what are they doing? We have worked less. We have been in session fewer days than even the ''Do-Nothing Congress'' of the 1940s.

We aren't passing significant legislation. Two weeks ago we literally, the only piece of, quote, unquote, major legislation we passed out was a bill that would prohibit the slaughter of horses. And yet we still have Americans who are twisting in the wind, who are struggling to make ends meet, who are toiling at a minimum wage rate where they can't possibly pay all the bills, and the Republicans just continue to paint a rosy picture.

And what you always say, and I quoted you earlier, is maybe if they just think if they say it enough times that people will believe it, or it will magically come true. Let us just look at what they said and what the reality is.

Essentially we know that Americans are not fooled by this rosy picture that is being painted. Let us look at the recent polling. A respected poll, NBC-Wall Street Journal poll, 52 percent of those polled disapproved of the President's handling of the economy. That was not a long time ago. That was on September 15, a few days ago. A Bloomberg-L.A. Times poll showed 60 percent of self-described Independents said the economy was doing badly, 60 percent. That was on September 5. And really what we are dealing with here is Americans are facing a different reality than the Republicans' statistical spin.

Let us look at the situation with the minimum wage. It is now at its lowest level in 50 years adjusted for inflation. Real household has declined nearly $1,300 under this present administration. The cost of family health insurance has skyrocketed 71 percent since the President took office. And the cost of tuition and fees at 4-year public institutions, 4-year universities, has exploded by 57 percent. We are talking people who are caving in under money pressures. We have an economic squeeze that really in 48 days I believe, we believe, is going to affect how people make their voting decisions.

Look at hourly wages. They are down 2 percent since 2003. Up 20 percent from just a year earlier are gas prices. Consumer confidence is down by 7 percent in just the past month.

When the economy is rosy, Mr. MEEK, and I am no economist, but usually the consumer confidence index is not in this direction when the economy is doing well.

What is up 97 percent since this President took office, mortgage debt. You and I know we live in now what is one of the most expensive communities in the country. Who knew that South Florida would end up being as costly as it is? But our school districts actually just realized that they lost and had an unexpected drop in the number of schoolchildren in each of our school districts, and they are baffled as to how that happened, except the only thing they can attribute it to is that the cost of housing has exploded to such a degree that people have just moved because they can't afford to live in our community anymore.

And that is the case with communities all across America. Only where are they going to go? Every place is expensive. The average cost of a house in our communities now is over $300,000. Yet we continue to pass tax cuts for the wealthiest few off this floor and out of this Congress and send those

things to the President. At least we have the Senate as a backstop.

One of the other things I wanted to touch on, we have been talking about our 2006 agenda, our new direction for America; and we have covered our commitment to real security at home; our commitment to better jobs, specifically not sending jobs overseas; increasing the minimum wage; cutting the student loan rate; really making a commitment to energy independence and affordable access to health care.

One of the things that we talked about in the 30-Something Working Group a lot last year was the privatization scheme that President Bush proposed for Social Security. And what Leader PELOSI has emphasized so often with us is don't let the American people forget that this is not off the agenda or off the table for this Republican leadership or this President. They are absolutely still committed to privatizing Social Security, and if we take control of this Congress, we will ensure that that will not happen. President Bush literally has said he hopes to revise his plan to overhaul the U.S. Social Security retirement program if his party keeps control of the Congress in the November midterm elections.

And you talked about third-party validators. That is whom we rely upon for our information that we disseminate on this floor each night. That was the Wall Street Journal just on September 9, just 10 days ago.

The bottom line is that the threat of privatizing Social Security is not over, and we need to make sure that we have a party and a caucus and Members who are committed to preserving Social Security.

Just look at the quote of Secretary of the Treasury Henry Paulson. He said, ''Social Security was created in 1935. Today people are living longer than that they did in 1935. Yet Social Security's basic structure has barely changed. Just 3.3 workers are paying into the system to support each beneficiary while 16 workers did so in 1950. The President put forward a plan last year to strengthen and modernize Social Security. The longer we wait to fix this problem, the more limited will be the options available to us, the greater cost, and the more severe the economic impact on our Nation.''

And all of the people in the administration, there is quote after quote after quote that describes their underlying intent to privatize Social Security, pull the rug out from under our senior citizens from the most successful program in American history that is the floor through which we will not allow our senior citizens to fall. And we have just got to make sure that 48 days from now we are able to make sure that our senior citizens can be protected not just in their retirement security, but in terms of their health care security, in terms of making sure that they have a prescription drug benefit that truly protects them, that truly gives them affordable access to prescription drugs, that is consistent, that does not have a doughnut hole that they fall through, and that allows the Federal Government to negotiate for lower prices. Those are the things that are reflected in our agenda.

And you can see by the Republicans' agenda here that they have been committed to nothing remotely close to that. They have been committed, since I have been here, to increasing tax breaks for the wealthiest few. They have been committed to giving subsidies to the oil industry. I mean, sometimes I feel like they are committed to reducing access to health care because they have done absolutely nothing to move that ball down the field. It has just been a real shock to me. And the fact that they have allowed the aftermath of Katrina to continue by contracts going out the door unchecked, millions and millions of dollars not accounted for, no-bid contracts awarded to companies that are essentially the friends of Republicans.

