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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 17, 2007.

I hereby appoint the Honorable JOHN B. LARSON to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Almighty God, You brought us to the light of a new day. Keep us attuned to Your Word the whole day through.

Do not allow us to bend to every sinful inclination which leads only to self-centeredness and blindness to the needs of others; rather, may all our thoughts, conversations and decisions bring us closer to serving the needs of our constituents and the common good of all Your people. For You have called us to serve in Your holy name now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PENCE 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that pursuant to Public Law 106–170, the Chair, on behalf of the Majority Leader, after consultation with the Ranking Member of the Senate Committee on Finance, announces the appointment of the following individual to serve as a member of the Ticket to Work and Work Incentives Advisory Panel:

Mr. David L. Miller of South Dakota.

The message also announced that pursuant to sections 42 and 43 of title 20, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Connecticut (Mr. DODD) as a member of the Board of Regents of the Smithsonian Institution, vice the Senator from Tennessee (Mr. Frist).

The message also announced that pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore, appoints the following individual to the United States-China Economic Security Review Commission:

Mr. Peter Videnieks of Virginia, for a term beginning January 1, 2007 and expiring December 31, 2008, vice Patrick A. Mulloy.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, appoints the following individual to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

The Senator from California (Mrs. FEINSTEIN).

STUDENT LOAN INTEREST RATES

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

Mr. KELLER of Florida. Mr. Speaker, I rise today to discuss student loan interest rates. As the ranking member on the Higher Education Subcommittee, I believe in higher Pell Grants, lower student loan interest rates, and a leveling off of tuition.

If you ask a college student, would you rather have a 6.8 percent loan or a 3.4 percent loan, he will tell you 3.4 percent. If you ask him, would you rather have a 3.4 percent student loan that you have to pay back or a Pell Grant to help you go to college that you will never pay back, they will say Pell Grants.

The Democrats should have taken the $6 billion in spending and invested it in Pell Grants to help students on the front end instead of only helping those college graduates on the back end.

Education should not be a partisan issue; no one party has all the answers. Today, I will show a little good faith and vote for this bill. Tomorrow, I hope the Democrats show some good faith and listen to people like me when it comes to Pell Grants.

LET'S SUPPORT H.R. 5

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

Mr. COHEN. Mr. Speaker, as a State senator in Tennessee, I worked for

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more than 20 years to pass a State lottery with proceeds benefiting education programs. The primary recipients of the proceeds are college students. In addition to keeping Tennessee's best and brightest in Tennessee, the purpose of the Lottery HOPE scholarship program is to provide students with a means to focus on their studies rather than having to take a second job to pay their tuition, and also to permit them to enter the workforce without the burden of student loans.

Tuition has risen sharply at both public and private universities, particularly at public institutions; interest rates on student loans have risen as well. This has been an onerous burden on students and their families, and for many Americans it has left them out in the cold in terms of pursuing a college education.

For the U.S. to be able to compete for jobs in the world, we must have an educated workforce. We are facing a shortage of up to 12 million college-educated workers by 2020. We need to remove roadblocks to education. There is nothing more important than the education of our citizenry, because it impacts every facet of our society.

I ask my fellow Members of Congress to join the Democratic majority, join with me in supporting H.R. 5 as part of the 100 hours. Pass this student loan reduction bill.

PELOSI STEWARDSHIP

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

Ms. FOXX. Mr. Speaker, I rise today to express my disappointment with the broken promises of the Democratic leadership. I had high hopes that the promise of unlimited amendments and bipartisanship would prevail in the 110th Congress, but there have been no signs of these promises.

From the beginning, hypocrisy and corruption have reared their ugly heads. The minimum wage bill is touted as a massive relief for the poor, while only 2.5 percent of the population are actually making the minimum wage. This bill was nothing more than a kickback to unions, who use the Federal minimum wage to negotiate their salaries. This increase is a whopping 41 percent over 26 months; not to mention that in the bill American Samoa was exempt, a place where there are two canning plants for Del Monte Corporation, headquartered in San Francisco.

The pledge for open debate and unlimited amendments has been completely ignored. Democrats' bills have been rammed through without opportunity for amendments. So many promises made, all of them broken.

Mr. Speaker, this 100-hour agenda is a pure sham of political showmanship. The Democrats have distorted the North Carolina State motto, which is, ''To be rather than to seem.'' While these bills seem worthwhile, they are nothing more than window dressing for political gain.

PELL GRANTS

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

Mr. DEFAZIO. Well, here we have some born-again student advocates on the Republican side of the aisle. They are criticizing our legislation to cut student financial aid interest rates in half. Now, I might understand that because they just doubled student financial aid interest rates 1 year ago to pay for tax cuts for wealthy investors, so I guess they already took a position on that and they don't want to have to be forced to vote to provide help to students.

Then they say, well, no, we want to do Pell Grants. Well, you were in charge for 12 years; why didn't you increase Pell Grants during the 12 years you were in charge? We are going to cut student financial interest rates in half and take on the big banks, and we are going to increase funding for Pell Grants, something the majority failed to do in 12 years.

THE WAY FORWARD IN IRAQ

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

Mr. PENCE. Last week, President George W. Bush outlined a new strategy and new tactics in our war in Iraq; he called it, ''The Way Forward.'' Sadly, many in Congress and many around the country want to go backwards; to redeploy, to undo our military commitment to freedom in Iraq.

Mr. Speaker, I understand this temptation, even though I disagree with it. It is always tempting to go backwards, always tempting to want to go back before loss and hardship and war. The Old Book tells us otherwise, reading, ''Forgetting what is behind, I press on.''

Winston Churchill gave us this counsel: ''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.'' So said Winston Churchill.

I support our Commander in Chief. I support our new way forward. We must come together as a Nation. We must decide as a Nation not to see freedom fail in Iraq.

SUPPORT THE COLLEGE STUDENT RELIEF ACT

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

Mr. BACA. Mr. Speaker, I rise to support the passage of the College Student Relief Act of 2007. This legislation will help families with the cost of college. Let's make college affordable and accessible for all students.

In California, the average student is graduating with over $15,000 in debt. Students are relying more on student loans. The cost to attend a 4-year public university has increased by 41 percent since the year 2001. Students can't afford to finish because the costs are too high. This legislation will help over 200,000 students in my home State alone. It also will give an opportunity for students to fulfill the American Dream in obtaining higher education.

We must do something about this now. It's good for our students and working families. It's good for our Nation and our future.

Let's support this legislation.

IN SUPPORT OF INCREASING PELL GRANTS

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

Mrs. CAPITO. Mr. Speaker, I rise today in support of increasing Pell Grants, which we have done over the past 12 years, contrary to what we heard earlier. This action would have the greatest impact on helping lower-income students afford a college education.

Later today, the House will consider legislation that is intended to increase college access by temporarily reducing subsidized student loan interest rates, a helpful measure. But I suggest to my colleagues that an average 18-year-old student will not base whether they can go to college on whether their percentage of interest rate is 6.8 today or 6.14 for the 2007 year. What would make a difference is the amount of aid, either grants or loans, that is immediately available to help them afford school. To make college accessible, we should focus on what we can do now for students, not when they graduate.

Regardless of how you feel today, we need to work together on a bipartisan basis to increase Pell Grants to ensure that they are sufficient to help students to afford a higher education. This would be a very effective way to help students from low- and middle-income families afford college.

SUPPORT THE COLLEGE STUDENT RELIEF ACT

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

Ms. GIFFORDS. Mr. Speaker, I rise today to express my strong support for the College Student Relief Act, legislation that will cut interest rates in half over the next 5 years.

We live in an information-driven world where a college education is more vital than ever. Yet financial barriers will prevent millions of American high school graduates from realizing their full potential and getting the

education that they need. This legislation will help middle- and working-class families afford to send their children to college at a time when the cost of college, particularly in Arizona, is skyrocketing.

The average subsidized loan debt for tens of thousands of students in my home State of Arizona is around $15,000, a staggering amount for someone entering the workforce. This new act will save students in Arizona an average of $4,700, a substantial difference.

We must focus on preparing young Americans like those we have in the gallery today to be competitive in this 21st century global economy. Ensuring access to higher education is critical. This is a goal that is supported by the American people.

DEMOCRATS AND THE FACTS

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

Mrs. BLACKBURN. Mr. Speaker, the media just loves to give names to the different Congresses. I think that they should call this one the Hold-Onto-Your-Wallet Congress, because they are definitely coming to a wallet near you and it is going to be yours. During their first 100 hours, which is seeming to never end, they are spending billions of dollars of the American taxpayers' money on, guess what, bigger government, right here in Washington. They are not sending that money back to the local communities. And today they are going to have their student loan bill up.

Here are some facts. They would have you believe that we have slashed student loans and it is just not true.

Here is a fact. In a shocking display of hypocrisy, Democrat leaders are paying for their $6 billion plus plan with some of the same lender subsidy cuts crafted by congressional Republicans in the 109th Congress.

Here is another fact. House Republicans have committed a record $13 billion for Pell Grants, a two-thirds increase over the past decade. Go look it up.

Another fact. To the tune of more than $4 billion over 5 years, congressional Republicans established the first-ever grant program for high-achieving Pell students in their first and second years of college.

It is a fact. Republicans have a solid record of helping students get and stay in school.

□ 1015

DENVER TO HOST THE 2008 DEMOCRATIC NATIONAL CONVENTION

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

Mr. PERLMUTTER. Mr. Speaker, I rise today with great pride and honor that the Democratic National Committee has chosen Denver to host the 2008 Democratic National Convention.

2008 will mark exactly one century since Colorado last had the opportunity to nominate the Democratic candidate for President.

The Mile High City is a fitting choice, as it offers an opportunity to showcase the Rocky Mountain region as a new frontier on our Nation's political landscape. Colorado and the Rocky Mountain West are known for their independence and pioneering spirit, and will ultimately help shape the national debate to reflect the values of hard-working people all across America.

We embody a community that supports an investment in renewable energy, in fiscal discipline, and the protection of our civil liberties.

I want to thank the many individuals who worked tirelessly on behalf of Denver's bid to host this prestigious event. It is a privilege for the Centennial State to play such an influential role in our Nation's history.

DEMOCRAT JUGGERNAUT

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

Mr. KINGSTON. Mr. Speaker, well, it looks like the Democrat juggernaut is rolling along, or maybe it is more like the first steps of fledgling toddlers stumbling through their day.

First was the embarrassment of saying we would have open and fair debates for all, and then the first rule, no amendments, no open rules, and no committee hearings, which of course led to the embarrassing ''Sorry, Charlie Tuna'' incident of exempting American Samoa from workmen's compensation. I have to ask my friends, why did y'all do that? What were you thinking?

But I also want you to know I am on the side of American Samoa on this one. I don't think it is fair to go in there and beat them up and tell them how they should run their economy, tell them what is best for them and tell them that Washington knows best on central wage planning. Wait a minute, though. That is what we did to the other States, too.

Well, as a matter of fact I don't think we should bring American Samoa into this. I think we should amend the bill, if you do decide to have a committee hearing, that is, and allow the other States to join American Samoa and set their own minimum wage. But then that would be decentralized planning.

BIG OIL DOESN'T NEED ANY MORE HELP FROM WASHINGTON

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

Mr. STUPAK. Mr. Speaker, during the past 4 years big oil companies have seen their profits quadruple, while gas prices doubled and America continues to depend on foreign oil to operate our cars and our economy.

Yet, the Republican Congress did not think this was enough. They chose to give Big Oil billions in tax breaks and outrageous royalty incentives, instead of working to protect consumers and promote alternative energy.

Today we are sending $800 million per day to the Middle East and other oil producing countries. America now has record high dependence on foreign oil, and the need is growing.

Mr. Speaker, Congress must support consumers instead of Big Oil. Democrats have put forth a bill to increase our investment in renewable energy and put our Nation on a path to energy independence. The first step is to repeal the billions of dollars in subsidies given to Big Oil so that America can instead invest that money in clean and renewable energy sources.

Beginning the process of curbing our addiction to foreign oil is one of the main priorities of the Democratic Congress during the first 100 hours. I hope Democrats and Republicans will come together and pass this commonsense legislation that will promote our national and economic security.

IRAQ

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

Mr. GINGREY. Mr. Speaker, I rise today in support of delivering a knockout punch in Iraq, stabilizing Baghdad, securing freedom for the Iraqi people, and dealing a blow to terrorism across the Middle East.

There has been far too much politicking on this issue. Let me remind my colleagues that Iraq strategy is not about the legacy of Don Rumsfeld or General Abizaid or even President Bush. It is about 23 million Iraqi people. It is about the citizens of the United States of America. It is about the future of the Middle East, and it is about the 6 billion people on this planet who desire to live without the fear of radical terrorism.

We can achieve victory in Iraq. In the past we have underestimated the intensity of the death squads and the sectarian violence. Now we will confront them head on by ensuring we have enough coalition and Iraqi troops, not only to clear pockets of resistance, but to hold them.

Mr. Speaker, our President and combatant commanders are ready to deliver the knockout blow in Iraq. This is not the time for Congress to tie one hand behind their backs. We must be in this fight to win, and I support our drive to victory.

IN SUPPORT OF H.R. 5

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 5, legislation that will reduce interest rates for student borrowers.

Now, we all know that the cost of college has gone up every year. In fact, over the last 7 years the cost of a public school education, on average, has increased by 41 percent and at a private school by 7 percent. That is in real dollars.

So, how do lower income and middle income students go to higher education? They do it with Pell Grants. In California we do it with the State grants, but we also do it by borrowing. And so I believe that we should lower the interest costs so that anybody who wants to have a higher education, if you want to go back and get your master's, if your child wants to go and get their B.A., that we should be a partner in investment with them. Investing in our people is the most important thing our country can do to be competitive vis-a-vis the rest of the world.

NO JUSTICE FOR BORDER PATROL

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

Mr. STEARNS. Mr. Speaker, today Border Patrol Agents Ramos and José Compean turned themselves in to begin serving their 11- and 12-year prison terms. Now, what was their crime? Shooting a habitual drug smuggler after he evaded law enforcement, attacked one of the agents and threateningly turned to the agent with what appeared to be a gun, and was fleeing back across the border.

Now, how is this justice, Mr. Speaker?

Assistant U.S. Attorney Debra Kanof even went to Mexico to find this drug dealer, brought him to America, paid for his medical treatment in an El Paso hospital with taxpayers' dollars and gave him immunity to testify against the agents.

The unreasonable sentence of these agents undermines the morale and makes all of them question what they are doing, do they have the right to draw their firearm in the course of their duty.

This is an outrage. I urge President Bush to review this draconian prison sentence.

COLLEGE STUDENT RELIEF ACT

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

Mr. LOEBSACK. Mr. Speaker, I stand before all of you today as an example of what can be achieved if provided the opportunity and resources. I grew up in poverty and relied upon loans and grants to pay for my education. In short, I was able to achieve the American Dream because of legislation similar to the College Student Relief Act.

In America, millions of high school students forego higher education because of the financial barriers created by the ever increasing costs of tuition and fees at our colleges and universities. This situation harms qualified but economically disadvantaged students and endangers our country because the American economy relies on a highly skilled and well educated workforce. As a college professor for the past 24 years, I saw firsthand the financial struggle so many students face.

I call on my colleagues to support H.R. 5 because it is time we provide hope and opportunity to the youth of our country, the youth who want to participate productively in an increasingly globalized economy.

COLLEGE STUDENT RELIEF ACT

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today in support of H.R. 5, the College Student Relief Act.

This legislation will benefit 5½ million students. These students are predominantly from middle class, hard-working American families. Without this act they may not otherwise be able to attend our public institutions.

The generation that came before mine understood the investment in the future. At age 17, when I joined the military to be able to, one, support this country in its defense and, two, further my own career, I was given the GI bill, Pell Grants and the ability to use low interest student loans. Because of that I was able to achieve my dream of becoming a public school teacher.

However, unfortunately, this next generation does not have that same investment, a generation that has never seen the kind of investment that I saw.

The good people of the First District of Minnesota sent me here to change the priorities of this government. They sent me here to look out for the next generation of Americans.

Mr. Speaker, with this legislation the American Dream will be a little more in grasp of this next generation. This is not a theoretical discussion on interest rates. These are the students that were in my classroom, on my football team and in my Guard unit.

THE WAR IN IRAQ

(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, I rise to address the most important political and moral issue of the day, the war in Iraq. The war in Iraq costs us dearly in lives, more than 3,000 Americans so far, in dollars, 471 billion by my count; in international prestige by compromising our ability to meet our other foreign policy goals.

President Bush has rejected the sensible recommendations of the Iraq Study Group and instead chosen an escalation of troops. Rather than sending more brave young Americans to fight in an undefined, impossible mission in an Iraqi civil war, we should be looking for ways to redeploy our troops responsibly.

Representative MURTHA has courageously offered a framework for that redeployment, and the administration would be wise to heed his advice. The American people want to bring home their loved ones who are in harm's way. The Iraqi people want us to leave so that Iraqis can solve their problems.

As former Secretary of State Albright has pointed out, the only ones who want us to stay are those who will leave Iraq when we leave.

Mr. Speaker, Congress should reject the President's last ditch effort to salvage a botched execution of a flawed strategy.

WORKING FOR POSITIVE CHANGE AND A NEW DIRECTION FOR AMERICA

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

Mr. KAGEN. Mr. Speaker, today, in a bipartisan embrace, both Republicans and Democrats will continue to work together for positive change and a new direction for America by promoting a truly bipartisan first-100-hour agenda.

People in Appleton and Green Bay, Wisconsin, and all across America, wanted us to come together and begin to solve these problems that we are facing, and we have done just that. Two weeks ago we passed a rules package and a comprehensive ethics reform package supported by margins of 426–0 and 430–1, respectively. I believe we are really beginning to come together.

Fiscally responsible, pay-as-you-go, and real budget reforms were supported by many, many Republicans. Sixty-eight joined in implementing the 9/11 Commission recommendations. Eighty-two Republicans helped to increase the minimum wage, and 36 joined in lowering prescription drug costs for seniors.

Let's continue to work together to help reduce the costs of higher education as well. By working together we really will build a better future for everyone.

COLLEGE STUDENT RELIEF ACT OF 2007

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

Mr. MICHAUD. Mr. Speaker, I rise today in support of this College Student Relief Act of 2007. This bill will help thousands of students throughout the State of Maine.

Maine has one of the highest high school graduation rates in the country. However, only one out of four Mainers go on to complete college. That is because college costs are rising, and

many Maine students cannot afford their tuition. Too many are being denied the opportunity that college provides.

The legislation before us today would save students thousands of dollars on their loan repayment by cutting interest rates in half. Students in Maine beginning college in the fall of 2007 would save $2,107 on their loans, and those starting in 2011 would save $4,210.

This bill is also consistent with the pay-as-you-go principle that my fellow Blue Dogs and I have long advocated and that the Speaker has committed to. So it will not increase the deficit one dime.

I urge my colleagues to pass this legislation to help all the young people live the American Dream.

□ 1030

AMERICA FERRERA GOLDEN GLOBE WIN

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

Ms. SOLIS. Mr. Speaker, today I rise to congratulate America Ferrera for winning the Golden Globe for best actress in a comedy for her work in ABC's television show ''Ugly Betty.'' America Ferrera is a native of Los Angeles, the daughter of Honduran immigrant parents and a student at the University of Southern California, earning a degree in international relations.

As Betty Suarez, her character in ''Ugly Betty,'' Ferrera plays a smart, young Latina professional breaking into the publishing world. The people we see in here on television and in movies have a great influence on our communities and the attitudes of Americans.

While 40 percent of American youth ages 19 and under are children of color, few of the faces that they see on television actually reflect those races and cultures. Through her work, Ms. Ferrera is breaking down barriers for Latinos and Latinas in prime-time television.

I commend America Ferrera and everyone involved in Ugly Betty for helping to break down the stereotypes and provide a role model for young Latinas. I hope we can work together to teach everyone to appreciate diversity in our country.

Congratulations, America Ferrera.

CONGRATULATING THE CITIES OF NORFOLK, VIRGINIA BEACH, AND PORTSMOUTH, VIRGINIA

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

Mrs. DRAKE. Mr. Speaker, today I rise to congratulate the cities of Norfolk, Virginia Beach, and Portsmouth, Virginia, for the grand opening of a new complex that serves formerly homeless people. This is the first complex in the Nation that is financed and supported by more than one city. This complex will serve over 60 adults from our region who formerly lived in shelters, under bridges or on the street.