We have got former House Speaker Newt Gingrich, certainly no friend of the Democratic agenda, who has commented that ''they are seen by the country,'' they being the Republicans, his party members, ''they are seen by the country as being in charge of a government that can't function.'' And that is because they are giving away the store. They are letting things happen completely unchecked, ceded the oversight authority of the Congress to the executive branch and, on top of that, in the war in Iraq, also allowed for contracts to be let without a bid with absolutely no oversight of how those funds are spent; one contract where $9 million went out the door, and no one knew what it was spent on.

It is just shocking. These are facts. These are not things that we are making up, and it is not hyperbole or exaggeration. I just don't understand how they look at themselves in the mirror every morning when they wake up. My parents raised me that you have got to make decisions that are going to make you comfortable and that are going to allow you to look yourself in the mirror when you wake up in the morning and put your head down on the pillow and rest comfortably at night. And I honestly don't understand how any of the Members on that side of the aisle can do that when they take out that rubber stamp that you bring to the floor each night that we are and they just stamp it. They just repeatedly pound it over and over for the agenda of this President, which is clearly out of step with the average American.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, I can tell you that as you start to go down the line of the facts and not fiction of what has happened and what has not happened here in this House, you can't help but think that we only have tomorrow that we will be in session, and we have next week that we will be in session.

□ 2345

There are a number of conference reports out there, bills that have passed both House and Senate that are in limbo that a conference committee has not even been appointed by the leadership of the House on a bipartisan, in a bipartisan way or partisan way to even deal with those issues.

We have an immigration bill that the American people would like to see some action on. No action whatsoever. And I can sit here with great confidence to say that it will not happen. A lot of things have, you know, a lot of talk on the majority side about an immigration bill. A lot of talk about protecting our borders and bringing legislation to the floor, if it even made it through a committee, and I will take out my Sharpie here of a double-lined fence to protect our border and bringing it to the floor for a vote.

And you take out the legislation and you start to do something, what my teachers used to say, reading is fundamental, and you do not see here where the money has been appropriated to even build a double-line fence that we are coming to the floor and being asked to vote on. It is not a joke.

Ms. WASSERMAN SCHULTZ. There is no money?

Mr. MEEK of Florida. No money. Yes, we are going to build this fence. It is going to be for 200, or if someone sat in the back room somewhere off the chamber and said, do not make it 200, make it a 300-mile fence, let's build a fence all of the way, let's put one in the middle of the Gulf, and we are going to run a fence underwater, folks have to put on masks and SCUBA equipment, put it underwater, yeah, that is the ticket. But no money to be able to pay for the fence.

Better yet, I think that folks find some sort of gratification or, I guess to prove a point, to say we are tough on security. But we are not going to put our money where our mouths are.

The same thing, Mr. Speaker, as it relates to Leave No Child Behind. The same thing as it relates to what, Mr. Speaker, Ms. WASSERMAN SCHULTZ talked about as it relates to the minimum wage.

The 30-Something Working Group night after night pounds the Republican majority as it relates to the imbalance of accountability on behalf of the American people that are making minimum wage. We have a proposal on this side of the aisle to raise the minimum wage to $7.25, that will take other workers who are not on the minimum wage, that are making $10, $15 or $20 an hour, their wages will go up.

Meanwhile, CEOs are getting everything that they want, making triple-diple time of the worker who is going in there and working every day. Need it be someone that is retired, that is trying to make ends meet, they are going in, they are punching in and punching out every day, 15 minutes in the morning, 15 minutes in the afternoon and 30 minutes for lunch if they get that.

The CEOs are getting what they want, and guess what? The Members of Congress are getting what they want. These numbers that you see up here are not minimum wage or even salaried workers in the United States of America. The minimum wage worker has not received an increase since 1997. Look at it. Zeros across the board for the American people. But look at Members of Congress. Now, here is the difference between the minority, those of us that are the Democrats and the majority, those that are in the majority, that has the power and the influence and the committee chairpersons that are able to move legislation, and the speakership and the majority leader, and the Senate, and the White House.

What has happened? They all got raises. And the difference between us and them is that we said we will not participate in another pay raise for Members of Congress until the American people receive a pay raise. And that is a fact. And that is a promise. And the other promise that we have made on this side of the aisle is in the majority, within the first 100 hours that the American people will receive an increase in the minimum wage. And that is a fact. That is not fiction. That is fact. That is on the RECORD. That is in legislation that was filed in the 109th Congress that cannot see the light of day because the majority does not want it to happen.

Now, here is the other issue as it comes down to accountability. There is a big differences from that side of the aisle and this side of the aisle. We have said we are willing to move forth in a bipartisan way and tackle the major issues that are facing this country today and tomorrow. The Republican majority has already shown that they do not have the will nor the desire to follow through on anything that I am talking about at the levels that we are talking about.

We are talking about moving this country in a new direction to make sure that every American can participate, whether they are driving a pickup truck or a flex vehicle here in the United States, making sure that Democrats, Republicans, independents, members of the American people in general, those who cannot even vote will have the opportunity.

We have a proposal on reversing the cost increases that the Republican majority has put on the backs of the American worker and the American family and in educating the next generation of leaders that are here to make sure that they have enough money to attend college, that makes sure that there is no devolution of taxes. And what do I mean?

In the 30-Something Working Group, we do not believe in big slogans and Washington inside talk. We believe in making sure that the American people understand. Devolution of taxes is saying we cut their taxes here, and that we do not put it on the backs of the States, because by their constitution, by State constitutions, they have to balance.

Here in Washington, they just put it on the credit card or they ask a foreign country to pay for the mismanagement of this Republican majority.