Congratulations to these three cities who worked regionally and who worked together to address the very basic human need for shelter and providing other comprehensive services such as job counseling, mental health, substance abuse and drug-abuse treatment as well. Congratulations to them, and we hope other regions of the country will follow their example, and they will be a great model for our Nation.

COLLEGE STUDENT RELIEF ACT OF 2007

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

Mr. KLEIN of Florida. Mr. Speaker, the health of the American economy depends on having a highly educated skilled workforce, but studies show the number one reason that students fail to attend college today is cost.

In addition to tuition, fees, interest rates on student loans have also risen. Over the last 5 years the interest rates on student loans have jumped by almost 2 percentage points, further increasing the cost of college. Many of us were dependent on student loans to go to college in the first place. I am one of them.

Recently, when I visited Pompano High School in my district, I met many exceptional students who were concerned that they would have difficulty managing tuition costs. These students in Pompano High School deserve better, as students do all over the United States. This Democrat bill would cut the interest rate in half from the current 6.8 percentage to 3.4 percent over the next 5 years.

This proposal will help over 5.5 million low- and middle-income students and their families afford a college education and a way to a better life. As a case in point, a study this year by the U.S. Public Interest Research Group estimates the average cost for a Florida student, what it will save over the cost of its life is $4,400. That is a powerful incentive, and I ask everyone to join us in passing this legislation.

AGAINST NEW IRAQ POLICY

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

Mr. JOHNSON of Georgia. Mr. Speaker, last week something very disturbing occurred. President Bush had an opportunity to demonstrate that he understood the country's concern, he had a chance to finally articulate a clear plan for our country's engagement in Iraq. But, instead, the President chose to escalate our involvement in Iraq's civil war by proposing a substantial increase in the number of American troops there, about half of whom are based in Georgia.

Mr. Speaker, our troops have performed with great courage. They have performed admirably in the Congress, and the American people will continue to support them and provide them with every resource that they need. But we need better leadership coming from the President and his War Cabinet. This new Democratic Congress is not going to give the President a blank check, and we will continue to demand answers to the tough questions that have not been answered.

Rather than escalating our involvement in Iraq, I believe that any plan should focus on shifting responsibility to the Iraqis so that we can begin a phased redeployment. The American people want change, of course, in Iraq, and House Democrats intend to keep pressing the President to provide it.

PASS THE COLLEGE STUDENT RELIEF ACT

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

Ms. SHEA-PORTER. Mr. Speaker, I am urging my colleagues today to pass the College Student Relief Act. I speak not only as a Congresswoman from New Hampshire, but also as the mother of a college student and one about to enter college.

These student loan interest rates are absolutely crippling students' ability to go to college and putting a burden on their families. These students are also deeply concerned now about what will happen when they go into the workforce and they have to pay a higher interest rate on their loans, as well as paying for higher energy costs and paying for rent and paying for all of the other expenses that young adults experience.

I urge my colleagues to please ease the pain on these students, encourage this higher education, because higher education is the key to prosperity in our country.

SUPPORT THE REDUCTION OF INTEREST RATES FOR STUDENT BORROWERS

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. AL GREEN of Texas. Mr. Speaker, the foundation of our Nation is education. Generally speaking, those with better educations earn more, are healthier and live longer. The road to a better society is paved with education.

I want more of our people to have the opportunity to travel the road to a better society. This is why I will support H.R. 5. It cuts interest rates on subsidized student loans in half from 6.8 percent to 3.4 percent. It saves the typical borrower $4,400. It provides more opportunities for more Americans to have more opportunities.

I will support H.R. 5.

SUPPORT COLLEGE LOAN INTEREST RATE CUTS AND MAKING COLLEGE MORE AFFORDABLE

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

Mr. PAYNE. Mr. Speaker, as a former teacher and as a member of the Education and Labor Committee, I am concerned by the fact that as the need for post-high school education increases in our country, so has the high price of attending college. Tuition fees at public universities have increased 41 percent after inflation since the year 2000.

A recent report highlighted my home State of New Jersey as having the highest college costs in the Nation for 4-year public institutions. Including tuition and room and board, it costs an average of $17,515 to attend a public 4-year university or college in New Jersey, about $5,600 over the national average. Because of these skyrocketing costs, many students and their families must take out student loans.

Unfortunately, thanks to the policies of the Bush administration in the past and of a Republican-controlled Congress, interest rates have increased as funding to college programs have been cut. Now this Congress has a chance to pursue a positive course by broadening college opportunities for all American students.

A Democratic bill coming before the House today, as part of the 100-hour agenda, will cut interest rates for the student loans, and, so, therefore, I ask, Mr. Speaker, that as our economy becomes more important day by day, it is important that we have a workforce that will be able to appreciate lower costs. This legislation will give more college-bound teens the ability to afford college, and that is why it should receive strong bipartisan support.

THE BRING THE TROOPS HOME AND IRAQ SOVEREIGNTY RESTORATION ACT

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

Ms. LEE. Mr. Speaker, the President said that critics of escalation have a responsibility, quite frankly, to offer an alternative. Today, Congresswoman LYNN WOOLSEY, Congresswoman MAXINE WATERS and myself will do just that. The Bring the Troops Home and Iraq Sovereignty Restoration Act is a rational alternative to escalation. It will repeal the authorization to use force, fully fund a 6-month withdrawal of U.S. forces from Iraq, provide economic aid to the Iraqi Government and fully fund the VA health care system for all veterans.

It will also prohibit permanent military bases in Iraq and U.S. control over Iraq's oil resources, and it will create a joint bipartisan committee to investigate how our Nation came to be misled into this unnecessary war and ensure that it never happens again.

It is time to bring this war and occupation to an end. It is time for military measures to be replaced by diplomacy. It is time to take the targets off our troops' backs and bring them home now. I am proud to say that today we will be introducing legislation to do just that.

I want to thank Congresswoman LYNN WOOLSEY, Congresswoman MAXINE WALTERS of the Progressive Caucus and the Out of Iraq Caucus for their leadership.

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.

CONGRATULATING THE GRAND VALLEY STATE UNIVERSITY LAKERS FOR WINNING THE 2006 NCAA DIVISION II FOOTBALL NATIONAL CHAMPIONSHIP

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 62) congratulating the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship.

The Clerk read as follows:

H. RES. 62

Whereas on December 16, 2006, the Grand Valley State University Lakers of Allendale, Michigan, won the 2006 National Collegiate Athletic Association (NCAA) Division II Football National Championship by defeating the Northwest Missouri State University Bearcats by a score of 17 to 14, defeating the Bearcats for the second consecutive year in the championship game;

Whereas in the championship game, quarterback Cullen Finnerty completed 15 of 33 passes for 225 yards and rushed for 115 yards on 22 carries for 340 yards of total offense, becoming the first quarterback in the history of the NCAA Division II Football National Championship to pass for more than 200 yards and rush for more than 100 yards, and Bill Brechin made 4 pivotal plays, including 2 first-quarter interceptions that kept the Lakers in the game;

Whereas the Lakers completed the season with a perfect 15–0 winning record, becoming just the second team in NCAA Division II football history to finish the season 15–0;

Whereas the Lakers have won 28 consecutive games, the longest football winning streak in any NCAA division;

Whereas the Lakers also won the NCAA Division II Football National Championship in 2002, 2003, and 2005;

Whereas the American Football Coaches Association named Coach Chuck Martin the NCAA Division II Coach of the Year for the second consecutive year;

Whereas Martin has compiled a 3-year head coaching record of 38–3, including a 10–1 postseason record;

Whereas the Lakers' seniors finish their 4 seasons with a 52–4 record, which makes them the all-time most winning senior class in all of NCAA history;

Whereas 5 Lakers earned Associated Press Little All-American honors, with seniors Finnerty, Eric Fowler, and Mike McFadden earning first-team honors and juniors Brandon Barnes and Brandon Carr earning third-team honors;

Whereas the Lakers dominated the 2006 Daktronics, Inc. Division II All-American Football team by placing 6 players (Fowler, Barnes, McFadden, Finnerty, Carr, and Anthony Adams) on the first team;

Whereas in the 2006 season, Finnerty was selected to 3 All-American teams (the American Football Coaches Association, Daktronics, and the Associated Press) and finished second in the Harlon Hill race, an award given to the top player in Division II football;

Whereas Finnerty closes a college football career with a 51–4 record as a starter, including a record of 14–1 in postseason play, to become the most winning quarterback in NCAA history;

Whereas Finnerty was named the 2006 Great Lakes Intercollegiate Athletic Conference Football Player of the Year, Barnes was named Offensive Lineman of the Year, and McFadden was named the Defensive Lineman of the Year for the second consecutive year;

Whereas McFadden also won the Gene Upshaw Award for the second consecutive year; and

Whereas Grand Valley State University's student athletes have displayed great strength, ability, and perseverance this season and have again made the citizens of the State of Michigan proud: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship; and

(2) recognizes all the players, coaches, and support staff who were instrumental in this achievement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Michigan (Mr. HOEKSTRA) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which Members may insert material relevant to H. Res. 62.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman from Michigan (Mr. HOEKSTRA) for introducing this resolution that salutes Grand Valley State for their recent victory over the Northwest Missouri State Bearcats in the NCAA Division II national football championship in December.

Grand Valley State was led by quarterback Cullen Finnerty, who completed 15 of 33 passes for 225 yards and rushed for 115 yards on 22 carries for 340 yards of total offense, becoming the first quarterback in the history of the NCAA Division II national football

championship to pass for more than 200 yards and rush for more than 100 yards.

The game also saw tremendous plays by Bill Brechin, who made two first quarter interceptions.

I would also point out that Northwest Missouri State University also played an excellent game, and I congratulate them for their effort.

The Lakers are no strangers to this championship, having won in 2002, 2003 and 2005. It is also the second year that the Lakers have defeated the Bearcats in a championship game.

Much is due to the coaching of Chuck Martin, who was named Division II Coach of the Year for the second year. Clearly, the Lakers deserve to be recognized by the House for their outstanding accomplishments on the football field, and I urge my colleagues to support this resolution.

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

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

I would like to thank my colleague from Virginia for bringing forward this resolution today. I think it is a wonderful opportunity to educate the colleague from Virginia on the talents that we have in the State of Michigan, especially in western Michigan. I am excited to see how well versed he has become about the Grand Valley State University football team. As he indicated, we rise today to congratulate the student athletes on the Grand Valley State University Lakers 2006 football team.

On December 16, 2006, the Lakers football team won the NCAA Division II football national championship by defeating the Northwest Missouri State University Bearcats 17–14. The Grand Valley State University football program has now won championships in 2002, 2003, 2005 and 2006.

The victory capped another storybook season for Coach Chuck Martin. He has coached his team to a 23–3 record, including a 10–1 post-season record after assuming coaching responsibility after a successful stint as the Lakers' defensive coordinator.

The Grand Valley State University seniors finished their 4-year run with the Lakers with a 52–4 record, making them the all-time winningest senior class in all of NCAA history.

□ 1045

Grand Valley student athletes have displayed great strength, ability and resolve during the 2006 season. They have made the great State of Michigan proud once again.

Mr. Speaker, I encourage all Members to support the passage of H. Res. 62.

Mr. Speaker, I include for the RECORD the full roster of this national championship team and their coaching staff.

2006 Roster

[Alphabetical]

No.	Name	Ht/Wt	Pos	Yr	Exp	Hometown (last school).
4	Anthony Adams	6–2/234	LB	JR	2L	Troy, MI (Troy).
58	Sam Allen	6–5/285	OL	SO	1L	Lansing, MI (Sexton).
35	Matt Bakker	6–1/190	RB	FR	FR	Middleville, MI (South Christian).
43	Lyle Banks	5–11/170	DB	FR	RS	Detroit, MI (Cass Tech).
61	Brandon Barnes	6–2/315	OL	JR	2L	Detroit, MI (Pershing).
82	Ryan Bass	6–2/181	WR	FR	RS	Portage, MI (Northern).
9	Matt Beaty	6–0/232	LB	JR	2L	Detroit, MI (Cass Tech).
99	Nate Beebe	6–2/235	DL	FR	FR	Allendale, MI.
21	P.J. Beuke	6–0/215	LB	FR	RS	Hinsdale, IL.
36	Chad Biggar	6–2/220	LB	FR	FR	Traverse City, MI (St. Francis).
6	Scott Blasko	6–4/265	TE	SO	1L	Lansing, MI (St. Joseph).
88	Cameron Bradfield	6–4/256	TE	FR	RS	Grand Rapids, MI (Creston).
29	Bill Brechin	5–10/180	DB	JR	1L	Addison, IL.
64	Drew Burton	6–1/310	OL	SR	2L	Moscow, ID (Moscow).
76	Troy Buter	6–8/270	OL	FR	FR	Zeeland, MI (West).
5	Samad Cain	6–2/200	DB	SO	1L	Detroit, MI (Minnesota).
87	Robert Carlisle	6–1/184	WR	SO	1L	Detroit, MI (Lutheran East).
24	Brandon Carr	6–1/206	DB	JR	2L	Flint, MI (Carman-Ainsworth).
25	Tony Carr	6–0/190	DB	SR	1L	Flint, MI (Western Michigan).
83	Tony Carreri	6–3/235	TE	FR	FR	Clinton Township, MI (L'Anse Cruse).
20	Kirk Carruth	/235	LB	JR	2L	Saginaw, MI (Saginaw).
90	Todd Carter	6–1/190	K	SO	1L	Flint, MI (Carman-Ainsworth).
3	Mark Catlin	5–10/180	WR	SR	3L	Lowell, MI (Lowell).
	Carlos Clark	6–0/160	WR	FR	FR	Belleville, MI.
37	Aaron Conti	5–8/175	DB	FR	RS	Bloomfield Hills, MI (Detroit Jesuit).
52	Greg Copeland	6–3/250	OL	FR	FR	Inkster, MI.
95	Mendalson Covington	6–4/225	DL	FR	FR	Carsbad, CA.
84	Anthony Crump	6–4/228	WR	FR	RS	Muskegon, MI.
59	Joe Davis	6–1/250	OL	FR	FR	Jenison, MI.
32	Corey Edwards	6–0/183	WR	SO	1L	Grand Rapids, MI (Ottawa Hills).
93	Jeremy Ehinger	6–3/285	DL	JR	TR	Torranc, CA (L.A. Harbor College).
51	Billy Eisenhardt	6–3/270	OC	SO	1L	Macomb, MI (Dakota).
56	Ian Evans	6–3/235	TE	FR	FR	Clearwater, FL (Countryside).
	Eric Ewing	6–1/200	LB	FR	FR	Jackson, MI (Lumen Christi).
31	Gary Fant	5–11/190	DB	FR	RS	Lansing, MI (Eastern).
94	Chris Favors	6–2/270	DL	JR	TR	Laplace, LA (Citrus J.C.).
16	Cullen Finnerty	6–2/210	QB	SR	3L	Brighton, MI (Brighton).
34	Matt Flutur	5–11/215	RB	FR	RS	Ludington, MI (Mason County Central).
79	Dan Foster	6–5/250	OL	FR	FR	Grand Haven, MI.
80	Eric Fowler	6–3/198	WR	SR	3L	New Haven, MI (New Haven).
7	Preston Garris	5–9/190	WR	JR	2L	Muskegon, MI (Mona Shores).
92	Ryan Gaydosh	6–3/259	DL	JR	2L	Medina, OH (Medina).
66	Alex Gilde	6–0/265	DL	FR	FR	McBain, MI.
17	Brennen Glass	6–4/220	QB	FR	FR	Springfield, OH.
70	John Godush	6–3/315	OL	FR	FR	Stevensville, MI (Lakeshore).
23	Maurice Gore	5–9/190	RB	FR	RS	Lansing, MI (Sexton).
97	Mike Graham	6–2/244	TE	JR	TR	Owosso, MI (Grand Rapids C.C.).
	D.D. Hardy	6–0/170	WR	FR	FR	New Haven, MI.
75	James Hardy	6–5/250	OL	FR	FR	Buffalo Grove, IL (Stevenson).
57	Brett Harris	6–5/240	DE	FR	RS	New Haven, MI.
55	Jacob Henige	6–2/295	OL	JR	2L	Chesaning, MI (Chesaning).
71	Brett Hines	6–4/290	OL	FR	FR	Cincinnati, OH (Moeller).
54	Drew Hinkle	6–3/240	DL	FR	RS	Dearborn, MI (Divine Child).
65	Tyler Holtz	6–3/294	OL	FR	RS	Holt, MI.
	Nick Hopkins	5–11/170	K/P	FR	FR	Byron Center, MI.
67	Brad Hull	6–4/240	DL	FR	FR	Centreville, OH.
13	Brad Iciek	6–1/180	QB	FR	RS	Grandville, MI.
42	Jay Jandasek	5–11/190	K	FR	FR	Brighton, MI.
69	Nate John	6–4/300	OL	JR	TR	Bolingbrook, IL (College of DuPage).
	Blake Johncock	6–1/205	LB	JR	SQ	Battle Creek, MI (Central).
47	Derrick Jones	6–5/278	DL	SR	1L	Barstow, CA (Victory Valley College).
53	Sam Jones	6–0/250	DL	FR	FR	Kentwood, MI (East Kentwood).
28	Zach Jones	6–1/195	DB	SR	2L	Glendale, CA.
	Lamar Keith	6–3/230	DL	FR	FR	Inkster, MI.
86	Mike Koster	6–3/206	WR	FR	RS	Lowell, MI.
8	Buster Larkins	5–11/190	DB	SR	TR	Indianapolis, IN (University of Indiana).
	Mike Leiffers	6–1/245	DL	FR	FR	Allendale, MI.
2	Astin Martin	5–9/187	RB	SR	1L	Grand Rapids, MI (Toledo).
81	John Mathews	6–2/235	TE	SO	1L	Essexville, MI (Garber).
77	Nick McDonald	6–4/275	OL	FR	RS	Sterling Heights, MI (Henry Ford II).
11	Mike McFadden	6–1/255	DL	SR	3L	Saginaw, MI (Heritage).
10	Jacob McGuckin	6–2/215	SS	FR	RS	Allen Park, MI.

2006 Roster—Continued

[Alphabetical]

No.	Name	Ht/Wt	Pos	Yr	Exp	Hometown (last school).
44	Byron Miles	6–0/225	LB	JR	TR	Chicago, IL (Joliet J.C.).
40	David Misiewicz	6–0/185	DB	JR	SQ	Sarasota, FL (Cardinal Mooney).
1	Terry Mitchell	6–2/210	WR	SR	1L	Port Huron, MI (Harper J.C.).
19	Jaquon Morrison	5–11/185	WR	JR	TR	Carson, CA (L.A. Harbor College).
49	Mike Mukuna	6–2/210	LB	FR	FR	Haslett, MI.
39	Frank Mulder	6–0/180	DB	FR	RS	Lowell, MI.
38	Jordan Munson	6–4/225	LB	FR	RS	Petoskey, MI (Petoskey).
60	Doug Neumeyer	6–3/255	OL	FR	RS	Sanduskey, MI.
22	Courtney Partee	5–9/170	CB	FR	RS	Ada, MI (East Grand Rapids).
	Denny Pittman	6–1/190	DB	FR	FR	Walker, MI (West Catholic).
46	Justin Pollock	6–2/240	DL	FR	SQ	Kentwood, MI (East Kentwood).
45	Danny Richard	6–3/220	DL	FR	FR	West Bloomfield, MI.
	Chad Richardson	6–1/189	WR	SO	TR	Charlotte, MI.
26	Sean Roland	5–11/195	DB	SR	3L	Detroit, MI (University of Detroit Jesuit).
	Matt Russell	5–10/188	RB	FR	FR	Naperville, IL (Aurora Christian).
12	Brandon Ryan	5–8/192	DB	JR	2L	Grand Blanc, MI
18	Mike Scherpenberg	6–4/180	QB	FR	FR	Cincinnati, OH (Indian Hill).
41	Felix Sharpe	5–10/172	WR	FR	RS	Kalamazoo, MI (Central).
33	Dan Skuta	6–3/240	DE	SO	1L	Flint, MI (Carman-Ainsworth).
27	Blake Smolen	6–0/198	WR	FR	RS	Grosse Ile, MI.
15	Chad Somerville	6–2/204	QB	FR	RS	Mason, MI.
14	Derek Stansbery	6–0/201	DB	JR	TR	Battle Creek, MI. (Harper Creek).
72	Brett Stengele	6–5/265	OL	FR	FR	Creshill, IL (Joliet Catholic).
68	Sean Stevens	6–4/260	OL	JR	2L	Grand Ledge, MI (Grand Ledge).
	Alex Szarenski	6–2/257	DL	FR	RS	Southfield, MI (Brother Rice).
73	Joey Teague	6–2/270	OL	FR	FR	Fairfield, OH.
	Bryan Thomas	6–0/265	DL	FR	RS	South Lyon, MI.
	Tony Thompson	5–10/170	DB	FR	FR	Traverse City, MI. (West).
63	Jacob Topp	6–3/272	OL	SO	1L	Strongsville, OH (Eastern Michigan).
96	Lance Travis	6–2/237	DE	FR	RS	Sebewaning, MI. (Unionville-Sebewaning).
85	Antione Trent	6–2/198	WR	JR	2L	Grand Rapids, MI. (Ottawa Hills).
48	Justin Trumble	6–2/190	P/K	FR	RS	Grosse Point, MI. (Dakota).
91	Justin Ulberg	6–3/250	DL	JR	2L	Allendale, MI.
	Justin Victor	6–1/200	LB	FR	FR	Allen Park, MI.
89	Matt Wade	5–10/160	WR	FR	RS	Grand Haven, MI.
	John Wasmund	6–1/210	K	FR	FR	Westerville, OH (North).
74	Collin Williams	6–4/250	OL	FR	FR	Howell, MI.
98	Justin Winsor	6–4/245	DL	FR	FR	Middleton, MI (Fulton-Middleton).
78	Joe Wohlscheid	6–7/305	OL	JR	1L	Grand Ledge, MI.
50	James Wojciechowski	6–0/214	LB	FR	RS	Southfield, MI. (Brother Rice).