So there is a big choice here. The big choice is that do we want to continue to go in the wrong direction, from a fiscal standpoint and a respect standpoint as it relates to our veterans and their services, also as it relates to health care, or do we want to go in a new direction in making sure that we deal with our fiscal issues?

Because on this side of the aisle, we balance the budget. Not one Republican on this side can say that they had anything to do with balancing the budget.

We are almost going to run out of time. But I am just going to say go to www.housedemocrats.gov, or www.house.gov/dems. The Members can go on and see the report on making sure that we keep Social Security as a public program versus privatization. A member actually came to the floor after we finished last week and said that no one in my party ever said anything about privatization of social security.

I kind of wanted to ask the gentleman to yield, Mr. Speaker, because I wanted to bring a statement out that the President said less than 10 hours earlier saying that if they get the majority and he is able to get the next Congress, as he has it now, to rubber stamp, you are going to pursue the privatization of Social Security once again.

So we want to make sure the American people know about it.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, we have all of the charts and particularly the quotes about Social Security, and what the administration has said about their desire to privatize Social Security and the direction they would take Social Security on our website, our 30-Something website, www.housedemocrats.gov/30something.

We also have our New Direction for America pamphlet on that as well. We encourage the Members and anyone else who would like to learn a little bit more about the direction we would take the country to go on to that website.

Mr. Speaker, we thank Leader PELOSI for the opportunity to talk to the Members tonight. Mr. MEEK, thank you for joining me once again and for your leadership in the 30 Something Working Group.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WOLF (at the request of Mr. BOEHNER) for today until noon on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. ZOE LOFGREN of California, for 5 minutes, today.

Ms. ESHOO, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. PAYNE, for 5 minutes, today.

Ms. KILPATRICK of Michigan, for 5 minutes, today.

Mr. WATT, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. AL GREEN of Texas, for 5 minutes, today.

Ms. MOORE of Wisconsin, for 5 minutes, today.

Mr. JEFFERSON, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Ms. FOXX, for 5 minutes, September 21.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. HULSHOF, for 5 minutes, today and September 21.

Mr. TIAHRT, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KUCINICH and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $2,599.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5684. An act to implement the United States-Oman Free Trade Agreement.

ADJOURNMENT

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Thursday, September 21, 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:

9500. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30507; Amdt. No. 3179] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9501. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Kalispell MT [Docket No. FAA-200523157; Airspace Docket No. 05-ANM-15] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9502. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Pinedale, WY [Docket No. FAA-2005-23361; Airspace Docket No. 05-ANM-17] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9503. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the Norton Sound Low Offshore Airspace Area; AK [Docket No. FAA-2006-23926; Airspace Docket No. 06-AAL-10] (RIN: 2120-AA66) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9504. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Fremont, MI [Docket No. FAA-2006-23902; Airspace Docket No. 06-AGL-01] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9505. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E2 Surface Area; Elko, NV [Docket No. FAA-2006-25252; Airspace Docket No. 06-AWP-12] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9506. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace; Elko, NV [Docket No. FAA-2006-24243; Airspace Docket No. 06-AWP-11] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9507. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Redesignation of VOR Federal Airway V-431; AK [Docket No. FAA-2005-20551; Airspace Docket No. 06-AAL-18] (RIN: 2120-AA66) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9508. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS-365N2, AS 365 N3, EC 155B, EC155B1, SA-365N, N1, and SA-366G1 Helicopters [Docket No. FAA-2004-18850; Directorate Identifier 2004-SW-19-AD; Amendment 39-14694; AD 2004-16-15 R1] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9509. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212-CC Airplanes [Docket No. FAA-2005-22504; Directorate Identifier 2003-NM-281-AD; Amendment 39-14691; AD 2006-15-11] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9510. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Airplanes; Model A310 Airplanes; and Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2006-24779; Directorate Identifier 2006-NM-044-AD; Amendment 39-14689; AD 2006-15-09] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9511. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Airbus Model A310-200 and -300 Series Airplanes [Docket No. FAA-2005-22630; Directorate Identifier 2001-NM-323-AD; Amendment 39-14690; AD 2006-15-10] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9512. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212-CC Airplanes [Docket No. FAA-2005-22505; Directorate Identifier 2003-NM-283-AD; Amendment 39-14692; AD 2006-15-12] (RIN: 2120-AA64) received September 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9513. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes; and Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-200623690; Directorate Identifier 2004-NM-133-AD; Amendment 39-14684; AD 2006-15-04] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9514. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200, -300, and -400 Series Airplanes [Docket No. FAA-2005-20731; Directorate Identifier 2004-NM-260-AD; Amendment 39-14685; AD 2006-15-05] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9515. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2-203 and A300 B4-203 Airplanes; Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Model A310-200 and -300 Series Airplanes [Docket No. FAA-2006-23675; Directorate Identifier 2001-NM-320-AD; Amendment 39-14686; AD 2006-15-06] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9516. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-6, PC-6-H1, PC-6-H2, PC-6/350, PC-6/350-H1, PC-6/350-H2, PC-6/A, PC-6/A-H1, PC-6/A-H2, PC-6/B-H2, PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, PC-6/C-H2, and PC-6/C1-H2 Airplanes [Docket No. FAA-2006-24092; Directorate Identifier 2006-CE-18-AD; Amendment 39-14682; AD 2006-15-02] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9517. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McCauley Propeller Models B5JFR36C1101/114GCA-0, C5JFR36C1102/L114GCA-0, B5JFR36C1103/114HCA-0. and C5JFR36C1104/L114HCA-0 [Docket No. FAA-2006-25173; Directorate Identifier 2006-NE-24-AD; Amendment 39-14693; AD 2006-15-13] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9518. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. MU-2B Series Airplanes [Docket No. FAA-2006-23645; Directorate Identifier 2006-CE-04-AD; Amendment 39-14687; AD 2006-15-07] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9519. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No. FAA-2006-24074; Directorate Identifier 2005-NM-213-AD; Amendment 39-14676; AD 2006-14-05] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9520. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 F4-600R Series Airplanes and Model A300 C4-605R Variant F Airplanes [Docket No. FAA-2006-24367; Directorate Identifier 2006-NM-041-AD; Amendment 39-14677; AD 2006-14-06] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9521. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and A330-300 Series Airplanes, and Airbus Model A340-200 and A340-300 Series Airplanes [Docket No. 2002-NM-247-AD; Amendment 39-14673; AD 2006-14-02] (RIN: 2120-AA64) received september 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9522. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes, and Model A340-541 and A340-642 Airplanes [Docket No. FAA-2005-22524; Directorate Identifier 2005-NM-135-AD; Amendment 39-14672; AD 2006-14-01] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9523. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 and ATR72 Airplanes [Docket No. FAA-2006-25537; Directorate Identifier 2006-NM-160-AD; Amendment 39-14708; AD 2006-16-08] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9524. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -300, -300ER Series Airplanes [Docket No. FAA-2006-24173; Directorate Identifier 2005-NM-262-AD; Amendment 39-14652; AD 2006-12-26] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9525. A letter from the Regulations Coordinator, CMS, Department of Homeland Security, transmitting the Department's ''Major'' final rule — MedicareProgram; Part A Premium for Calendar Year 2007 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8028-N] (RIN: 0938-AO18) received September 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GINGREY: Committee on Rules. House Resolution 1018. Resolution providing for consideration of the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or subterranean passageway between the United States and another country; for consideration of the bill (H.R. 6094) to restore the Secretary of Homeland Security's authority to detain dangerous aliens, to ensure the removal of deportable criminal aliens, and combat alien gang crime; and for consideration of the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures (Rept. 109–671). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. STEARNS (for himself, Mr. MATHESON, and Mr. MCINTYRE):

H.R. 6113. 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. KUCINICH (for himself, Ms. WOOLSEY, Mr. PAYNE, Ms. LEE, Mr. ANDREWS, Mr. PALLONE, Ms. CARSON, Mr. HINCHEY, Mr. RANGEL, Mr. GRIJALVA, Mrs. JONES of Ohio, Mr. OLVER, Mr. GUTIERREZ, Mr. WEXLER, Mr. DAVIS of Illinois, Mr. SERRANO, Ms. SCHAKOWSKY, Mr. CONYERS, Ms. NORTON, Mr. OWENS, Mr. RUSH, Mr. MICHAUD, Ms. WATSON, Ms. WATERS, Mr. MCGOVERN, Ms. MCKINNEY, Ms. KAPTUR, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. FILNER, and Mr. FARR):

H.R. 6114. A bill to assist States in establishing a universal prekindergarten program to ensure that all children 3, 4, and 5 years old have access to a high-quality full-day, full-calendar-year prekindergarten education; to the Committee on Education and the Workforce.

By Ms. PRYCE of Ohio (for herself, Ms. WATERS, Mr. GERLACH, Mr. FRANK of Massachusetts, and Mr. TIBERI):

H.R. 6115. A bill to extend the authority of the Secretary of Housing and Urban Development to restructure mortgages and rental assistance for certain assisted multifamily housing; to the Committee on Financial Services.

By Mr. ROGERS of Alabama (for himself and Mr. ISSA):

H.R. 6116. A bill to recruit and retain Border Patrol agents; to the Committee on Homeland Security, and in addition to the Committee on Government Reform, 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. WHITFIELD (for himself, Mr. ALLEN, Mr. NORWOOD, Mr. BOOZMAN, Mr. LEWIS of Kentucky, and Mr. HALL):

H.R. 6117. A bill to amend the Fairness to Contact Lens Consumers Act to require contact lens sellers to provide a toll-free telephone number and a dedicated email address for the purpose of receiving communications from prescribers; to the Committee on Energy and Commerce.

By Mr. HAYWORTH:

H.R. 6118. A bill to amend title XVIII of the Social Security Act to permit a physician assistant, when delegated by a physician, to order or provide post-hospital extended care services, home health services, and hospice care under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DICKS:

H.R. 6119. A bill to provide for the equitable settlement of claims of Indian tribes in the region of Puget Sound, Washington regarding treaty rights to take shellfish from lands in that region, and for other purposes; to the Committee on Resources.

By Mr. UPTON (for himself, Mr. RUSH, Mr. WYNN, Mr. PITTS, Mr. SHIMKUS, Mr. TERRY, Mr. PENCE, Mr. WOLF, Mr. HOEKSTRA, Mrs. BLACKBURN, Mr. WELDON of Pennsylvania, and Mr. CAMP of Michigan):

H.R. 6120. A bill to prohibit deceptive acts and practices in the content rating and labeling of video games; to the Committee on Energy and Commerce.