COACHES

Chuck Martin—head coach.

Steve Brockelbank—assistant head coach/OL/rec. coordinator.

Matt Pawlowski—defensive coordinator/defensive backs.

Todd Kolster—offensive coordinator/quarterbacks.

Matt Mitchell—linebackers/strength & conditioning.

William Pascol—running backs.

Jim Schaak—kickers/tight/ends.

Matt Yoches—defensive line.

Dan Fodrocy—graduate assistant.

Adam McClain—graduate assistant

David Sartin—graduate assistant.

Dan Price—video coordinator.

Mr. EHLERS. Mr. Speaker, I rise today in support of H. Res. 62, a resolution congratulating the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship.

Head Coach Chuck Martin and his team have helped to bring national reknown to GVSU's campuses in Allendale, Grand Rapids and throughout West Michigan with their excellence on the field. Over the past five years, the Lakers have won four National Championships in their division, a feat that has been duplicated at no other level of college football in the same time span.

The senior class of this team compiled a four-year record of 52–4, making them the winningest senior class of football players in NCAA history. Led by quarterback Cullin Finnerty, Eric Fowler and Mike McFadden—each of them named first-team Little All-America players by the Associated Press—the Lakers dominated their competition to an undefeated 15–0 season, culminating in a 17–14 championship victory over the Northwest Missouri State University Bearcats on December 16, 2006, in Florence, Alabama.

The game was witnessed by 7,000 fans in the stadium and by a worldwide audience including our soldiers in Iraq and elsewhere, who watched the game on the Armed Forces TV Network. One GVSU official, my former press secretary, Chris Barbee, reported hearing from two soldiers in Iraq congratulating the team on its victory.

The Laker football team is emblematic of Grand Valley State University as a whole—a thriving, bustling university in West Michigan with more than 23,000 students and nearly 2,000 faculty and staff. The university, led by its new president Thomas J. Haas, is striving for excellence at all levels academic and athletic alike.

Congratulations again to Grand Valley State University, Coach Martin and his staff, and all the players, support staff and fans who made this championship a reality.

Mr. GRAVES. Mr. Speaker, today we will be considering H. Res. 62, a resolution congratulating the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship. And although I will be supporting this resolution out of respect for my friend and colleague, Congressman PETER HOEKSTRA, I would like to take a moment to recognize the Northwest Missouri State University Bearcats.

This is the second consecutive year Northwest Missouri State University has made a run for the championship. Unfortunately, the football Gods were not kind to them at the championship game this year. However, the Northwest Missouri State University Bearcats are an exceptional football team with great team spirit.

Mr. Speaker, I proudly ask you to join me in recognizing the Northwest Missouri State University Bearcats football team for an outstanding 2006 season, and I look forward to cheering them on to the NCAA Division II Football Championship again next year.

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

Mr. SCOTT of Virginia. 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 Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 62.

The question was taken.

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

Mr. SCOTT of Virginia. 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.

TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 434) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 31, 2007, and for other purposes.

The Clerk read as follows:

H.R. 434

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

The authorization for any program, authority, or provision, including any pilot program, that was extended through February 2, 2007, by section 1 of Public Law 109–

316 is further extended through December 31, 2007, under the same terms and conditions.

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

The Chair recognizes the gentlewoman from New York.

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

Mr. Speaker, the legislation being offered today will extend the authorization of the Small Business Administration and its programs. This short-term extension will ensure that small businesses have many of the tools that they need to be successful in today's economy. As the current authorization is set to expire in February, it will ensure that programs can operate through the end of the calendar year while Congress considers legislative changes.

The 109th Congress adjourned without making the necessary changes to get the SBA and its programs running efficiently and effectively. Clearly, a lot of work needs to be done to ensure that the Small Business Administration can adequately respond to the needs of small businesses. Today we have an opportunity to give Congress time to review, evaluate and, if need be, modernize the Small Business Administration programs.

I want to commend Congressman CHABOT, the Small Business Committee's new ranking member, for recognizing these issues and working with me to expedite them.

For many entrepreneurs across the country, SBA programs are the difference between success and failure. Our Nation's 24 million small businesses often rely on these programs for affordable financing and entrepreneurial training, as well as assistance in accessing the Federal marketplace. Given the importance and the significant impact that SBA has on our Nation's entrepreneurs, it is our duty to thoroughly review and assess the SBA and its programs. This is especially true in light of the fact that there have been no major changes in over 6 years. We need to make sure that SBA is able to meet the needs of small businesses in the 21st century economy.

The administration asks for this extension, recognizing the time needed to evaluate the structure, programs and possible modifications that need to be made agency-wide.

The short-term extension that H.R. 434 provides would allow us to hold hearings on various topics and examine each of the issues brought forth by the SBA. Most importantly, it will give us the opportunity to draft a bipartisan bill that has each Member's input. Small businesses, the Nation's largest job creator, deserve nothing less than our full commitment to ensuring that they can be successful.

I urge Members to support H.R. 434, to ensure that this Nation's entrepreneurs have access to all of the resources they need to grow and expand their businesses.

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

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

Mr. Speaker, this bill simply extends all the programs, including pilot programs, the authorities or provisions of the Small Business Act and the Small Business Investment Act as they are presently constituted until the end of this year. Currently, the programs and authorities of the Small Business Administration expire on February 2. Passage of this bill will give the committee the time necessary to work in a bipartisan manner on a more comprehensive Small Business Administration reauthorization bill during the rest of this session.

I am pleased to enclose for the RECORD a letter dated January 8, 2007, from the administrator of the SBA, Steven Preston, endorsing a longer-term extension of the authorities of the SBA.

U.S. SMALL BUSINESS ADMINISTRATION, OFFICE OF THE ADMINISTRATOR,

Washington, DC.

Hon. STEVE CHABOT,

Ranking Member, Committee on Small Business, House of Representatives, Washington, DC.

DEAR CONGRESSMAN CHABOT: I am writing to you regarding the authorization of the U.S. Small Business Administration's (SBA) programs for fiscal year 2007. As you know, those programs were temporarily extended by Public Law 109–316. That authorization is due to expire on February 2, 2007. While SBA's major loan programs will still function without that express authorization several other important authorizations will expire. These include SBA's co-sponsorship authority which enables our district offices to conduct much of their outreach and assistance functions.

Therefore, rather than place the SBA in the unfortunate position of suspending the operation of these programs, I ask that you and your colleagues extend the authorization of SBA's programs through the end of fiscal 2007. Continuing the current authorization without any further amendment will prevent any interruption in the services of the SBA and allow SBA and Congress to work unimpeded on multi-year authorization legislation.

Thank you for your time and attention to this matter. If you or your staff have any questions please contact C.E. ''Tee'' Rowe in our Office of Congressional and Legislative Affairs at (202) 205–6703.

Sincerely yours,

STEVEN C. PRESTON.

Mr. Speaker, many of the programs of the SBA do not operate under a direct appropriation. This includes the 7(a) General Business Loan Guarantee Program, the Certified Development Company Program and the Small Business Investment Company Program. Passage of this bill will make it absolutely certain that there is no legal ambiguity as to whether or not the Federal Government can continue to guarantee these critical loan and debenture programs for the rest of this year.

In addition, this bill would extend the authority of the Small Business Administration to operate several smaller programs, including grants to small business development centers to participate in the Drug-Free Workplace Program, sustainability funding for women business centers, the Pre-Disaster Mitigation Pilot Program, the New Markets Venture Capital Program, and BusinessLinc. It would also extend the SBA's cosponsorship and gift authority, which enables the SBA to accept private donations to help put on events or print publications, thus saving the taxpayer substantial dollars. Finally, H.R. 434 gives the SBA all the authority it needs to continue the operations of the Advisory Committee on Veterans Business Affairs.

Mr. Speaker, this bill is quite simple. It contains the exact same language, with only the dates changed, that was signed into law four times in the 108th Congress. It was also passed one time in 2006 when Congress confronted the same problem during previous efforts to pass an SBA reauthorization bill into law.

Extending the authorities of the SBA until December 31 of this year will give the Small Business Committee unimpeded time to develop a comprehensive SBA reauthorization bill without having to confront every few weeks another expiration deadline.

I look forward to working in a bipartisan manner with Chairwoman VELÁZQUEZ and other committee members to produce a good, fiscally responsible reauthorization bill that can eventually be signed into law by the President. I especially want to thank the graciousness of Chairwoman VELÁZQUEZ for agreeing to bring up this bill in such an expeditious manner, and look forward to working with her in the upcoming session of Congress.

I want to emphasize what the chairwoman said about the importance of small business to our country. After all, about 99 percent of the businesses in this country have fewer than 500 employees, which by definition means they are small business, and 60 to 80 percent of new jobs in this country are created by these small businesses. Oftentimes the regulations, the taxation, the litigation, there are a whole range of problems which they have to bear.

Mr. Speaker, I hope that we can over the next 2 years work in a bipartisan manner in order to help small businesses. It is really not a Democrat or Republican issue, it is an issue which benefits all Americans. So I think this is especially a committee in which I think bipartisanship is called for, and I am optimistic we will be able to do that.

Mr. Speaker, I urge my colleagues to support H.R. 434, so that our Nation's small businesses will see no interruption of service from the SBA over the next 11 months while Congress works uninterrupted on a comprehensive reauthorization bill.

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

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 434.

The question was taken.

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

Ms. VELÁZQUEZ. 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.

HONORING MUHAMMAD ALI ON HIS 65TH BIRTHDAY

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 58) to honor Muhammad Ali, global humanitarian, on the occasion of his 65th birthday and to extend best wishes to him and his family.

The Clerk read as follows:

H. RES. 58

Whereas Muhammad Ali is a retired American boxer;

Whereas Ali was born in Louisville, Kentucky, on January 17, 1942, and was named Cassius Marcellus Clay, Jr. after his father, Cassius Marcellus Clay, Sr., (who was named for the 19th century abolitionist and politician Cassius Clay);

Whereas Ali later changed his name after joining the Nation of Islam and subsequently converted to Sunni Islam in 1975;

Whereas in 1999, Ali was crowned ''Sportsman of the Century'' by Sports Illustrated, won the World Heavyweight Boxing championship 3 times, and won the North American Boxing Federation championship and an Olympic gold medal;

Whereas on September 13, 1999, Ali was named ''Kentucky Athlete of the Century'' by the Kentucky Athletic Hall of Fame in ceremonies at the Galt House East;

Whereas Ali received the Presidential Medal of Freedom at a White House ceremony on November 9, 2005, and the prestigious ''Otto Hahn peace medal in Gold'' of the United Nations Association of Germany in Berlin on December 17, 2005, for his work with the United States civil rights movement and the United Nations;

Whereas since he retired from boxing, Ali has devoted himself to humanitarian endeavors around the globe;

Whereas Ali is a devout Sunni Muslim and travels the world over, working for hunger and poverty relief, supporting education efforts of all kinds, promoting adoption, and encouraging people to respect and better understand one another;

Whereas it is estimated that Ali has helped to provide more than 22,000,000 meals to feed the hungry and travels, on average, more than 200 days per year;

Whereas through his perseverance and the support of thousands Ali has continued his legacy of humanity through the establishment of the Muhammad Ali Center in his hometown of Louisville, Kentucky;

Whereas on November 19, 2005, Ali's 19th wedding anniversary, the $60,000,000 nonprofit Muhammad Ali Center opened in downtown Louisville, Kentucky, displaying his boxing memorabilia, the center focuses on core themes of peace, social responsibility, respect, and personal growth;

Whereas the Ali Center is much more than a place that tells the story of one man's journey, the Ali Center reaches beyond its physical walls to fulfill its mission: to preserve and share the legacy and ideals of Muhammad Ali, to promote respect, hope, and understanding, and to inspire adults and children everywhere to be as great as they can be;

Whereas the onsite visitor experience incorporates as organizing elements, 6 prevailing core values of Ali's life: respect, confidence, conviction, dedication, giving, and spirituality;

Whereas these theme-based pavilions all feature dramatic media presentations and interactive exhibits that help illustrate the ''hows'' of Ali's life: how he found the courage, the dedication, and the discipline to become who he is today, how he found the conviction to stand up for what he believed, and how he turned his passion for excellence in the ring to a passion for peace on the world stage;

Whereas like Muhammad Ali himself, the Muhammad Ali Center focuses on what brings individuals together, not what sets them apart and is a ''global gathering place'' where people can come—both online and in person—to learn, share, celebrate our commonalities as human beings, and formulate ways of advancing humanity today and in the future;

Whereas the Muhammad Ali Center's educational goals include various delivery methods and incorporate a wide range of topics, from respect, diversity, and personal discovery to empowerment and conflict resolution; and

Whereas ultimately, the Muhammad Ali Center's goal is to make a profoundly significant contribution to the global society: Now, therefore, be it

Resolved, That the House of Representatives honors Muhammad Ali, global humanitarian, on the occasion of his 65th birthday and extends best wishes to him and his family.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as she may consume to the author of H. Res. 58, the gentlewoman from the great State of Indiana (Ms. CARSON).

Ms. CARSON. Mr. Speaker, I thank the honorable gentleman from the State of Illinois for yielding, and to the Speaker, thank you very much for giving us this time to give honor where honor is due.

Mr. Speaker, I rise today to honor the 65th birthday of a great American, the greatest of all time, and world humanitarian, Muhammad Ali.

Quite frankly, as a little girl growing up, I didn't pay too much attention to the boxing arena of this great country. I just knew that men got in a ring with some gloves on and pounded each other, and whoever pounded the most won the title.

Ali, like me, was born in Louisville, Kentucky. He was named Cassius Marcellus Clay after his father, who was named for the 19th century abolitionist and politician, Cassius Clay. Ali later changed his name after joining the Nation of Islam and subsequently converted to Sunni Islam in 1975.

I remember as a younger person how awful I thought it was that this country would permit the stripping of a title so dutifully earned, the Heavyweight Boxing Championship of the World.

Though Ali won the gold medal at the Rome Olympics in 1960, at the time the experts didn't think much of his boxing skills. Ali surprised the experts and won the world heavyweight title against Sonny Liston in 1964. He won the world heavyweight boxing championship three times.

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However, Ali proved to be a freedom fighter as well, protesting within his rights as an American citizen the Vietnam War and his draft by the government to serve in that war. I remember thinking Ali said, I am not mad at nobody and I am not going over to fight a war.

The government prosecuted him for draft dodging, and the boxing commission took away his license. He was inactive from March 22, 1967, to October 26, 1970, idle for 3½ years at the peak of his career.

In 1971, the Supreme Court ruled that the government had acted improperly, but Ali bore the commissions no ill will, even though he was a Sunni Muslim and he reminded you of Christ being crucified on the cross and saying I will forgive them no matter what they do.

Ali, like Nelson Mandela of South Africa, Mahatma Gandhi of India and another great American, Martin Luther King, bore no bitterness against those that sought to oppress him and deny him the freedom to pursue happiness, even though the Constitution says the government shall not deprive based on race or religion against our citizens.

Since his retirement from boxing, Ali has devoted himself to humanitarian endeavors around the globe.

He is a devout Sunni Muslim and travels the world over, lending his name and presence to hunger and poverty relief, supporting education efforts of all kinds, promoting adoption and encouraging people to respect and better understand one another.

It is estimated that he has helped to provide more than 22 million meals to feed the hungry around the world.

Ali received a Presidential Medal of Freedom at a White House ceremony in November 2005.

The Ali Center reaches beyond its physical walls to fulfill its mission: to preserve and share the legacy and ideals of Muhammad Ali, to promote respect, hope and understanding, and to inspire adults and children everywhere to be as great as they can be.

True greatness transcends the artificial boundaries of geography, gender, and race. True greatness rests in the hearts of men and women who believe in world peace and the humanity of every individual.

How prophetic of a young Muhammad Ali when he declared, ''I am the greatest of all time.''

Mr. Speaker, I would urge the House to support H. Res. 58 and honor the 65th birthday of this great American. Happy birthday, Muhammad Ali.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I might consume.

I rise in support of the resolution to honor Muhammad Ali on his 65th birthday. I can think of few people more deserving of this honor. Yes, he is the only three-time heavyweight champion of the world, as well as an Olympic gold medalist. Yes, he was crowned Athlete of the Century by Sports Illustrated, but Muhammad Ali is so much more than a boxer. He is a man who literally taught us another way to talk and think about sports and about life.

We had never heard athletes put their work to rhyme before Ali vowed to ''float like a butterfly and sting like a bee.'' We had never seen an athlete so adept at the promotional aspects of his sport. Today we remember the names of his fights, the Rumble in the Jungle, the Thrilla in Manila, as much as the fights themselves.

And when his career in the ring ended, we had never seen an athlete who moved so seamlessly, so dramatically, so thoroughly to put his fame to work for the public good. It was after he had hung up the gloves, remember, that Time magazine declared his the most recognizable face on Earth.

He earned that sobriquet through his tireless struggles against hunger and poverty, he is said to have helped provide more than the 22 million meals for the hungry, through his support for education, adoption and efforts to urge young people of diverse backgrounds to grow in their understanding of one another.

Today, he continues his work for the betterment of all humanity through the Muhammad Ali Center in the downtown area of his hometown of Louisville, Kentucky. He continues to promote that which brings people together as opposed to that which pulls them apart. He continues to teach the lessons that made him great. His center is organized around the six core values of respect, confidence, conviction, dedication, giving and spirituality.

In his younger days, he revolutionized boxing with hands so fast they could deliver punches not even visible to the naked eye. Since then, he has revolutionized the role of retired athlete, leading by example, showing others how to put their fame and fortune to good use.

For these reasons, I urge all Members to support this resolution for this most deserving American.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure now to yield such time as he might consume to the distinguished gentleman from Louisville, Kentucky (Mr. YARMUTH), the home of Muhammad Ali.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman from Illinois, and I want to also thank the gentlewoman from Indiana for allowing me to become a sponsor on this important resolution, also a fellow native.

Mr. Speaker, boxing gloves are a symbol of fighting for sport; but these gloves, because of the man who once wore them, symbolize so much more: fighting for justice, fighting for equality, and fighting for one's convictions.

My home district of Louisville, Kentucky, is known for a lot of things; and when you say the greatest, and particularly the greatest of all time, there is no question who you are talking about.

Larger than life now and one of the most recognizable icons throughout the world, it is easy to forget that long before he took his place as the best, and, as he would tell you the prettiest, boxer the world has ever known, there was a young, loud-mouthed speedster named Cassius Marcellus Clay, who despite his slight frame and humble beginnings, had an overpowering cockiness that immediately let you know that, whether or not he was destined for greatness, he was absolutely consumed by the quest. That flare inspired a lore that traveled quickly throughout our hometown.

In track and field, they say he won the mile easily and regularly, each time wearing steel-toed boots and running the second half backward.

They say on his way to Central High School each day he would race the school bus, being sure to stop at every traffic light lest he gain an unfair advantage over the school bus.

And when he finally began to shake up the world, winning Olympic gold at the age of 18, they say Cassius Clay furiously flung his medal into the Ohio River after his newly attained hero status did nothing to alter his second-class status in the racist South.

Whether or not these tales are the stuff of legend, the integrity of the message holds true. He was the fastest, most dedicated, most confident we had ever seen. Yet even after he had defeated the invincible giant and became the heavyweight champion of the world, he constantly felt the pain of prejudice and the heartache of racial hate. He turned down the opportunity to merely escape the situation, instead determined to change it.

He introduced dazzling quick footwork that even today has never been seen in a heavyweight and lightning left jabs that sent opponent after opponent falling to the mat. But he felt that his was a higher calling, and he chose controversy over comfort.

He became Muhammad Ali, and he used his success and fame to speak passionately and eloquently against injustice, racism, crime, illiteracy and poverty, touching and inspiring millions around the world.

As he was just approaching his prime fighting years, he was faced with a choice, betray his opposition to war and fight in Vietnam or sacrifice his career and face 5 years in jail. Twenty-five-year-old Muhammad Ali remained firm and was stripped of the title he had defended brilliantly for more than 2 years.

He had been knocked down, but he would not accept defeat. For more than 3 years, the former champ defended his name and appealed the decision, while simultaneously touring the country and world speaking tirelessly in the name of peace, justice and equality, now champion in a whole new realm.

With his peak fighting years behind him, a unanimous Supreme Court finally overruled previous decisions, granting Ali his conscientious objector status, and affording him the return that most of us thought would never happen.

What followed was not merely a comeback but an epic resurgence that featured the Fight of the Century, the Thrilla in Manila, and the Rumble in the Jungle. Ali recaptured the title by reinventing his style with the rope-a-dope in 1974, and in 1978 took the belt an unprecedented third time.

In the last two decades, Muhammad Ali has battled the effects of Parkinson's disease, and while the disease has proven a worthy adversary, it is simply not possible to defeat the man who once remarked, ''I oughta be a postage stamp. That's the only way I'll ever get licked.'' Since his diagnosis, he has appeared at countless events to combat illiteracy, poverty, and disease. He famously lit the Olympic torch in Atlanta, was awarded the Presidential Medal of Freedom, and was an honorary captain for the Louisville Cardinals in their Orange Bowl victory this year.

His mind remains sharp and his spirit strong. He is a hero. He is among the greatest icons the world has ever known, and I urge you to join me in commemorating his contributions to this country and the world on his 65th birthday.

I leave you with the words of the poet and Godfather of Rap, Muhammad Ali:

To make America the Greatest is my goal,
So I beat the Russian and I beat the Pole.

And for the USA won the medal of gold,
Italians said, ''You're greater than the Cassius of old.''

We like your name,
We like your game.

So make Rome your home if you will.
I said, I appreciate your hospitality,
But the USA is my country still.
'Cause they're waiting to welcome me in Louisville.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from the State of Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Speaker, I thank the gentlewoman for yielding this time to me.

Mr. Speaker, I rise in support of H. Res. 58. I saw Muhammad Ali as a man of great courage, and I admired him for this, not because of the courage that it took to get in a ring and fight men bigger than he, but because of his stance in 1967.

In 1967, he was 25 years old. He was the heavyweight champion of the world, and for religious beliefs, he practiced what Martin Luther King made popular, civil disobedience, because he disagreed with the war. I thought his comments were rather astute at the time and were not complex, but he merely said, I have no quarrel with the Viet-Cong. He said the Viet-Cong never called him a name, and because of his religious convictions, he said he did not want to serve in the military. He stood firm, a man of principle, and I really admired this as a quality.

He is known, of course, for his athletic skills and his humanitarian concerns, and these are rightly mentioned in a resolution like this. But I do want to emphasize this because, to me, it was so important and had such impact, in reality, what Muhammad Ali did eventually led to getting rid of the draft, and yet we as a people and we as a Congress still do not have the conviction that Muhammad Ali had, because we still have the selective service; we say, let us not draft now, but when the conditions are right, we will bring back the draft and bring back those same problems that we had in the 1960s.

I see what Muhammad Ali did as being very great. He deserves this recognition, but we should also praise him for being a man of principle and willing to give up his title for 3 years at the age of 25 at the prime of his career. How many of us give up something to stand on principle? He was a man of principle. He believed it and he stood firm, so even those who may disagree with his position may say at least he stood up for what he believed in. He suffered the consequences and fortunately was eventually vindicated.

Mr. DAVIS of Illinois. Mr. Speaker, I do not believe we are going to have any additional speakers so I am going to yield myself such time as I might consume and close for our side.

Mr. Speaker, today we celebrate the 65th birthday of Muhammad Ali. Ali's charisma, confidence and skills not only transformed boxing but the entire sporting world.

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His unmistakable one-liners and his quick left jab enamored the public to the point that Ali said, ''I wish people would love everybody else the way they love me. It would be a better world.''

Born on January 17, 1942 in Louisville, Kentucky, he started to train at the age of 12 and earned Amateur Athletic Union and Golden Gloves titles as an amateur. Then known by his birth name, Cassius Clay, Jr., he became an Olympic gold medalist and was renowned for his strong right hand and his dancing feet. He went on to fight professionally and revived boxing at an age when it was plagued by mob control.

The three-time heavyweight champion was part of many legendary fights, including opponents Sonny Liston, George Frazier, and George Foreman. Ali used an unorthodox style on which he relied on quickness to dodge punches and to fool challengers rather than holding his hands high to defend his face. Ali's mix of poetic movement and powerful blows in the ring carried over to the comments he made outside. His knack for creating rhymes on the fly and his powerful paradoxes quoted to reporters made him a magnet for the media. He once said, ''My way of joking is to tell the truth. That is the funniest joke in the world.'' Ali made no qualms about what he did or how good he was. He was backed up in his claims and holds wins over seven fellow International Boxing Hall of Fame inductees.

In the early 1980s, Ali was diagnosed with pugilistic Parkinson's disease, which forced him into retirement. After his retirement and despite his ailment, Ali has been committed to many philanthropic efforts to reduce poverty and hunger, to promote adoption, and to encourage cultural awareness. Ali was named Sportsman of the Century in 1999 by Sports Illustrated and is considered to be a modern legend by many.

So, Mr. Speaker, Ali was indeed the greatest, but he did leave Louisville and eventually moved to Chicago, which is the greatest city, and so I was fortunate as an individual to get to know him and to get to know him well. As a matter of fact, you could always count on Ali to be present at community events, banquets, it didn't matter, local schools, playgrounds where kids were.

He was a real ambassador for the Nation of Islam and was very involved in his religious beliefs. A great man of integrity. As a matter of fact, people would often meet at his home for community meetings and gatherings and people would just stop by. He lived in what we call the Hyde Park community. And so he was indeed the greatest. He had no difficulty sharing himself with others.

So I commend Representative CARSON for introducing this legislation and urge its passage.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 58, which honors Muhammad Ali on the occasion of his 65th birthday. Muhammad Ali, who transformed the sport of boxing with his unparalleled physical gifts, social commentary, and poetry, is one of the world's most beloved athletes. Muhammad Ali has been a fixture on the world stage since the 1960, when he won the gold medal at the 1960 Olympics in Tokyo. He would go on to win such legendary bouts as ''The Rumble in the Jungle'' against George Foreman, and ''The Thrilla in Manila'' against ''Smoking Joe'' Frazier.

Since his retirement in 1981, Muhammad Ali has engaged in many humanitarian endeavors, including a 1990 journey to Iraq to negotiate the release of 15 hostages. Muhammad Ali may be out of the ring but interest in him has not waned, 3 billion television viewers around the world watched him light the torch that opened the Olympic Games in Atlanta in 1996. In 1984 Ali was stricken with Parkinson's disease. However true to form, Ali has not let his illness stop him from being free to do what he wants.

Never has a sports figure inspired so many people in so many different ways. Ali has shown that a sport can be more than entertainment; it can also be a cultural event with the power to change social values. Muhammad Ali is one of the most recognized sportsmen of all time. His legacy is one that inspires both in the ring and through his humanitarian work.

Outside of the ring Ali was a tremendously important figure and ally in the Civil Rights Movement of the 1960s. Ali refused to fight in the Vietnam War due to his religion and because he said, ''Ain't no Viet Cong done nothing to me.'' He has won countless awards for his humanitarian efforts, including the Medal of Freedom. If anyone is deserving of the accolades that are bestowed on him, Muhammad Ali is certainly that person.

The Muhammad Ali International Centre opened in Ali's home town of Louisville, Kentucky in November 2005. The Centre holds exhibits and provides learning initiatives. It was established to represent and promote the values by which Muhammad Ali has lived his life: confidence, dedication, respect, compassion, charity, and spirituality. It is hoped that the Centre will provide those that visit the enlightenment and ability to become the greatest they can be. Ali's wife Lonnie said of the initiative: ''the Muhammad Ali Centre is all about searching for common ground and establishing peace.''

On behalf of the citizens of the State of Texas and my constituents of the 18th congressional district I would like to join my colleagues in honoring Muhammad Ali, a global humanitarian, on the occasion of his 65th birthday and extend best wishes to him and his family. Muhammad Ali reminds us all that ''learning to love yourself is the greatest love of all.''

Happy Birthday, champ! As you often said after your many victories, you are the ''Greatest of all time!''

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commend the life

of activist and humanitarian Muhammad Ali on his 65th birthday. Muhammad Ali is not only recognized for his boxing career but also for his dedication to reaching out to lesser developed countries. His involvement in social causes, diplomacy and politics has served as a shining example of courage, strength and dignity.

Muhammad Ali was once one of the world's greatest and most flamboyant boxers, and during the course of his long career, he also became known as an eloquent statesman for peace, as well as, a generous man who devoted much of his considerable earnings to charity.

Born Cassius Clay in Louisville, Kentucky in 1942, Ali learned at a very young age that determination and dedication would take him to greater places. After winning the gold medal in the 1960 Olympics, Muhammad Ali became actively involved in the Civil Rights Movement with Malcolm X. At a time when race and politics permeated the public stage, Ali represented a well known figure not afraid to speak his mind and fight against oppression imposed by Jim Crow. Never had a sport figure encouraged so many people to fight against social oppression.

After he retired from boxing he continued working to better the lives of others through his involvement with the Jimmy Carter Campaign in 1980. Through his humanitarian work Ali has founded WORLD, the World Organization for Right, Liberty, and Dignity, and the Ali Center. WORLD, an organization that fights for human rights against exploitation and slavery, and the Ali Center serve as international and cultural centers to explore the greatness and the drive that lies within all of us and to inspire everyone to pursue their highest potential.

In spite of the fact that Muhammad Ali has been suffering from Parkinson's disease in the past two decades, he still remains an advocate of children and war victims. Inspiring millions has been an arduous work in progress till this day for Muhammad Ali. He continues to be a leader and revolutionary to this day.

Ms. WATERS. Mr. Speaker, I rise in support of H. Res. 58, honoring a good friend, Muhammad Ali, on the occasion of his 65th birthday and to extend best wishes to him and his family. The Gentlelady from Indiana [Ms. CARSON] is to be commended for bringing this resolution to the House in celebration of an icon of sportsmanship, fortitude, perseverance, and peace.

On November 20, 2005, I was honored to have given remarks during the grand opening of the Muhammad Ali Center in downtown Louisville. This educational and cultural center was established to give visitors a glimpse of Ali's life and experiences and to help inspire them to pursue their dreams by applying their maximum potential.

Ali is many things to many people: a world champion, an Olympian, an innovator, a world-class father, husband, and friend. In his 21 years of boxing, he won 56 fights out of 61 and is the first boxer to win the heavyweight championship three times. He achieved the incredible feat of winning an Olympic gold medal in the 1960 games at the age of 18.

However, his legendary charisma, charm, and genius did not stop in the ring or at press conferences. What makes him a true pioneer is the fact that he was principled enough to say no to the Vietnam War. The words he spoke in refusing the draft made a stark social commentary during that time and taught America a valuable way of thinking. Those words taught us that war should always be a last resort and that before we over-commit ourselves elsewhere, we must fix the problems that exist right at home. This philosophy has tremendous relevance to us today in the context of the War in Iraq. Many Americans feel that we should re-align our priorities to address problems at home instead of fighting a war in Iraq.

I wish Muhammad Ali a very happy birthday. For his outstanding contributions to sports and sportsmanship and for the lessons on peace and conviction to principles that he gave the world, I sincerely thank him. His legacy and record of achievement have earned him the title of "the Greatest of All Time." I support this resolution.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H. Res. 58 and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 58.

The question was taken.

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

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

REPEALING CERTAIN LAWS PERTAINING TO THE VIRGIN ISLANDS

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 57) to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands.

The Clerk read as follows:

H.R. 57

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

SECTION 1. REPEAL OF CERTAIN LAWS PERTAINING TO THE VIRGIN ISLANDS.

(a) REPEAL.—Sections 1 through 6 of the Act of May 26, 1936, (Chapter 450; 49 Stat. 1372–1373; 48 U.S.C. 1401–1401e) are repealed.

(b) EFFECTIVE DATE.—This section shall be deemed to have taken effect on July 22, 1954.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Puerto Rico (Mr. FORTUÑO) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. 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 gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in strong support of H.R. 57, legislation to repeal an outdated Federal law which limits the authority of the Virgin Islands to assess and collect property taxes. Both the U.S. Senate and the House passed identical legislation in the waning hours of the last Congress but ran out of time before completing the process.

Mr. Speaker, it remains critical that we pass this bill and have it enacted into law as soon as possible in order to prevent some of my constituents from facing the very real risk of losing their homes because the Virgin Islands Government could not provide them protections from sky-high property tax bills because of that 1936 statute. It was enacted to address the tax policies of the Danish era in the Virgin Islands. It was generally thought to have been repealed by the enactment of the Revised Organic Act of 1954, which created a comprehensive system of local government with sufficient legislative powers to resolve local property tax issues without the need for Federal intervention.

The bill before us became necessary because 3 years ago the Third Circuit Court of Appeals revived the 1936 statute and struck down a local statute capping the amount of any increase in the assessment of residential real property and, therefore, any increase in the property tax owed in any assessment period.

If the 1936 law is not now repealed by the Congress, the government of the Virgin Islands will not have the authority to limit such increases by capping assessments or similar methods commonly used by other jurisdictions. Indeed, the revived 1936 statute may have the anomalous result of pricing land and homeownership beyond the reach of many Virgin Islanders. That statute has long outlived its usefulness and now interferes with the Virgin Islands' ability to perform an essential governmental function.

The assessment and collection of real property taxes is fundamentally a local government issue with no Federal impact. No other State, territorial, or local government is subject to such Federal restrictions. The Revised Organic Act of 1954, as amended, confers upon the people of the Virgin Islands full powers of self-government; the 1936 statute is an anachronism that needs to be repealed.

Mr. Speaker, I want to take this opportunity to thank my colleague, the Resident Commissioner from Puerto Rico (Mr. FORTUÑO), for his support, and to thank Chairman RAHALL and Ranking Member YOUNG for helping us to bring this bill to the floor so quickly.

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

Mr. FORTUÑO. Mr. Speaker, I strongly support passage of H.R. 57,

sponsored by my colleague and friend representing the U.S. Virgin Islands (Mrs. CHRISTENSEN).

From our perspective, it is noncontroversial legislation. It allows the local government of the Virgin Islands to set their own property taxes. This is consistent with the philosophical stand of the Republicans who believe in letting local governments create their own laws without Federal intervention.

Without this bill, the Virgin Islands would be forced to adhere to an outdated and unworkable Federal Property Tax Code. I urge my colleagues to correct the problem.

I also want to take this moment and congratulate my colleague Congresswoman CHRISTENSEN not only for seeing H.R. 57 pass today, but for her pending rise to the chairmanship of the Insular Affairs Subcommittee. I look forward to serving as the subcommittee's ranking member and addressing the many issues facing the U.S. territories and possessions.

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

Mrs. CHRISTENSEN. Mr. Speaker, I just want to respond that I look forward to working with Mr. FORTUÑO once we organize the committee as well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 57, to repeal certain provisions of the Federal law passed 70 years ago limiting the Virgin Islands' authority to assess and collect its property taxes. I thank the Delegate from the Virgin Islands, Mrs. CHRISTENSEN, for bringing this legislation to the attention of the House.

This outdated law, enacted in 1936, results in the imposition of high property taxes that could cause many residents of the Virgin Islands to lose their homes. The local government does not have the capacity to protect them from these federally imposed taxes, nor should it have to. The policies which the statute was originally designed to address are no longer an issue; it is now entirely unnecessary.

In fact, the Revised Organic Act of 1954, which was enacted to grant the government of the Virgin Islands the power to assess, administer and collect real property taxes, was thought to have repealed the statute. However, the 1936 statute remained in effect, putting at risk our long-standing policies to support and protect economic development, social welfare, and homeownership in the Virgin Islands. No other State or territory in the United States is subject to such Federal restrictions.

I look forward to seeing H.R. 57 passed to provide relief to the good people of the Virgin Islands from this outdated law. I ask my colleagues to join me in supporting this important legislation.

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 57.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5, COLLEGE STUDENT RELIEF ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 65 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 65

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5) to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers. All points of order against the bill and against its consideration are waived except those arising under clauses 9 or 10 of rule XXI. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 5 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California (Ms. MATSUI) is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, as many of my colleagues know, I am, as many in this Chamber are, a proud parent and almost embarrassingly proud grandparent. All parents and grandparents are different, of course, but I believe almost all of us share one thing in common, and that is a hope that our children and our grandchildren will have a chance to do a little better, to go a little further, to have a little easier time than their parents and grandparents. That aspiration has a name in this country; it is called the American Dream. And the American people understand that education is the key to making that dream a reality.

Today, we consider legislation to combat a very real threat to that dream. The unfortunate reality is that skyrocketing college costs are putting a college education out of reach for many middle class families. Tuition and fees at public universities have increased by 41 percent after inflation since 2001. At private universities, tuition has increased by 17 percent after inflation. It is worth repeating because it is truly shocking: these figures are after inflation.

Indeed, according to the Congressional Advisory Committee on Student Financial Assistance, financial barriers will prevent almost 4½ million high school graduates from attending a 4-year public college over the next decade, and prevent another 2 million from attending any college at all. Those statistics are very sobering, and the sound they make is that of the door of opportunity being closed on many young people.

That is why I am very pleased that our congressional leadership has made cutting interest rates on student loans one of its top priorities for the first 100 hours of this Congress.

The legislation being considered today will cut interest rates for subsidized student loans in half over the next 5 years from 6.8 percent to 3.4 percent.

□ 1130

As a result, we will help around 5.5 million more students afford college.

Mr. Speaker, my constituents are demanding quick action on this legislation, and with good reason. With Sacramento State University in my district and the University of California at Davis nearby, they are all too aware of the impact rising tuition costs are having on students and their families.

A recent study demonstrated that this legislation would, on average, save the average student borrower in California starting school this year almost $2,500 over the life of the loan. For students beginning college in the year 2011, the legislation will save almost $5,000. We will need to do more to make college affordable, but my constituents in Sacramento who are struggling to afford college will welcome this very important first step.

Mr. Speaker, helping all qualified students attend college is essential for our economy, for our competitiveness and for our future; but not only that, it is essential for ensuring that the American Dream remains a reality for our young people. That is why there is a remarkable consensus supporting this proposal across our country.

Newsweek reports that 88 percent of the country supports this legislation, including wide majorities of both Democrats and Republicans. We are not talking about the Democratic dream or the Republican dream, but the American Dream.

Further, this legislation meets our pay-as-you-go requirements and, therefore, will not add to our budget deficit. Fully five of six of the offsets have been approved previously by the Bush administration or Republican congressional leaders. That, again, is a remarkable consensus. It is now time to act.