By Mr. BAKER:

H.R. 6121. A bill to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HOLT:

H.R. 6122. A bill to amend the Internal Revenue Code of 1986 to provide an additional standard deduction for real property taxes for nonitemizers; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 6123. A bill to include costs incurred by the Indian Health Service, a federally qualified health center, an AIDS drug assistance program, certain hospitals, or a pharmaceutical manufacturer patient assistance program in providing prescription drugs toward the annual out of pocket threshold under part D of title XVIII of the Social Security Act and to provide a safe harbor for assistance provided under a pharmaceutical manufacturer patient assistance program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself and Mr. FOSSELLA):

H.R. 6124. A bill to provide protections and services to certain individuals after the terrorist attack on September 11, 2001, in New York City, in the State of New York, and for other purposes; to the Committee on Energy and Commerce, 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. PAUL:

H.R. 6125. A bill to prohibit discrimination by group health plans and employers based on genetic information; to the Committee on Government Reform, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 6126. A bill to suspend temporarily the duty on certain structures, parts, and components for use in an isotopic separation facility; to the Committee on Ways and Means.

By Mr. PEARCE:

H.R. 6127. A bill to suspend temporarily the duty on certain structures, parts, and components for use in an isotopic separation facility; to the Committee on Ways and Means.

By Mr. ROSS:

H.R. 6128. A bill to provide for the distribution of excess manufactured housing units located at Hope Municipal Airport, Arkansas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROYCE (for himself, Mr. KANJORSKI, Mr. PRICE of Georgia, Ms. BEAN, Mr. BACHUS, Mr. SCOTT of Georgia, Mr. SESSIONS, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 6129. A bill to amend the Credit Repair Organizations Act to clarify the applicability of certain provisions to credit monitoring services, and for other purposes; to the Committee on Financial Services.

By Mr. LANTOS (for himself, Mr. HYDE, Ms. ROS-LEHTINEN, and Mr. ACKERMAN):

H. Res. 1017. A resolution affirming support for the sovereignty and security of Lebanon and the Lebanese people; to the Committee on International Relations.

By Mr. LEWIS of Kentucky:

H. Res. 1019. A resolution honoring the life of Carl Brashear, the first African-American Navy Master Chief Diver; to the Committee on Armed Services.

By Mr. MARKEY:

H. Res. 1020. A resolution directing the Secretary of Defense to provide certain information to the House of Representatives relating to Maher Arar; to the Committee on Armed Services.

By Mr. MARKEY:

H. Res. 1021. A resolution directing the Secretary of Homeland Security to provide certain information to the House of Representatives relating to Maher Arar; to the Committee on Homeland Security.

By Mr. MARKEY:

H. Res. 1022. A resolution directing the Secretary of State to provide certain information to the House of Representatives relating to Maher Arar; to the Committee on International Relations.

By Mr. MARKEY:

H. Res. 1023. A resolution requesting the President to provide certain information to the House of Representatives relating to Maher Arar; to the Committee on International Relations.

By Mr. MARKEY:

H. Res. 1024. A resolution directing the Attorney General to provide certain information to the House of Representatives relating to Maher Arar; to the Committee on the Judiciary.

By Ms. MCKINNEY:

H. Res. 1025. A resolution honoring the life and achievements of the late Oscar Davis, Sr., of Baldwin County, Georgia, for his public service as a leader in the State of Georgia and dedication to the cause of civil rights; to the Committee on Government Reform.

By Ms. MCKINNEY:

H. Res. 1026. A resolution for the re-opening of investigative hearings into the Counter-Intelligence Program (COINTELPRO) and other intelligence and law enforcement programs and agencies, and an expansion of those hearings to include reneweal of previously curtailed abuses, and other activities sanctioned by the USA PATRIOT ACT; to the Committee on Intelligence (Permanent Select), 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. LINDA T. SÁNCHEZ of California:

H. Res. 1027. A resolution commending the life's work of Stephen Robert Irwin and extending heartfelt sympathy to his family; to the Committee on International Relations.

By Mr. SOUDER (for himself, Mr. TOM DAVIS of Virginia, Mr. CUMMINGS, Mr. CALVERT, Mr. TERRY, and Mr. HINOJOSA):

H. Res. 1028. A resolution supporting the goals and ideals of Red Ribbon Week; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. INSLEE.

H.R. 196: Mr. KUHL of New York.

H.R. 615: Mr. MICA, Mr. KELLER, Mr. BACHUS, and Mr. MURPHY.

H.R. 752: Mr. MURTHA.

H.R. 817: Mr. AKIN, Mr. GINGREY, and Mr. BACA.

H.R. 997: Mr. BILBRAY.

H.R. 1000: Mr. WALSH, Mr. MEEHAN, and Mr. TOWNS.

H.R. 1106: Mr. NADLER and Mr. DOYLE.

H.R. 1227: Mr. NEUGEBAUER.

H.R. 1376: Ms. DELAURO.

H.R. 1384: Mr. BOUSTANY.

H.R. 1472: Mr. BISHOP of New York, Mr. KING of New York, Mrs. MCCARTHY, Mr. ISRAEL, Mr. TOWNS, Ms. Velázquez, Mr. BOEHLERT, Mr. SWEENEY, Mrs. Lowey, Mr. REYNOLDS, and Mr. MCHUGH.

H.R. 1498: Ms. SCHWARTZ of Pennsylvania.

H.R. 1707: Mr. SIMMONS.

H.R. 2184: Mrs. CHRISTENSEN.

H.R. 2356: Mrs. BIGGERT.

H.R. 2629: Mr. SHAYS.

H.R. 2804: Mr. DOOLITTLE.

H.R. 2861: Mr. BOUSTANY, Mr. RAMSTAD, Mr. MURPHY, Mr. LOBIONDO, and Mr. CAPUANO.