All too often the American people look at Congress and they hear a lot of argument and see a lot of activity, but wonder though what Congress is doing to improve their lives. If we act on this legislation quickly, however, students will start to see a difference as soon as July 1. So let us surprise our skeptics, take action, and pass this legislation now on a bipartisan basis.

It has been gratifying to be a Member of Congress for the first few weeks of this Congress, which by wide bipartisan majorities has increased the minimum wage, approved potentially life-saving research and enacted genuinely bipartisan recommendations to improve our Nation's security.

Our first 100 hours has been a good time for the middle class and for Americans who favor progress over partisanship. This legislation is another such opportunity. Americans of every political stripe understand that if we allow college education to become too expensive for hardworking and qualified middle class students, we will have lost something very special in this country, we will have lost a part of the American Dream. Let's show them today that we understand that as well, and that we are doing something about it.

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

Mr. SESSIONS. Mr. Speaker, for the last 12 years the Republicans, when we were in the majority, always led off every single rule by describing the rule and the actions of the Rules Committee.

I would like to yield to my friend from California to explain this rule again that we are offering today that is progress over partisanship.

Ms. MATSUI. We are dealing today with our agenda of 100 hours. As my colleague from Texas understands, the American people have spoken, and we intend to make progress quickly; that is why we are doing this bill today.

Mr. SESSIONS. So in other words, what the gentlewoman has said is that this five-step process that we are going through right now means that there will be no committee hearings, no expert witness testimony, no information that is available really to the membership of this body, but mostly would be necessary for new Members. And then when someone does come to the Rules Committee we are told before the session even starts there will be no amendments and a closed rule, and yet progress over partisanship is what we are doing here. Interesting day, Mr. Speaker.

Mr. Speaker, I rise in opposition to this closed rule and this underlying legislation which the Democratic leadership has decided to bring to the House today without the benefit of regular order, committee oversight or the opportunity for any Republican input or amendment, despite repeated promises to respect the rights of the minority and to increase Member participation in this legislative process.

Every Member of this body, Republican and Democrat alike, understands the importance of higher education in the competitive global world environment that our students and workers face in keeping the United States at the vanguard of the global economy.

I am greatly disappointed that the Democratic leadership has chosen to bring this narrow legislation of questionable effectiveness forward rather than engaging in an honest debate which has taken place for 12 years, as education has always been considered a bipartisan effort.

It is true that the gentlewoman did describe that it will be a bipartisan act that we do today, but this was simply the first step in education and doing the right things for our students. I disagree with that. I think members of the minority have been given the opportunity for 12 years to be a part of the progress that has taken place, offering amendments that would actually make college more affordable for parents and students, as well as the cost effectiveness of the American taxpayer who foot the bill for tens of billions of dollars each year spent on Federal student aid programs.

Mr. Speaker, this bipartisanship that I talked about for 12 years was led by Republicans in support of making sure that college was more affordable. Over the past 6 years, spending on Federal student aid has increased by 57 percent, and funding for Pell Grants has risen by nearly 50 percent.

We also think about lower education also where, as a result of Republicans for the last 12 years, education has risen in spending from Washington, DC, 256 percent. Today, some $90 billion a year in Federal resources fund student aid programs from loans and grants to work study programs and educational tax benefits.

This is not a first step that we are taking today, it is another step that was not begun or born out of bipartisanship, but rather out of bumper sticker politics.

What we have talked about is that Republicans have more than tripled what spending was helping students over the last decade. Yes, it was done in a bipartisan way before today. Open committee hearings and feedback make bills better.

Republicans, through our leadership, have also made sure that more than $4 billion for new and high achieving Pell students pursuing degrees in math, science and critical foreign languages was included these last 12 years. We slashed the total loan fees so students can access more of the money that they borrowed for education purposes. We cut $20 billion in Federal subsidies to student loan lenders through the Higher Education Reconciliation Act of 2006, which provided substantial savings for U.S. taxpayers while ensuring that these tax programs would operate efficiently by not cutting one penny in student loans.

But rather than continue along this path of making college more affordable and increasing the transparency not only in this body, but also as it relates to college costs so that students and their parents can see why higher education costs are rising, today Democrats are imposing, in a closed rule, without feedback, upon the House legislation that would do nothing to expand college access or improve affordability. Instead, their plan will not benefit a single college student, only former students.

Let me say this very plainly, not one additional student will be able to attend college because of this proposal, unlike the bipartisan efforts of the past where we worked to make sure that it impacted more students' ability to go to college. In fact, today's legislation is no more than a flawed answer in search of a problem.

In 2004, the Federal Government spent less than four-tenths of a cent on every dollar in providing these student loans. Since 2001, the program the Democrats today seek to change, Republicans, through a bipartisan effort before today, returned over $12 billion to the U.S. Treasury because the cost of administering the program needed to be changed.

Once again, we find ourselves with a great example of the private sector doing a job better, more efficient, with less risk to the taxpayer, and the government and taxpayers will see the benefit.

This legislation also does not make good on a common Democrat campaign promise in the highly touted ''Six for '06'' program. Many Democrats on the campaign trail made broad promise about cutting interest rates in half immediately for all student loans, both subsidized and unsubsidized, as well as loans made to parents. Instead, in a classic bait-and-switch for voters, the Democrats are really bringing to the floor today legislation that only addresses subsidized loans and phases these savings in over 5 years before they sunset and then disappear.

Additionally, they proposed to pay for this weakened $6 billion plan with many of the same lender cuts passed by Republicans and Democrats in the last Congress, the same subsidy cuts that Democrats opposed because during the election they called a ''Raid on Student Aid'' when in fact it is exactly what they do today.

Mr. Speaker, Republicans have a comprehensive alternative to the flawed Democrat plan. The College Affordability and Transparency Act would provide students and parents with more and better information about college costs, helping students to become better consumers of higher education. It will add great transparency and accountability by establishing a user friendly college affordability comparison creating quality, efficiency task forces to determine the causes for tuition hikes at the schools with the greatest tuition increases and provide a demonstration project for up to 100 schools, freeing them from the costly regulatory requirements and driving down one of the main reasons that schools raise costs.

Mr. Speaker, today 80 percent of the student loans made are originated by the private sector at an efficient cost and enhanced borrower services, such as reduced charges, financial education tools and reduced student interest obligation, all of which would disappear if

we allow the Federal Government to crowd out the private sector.

Mr. Speaker, this was our idea, and we would have brought this forth if we were allowed to do so in a rule where Members could openly vote for this and have an honest debate through the entire committee system.

I encourage all of my colleagues to oppose this rule and the underlying legislation.

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

Ms. MATSUI. Mr. Speaker, before I yield to my next speaker, I yield myself such time as I may consume to point out that during last year's debate on budget reconciliation, the contrast in approaches could not be sharper. In that bill, in a time of war, the Republican leadership passed an enormous tax cut for the wealthiest 1 percent in this country. Most of it was paid for by running up a deficit for our grandchildren to pay, but a small slice of it was paid for by cutting $12 billion in Federal student loan support. I think it is clear that the American people rejected that kind of short-sightedness this past November.

Today, Democrats are cutting student loan rates in half, without adding one cent to the deficit. That is common sense for students, and a responsible policy for this country's working class.

Now I would like to yield 3 minutes to the new Member, the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentlewoman for yielding such time.

Mr. Speaker, I rise in strong support of the action we take today to cut interest rates on student loans for 5.5 million of our students most in need of financial assistance. This cut is vital because there is nothing more important than ensuring our students are well prepared to enter the workforce.

□ 1145

Many students in our Nation lack access to affordable higher education, and this has to be considered a crisis. While access to higher education has become more critical for our younger generation, the cost is rapidly moving out of reach for many low-income and middle-class families in this country.

Tuition and fees at 4-year public colleges and universities have risen 41 percent, after inflation, since 2001. The typical American student now graduates from college $17,500 in debt. This Congress, past Congresses, should be ashamed that financial barriers will prevent at least 4.4 million high school graduates from attending a 4-year public college over the next decade if we continue on this course. Costs will also prevent another 2 million high school graduates from attending any college at all.

Amazingly, instead of helping our students prepare themselves for a better future, recent Congresses have cut funding for student loan programs. With this step, we begin today to reverse that trend, which has hurt our students and has hurt our economic well-being as a Nation.

Despite what we may hear from some on the other side of the aisle, our proposal to cut student loan rates in half, in half, will help roughly 175,000 students in the State of Ohio, at universities like the University of Akron and Lorain Community College in my district. Starting this year, it is estimated that these students will save over $2,200 over the life of their loan, and that savings number is expected to increase to over $4,300 starting in 2011.

This is about opportunity, Mr. Speaker. Investment in our younger generations not only helps their future, but it helps our economy and our retired workers whom they will support. Cutting interest rates on student loans is not only about strengthening America's middle class and improving access to higher education for our students and families who are most in need, it is about strengthening America.

Education is the backbone of what we are about and everything that makes our Nation great. Let us pass H.R. 5 and give our students the opportunity they deserve and the American people what they have asked for through these recent elections. Today, we deliver on a promise.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 4 minutes to the ranking member of the Rules Committee, the former chairman, from San Dimas, California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, I thank my friend from Dallas for yielding, and I appreciate his fine management of this rule.

I rise in opposition to the rule, and I do so as we all share a very strong and passionate commitment to doing everything we possibly can to increase access and affordability for young people in this country who want to have an opportunity to gain the best education possible.

As I listened to my friend from Sacramento respond to Mr. SESSIONS, she was talking about the fact that tax cuts for the rich had in fact played a role in creating this huge deficit that we have today and that we need to focus on education rather than giving tax cuts to the rich; that we have this sea of red ink. Mr. Speaker, I just can't comprehend what it is that is being argued by our colleagues on the other side of the aisle.

Today, we have seen a reduction of $71 billion in the Federal deficit over what it was a year ago. The deficit is on a downward slope. Why is that? It is the fact we put into place growth-oriented tax cuts.

Now, a few years ago, the American people were decrying the fact if we graduated students, there wouldn't be jobs out there, there wouldn't be an opportunity for students once they graduated. And guess what has happened? Since we have put into place these tax cuts, we not only have reduced the deficit, we have created 7.2 million new jobs, many of which are being filled by young people who are graduating.

Now, we all recognize that it is absolutely essential that we do everything that we can, everything within our power, to make sure that young men and women have an opportunity to get into the best college possible and are able to afford their education. The tragedy is, as I listened to my colleague from Ohio, the new member of the Rules Committee, Ms. SUTTON, she very, very eloquently argued on behalf of what we all aspire to, and that is making sure that we can be competitive, making sure that we have the best students possible, and that they graduate to the best jobs.

This bill, unfortunately, is very flawed. We had this campaign promise that was made; that we were going to cut all student loan interest rates in half so that we wouldn't see this huge burden imposed on the young people in our country. Well, unfortunately, this bill now is just making a very, very modest, minuscule step towards that goal of ensuring we bring about this massive reduction in interest rates.

The other thing, Mr. Speaker, that I think is very important for us to point out is that there will not be a single student who will have an opportunity to go to college because of this bill, and there will not be a single student who will see their tuition reduced because of this bill. And I believe that what we need to do is, we need to recognize that there is much work that needs to be done. We want to make sure that we lower those costs and do everything that we can to put into place greater transparency and disclosure.

This rule, unfortunately, denied us the opportunity to propose a very thoughtful amendment that was bipartisan. I know the Democrats would have joined in this if there had been an opportunity, because Democrats and Republicans both were denied an opportunity to participate in this process that would have allowed for disclosure of tuitions, and it would have incentivized institutions in this country to do everything possible to try and work to get those tuition rates down.

We need to make sure we have the best students possible. We need to make sure we have the best education possible. We need to focus on that. The real problem in this country is on K-through-12 education. That is where we need to focus our attention so that we can make sure we have people trained at an early point in life, so that they can then be poised to get into higher education.

Mr. Speaker, this is a very, very flawed bill itself. The rule is an absolute outrage, the fact it denies any Democrat or Republican an opportunity to participate, and I urge opposition to it.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to a new Member, the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR. I thank the gentlewoman from California.

Mr. Speaker, I urge my colleagues today to act to cut student loan interest rates in half and thereby ease the financial burden of college tuition. Cutting interest rates is more than a cost-saving measure for parents and students, it is also the best means of ensuring access to higher education and, ultimately, a successful career.

This Democratic Congress is committed to making college more affordable for all. As a mother with two school-age daughters, I, like many parents across the country, look apprehensively at the cost of tuition today. Tuition costs have skyrocketed. The average tuition at a 4-year public college is almost $6,000, which is a 35 percent increase over the past 5 years. Today's college students typically incur over $17,000 in loan debt, which is a 45 percent increase over the past 11 years.

Now, last year, when the Republican Congress made it harder for families to afford college by refusing to increase Pell Grants and proposing a $12.7 billion in Federal student loans, I brought students from the University of Tampa and the University of South Florida together to speak out against the antistudent policies.

German Castro, an economics major at the University of Tampa, was worried he would not be able to complete his education without student loans. After all, the annual tuition at the University of Tampa is $18,000, not including room and board. He is working two jobs. He noted many students who have to work full-time jobs end up making bad grades, and bad grades result in loss of scholarship money and, eventually, students have to drop out.

For Jill Mitchell, at the University of South Florida, she would prefer not to have to move back in with her parents and take a job while she is concentrating on her studies.

This isn't merely about financial solutions, it is also about putting our students in a position to succeed.

Now, during the first 100 hours of this new Congress, we are here to change the priorities, to reflect the real desires of Americans. In some of our working-class neighborhoods, student loans are the only means available to pay for the dream of a higher education.

The health of our economy rests on having a highly skilled and well-educated workforce. By the year 2020, the United States is projected to face a shortage of up to 12 million college educated workers.

So, Mr. Speaker, today I call on my colleagues on both sides of the aisle to support students by encouraging their efforts to seek higher education. I ask that we pass H.R. 5, the College Student Relief Act of 2007. This legislation will go a long way to provide relief to the 5.5 million graduates, making college education far more accessible for families.

Let us act to remind the families back home that we value education and we are willing to fight to ensure access to it.

Mr. SESSIONS. Mr. Speaker, yesterday, at the Rules Committee, I saw something, well, I saw several things that I had not seen in the 8 wonderful years I have served on the Rules Committee, but I have been told by those who have longer tooth than I that they had not seen in the 12 years the Republicans were in the majority, where people were greeted to the Rules Committee by the chairman saying, your amendment will not be made in order and it is a closed rule.

The interpretation for the membership of this body was, you need not apply. Please, just don't even come and give your story because we are not open for business. We are closed before we are open.

Mr. Speaker, one of our colleagues, RIC KELLER, did come up. And despite being told this right up front, in an honest way, by the chairwoman of the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER), he still stuck around for another hour. He still was there to present his thoughts and ideas, even though he knew before the meeting even took place, before a vote ever took place, that he would not have anything made in order, his ideas, which he has been presenting in a bipartisan way for the last few years, would not even see the light of day.

So, Mr. Speaker, we are proud to be able to be on the floor today and to discuss this. He is a kind and wonderful gentleman who cares a lot about students and student aid, and so I yield 3 minutes to the gentleman from Orlando, Florida (Mr. KELLER).

Mr. KELLER of Florida. Mr. Speaker, I thank the gentleman for yielding, and I rise today to oppose this rule. It is, after all, a closed rule. There were no hearings, no committee work, no markups, no amendments allowed, no due process.

Mr. Speaker, we have 54 new Members of Congress. That is 12 percent of this body who haven't benefited from any of this legislative work or hearings. Now, I happen to be the ranking member on the Higher Education Subcommittee. And before the last election, I was the chairman of this subcommittee. So, luckily, I happen to know these issues cold, and I can tell you there is a lot to know.

With regard to student loans, there are Perkins loans, Plus loans, Stafford loans, direct loans, private loans, subsidized loans, unsubsidized loans, and consolidated loans. With regard to Pell Grants, there are regular Pell Grants, academic and competitiveness grants, and there are SMART Grants.

The new Members would have benefited from some hearings and legislative work on this matter. But the other side said, well, these are smart people. Well, let us assume that every single freshman is a genius and they know these issues cold; and I am willing to make that assumption. I would have loved to have listened to their ideas in the hearings. I would have loved to have considered their suggestions. I would have loved to have accepted their positive amendments to make this bill better. But we were denied the whole process because of a closed rule.

I showed up to the Rules Committee, and I had two amendments that would make it better for kids to go to college. One dealt with the high cost of tuition that has gone up 35 percent in the last 5 years at public colleges. Another dealt with Pell Grants, to actually help people go to college. Before I even opened my mouth as the ranking member of Higher Education, the chairwoman on the Rules Committee said, there will be no amendments accepted whatsoever. This is a closed rule.

Now, the American public is pretty smart. They recall that Speaker PELOSI, sitting in your chair on January 4, said she is going to lead with partnership, not partisanship. Yet when you show up, if you have an amendment from the other side, it is not even considered, not even heard. The American people are smart, and they know actions speak louder than words.

I am told by the gentlewoman from California that 88 percent of the people support this bill and they do not need any more open process.

□ 1200

Well, if you ask someone would you rather have a 6.8 percent rate or a 3.4 percent rate, of course they are going to say 3.4. But if you ask them would you rather have a student loan at 3.4 percent or a Pell Grant that you never have to pay back, 100 percent would prefer the Pell Grant. We should have helped people with this $6 billion on the front end with increased Pell Grants to go to college rather than helping college graduates on the back end.

Mr. Speaker, by ignoring our suggestions to increase Pell Grants and address the skyrocketing costs of tuition, the Democrats have managed to hit a single for themselves, when they could have hit a home run for America's college students.

The American people want us to work together, and they realize that education is not a partisan issue.

I urge my colleagues to vote ''no'' on this rule.

Ms. MATSUI. Mr. Speaker, before I yield to the next speaker, I yield myself such time as I may consume to point out to you that we are doing this because the American people have spoken. They spoke in November. They want us to make progress; and that every single reform in the Democrats' 100-hours agenda has passed with broad bipartisan support thus far. And today, we are cutting student loan rates in half in the same manner they garnered broad bipartisan support last week.

I think that all Members realize that the American people want results. House Democrats plan on delivering for them, and we continue to work with

those on the other side of the aisle to do that. You have not heard the last of us from this side at all. This is only the beginning. This is a step forward.

Now, at this time, Mr. Speaker, I would like to yield 1 minute to a new Member, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, if you are a young person who has been waiting to see a stop in these galloping prices of college education, today is a good day. Just like last week, if you were a senior, waiting for prescription drug prices to have a sane policy, last week was a good week. Just like if you were a hardworking minimum wage worker, you saw that last week was a good week.

Now, we have been waiting around for about the last 12 years for good weeks to happen for the hardworking people of the United States, and this week and today those days are coming to fruition.

So, Mr. Speaker, I want to say, let's vote, let's pass this tuition decrease, let's pass this cutting in student loan interest rates. Let's make college more affordable for all Americans. And let's remember that the party opposite had a long time to solve these problems. They didn't. We did. Thank goodness for it.

Mr. SESSIONS. Mr. Speaker, the prior speaker is a prime example of the new Members of this body who are completely clueless about the 12 wonderful years of bipartisanship that have taken place out of this Education and Workforce Committee to make education strong, to give money where it has needed to be, and really, if we want to tell the truth, to take what we inherited 13 years ago from the Democrats from a failed student loan program that didn't even work, that was bankrupt.

So, Mr. Speaker, yet another good reason why I wish we had had regular order, so these new Members of Congress could speak from the facts of the case rather than holding hostage the truth.

Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise in opposition to the bill, H.R. 5, and we will have an opportunity later on in the day to discuss that thoroughly. But, mainly, at this point, Mr. Speaker, I rise in opposition to the rule. You know, I heard my colleagues just say, the gentleman from Illinois and others, some of them new members of the Rules Committee, that in November the American people have spoken and they have asked for a break, a Federal break so that more students can go to college and get these low interest loans and Pell Grants. But I think what the American people said, my colleagues, in this last election, more than anything else, is don't trample on the rights of the minority.

And as a former member of the Rules Committee, my colleagues who are still on the Rules Committee, including the chairman, and Ms. MATSUI, and others, we heard this repeatedly, Mr. Speaker. Don't trample on the rights of the minority.