H.R. 3103: Mrs. KELLY.

H.R. 3111: Mr. LEWIS of Kentucky.

H.R. 3151: Mr. CAPUANO.

H.R. 3436: Mr. BISHOP of Georgia.

H.R. 3561: Ms. MOORE of Wisconsin.

H.R. 3616: Mr. CASTLE.

H.R. 3875: Mr. BOUSTANY, Mr. GOODE, and Mrs. CAPITO.

H.R. 3954: Mr. ROTHMAN and Mr. MCINTYRE.

H.R. 4098: Ms. PRYCE of Ohio, Mr. FITZPATRICK of Pennsylvania, and Mr. KENNEDY of Minnesota.

H.R. 4217: Mr. GRAVES.

H.R. 4277: Mr. JONES of North Carolina.

H.R. 4341: Mr. SPRATT and Mr. BILIRAKIS.

H.R. 4511: Mr. LINDER.

H.R. 4597: Mr. EVANS and Mrs. BONO.

H.R. 4708: Mr. WATT.

H.R. 4727: Mr. INSLEE, Mr. HINOJOSA, Mr. BROWN of Ohio, and Mr. MCINTYRE.

H.R. 4734: Mr. WEXLER.

H.R. 4740: Mr. MORAN of Virginia.

H.R. 4746: Mr. JONES of North Carolina and Ms. BORDALLO.

H.R. 4830: Mr. GARY G. MILLER of California, Mr. DAVIS of Kentucky, Mr. SESSIONS, Mr. MARCHANT, Mr. HAYWORTH, Mrs. MUSGRAVE, Ms. FOXX, Mr. MCCOTTER, and Mrs. DRAKE.

H.R. 4861: Mr. DEAL of Georgia.

H.R. 4904: Mr. WELDON of Pennsylvania.

H.R. 4924: Mr. SWEENEY, Mr. WALSH, Mr. HASTINGS of Washington, Mr. TIBERI, Mr. LATOURETTE, Mr. BOEHNER, Mr. SIMPSON, Mr. BOEHLERT, Mr. HINCHEY, Mr. MOORE of Kansas, Mr. HINOJOSA, and Mr. MCNULTY.

H.R. 4925: Ms. SCHAKOWSKY.

H.R. 4949: Mr. CUELLAR.

H.R. 4956: Mr. CARNAHAN.

H.R. 4993: Mr. KUCINICH.

H.R. 5035: Mr. GUTIERREZ.

H.R. 5092: Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, and Ms. GRANGER.

H.R. 5100: Mrs. MILLER of Michigan, Mr. ROGERS of Michigan, and Mr. KNOLLENBERG.

H.R. 5120: Mr. CONYERS and Mr. GOHMERT.

H.R. 5139: Mrs. MCMORRIS RODGERS.

H.R. 5147: Mr. MCDERMOTT, Mr. STARK, Mr. RANGEL, Mr. WAXMAN, Mr. DINGELL, and Mr. PALLONE.

H.R. 5171: Mr. KENNEDY of Minnesota.

H.R. 5242: Mr. CARTER, Mr. WILSON of South Carolina, Mr. GARRETT of New Jersey, Mr. SODREL, Mr. PEARCE, Mr. TANCREDO, Mr. SAM JOHNSON of Texas, Mr. GARY G. MILLER of California, and Mr. KLINE.

H.R. 5246: Mr. LATOURETTE and Mr. CAMPBELL of California.

H.R. 5250: Mr. CAPUANO.

H.R. 5280: Mr. PRICE of North Carolina and Mr. TOWNS.

H.R. 5396: Mr. PRICE of North Carolina.

H.R. 5476: Mr. SAM JOHNSON of Texas.

H.R. 5513: Ms. KAPTUR, Mr. ADERHOLT, and Mr. DELAHUNT.

H.R. 5642: Mr. CAPUANO, Mr. PASCRELL, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. BERKLEY, Mr. SMITH of Washington, Mr. DEFAZIO, Mr. TIERNEY, Mr. DELAHUNT, Mr. CARNAHAN, Ms. ROYBAL-ALLARD, and Mr. CROWLEY.

H.R. 5708: Mr. SERRANO, Mr. REYNOLDS, and Mr. ISRAEL.

H.R. 5717: Mr. WEXLER and Mr. CONYERS.

H.R. 5730: Mr. SHIMKUS.

H.R. 5733: Mr. FILNER and Ms. SCHAKOWSKY.

H.R. 5743: Mr. LINDER.

H.R. 5746: Mr. DEAL of Georgia.

H.R. 5751: Mr. SOUDER.

H.R. 5771: Mr. OBERSTAR, Mr. HOLT, Ms. LINDA T. SÁNCHEZ of California, and Ms. SLAUGHTER.

H.R. 5772: Ms. FOXX.

H.R. 5795: Mr. MCGOVERN.

H.R. 5829: Mr. DOGGETT, Ms. WOOLSEY, Mr. GONZALEZ, Ms. MILLENDER-MCDONALD, Mr. LARSON of Connecticut, Mr. HONDA, and Mr. ETHERIDGE.

H.R. 5834: Mr. RUPPERSBERGER.

H.R. 5862: Mrs. MCMORRIS RODGERS and Mr. MCCAUL of Texas.

H.R. 5875: Mr. FARR and Mrs. MALONEY.

H.R. 5896: Mr. DAVIS of Alabama.

H.R. 5906: Mr. MCNULTY.

H.R. 5930: Mr. ADERHOLT.

H.R. 5960: Mr. SALAZAR, Ms. BORDALLO, and Mr. MCINTYRE.

H.R. 5965: Ms. KILPATRICK of Michigan, Mr. GUTIERREZ, Mr. HASTINGS of Florida, and Mr. LANTOS.

H.R. 6036: Mr. SIMPSON, Mr. BASS, and Mr. FORTUÑO.

H.R. 6044: Mr. DAVIS of Alabama.

H.R. 6064: Mr. UPTON.

H.R. 6067: Ms. WASSERMAN SCHULTZ, Mr. BROWN of Ohio, Mr. SPRATT, and Mr. KILDEE.

H.R. 6074: Mr. OTTER.

H.R. 6076: Mr. LEWIS of Georgia, Mr. JEFFERSON, and Mr. MORAN of Virginia.

H.R. 6083: Mr. WYNN, Mr. CONYERS, Mr. BUTTERFIELD, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. WATSON, and Mr. DAVIS of Illinois.

H.R. 6092: Mr. SAM JOHNSON of Texas.

H.R. 6102: Mrs. JO ANN DAVIS of Virginia, Mr. GOODE, Mr. GOODLATTE, Mr. FORBES, and Mr. CANTOR.

H.R. 6109: Mr. SOUDER and Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 197: Ms. DELAURO.

H. Con. Res. 222: Mrs. MCCARTHY.

H. Con. Res. 404: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEACH, Ms. SCHAKOWSKY, and Ms. BALDWIN.

H. Con. Res. 424: Mr. WEXLER, Mr. WOLF, Mr. MCINTYRE, Mr. DOOLITTLE, Mr. LARSEN of Washington, Mr. CUELLAR, Mr. PALLONE, Mr. CUMMINGS, Ms. SCHAKOWSKY, Mr. MARSHALL, Mr. BASS, Mr. CONYERS, Ms. KAPTUR, and Mr. DINGELL.

H. Con. Res. 428: Mr. JOHNSON of Illinois.

H. Con. Res. 434: Mr. DOGGETT and Mr. WEXLER.

H. Con. Res. 455: Ms. GRANGER.

H. Con. Res. 457: Mr. BACHUS, Mr. MCCOTTER, and Mr. ROTHMAN.

H. Con. Res. 470: Ms. PELOSI, Mr. BLUMENAUER, Mr. THOMPSON of California, Mr. MORAN of Virginia, and Mr. ACKERMAN.

H. Con. Res. 471: Mr. HASTINGS of Florida, Mr. KIND, Mr. DUNCAN, Mr. TANNER, Mr. COBLE, Mr. BOYD, Mr. WELLER, Mr. LATOURETTE, Mr. OXLEY, Mr. SMITH of Texas, Mr. MANZULLO, Mrs. BLACKBURN, Mr. MATHESON, Mr. SIMPSON, Mr. PASTOR, Ms. GINNY BROWN-WAITE of Florida, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Con. Res. 473: Mr. BILBRAY, Mr. FARR, Mr. WILSON of South Carolina, Mr. RADANOVICH, Mr. MCKEON, Mr. HALL, Mr. DELAHUNT, Mr. LYNCH, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. BURGESS, Mr. DOOLITTLE, Mr. ROYCE, Mr. MCCOTTER, Mr. CAMPBELL of California, Mr. POMBO, Ms. BORDALLO, Mr. BUTTERFIELD, Mr. NUNES, Mr. GALLEGLY, Mr. MCCAUL of Texas, Mr. WICKER, Mr. PITTS, Ms. HART, Mr. SHUSTER, Mr. BONNER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHERWOOD, Mr. WALSH, Mr. CONAWAY, Mr. BARRETT of South Carolina, Mr. CHOCOLA, Mr. GRAVES, Mr. CAMP of Michigan, Mr. PEARCE, Mr. LOBIONDO, Ms. BEAN, Mr. GARY G. MILLER of California, Mr. MCINTYRE, Mr. HINOJOSA, Mr. BERMAN, and Mr. MCNULTY.

H. Con. Res. 476: Mr. ALLEN, Mr. BAKER, Mr. BARTON of Texas, Mr. BLUNT, Mr. BRADLEY of New Hampshire, Mr. BRADY of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. CANNON, Mr. CARTER, Mr. CLAY, Mr. CRENSHAW,

Ms. DELAURO, Mr. MARIO DIAZ-BALART of Florida, Mr. FEENEY, Mr. FOLEY, Mr. GARRETT of New Jersey, Mr. GINGREY, Ms. HERSETH, Mr. HINOJOSA, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK of Michigan, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCINTYRE, Mrs. MCMORRIS RODGERS, Mr. GARY G. MILLER of California, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mr. PEARCE, Mr. PENCE, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. RENZI, Ms. ROS-LEHTINEN, Mr. SHADEGG, Ms. SOLIS, Mr. STEARNS, Mrs. TAUSCHER, Mr. TERRY, Mr. UPTON, Mr. WAMP, Mr. WAXMAN, Mrs. WILSON of New Mexico, Mr. WOLF, and Ms. WOOLSEY.