I will say this. We did occasionally have closed rules that probably should have been open. But we always had a rule. And what this new majority has done in these first 100 hours is brought six pieces of legislation, four without any rules whatsoever. And now the very first piece of legislation, H.R. 5, it is a very important subject to try to help low income students afford a college education, there is a closed rule, immediately doing the things that you have railed against us about.

And I think this is what the American people basically said. They want you to guarantee the rights of the minority. You have heard from the ranking member of the Higher Education Subcommittee. You are going to hear from the ranking member of the overall Committee on Education and Labor in just a minute.

Essentially, Mr. Speaker, they speak for every Republican member of that committee, and they speak on this issue for every 202 Republican Members of this body who represent virtually half of this country. And you are taking their voice away. So this is really what this is all about. This is the time really to discuss the rule.

And, of course we can talk about the bill itself, as former Chairman DREIER did, and the fact that what you promised the American people in these fall elections is you were going to give them a $60 billion break on higher education, which all of a sudden you have reduced down to 10 percent of that, $6 billion, which virtually does nothing.

But as I say, Mr. Speaker, we will get into that discussion when we talk about the bill, when we finish discussing the rule. But I just want to say to my colleagues, all of whom, the former four Members, now the majority, and the new Members, that I respect, these are my friends, and we can talk about this, and we should. This is an opportunity to say to them, you said if you got the majority, which you now have and enjoy, and you worked hard and you deserve it, that you would not do the same things that you felt like we were doing to you, and I think in some instances you were correct.

So stand up, be men and women of your word, and do what you said you were going to do and not close this process down.

Ms. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS), who has been on the Rules Committee for 4 years.

Mr. HASTINGS of Florida. Mr. Speaker, my good friend, Dr. GINGREY, speaking just a moment ago, said, stand up and be the men and women that you should be.

Let me tell you, I heard my other colleague, Mr. SESSIONS, talk about all this wonderful bipartisanship that took place for 12 years. Well, I have been here 14, and all I know is rancor and disagreement and very little in the way of bipartisan spirit that has been engendered here in this body.

But let me talk about this business about closed rules. It was understood that in the ''Six for '06'' that the rules would be closed. I assure you, and everyone else has, that there will be more open rules than you provided. You had 195 total rules in the 109th Congress. Twenty-two open rules. Twenty-two open rules, 20 of which were appropriations bills, only truly open. And you had 50 closed rules, 67 restrictive rules, 26 conference report rules and 30 procedural rules. We will match you in time.

Mr. SESSIONS. Mr. Speaker, I would like to inquire on the time that remains for both sides, please, sir.

The SPEAKER pro tempore. The gentleman from Texas has 7½ minutes, and the gentlewoman from California has 14½ minutes.

Mr. SESSIONS. Mr. Speaker, if I could at this time, I would like to ask the gentlewoman if she could engage in running down her time, it would bring us to some more parity and allow her speakers that time at this juncture.

Ms. MATSUI. Mr. Speaker, we have one additional speaker.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 6 minutes to the gentleman who is the ranking member of the Education and Labor Committee, Mr. MCKEON from California.

Mr. MCKEON. Mr. Speaker, I rise in opposition to this rule and, more to the point, I rise in strong opposition to the decidedly unfair closed and heavy handed process that preceded our time on the floor today.

Over the past several years, few would argue with the assertion that the Education and the Workforce Committee was among the fairest committees when it came to member input from both the Republicans and Democrats alike. Likewise, it was home to some of the most robust debate in the House. From No Child Left Behind and the pension reform to the reauthorizations of the Older Americans Act and the Higher Education Act, our panel held extensive hearings and markups prior to the floor consideration of all major pieces of legislation within our jurisdiction. For that, our committee and the House were better off.

I have little doubt that this will, in large part, I hope, continue over the next 2 years. But in the early days of this Congress, I can't help but be concerned about the way the new majority has turned its back on regular order. As we consider legislation with such far reaching consequences, for example, the bill before us today impacts education and labor's largest entitlement program, but not a single hearing or markup was held on it prior to its arrival here on the floor. We didn't actually see this bill until last Friday afternoon. And not a single bipartisan

conversation took place as the legislation was written and rewritten time after time by the majority leadership.

The last time we were on the floor considering a major higher education bill, the process we followed to get here was decidedly different. Before we sent the College Access and Opportunity Act to the floor last spring, countless hearings and markups were held in the Education and Workforce Committee where Members debated, amended and voted on the legislation. In fact, through subcommittee and full committee processes we addressed over 100 amendments from both sides of the aisle. We even considered a 40-page manager's amendment that we worked for weeks on with both sides of the aisle. But today we have nothing of the sort, and for that and for the closed rule thrust upon us today, I am deeply disappointed.

Now the other side has said, well, it was understood during the campaign that we would bring up six items, we would eliminate the democratic process, we would just bring them to the floor, shove them through, and everybody understood that process.

In fact, if I were watching this debate, I would think that right now, I would, when I get my paycheck this week, I would have a higher paycheck if I were working under the minimum wage. That has already been taken care of. And I think that probably some students are thinking that next week their loan payment is going to go down. This process is maybe being rushed on this side, but before a bill becomes law it has to go through the other body and it has to be worked out, the differences, and then it has to go to the President, and the President does not support this bill that is on the floor here today.

Mr. Speaker, to understand the importance of a robust committee process, we need to look no further than another piece of Education and Labor Committee legislation considered by the House just last week. In it, the Federal minimum wage was increased for all 50 United States and all of our territories, all except one, that is.

We are now told that, as a matter of fact, our committee soon will consider legislation to correct this apparent oversight that happened last week. Still, I can't help but think that this extra step may not have been necessary had regular order been followed in the first place. Suffice to say I hope we don't find ourselves in the same situation after we act today. However, I can't help but be concerned by the fact that the underlying legislation would provide convicted felons unfettered access to the same or, in some cases, lower student loan interest rates as their law abiding counterparts, something we didn't get a chance to look at.

The heavy handed process carried out prior to today also has taken away our ability to improve this legislation, improvements that I believe could have been bipartisan in nature.

H.R. 5 is a well-intentioned bill, but I also believe it to be badly misdirected and ripe for improvement. Sadly, those many improvements, including an affordability amendment that I offered at the Rules Committee yesterday, even after I had been told that we had no chance to offer amendments and that it would be a closed rule, will never see the light of day.

□ 1215

We are stuck with a flawed bill, one that we could have made much better with little effort at all.

As we continue our debate today, and, more importantly, as we consider more comprehensive higher education measures in the months to come, I look forward to having a seat at the table, the same seat I provided my friends on the other side of the aisle a year ago when I was chairman.

In the meantime, I reiterate my opposition to this rule and urge my colleagues to vote ''no'' on the previous question.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina, the chairman of the Budget Committee (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I rise in support of the rule providing for consideration of the College Student Relief Act. This bill is good for students, it is good for the budget, and it is deserving of our support. This bill will help make college more affordable to students who need it most by cutting the interest rate in half on subsidized student loans.

College costs, as we all know, have risen dramatically. In the last 5 years, the cost of attending a 4-year public college increased $3,095, or by 34 percent. Interest rates the students pay on college loans have also risen this year to a fixed rate of 6.8 percent. This combination of factors makes attending college more expensive, if not impossible, for some of today's high school students.

This bill, the bill before us, takes a long first step towards making college more affordable. Each year it cuts the interest rate that undergraduates will pay on the standard subsidized student loans until that rate is cut in half to 3.4 percent in the year 2011. At the same time, the bill we have before us will save the Federal Government by reducing the deficit by a significant sum.

That is why this bill meets all of the tests laid down by the pay-as-you-go rule which the House adopted on January 5. That rule requires that direct spending or mandatory spending be budget neutral or deficit neutral over 6 years, 2007 through 2012, and over 11 years as well, 2007 through 2017, which is as far out as our cost estimates run. This bill is more than deficit neutral or budget neutral because it actually reduces the deficits in most years, saving $1.5 billion in 2007, $65 million over 6 years, and a total of $7.1 billion over the next 11 years, 2007 through 2017.

So, overall, this bill helps students get a good college education while helping us reduce the deficit. It meets the requirements of PAYGO. It is a bill and a rule that deserves our support.

I would urge every Member on both sides to vote for this rule and vote for the rule that enables it to come to the floor.

The SPEAKER pro tempore. The Chair would take the prerogative of reminding the gentleman and the gentlewoman that the gentleman has 2 minutes left and the gentlewoman has the right to close, and she has approximately 12 minutes left.

Mr. SESSIONS. I thank the Speaker. I also thank the gentleman, a dear friend of mine from South Carolina, for talking about how great this is for the budget. Yet the rule waives points of order that are contained in the budget. Being specific, it is an explanation of the waivers that we found out about.

The bill violates section 302(f) because its direct spending will exceed the Committee on Education and Labor's allocation, but that is good for the budget.

Mr. Speaker, my colleagues have had an opportunity on this side to talk about why we are disappointed in this closed rule and in the Democrats' failure to provide a comprehensive solution to increasing higher education access for our students that will help keep America competitive.

Mr. Speaker, I would ask to insert in the RECORD an article printed in The Dallas Morning News, my home newspaper, from January 12, outlining the way today's Democrat proposal fails and falls short of their past promises.

[From the Dallas Morning News, Jan. 12, 2007]

DEMS PUSH RATE CUT FOR STUDENT LOANS

WASHINGTON.—Following up on an election-year promise, House Democrats said Friday that they plan quick action to lower interest rates for student loans.

Their proposal, scheduled for a vote next week, would cut interest rates on some student loans in half. However, the college tuition plan has been scaled back since it was first touted on the campaign trail last year.

The interest rate relief would apply only to need-based loans and doesn't help people who take out unsubsidized student loans—a distinction not made in the campaign literature Democrats handed out before winning control of Congress last fall. The measure also abandons a pledge to reduce rates for parents who take out loans to help with their kids' college costs.

The rate cut for subsidized student loans—from 6.8 percent to 3.4 percent—would be phased in over 5 years.

The measure would cost just under $6 billion, according to the Congressional Budget Office.

To avoid increasing the deficit, the bill's cost would be offset by trimming subsidies the government gives lenders and reducing the guaranteed return banks get when students default. Banks also would have to pay more in fees.

An estimated 5.5 million students receive subsidized loans.

Republicans pushed a budget bill through Congress last session that cut $12 billion from student loan programs. Democrats and student groups argued the money should have been preserved.

Mr. Speaker, I urge all of my colleagues to vote ''no'' on this closed rule and the previous question. If the previous question is defeated, the House will have the opportunity to debate this important amendment offered by Republican Ranking Member BUCK MCKEON so that convicted felons will be considered ineligible to receive the Democrat interest rate reduction.

Mr. Speaker, today this debate has been very succinct and to the point. That is that we believe that for 12 years that Republicans and Democrats have worked very carefully on education issues that will help this country out, through difficult times, through difficult processes, increasing the amount of money that is available, not only for people to attend school, but also reducing the costs that were impediments in the program.

Mr. Speaker, I am disappointed that the way it is being pitched today is, well, the Republicans were just headed in a bad direction and had 12 years to do this, when in fact we have been doing this in a bipartisan way for 12 years. Today, we are going to hear it and have it the Democrats' way.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

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

Ms. MATSUI. Mr. Speaker, I yield myself the balance of my time.

First, I wish to thank all the Members who participated in this discussion on the importance of increasing opportunity and affordability for all of our Nation's young minds. We are all in agreement on the importance of education and the central role it played in expanding the next generation's horizons.

Mr. Speaker, as I described in my opening remarks, the resolution before the House allows for a vote on a Democratic proposal to cut subsidized student loan rates in half over the next 5 years. It will reduce the cost of college to some 5 million students by an average of $4,400. This is good, responsible progress for America's middle class, for our working families looking out to provide the next generation with a brighter future. Today's vote on the issue can make it a reality.

Last week, as part of Speaker PELOSI's 100-hour agenda, Democrats acted swiftly to help average Americans. We voted to increase the minimum wage, expand Federal stem cell research, negotiate lower drug prices for our seniors, and implement 9/11 Commission recommendations.

All of these issues passed by wide bipartisan margins and enjoyed significant bipartisan support.

I expect that today's bill will be no different, so let's get to it.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 65 OFFERED BY MR. MCKEON OF CALIFORNIA

Strike all after the resolved clause and insert the following:

That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5) to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers. All points of order against the bill and against its consideration are waived except those arising under clauses 9 or 10 of rule XXI. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) three hours of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor; (2) the amendment in section 2 of this resolution if offered by Representative McKeon of California or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. The amendment referred to in section 1 is as follows:

At the end of section 2 of the bill, add the following new subsection,

(c) INELIGIBILITY OF FELONS FOR INTEREST RATE REDUCTIONS.—Notwithstanding the amendments made by subsections (a) and (b) of this section, an individual shall not be eligible for the reduced interest rates provided under such amendments on any loan if the individual was convicted of a felony that occurred during or after a period of enrollment when the individual was receiving the loan.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress. Only political affiliation has been changed.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the 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 a 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 Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H. Con. Res. 31, by the yeas and nays;

H.R. 434, by the yeas and nays;

ordering the previous question on H. Res. 65, by the yeas and nays;

adoption of H. Res. 65, if ordered.

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

HONORING THE MARE ISLAND ORIGINAL 21ERS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 31.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 31, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 27]

YEAS—416

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Aderholt
Boren
Burton (IN)
Buyer
Calvert
Cummings
Hoyer
Johnson, Sam
Lucas
Norwood
Obey
Ruppersberger
Sarbanes
Sullivan
Van Hollen
Weiner
Whitfield
Wynn

□ 1248

Ms. WASSERMAN SCHULTZ, Mr. RADANOVICH and Mr. HALL of Texas changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 434.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 434, 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, not voting 19, as follows:

[Roll No. 28]

YEAS—413

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg

Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—19

Aderholt
Boren
Burton (IN)
Buyer
Calvert
Cummings
Hoyer
Johnson, Sam
Lucas
Norwood
Obey
Radanovich
Ruppersberger
Sarbanes
Sullivan
Van Hollen
Weiner
Whitfield
Wynn

□ 1259

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

So (two-thirds of those being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5, COLLEGE STUDENT RELIEF ACT OF 2007

The SPEAKER pro tempore (Ms. DELAURO). The pending business is the vote on ordering the previous question on House Resolution 65, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 18, as follows:

[Roll No. 29]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—191

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

NOT VOTING—18

Aderholt
Boren
Burton (IN)
Buyer
Calvert
Cummings
Herger
Hoyer
Johnson, Sam
Lucas
Norwood
Obey
Ruppersberger
Sarbanes
Sullivan
Van Hollen
Whitfield
Wynn

□ 1308

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. SESSIONS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 190, not voting 21, as follows:

[Roll No. 30]

AYES—223

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Yarmuth

NOES—190

Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—21

Aderholt
Bachmann
Boren
Burton (IN)
Buyer
Calvert
Cole (OK)
Cummings
Hoyer
Johnson, Sam
King (IA)
Lucas
Norwood
Obey
Ruppersberger
Sarbanes
Sullivan
Van Hollen
Whitfield
Woolsey
Wynn

□ 1316

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.

COLLEGE STUDENT RELIEF ACT OF 2007

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to House Resolution 65, I call up the bill (H.R. 5) to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5

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 ''College Student Relief Act of 2007''.

SEC. 2. INTEREST RATE REDUCTIONS.

(a) FFEL INTEREST RATES.—

(1) Section 427A(*l*) of the Higher Education Act of 1965 (20 U.S.C. 1077a(*l*)) is amended by adding at the end the following new paragraph:

''(4) REDUCED RATES FOR UNDERGRADUATE SUBSIDIZED LOANS.—Notwithstanding subsection (h) and paragraph (1) of this subsection, with respect to any loan to an undergraduate student made, insured, or guaranteed under this part (other than a loan made pursuant to section 428B, 428C, or 428H) for which the first disbursement is made on or after July 1, 2006, and before January 1, 2012, the applicable rate of interest shall be as follows:

''(A) For a loan for which the first disbursement is made on or after July 1, 2006, and before July 1, 2007, 6.80 percent on the unpaid principal balance of the loan.

''(B) For a loan for which the first disbursement is made on or after July 1, 2007, and before July 1, 2008, 6.12 percent on the unpaid principal balance of the loan.

''(C) For a loan for which the first disbursement is made on or after July 1, 2008, and before July 1, 2009, 5.44 percent on the unpaid principal balance of the loan.

''(D) For a loan for which the first disbursement is made on or after July 1, 2009, and before July 1, 2010, 4.76 percent on the unpaid principal balance of the loan.

''(E) For a loan for which the first disbursement is made on or after July 1, 2010, and before July 1, 2011, 4.08 percent on the unpaid principal balance of the loan.

''(F) For a loan for which the first disbursement is made on or after July 1, 2011, and before January 1, 2012, 3.40 percent on the unpaid principal balance of the loan.''.

(2) SPECIAL ALLOWANCE CROSS REFERENCE.—Section 438(b)(2)(I)(ii)(II) of such Act is amended by striking ''section 427A(l)(1)'' and inserting ''section 427A(*l*)(1) or (*l*)(4)''.

(b) DIRECT LOAN INTEREST RATES.—Section 455(b)(7) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)) is amended by adding at the end the following new subparagraph:

''(D) REDUCED RATES FOR UNDERGRADUATE FDSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans made to undergraduate students for which the first disbursement is made on or after July 1, 2006, and before January 1, 2012, the applicable rate of interest shall be as follows:

''(i) For a loan for which the first disbursement is made on or after July 1, 2006, and before July 1, 2007, 6.80 percent on the unpaid principal balance of the loan.

''(ii) For a loan for which the first disbursement is made on or after July 1, 2007, and before July 1, 2008, 6.12 percent on the unpaid principal balance of the loan.

''(iii) For a loan for which the first disbursement is made on or after July 1, 2008, and before July 1, 2009, 5.44 percent on the unpaid principal balance of the loan.

''(iv) For a loan for which the first disbursement is made on or after July 1, 2009, and before July 1, 2010, 4.76 percent on the unpaid principal balance of the loan.

''(v) For a loan for which the first disbursement is made on or after July 1, 2010, and before July 1, 2011, 4.08 percent on the unpaid principal balance of the loan.

''(vi) For a loan for which the first disbursement is made on or after July 1, 2011, and before January 1, 2012, 3.40 percent on the unpaid principal balance of the loan.''.

SEC. 3. REDUCTION OF LENDER INSURANCE PERCENTAGE.

(a) AMENDMENT.—Subparagraph (G) of section 428(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(G)) is amended to read as follows:

''(G) insures 95 percent of the unpaid principal of loans insured under the program, except that—

''(i) such program shall insure 100 percent of the unpaid principal of loans made with funds advanced pursuant to section 428(j) or 439(q); and

''(ii) notwithstanding the preceding provisions of this subparagraph, such program

shall insure 100 percent of the unpaid principal amount of exempt claims as defined in subsection (c)(1)(G);''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect with respect to loans made on or after July 1, 2007.

SEC. 4. GUARANTEE AGENCY COLLECTION RETENTION.

Clause (ii) of section 428(c)(6)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078(c)(6)(A)(ii)) is amended to read as follows:

''(ii) an amount equal to 24 percent of such payments for use in accordance with section 422B, except that—

''(I) beginning October 1, 2003 and ending September 30, 2007, this subparagraph shall be applied by substituting '23 percent' for '24 percent';

''(II) beginning October 1, 2007 and ending September 30, 2008, this subparagraph shall be applied by substituting '20 percent' for '24 percent';

''(III) beginning October 1, 2008 and ending September 30, 2010, this subparagraph shall be applied by substituting '18 percent' for '24 percent'; and

''(IV) beginning October 1, 2010, this subparagraph shall be applied by substituting for '24 percent' a percentage determined in accordance with the regulations of the Secretary and equal to the average rate paid to collection agencies that have contracts with the Secretary.''.

SEC. 5. ELIMINATION OF EXCEPTIONAL PERFORMER STATUS FOR LENDERS.

(a) ELIMINATION OF STATUS.—Part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) is amended by striking section 428I (20 U.S.C. 1078–9).

(b) CONFORMING AMENDMENTS.—Part B of title IV of such Act is further amended—

(1) in section 428(c)(1) (20 U.S.C. 1078(c)(1))—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraphs (E) through (H) as subparagraphs (D) through (G), respectively; and

(2) in section 438(b)(5) (20 U.S.C. 1087–1(b)(5)), by striking the matter following subparagraph (B).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 2007.