H. Res. 402: Ms. SCHAKOWSKY, Mr. DEAL of Georgia, Mrs. MYRICK, Mr. ENGEL, Mr. SCHWARZ of Michigan, Mr. CONYERS, Mr. RUSH, Mr. TOWNS, Mr. PENCE, Mr. TOM DAVIS of Virginia, Mr. GOODE, Mr. CARTER, Mr. KLINE, Mrs. JO ANN DAVIS of Virginia, Ms. GRANGER, Mr. STEARNS, Mr. BONILLA, Ms. PRYCE of Ohio, Mr. NEUGEBAUER, Mr. THORNBERRY, Mr. SIMMONS, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. HERGER, Mr. ROGERS of Michigan, Mrs. WILSON of New Mexico, Mrs. MUSGRAVE, Mr. MCCOTTER, Mr. WELDON of Florida, Mr. YOUNG of Alaska, Mr. SHAYS, Mr. CULBERSON, Mr. HALL, Mr. SHIMKUS, Mr. SHUSTER, Mr. ROHRABACHER, Mr. MCCAUL of Texas, Mr. ENGLISH of Pennsylvania, Mr. TAYLOR of Mississippi, Mr. GIBBONS, Ms. HARRIS, Mr. FOLEY, Mr. RANGEL, Mr. SESSIONS, Mr. POMEROY, Ms. HART, Mr. BILBRAY, Mr. OTTER, Mr. SMITH of Texas, Mr. MARIO DIAZ-BALART of Florida, Mr. CRENSHAW, Mr. BRADY of Texas, Mr. WALSH, and Mr. MCDERMOTT.

H. Res. 518: Mr. LEWIS of Kentucky.

H. Res. 745: Mr. MARSHALL.

H. Res. 748: Mr. WESTMORELAND, Mr. WHITFIELD, Mr. FRANKS of Arizona, Mr. PENCE, Mr. COBLE, Mr. DEAL of Georgia, Mr. BILIRAKIS, Mrs. MYRICK, Mr. THORNBERRY, Mr. BOEHNER, Mr. CLYBURN, Mr. BROWN of South Carolina, Mrs. CAPITO, Mr. DUNCAN, Mr. WELDON of Florida, Mr. GALLEGLY, Mr. JENKINS, Mr. GILCHREST, Mr. JONES of North Carolina, Mr. PAUL, Mr. SMITH of New Jersey, Mr. DOOLITTLE, Mr. RYUN of Kansas, Mr. CALVERT, Mr. WICKER, Mr. HEFLEY, Mr. BOOZMAN, Mr. BASS, Mr. BRADLEY of New Hampshire, Mr. SULLIVAN, Mr. DAVIS of Kentucky, Mr. TOWNS, Mr. MCKEON, Mr. LEACH, Mr. SESSIONS, Mr. LAHOOD, Mr. LOBIONDO, Mr. FRELINGHUYSEN, and Mr. OXLEY.

H. Res. 790: Mr. ABERCROMBIE, Mr. BAIRD, Ms. BEAN, Mr. BECERRA, Mr. BERRY, Mr. BLUMENAUER, Mr. CARDOZA, Mr. DEFAZIO, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. INSLEE, Ms. ZOE LOFGREN of California, Mr. MCNULTY, Mrs. TAUSCHER, Mr. WU, Mr. HINCHEY, and Mr. GERLACH.

H. Res. 944: Mr. BLUMENAUER, Mr. HOLT, Ms. WASSERMAN SCHULTZ, Mr. MEEHAN, and Mr. HONDA.

H. Res. 954: Ms. MCCOLLUM of Minnesota and Mr. CONYERS.

H. Res. 960: Mr. KENNEDY of Minnesota.

H. Res. 962: Mr. HINOJOSA, Mr. LANTOS, and Mr. COBLE.

H. Res. 971: Mrs. SCHMIDT.

H. Res. 973: Mr. MILLER of North Carolina.

H. Res. 974: Mr. GILLMOR, Mr. LATHAM, Mrs. MALONEY, Ms. HART, Mr. BEAUPREZ, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. REYES, Mr. MILLER of North Carolina, Mr. FOLEY, Mr. MARSHALL, Mr. PALLONE, Mr. LANGEVIN, Mr. DEFAZIO, Mr. GARRETT of New Jersey, Mr. MOORE of Kansas, Mrs. LOWEY, Mr. ROTHMAN, Mr. BISHOP of New York, Mr. LOBIONDO, Mr. SMITH of Washington, Mr. OBERSTAR, Mr. PAYNE, Mr. ENGEL, Mr. CARNAHAN, Mr. WELDON of Pennsylvania, Mr. ANDREWS, Mr. PASCRELL, and Mr. SAXTON.

H. Res. 989: Mr. UPTON, Mr. WELDON of Pennsylvania, and Mr. CAMPBELL of California.

H. Res. 991: Mr. TOM DAVIS of Virginia, Mr. WAXMAN, Mr. SOUDER, Mrs. MILLER of Michigan, Mr. RUPPERSBERGER, Mr. ISSA, Mrs. MALONEY, Mr. KUCINICH, Mr. LANTOS, Mr. BILBRAY, Mr. TOWNS, Mr. CLAY, Mr. KANJORSKI, Mr. SHAYS, Mr. KING of New York, Ms. FOXX, and Mr. DAVIS of Illinois.

H. Res. 993: Mr. AKIN and Ms. MATSUI.

H. Res. 995: Mr. BLUMENAUER, Mr. PAYNE, Mr. BOOZMAN, Mr. MEEKS of New York, Ms. WOOLSEY, Mr. CONYERS, Mrs. JO ANN DAVIS of Virginia, and Mr. MCGOVERN.

H. Res. 1012: Mr. SENSENBRENNER, Ms. WATERS, and Ms. MCKINNEY.