SEC. 6. REDUCTION OF LENDER SPECIAL ALLOWANCE PAYMENTS.

Section 438(b)(2)(I) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)(I)) is amended by adding at the end the following new clauses:

''(vi) REDUCTION FOR LOANS DISBURSED ON OR AFTER JULY 1, 2007.—With respect to a loan on which the applicable interest rate is determined under section 427A(*l*) and for which the first disbursement of principal is made on or after July 1, 2007, the special allowance payment computed pursuant to this subparagraph shall be computed—

''(I) by substituting '2.24 percent' for '2.34 percent' each place it appears in this subparagraph;

''(II) by substituting '1.64 percent' for '1.74 percent' in clause (ii); and

''(III) by substituting '2.54 percent' for '2.64 percent' each place it appears in clauses (iii) and (iv).

''(vii) SMALLER LENDER EXEMPTION.—Clause (vi) shall not apply to the calculation of the special allowance payment with respect to any 3-month period for any holder of eligible loans that, together with its affiliated holders, is designated by the Secretary as a small lender.

''(viii) DESIGNATION OF SMALL LENDERS.—In determining which holders of eligible loans qualify for the exemption provided under clause (vii), the Secretary shall, using the most recently available data with respect to the total principal amount of eligible loans held by holders—

''(I) rank all holders of eligible loans in descending order by total principal amount of eligible loans held;

''(II) calculate the total principal amount of eligible loans held by all holders; and

''(III) identify the subset of consecutively ranked holders under subclause (I), starting with the lowest ranked holder, that together hold a total principal amount of such loans equal to 10 percent of the total amount calculated under subclause (II), but excluding the holder, if any, whose holdings when added cause the total holdings of the subset to both equal and then exceed such 10 percent of such total amount calculated; and

''(IV) designate as small lenders any holder identified as a member of the subset under subclause (III).''.

SEC. 7. INCREASED LOAN FEES FROM LENDERS.

Paragraph (2) of section 438(d) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(d)(2)) is amended to read as follows:

''(2) AMOUNT OF LOAN FEES.—The amount of the loan fee which shall be deducted under paragraph (1), but which may not be collected from the borrower, shall be equal to—

''(A) 0.50 percent of the principal amount of the loan with respect to any loan under this part for which the first disbursement was made on or after October 1, 1993, and before July 1, 2007; and

''(B) 1.0 percent of the principal amount of the loan with respect to any loan under this part for which the first disbursement was made on or after July 1, 2007.''.

SEC. 8. INTEREST PAYMENT REBATE FEE.

Section 428C(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–2(f)(2)) is amended—

(1) by striking ''SPECIAL RULE—'' and inserting ''SPECIAL RULES—(A)''; and

(2) by adding at the end the following new subparagraph:

''(B) For consolidation loans based on applications received on or after July 1, 2007, if 90 percent or more of the total principal and accrued unpaid interest outstanding on the loans held, directly or indirectly, by any holder is comprised of principal and accrued unpaid interest owed on consolidation loans, the rebate described in paragraph (1) for such holder shall be equal to 1.30 percent of the principal plus accrued unpaid interest on such loans.''.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Ms. DELAURO). The gentleman may state his inquiry.

Mr. PRICE of Georgia. Madam Speaker, under what rule are we considering H.R. 5?

The SPEAKER pro tempore. Under the resolution just adopted.

Mr. PRICE of Georgia. Further inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PRICE of Georgia. Does the rule under which we are considering H.R. 5 allow for an amendment to H.R. 5?

The SPEAKER pro tempore. Only by way of a motion to recommit.

Mr. PRICE of Georgia. Further inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Can the Chair explain how a motion to recommit will be in order given that the committee hasn't met, formed or adopted any rules?

The SPEAKER pro tempore. The bill was referred to a committee, and, therefore, its committal to that committee would be a recommittal.

Mr. PRICE of Georgia. Further inquiry.

The SPEAKER pro tempore. Please state your inquiry.

Mr. PRICE of Georgia. Can the Chair tell me whether or not the committee reported the bill out?

The SPEAKER pro tempore. The bill has not been reported to the House.

Mr. PRICE of Georgia. I thank the Chair.

The SPEAKER pro tempore. Pursuant to House Resolution 65, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 90 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today we have an opportunity to provide a great deal of assistance to those students who borrow from the subsidized student loan program. I want to thank the Rules Committee for providing for the passage of the rule for the consideration of H.R. 5, the College Student Relief Act.

Today, millions of students and their families all across America are struggling to figure out how to pay for college. They are making critical decisions about whether college is in their future, based on what they can afford and how much debt they will be able to reasonably take on.

We know that a college education is as important today as a high school diploma was a generation ago. Yet, since the 2000–2001 academic years, tuition and fees at public colleges and universities have soared by 41 percent, while those at the private universities have increased by 17 percent. This is not a problem that we can ignore.

The College Student Relief Act helps students and their families by cutting interest rates for undergraduate subsidized student loans in half, from 6.8 percent to 3.4 percent, phased in over 5 years. Once this interest rate is fully phased in, a student with an average loan debt of $13,800 will save approximately $4,400 over the life of their loan.

I am pleased to report that the College Student Relief Act is fully paid for, and complies with the House's new, strict PAYGO rules. Additionally, all changes to both students and lenders only apply to future loans.

This legislation will give much-needed relief to some 5.5 million students who borrow subsidized loans each year. The majority of students helped by College Student Relief Act are low- and middle-income students with family incomes between $26,000 to $68,000. Half of these students are eligible to receive Pell Grants, but many such students find that Pell Grants alone are insufficient. Because of the failure to increase the value of the Pell Grants over

the last decade, the Pell Grant does not cover the cost of education, and so those students who are eligible for Pell Grants because of family income and resources also find out they have to borrow. They borrow from this program, so this program is an additional savings, when we pass this legislation, to those who are eligible for the Pell Grants.

Providing debt relief to our students is the right thing to do. Current studies indicate that more students are borrowing more than ever. The debt level of graduates from public universities has skyrocketed by 58 percent in the past decade. The Pell Grant recipients and students with modest incomes are likely to borrow more often and in greater amount than other students.

This is just the first step in helping students and their families with college education. We plan to increase Pell Grants later in the appropriation process in the amount which has seriously fallen behind the cost of college, and we need to again take a look at making college tax credits and deductions simpler to use and more robust. That is what this Congress is committed to doing in the future when we are done with these six bills in the first 100 hours.

I also believe that colleges and universities should play their part in addressing affordability by becoming more diligent about cutting expenses and more transparent about college costs. We hope to address this in the 110th Congress when we reauthorize the Higher Education Act.

We cannot ignore the fact that students and families are drowning in debt in such a way that many of them have been forced to make difficult choices. Some choose just not to go to school, they stop going to school or they defer going to school, or they choose professions that will be more lucrative, instead of public service professions such as teaching, social work, law enforcement and other such professions because they know the debt that they will have to repay.

The debt issue and the agony families feel when they think about being able to afford college for their children is all too familiar a story to many of us who have been involved in this issue for some time.

I am pleased this bill has earned wide support in the education community among students, with such groups as U.S. PIRG and the United States Students Association, with colleges and universities across the country, including the National Association for Independent Colleges and Universities and the American Council on Education, and with labor unions such as the American Federation of Teachers and the National Education Association.

I urge my colleagues to support H.R. 5, the College Student Relief Act of 2007, so we can tell middle- and low-income families that we want to invest in a college education, we want to help these families find a way to pay for that, and we want to do whatever we can to reduce the burden of debt that these students are taking on today in unprecedented levels, the first generation to be put in that situation.

I think this is a good beginning in the first 100 hours to put this Congress on record not just as hoping to do something for students, but in fact doing something for 5.5 million students who will be eligible for the benefits under this interest rate cut.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this is a well-intentioned bill that I wish we had the chance to make better. Nonetheless, without the opportunity for amendments, I hope we can use these next 3 hours to analyze what H.R. 5 does and what it doesn't do.

Normally this is a task best reserved for regular order when you go through the committee process and have a chance to have hearings and have a chance to hear experts on the subject. We are forgoing that today because we are in this 100 hours of nondemocratic rule, and that is a result of the election. You won the majority, you use that majority the way you see fit; but I think that is unfortunate for America today.

Since we have bypassed that process, I would like to spend some time doing so right here today. First, let me underscore once again the fact that this bill has never been considered in committee. It includes some changes impacting the student loan industry that have never been tried before and, worse yet, they have never even been discussed in any meaningful way. Is that bad policy? Well, maybe so. But is it irresponsible policy-making? Most definitely it is.

Next, I caution my colleagues not to characterize what is before us today as a student aid bill. Ironically, the College Student Relief Act wouldn't impact a single college student. The way the loan program works, a student that wishes to borrow, and it is unfortunate, I think, that we are even having to have that kind of discussion today; I wish we were focusing on trying to keep the cost of education down so students didn't need to borrow a penny, but that is not going to be the debate.

The way it works, a student borrows the first year, the second year, the third and fourth years if they so desire; and then after they graduate from school and have a 6-month respite period, they begin to repay that loan. So this bill today addresses an interest rate that a college graduate will pay back in the repayment period 6 months after they graduate from school when they are definitely no longer students.

I also caution my colleagues not to buy into the talking point that H.R. 5 would save a typical borrower about $4,400 over the life of their loan because it just simply isn't true.

Now what the Democrats talked about during the campaign of reducing all student debt by half may have met these requirements, but not what is actually on the floor here today. The fact is that a borrower cannot save nearly this much because under H.R. 5, the bill we are discussing here today, the interest rate phases down from the current 6.8 percent to 3.4 percent over a series of 5 years. The borrower, for them to receive the complete $4,400 in savings, the 3.4 percent interest rate must remain in effect the whole time and it only is actually in effect the last 6 months, and they must consolidate their debt at that time and stretch the repayment out over the whole 15 years.

However, Democratic leaders have crafted the legislation to ensure that the 3.4 percent rate stays in effect only from July 1, 2011, through January 1, 2012, 6 months. On January 2, 2012, the interest rate returns back to the current 6.8 percent making the $4,400 in savings impossible to achieve.

In reality, a college freshman in the fall of 2011, when the rate is at 3.4 percent, would end up saving $6.42 a month. That's right, $6.42 once he or she begins repaying their student loan.

More broadly, H.R. 5 falls woefully short in dealing with what I consider the twin priorities for addressing the college cost crisis. That is, expanding access, which should be the Federal role in higher education, and enhancing affordability. Those are two very important items.

First, on access, as I said, by definition this legislation cannot expand college access because at its core it is not a student aid bill. Would it reduce payments for a limited number of college graduates who would see their interest rate gradually drop over the next 5 years? Yes.

Would it bring a low- or middle-income student any closer to the dream of attending college? Unfortunately not.

Compare this to the record $90 billion we are investing this year, $90 billion Federal investment this year, in student aid programs. That is an amount that has tripled over the last decade.

We have heard today in part of the rule debate about how over the last 12 years we have done nothing. We have tripled the amount of funding available for those who are going to higher education, under the Republican majority in Congress, I might add, and it is difficult to understand why our friends on the other side of the aisle act as if they have a monopoly on the college access debate.

□ 1330

On impacting college affordability, Madam Speaker, once again, this legislation falls short, and I truly did not believe this would have to be the case.

Consider this: On a 4-year public college education the tuition has risen 35 percent over the past 5 years. However, during the past decade, Federal aid for students has increased 300 percent.

Now, I ask my colleagues, if funding alone was the solution to the college cost crisis, wouldn't we have realized it by now? Of course we would have. And that is why institutional accountability is so important. It is at the very heart of the college cost crisis.

Yesterday, I introduced legislation, the College Affordability and Transparency Act, to help parents and students hold institutions more accountable for their role in the college cost crisis. I also submitted it, or tried to submit it, as an amendment to the Rules Committee, because I believed it was a vehicle through which we could have drastically improved the underlying legislation. Unfortunately, however, the closed process has placed the issue of affordability on the back burner, and these proactive commonsense reforms will have to wait for another day.

That is right, giving parents and students more information, in an easy-to-use format, about college costs and outcomes? That will have to wait for another day.

Establishing a system of simply and unmistakably comparing the cost increases of one institution against another? That will have to wait for another day.

And asking colleges that increase their costs the most and most often to identify ways to bring tuition under control on behalf of parents and students? Well, that too will have to wait for another day.

What is most disappointing is that many of these same reforms were passed by the House last year and Members on both sides of the aisle have backed exactly this type of approach. But to see them move forward from here, we will just have to wait for another day.

In countless ways, Madam Speaker, we can do better than H.R. 5. I just wish we had that opportunity. Because although the bill before us, as well-intentioned as it is, is just not what it seems. It is not a student aid bill, it doesn't expand student access, and it doesn't enhance affordability of a college education.

In the weeks and months to come, I hope we can work in a bipartisan way toward all of these things, and I look forward to working with Chairman MILLER, Chairman KILDEE, and Members on the other side of the aisle to ensure that this happens.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan (Mr. KILDEE) controls the time for the majority.

There was no objection.

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

Madam Speaker, I rise in strong support of the College Student Relief Act. By making college more affordable for 5.5 million students each year, this bill is a big step in the right direction of helping low- and middle-income families achieve the American Dream. Not only is it a step in the right direction, but it is a step in a new direction.

For years, the President and previous Congresses have passed billions of dollars of tax cuts for the wealthiest Americans instead of investing in the potential of average Americans. The last Congress put college out of reach for many families by passing a $12 billion raid on student aid, the largest cut in the history of the student aid program.

Madam Speaker, H.R. 5 will save the average borrower who starts at a 4-year college at Michigan next year nearly $2,200 over the life of the loan, and will save the same student who starts in 2011 more than $4,200.

Madam Speaker, when we debate the Federal budget around here, we talk about budget authority and outlays and offsets, and other complicated accounting procedures. But, in the end, what we really are talking about are not just numbers but real people in every corner of this country, making tough decisions about their lives.

One of the toughest questions these days is whether they can afford to attend or stay in college, especially because a college education is more important now than ever. These are real people with names, not numbers, who ask that question. They are people who live in your district.

Very simply, the reason I support this bill, and the reason I ask my colleagues to join me, is because this bill will help thousands of students to say yes to that question.

Madam Speaker, I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, at this time I yield such time as he may consume to the gentleman from Florida (Mr. KELLER), the ranking member on the Higher Education Subcommittee.

Mr. KELLER of Florida. I thank the chairman for yielding.

Madam Speaker, I rise today as the ranking member on the Higher Education Subcommittee. I believe in higher Pell grants, lower interest rates, and a leveling off of college tuition. I come to this belief through my own life experiences. I grew up in relatively humble circumstances. My mom was a single parent who raised three kids on the modest salary of a secretary. If it wasn't for Pell grants and student loans, I wouldn't have been able to go to college and, ultimately, law school. I believe every child, rich or poor, deserves the chance to go to college.

Let us turn to student loans and how that impacts that. When I graduated from college in 1986, the student loan interest rate I had on my loans was 9.5 percent. In 2002, during my first term here in Congress, we decided to do something about that and we joined together, Republicans, Democrats, and student groups, and approved legislation in January of 2002 fixing the student loan interest rate at 6.8 percent. On January 24 of 2002, Chairman GEORGE MILLER supported the 6.8 percent rate. He voted for the 6.8 percent rate, and he said on this floor that we should be commended for passing the 6.8 percent rate.

Last year, in March of 2006, when we were passing the higher education bill on the House floor, Chairman Miller said that he wanted to now cut the interest rates from 6.8 percent to 3.4 percent. It had a big price tag of $18 billion. He didn't offer any ways to pay for it.

Today, he comes before us with another proposal to cut the rate from 6.8 percent, down to 3.4 percent, phased in over a 5-year period, so you hit the 3.4 percent in the final year only. This price tag is smaller, at $6 billion. And to their credit, the Democrats have come forward with a way to pay for it, and that is mainly by taking money out of the student lenders' pockets.

The question before us is one of access. What is the best way to expand college access? Should we help college students on the front end afford to go to school by increasing their Pell grants, or do we help college graduates on the back end by phasing down their loan interest rates?

I think a better approach would have been to take some of this $6 billion in savings and invest it in the Pell grant program. This is a program we Republicans have been pretty serious about during my 6 years in Congress, and I would like to show you a chart reflecting that.

This is the 20-year history of the Pell grant program. As you can see, in yellow, this is the 10 years the Democrats were in control of Congress. The red represents when the Republicans took control of Congress. You see a steep increase. If they had adopted the proposal we set forth, these charts would be literally off the charts in terms of such a dramatic increase in Pell grants.

Now, someone said earlier, well, we haven't done enough to increase Pell grant funding during our time in the majority over the past 6 years. Let us take a look at that claim. Overall, Pell grant funding from 2000 to today has gone up 71 percent, from $7.6 billion to $13 billion a year. And we have increased by 36 percent the number of children eligible for Pell grants from 3.9 million to 5.3 million. We have a pretty good record on Pell grants, one to be proud of.

If they had taken the $6 billion and invested it in the Pell grant program, what a dramatic difference it would make when you consider the Pell grant program along with the Pell-eligible programs of competitiveness grants and SMART grants.

This is the difference: First-year students would get up to $5,300 a year; second-year students would get up to $5,850; third-year students would get $8,050; and fourth-year students, up to $8,050. We made this proposal, went before the Rules Committee, and it was a

closed rule. They didn't want to hear anything about it.

We also had some ideas about the skyrocketing cost of tuition. It has gone up 35 percent in the past 5 years at public colleges. We had some pretty good ideas to help, mainly Chairman MCKEON, now Ranking Member MCKEON's, bill. He went before the Rules Committee. Closed rule. Didn't want to hear about it.

Now, what did Chairman MILLER and others say about this problem with not investing enough in Pell grants and the skyrocketing costs of tuition? We will come back to those issues. We will deal with that a later day.

Now, here is the problem. Whatever we do on a later day with Pell grants will be $6 billion less than it could have been because this $6 billion is gone. It is gone, based on this approach here.

In summary, by ignoring our ideas about increasing Pell grants and addressing the rising tuition costs, the Democrats have managed to hit a single for themselves when they could have hit a home run for America's college students.

Education should not be a partisan issue. No one party has all the answers. Today, I will show a little bit of good faith and vote ''yes'' on this bill. Tomorrow, I hope the Democrats will show a little bit of good faith by listening to what people like me have to say about Pell grants and the skyrocketing costs of tuition.

Mr. KILDEE. Madam Speaker, I yield 1 minute to the chairman of the committee, the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Madam Speaker, I thank the gentleman for yielding, and I appreciate the presentation of my colleagues on the other side; their sort of would have, could have, should have.

But the fact of the matter is, last year, when they had the Higher Education Act in front of them, the only thing they did was take $16 billion out of the student aid accounts and give it to pay for tax cuts to the wealthiest people in this country. They didn't think about the Pell grantees at that time. They talked about them, but they didn't do anything for the Pell grantees. They didn't do anything to lower the student loans here.

They took $16 billion, and we begged them, we went to the Rules Committee and we begged them to let us recycle that money on behalf of the students on loans or Pell Grants or whatever. They said, no, this is going to the richest people in the country. And the fact of the matter is, the Rules Committee was so generous that in the entire higher education bill of last year, we got one amendment. We got one amendment.

So I think the point is that on this day, here in the first 100 hours, we are going to take care of middle-and lower-income students, 5 million of them who need these resources; then we will move on to tax deductions for families. And then we are going to move on and deal with increasing the Pell, something the President promised to do 6 years ago and has never been done.

Mr. MCKEON. Madam Speaker, I yield myself such time as I may consume just to correct the record a little bit.

Last year, when we did the reauthorization of the Higher Education Act, we dealt with over 100 amendments, both Democrat and Republican, through the committee process that we have forgone today. And when we did take that money last year in the Deficit Reduction Act, we put over $9 billion back into students.

What we did with that money for students, and these are students in school, we took the 4 percent loan fees that were being charged to many students and cut all loan fees to 1 percent. For the average borrower, that is, for students in school, it gave them a savings of $525.

One of the problems we find is that students in their first and second years tend to drop out of school because they do not have enough money. So we gave them more of a chance to have their loans up front, and we increased those loan limits by $1,000 per year, from $3,500 to $4,500 for first- and second-year students.

And we did some other things: High-achieving, low-income students in the first and second years are able to obtain additional grant aid. High-achieving, low-income students that major in math, science or certain foreign languages are eligible to obtain an additional $4,000 in grant aid for their third and fourth years of college, and on and on. We put $9 billion of that back directly into student and student aid.

Madam Speaker, I now yield to another ranking member of the committee, the gentleman from Delaware (Mr. CASTLE), such time as he may consume.

□ 1345

Mr. CASTLE. I thank the distinguished gentleman from California for yielding.

Unfortunately, one concern that continues to arise, and has done so since I came to Congress, is the continuously rising cost of a college education. Tuition increases are outpacing the rate of inflation, increases in family income, and even increases in State and financial aid which have grown tremendously in recent years. These cost increases are pricing students and families out of the college market. In a time when we have reports suggesting that today's high school students recognize more than ever the importance of obtaining a college education, these students should not shy away because of skyrocketing costs.

While today's bill does seek to help graduates, it barely skims the surface of the true problem of how we can help increase access and affordability. I will support this effort but hope that this Congress will make substantive steps towards helping current and future students.

We have all heard the statistics, and frankly we all deserve to hear them again. According to the College Board, the cost of attending a private college has soared by 52 percent, adjusted for inflation, since the 1991–92 academic year. Public colleges have increased costs by a whopping 86 percent in the same time span. In conjunction with these statistics, we don't often taught the fact that since 2001 under a Republican Congress, direct student aid has increased from $9.6 billion to $48 billion. During the same period, the number of students receiving such aid soared by nearly one-third, from 7.6 million to 10.1 million. Yet we are still in a predicament of students needing help. We must begin to look seriously and holistically at this issue. There is neither a simple solution nor one entity responsible.

First, it is my belief that one of the best things we can do is raise awareness, and to force transparency in the process. Legislation offered by the gentleman from California (Mr. MCKEON), which I support, seeks to provide parents and students the information that they deserve as consumers. They deserve the opportunity to understand why tuition is increasing at their universities. As educated consumers, it is my hope that they will in turn have the power to demand more, to demand answers, and ultimately drive down cost. Understanding that there are many moving parts to a solution, transparency is a good first step in the right direction.

Second, we all must be part of the solution. The U.S. Secretary of Education, Margaret Spellings, and the Commission on the Future of Higher Education have helped to bring the issue of access and affordability to the forefront. They too have identified areas in which they may implement solutions, such as simplifying the Free Application for Federal Student Aid. Everyone is clearly beginning to recognize how they can alleviate this dilemma.

Third, the institutions must accept some of the responsibility. There are some fabulous colleges and universities out there making it happen for a fraction of what they could charge. For all of those, however, there are also plenty who are not being as efficient as they should be. I believe that these institutions need to take a long, hard look at every aspect of their budgets to identify savings from within. As highlighted above, despite record increases in student aid, tuition continued to increase. Some have studied and argued that there is in fact a correlation. Further, it was maintained in today's Wall Street Journal that the increase in aid will permit colleges to raise their tuitions in order to reap the benefit. Without the aid, colleges and universities would be forced to be more careful. In December, the New York Times reported that based on the fact that some

equate price with equality, some institutions raise their tuition for the sole purpose of matching their rivals. In some instances they also raise their discounts and assistance, but the fact remains that they are artificially raising the price which unfortunately may scare many students away from even applying. The reality is, Federal assistance does not give license to increase tuition. We cannot continue to offer the solutions. Don't be misled. I do support Federal assistance but do ask that colleges not take it for granted. Today's action must be coupled with responsible governing and accounting by our institutions of higher learning.

Fourth, I believe that Congress has a responsibility to spend efficiently and effectively. While this proposal is well-intentioned and does reach our low- and middle-income classes, it unfortunately may not be the best use of $6 billion. Ideally, this money should be more evenly spent. Aid experts and those in the academic community often identify Pell Grants, the primary source of aid for the neediest students, as the best avenue for increasing affordability. Leading up to this bill, these groups argued that the money would be best spent in this manner. In the future, I hope that this Congress spends more time deciphering the best way to appropriate taxpayers' money.

Finally, I believe that we have to begin gaining a better understanding of private student loans. With the escalation in college costs, students are exhausting their Federal loans and are forced to turn to private loans, something that has not been a part of the conversation. Consider this: 40 percent of private loan borrowers are from the bottom two income quartiles of students going to college. Five years ago, private loans made up only $4 billion of the $850 billion of the asset-backed securities market. Today, it comprises $13 billion. This is a completely different market and is not shaped with the policy goal of increasing access and affordability for students. There are many questions surrounding private student loans and I intend on beginning to ask these questions. If we are to tackle this issue, we must do so completely.

The issue of college affordability and access is complicated but one that I trust we can come together to help resolve, not just those of us in Congress but also those in academia, the lenders, students, parents and institutions.

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Madam Speaker, this debate is about a promise broken and a promise kept. When President Bush ran for President the first time in 2000, he promised to make the maximum Pell Grant $5,100 per year. Today, the maximum Pell Grant is $4,050 per year. It is true that the erstwhile majority spent more money on Pell Grants, but it is also true that many, many more people were eligible for Pell Grants and the value of the Pell Grant shrunk during the tenure of the erstwhile majority. The new majority is keeping a promise to significantly reduce student loan rates for students across this country. And we are keeping, in my view, a more important promise, to pay for keeping that promise by not adding to the deficit.

Unlike the tax breaks for the wealthiest 1 percent of the people in this country, this bill doesn't add to the deficit. Unlike the seemingly endless misadventure in Iraq, this bill doesn't add to the deficit. Unlike the huge tax breaks for the energy industry at a time when they receive the most profit in their history, this bill doesn't add to the deficit. The ways that this bill is paid for invite careful review of how we balance the direct and private loan programs and they invite careful review of how we adjust the present programs. But this bill is paid for.

This is the change that the American people voted for, help for the middle class, not increasing the deficit, and pay-as-you-go. I am delighted to hear that at least two of our colleagues on the other side will vote ''yes'' on this bill. I hope, Madam Speaker, that dozens or even hundreds of our colleagues on the other side will join us in voting ''yes'' in favor of middle-class students and deficit reduction.

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

I appreciate my good friend from New Jersey talking about promises. My opponent during the campaign, and I don't know if this was the full Democratic Party, but what he said was they were going to cut student loan rates immediately in half. I know as we got here in Washington and they assumed the majority, we were told that that would cost about $60 billion. So they had to cut back that promise to what they have done now is a phased in approach that cuts the student loan interest rate ultimately at the end of 5 years to 3.4 percent for subsidized loans, which is considerably smaller than their original promise. I just wanted to correct the record with that.

I am happy now to yield 4 minutes to the gentleman from Pennsylvania (Mr. PLATTS), a member of the committee.

Mr. PLATTS. Madam Speaker, I appreciate the distinguished gentleman from California for yielding to me.

Madam Speaker, I certainly support the underlying goal of this legislation about making higher education more affordable for our citizens, and I plan to support this legislation to move the process forward because it is an important goal we are after.

I know from personal experience the importance of student loans. I am probably one of the few Members of this Chamber that was elected while still paying for student loans. In fact, my wife and I could not have afforded our undergraduate degrees and our graduate degrees without the support of grants and loans, and we were delighted when we were able to pay the loans back a few short years ago.

While I support the underlying goal, however, I need to raise concerns about the manner in which we are attacking this issue and some of the substance of the issue.

First, the process. This bill has not been allowed to have committee hearings. There has been no opportunity for amendments in committee, and certainly no opportunity for amendments here on the floor. In fact, we have a closed rule, no amendments. If we had followed regular order and taken this bill through the committee process, we could have taken a bill with a good intent and made it a good piece of legislation on behalf of all of our Nation's citizens and done even better than we will do today.

I also need to address the failure of this legislation to address the reason that students are in need of more and higher student loans, the reason they need to borrow more and more, and that is ever-increasing tuition rates.

To the great credit of the distinguished gentleman from California, in previous years we sought to address that issue. He led the charge to try to work with the institutions of higher education across this country to be reasonable, to be responsible. This legislation does not address that at all.

I am often surprised when higher education institutions lobby for greater loan limits, and they don't disclose to their students the reason that they need higher loans is because those very institutions keep raising their tuition rates. This bill does not address that unfortunately.

I am also very disappointed that this bill does not address the ability of students to get into colleges, those upfront costs and the initial costs. This is about graduates who are in repayment. It does not help new students to help families get their children into school.

Unlike the Deficit Reduction Act, and this was addressed earlier by one of the previous speakers, that legislation actually gave additional assistance to students in going to school, significantly higher grant program amounts, I think over $5 billion in new grant programs; lower loan fees that the distinguished gentleman from California addressed, from 4 percent to 1 percent; higher loan limits for those early years of college.

It made it more affordable for students, especially low- and middle-class family students, to get into college and to pay their bills as they were in college. This bill does not address that.

Finally, while I certainly support the pay-as-you-go approach and voted in favor of that reform this past week, this bill achieves that goal in a gimmick fashion. The way it spreads out

the reduction and pays for this is not true pay-as-you-go. And I think if we are going to do right by our citizens, in this case by those seeking and getting higher education opportunities, we need to make the tough decisions and truly pay for what we are providing in assistance.

I will vote in favor of this legislation to move the process forward, but I hope as it moves forward and we get to work with the Senate, that we will do much better in truly assisting the students who are trying to get into school or who are in school now with the cost of higher education. If we do so, as we have done in the past in some important ways with the Deficit Reduction Act, we truly will be about helping our Nation's students.

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Michigan.

Madam Speaker, I rise in support of H.R. 5, a bill that would cut in half student loan interest rates and make college more affordable, improve our economy, and improve the quality of lives across America.

The average student graduates with more than $17,000 in loan debt, almost 45 percent more than just a decade or so ago. In New Jersey, in my State, this bill would save the average student 4 or $5,000 over the life of the loans.

According to the Congressional Research Service, half of the student loan borrowers who benefit under this legislation have family incomes under 60 or $70,000, and the median income of family borrowers is $45,000. These are ordinary folks. Now, each of my colleagues can find thousands of stories of citizens in his or her own district where these loans have given a greater lease on life and livelihood to ordinary folks.

We can talk about might have been, should have been, things we can do to make college more affordable. This is something we can do right now. The legislation we are considering today will provide needed relief for cutting interest rates from 6.8 percent to 3.4 percent, and it will be a vital step toward making college more affordable for millions of Americans.

□ 1400

If we are going to stay competitive in the global economy, we must make access to higher education more possible; and helping qualified students pursue higher education is good not only for the individual students, but also for our economy, our competitiveness, our security, the future of this Nation.

We have an opportunity to do it. The opportunity has been passed over sometimes in the past, but let's do it now.

Mr. MCKEON. Madam Speaker, I am happy to yield at this time 3 minutes to the gentlelady from North Carolina (Ms. FOXX), a member of the committee.

Ms. FOXX. Madam Speaker, I am very grateful to my colleagues for giving me an opportunity to speak on this bill. I have been listening to the debate on this bill, and it is, again, an amazing situation for me.

My colleagues on my side of the aisle have been extremely articulate. They have presented the facts, and I am amazed that my colleagues on the other side of the aisle, at how they can stand up and simply not tell the truth over and over and over again. I am just astonished by it.

I graduated from college after 7 years without a dime of debt. I worked my way through school. Any student who wants to go to college in this country can graduate from college without a dime of debt.

We have all kinds of choices in this country as to where to go to college. If people want a college degree, they can do it.

What we are doing, by decreasing, by the sham, it is nothing but a sham, and I think people have to say that over and over again. I am not going to repeat the statistics that have been given, because they have been given very well.

My opponents simply cannot deny the facts, they cannot deny the numbers. How we have increased the Pell Grants, they can't deny, and how they did nothing to increase the Pell Grants. But they cannot deny the facts. They can give your opinions, but they cannot deny the facts.

One of the facts is, there is going to be one time, 6 months, where this is going to be cut in half, as they said they were going to do. What a shame that they are doing that and making the people of this country believe that they are, quote, ''keeping their promises.'' They are not keeping their promises.

All we are doing is inviting colleges and universities to increase their tuition and fees. I became a college administrator and a college president. So I know student financial aid from the inside and out. This is, again, a smoke-and-mirrors issue.

We are not going to help students, we are not increasing accessibility for poor students. If we were, we would be putting this into either work-study or Pell. That is how you really help the low-income students who are trying to go to school, not by decreasing to 3.4 percent for 6 months, the loans.

What they are really trying to do here, I think, is drive the private sector out of the market for having student loans. They would like the government, again, to take over this entire program.

We are not increasing this issue of accountability. We don't know when our students graduate from college now what skills they have. Republicans have tried and tried and tried to get schools to be accountable for what they are charging for, and it is very expensive to get a college degree these days, especially if you go to private institutions.

So we don't increase the accountability, but we increase what the colleges and universities are going to charge. I think it is a very cynical move on the part of the Democrats to do this, and I think it is very unfortunate.

Mr. KILDEE. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I want to thank my good friend from Michigan for his leadership on this issue. I am proud as a 10-year member of the House Education and Labor Committee to stand here in support of H.R. 5.

With all due respect to my colleague from North Carolina, the previous speaker, facts can be a stubborn thing. The fact of the matter is, if we implement this law, if we get the President to support this cut in interest rate burden in half, over 750,000 undergraduates in my home State of Wisconsin will realize cost savings, over half of them in my home congressional district alone.

They are looking at, on average, about a $14,000 debt burden by the time they finish school; and with this bill, they will realize close to $4,400 in savings with this interest rate reduction, which almost covers a full year of tuition at a public university in my home State of Wisconsin. So, yes, facts can be a stubborn thing. What we are doing here is real.

But let us also recall why we are today, because we are following in the wake of the largest raid on student aid in our Nation's history when the Republican Congress last year, in their budget reconciliation, cut over $12 billion from the student aid program, that the President went along with.

The irony is that budget reconciliations are supposed to reduce the deficit. What they did in delivering huge tax breaks to the most wealthy was doing that cut in student aid while also increasing the deficit, which is another thing that we need to emphasize here today, that we fully pay for this bill because of the pay-as-you-go budgeting rule we implemented this year.

Can we do more on accountability? Should there be more transparency in why there are rising costs? Should we be doing more with direct grant programs? Of course.

This isn't the final step of a long journey, but merely the beginning. I hope that by the rhetoric that we are hearing today that we will be able to produce a bipartisan higher education bill later this year that we can all be proud about, that will focus on access and affordability issues.

I may propose one way to find some cost savings. The Congressional Budget Office indicates that if we expand access to the STAR program, the direct loan program, we could realize over $17 billion worth of savings over the next 10 years, and that is based on a very conservative utilization estimate from 25 to 44 percent. That is a very conservative increase in utilization.

In fact, if every school participated in a direct loan program, we could realize savings of over $60 billion these

next 10 years. Imagine what we can do for student-need-based programs and direct grant programs like the Pell Grant program with an additional $60 billion freed up for this higher education bill. So it is one proposal that I throw out there that maybe we can have a discussion about as we move forward with reauthorization of the higher education bill.

But I suspect we are going to get bipartisan support with H.R. 5. We should with this bill today. Not only does it bring real savings to real students making college more affordable, but we do it in a fiscally responsible manner by paying for it all and not adding to the deficit.

I encourage my colleagues to support H.R. 5.

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

What I would ask of people that are following this debate, if they would take the numbers and then realize that what the bill does, it takes the loan rate, which is 6.8 percent, and reduces it to 6.1 the first year, and then incrementally drops it, and then the last 6 months, this is a 5-year bill, the last 6 months it goes to 3.4 percent.

If you will take those numbers and figure out how much to borrow each year to get to the 14,000 and then pay it off over the 15 years, if they consolidate the loan, pay it off over the whole 15 years, there is no $4,400 of savings. It is more in the neighborhood of a little over $2,000.

Madam Speaker, I would be happy to yield to a new Member of Congress, Mr. SMITH from Nebraska, 2 minutes.

Mr. SMITH of Nebraska. Madam Speaker, I rise to express concern about what I have heard from both sides of the aisle, and that is the rising cost of postsecondary education. It concerns all of us here, and I know that we all want to work together. I hope to address these costs. My concern is that this resolution will not address this issue.

As we look to the larger issues of that growing cost, we have to look further than what many folks here can agree, that it is not a substantial effect that we can expect with H.R. 5. I hope that you will share my concern, and I hope we can continue to work in a direction of working together, hopefully through a committee process, and come up with something that will address these concerns.

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from the Commonwealth of Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Madam Speaker, I thank the gentleman from Michigan for yielding.

Madam Speaker, in the last session, the Democrats did, in fact, file a bill that would have done a lot of things to make colleges more accountable and accessible. Unfortunately, that is not the bill that was moved through Congress, and very little of it got discussed or was paid attention to in the committee.

This year, we hope to refile bills along that way and work in a bipartisan manner so those larger issues will have that opportunity, and we intend on doing that. In the meantime, this is a down payment. It is a down payment on the need to make college more affordable and accessible by cutting the interest rates on student loans, as has been described.

We have more to do. We want to increase Pell Grants. Mr. KELLER said that, and he is right. Last year, of course, the majority of then Republicans had a wonderful opportunity to do that. Instead, they decided to cut a net of $12 billion, basically to help the powerful and the privileged. They are busy trying to make sure that people have an incentive to get into a loan market for which no incentive is needed.

In fact, there will be very little impact on lenders with the way they are paying for this particular bill. They will digest that very readily and still make a handsome profit. As Mr. KIND from Wisconsin said, there is every opportunity for us to do more direct loans and to recapture more money, to give further Pell Grants and campus-based aid like student work-study.

We need to get States to reinvest more in education. They are falling off the cliff since 2001 in terms of their investment. We have a good bill that we will file and hopefully have the help of the Republicans. We will address that situation to get them back into the game.

We need to allow more tax deductibility for tuition so that families have a break. And moving forward, if we are serious about how much education is required, given the nature of the workplace, given nature of the competitiveness of the international arena, we need more college students.

There was a day when 8 years of school worked well for the agricultural era. Then it went to the industrial age where 12 years of school was necessary. We are beyond that now. For technology and other reasons, we need people to have more than 12 years; that means college, whether 2 years or 4 years. That means making sure that kids know they can get into college and afford to pay for it, with Pell Grants, with work-study, they still need loans.

I don't know where the gentlewoman from North Carolina, what her college was, but if she knew the rest of the country, they need to borrow, they need a break in their loans. We are happy to provide that here today.

Mr. MCKEON. If I might inquire of the Speaker, what time is left on each side?

The SPEAKER pro tempore. The gentleman from California (Mr. MCKEON) has 60½ minutes, and the gentleman from Michigan (Mr. KILDEE) has 73 minutes available.

Mr. MCKEON. Madam Speaker, at this time I am happy to yield to my good friend from Utah, a member who is returning to the committee, Mr. BISHOP, 4 minutes.

Mr. BISHOP of Utah. Madam Speaker, you know, about roughly three decades ago, Congress decided to offer dental health plan benefits to Federal employees. And as they sent out the price sheet to all the Federal employees and circulated amongst them, on that price sheet was a column that said what is not covered in the dental health plan. Underneath that column of what is not covered in the dental health plan was ''teeth.''

On the issue that we have before us right now, which deals with student payments and loans, I think if we had another column which said what is not covered in this bill, you might also have the word ''students.''

This particular bill is one that is extremely disappointing to me. Of the half dozen message bills that we had last week and continuing on this week, this is the one that for me held out the most hope for the future.

In fact, my disappointment is only perhaps met by yesterday when I went to the airport planning to fly into Washington, DC, and ended up in Baltimore. No offense to some of our wonderful staff who live there, but I didn't want to be in Baltimore, it didn't help me out.

This is another one of those bills. I say that from some kind of personal concept, because 2 years ago, I had four kids in college at the same time. This year, I have got three kids in college at the same time. Next year, I go back to four kids in college. Sometime, I hope the hemorrhaging will stop.

But I was hoping in some way that this could do some wonderful things for me. But this bill does nothing to expand the opportunity for kids to go to college. It does nothing to actually help kids as they are going through college. It only impacts graduates, and then only temporarily for a small period of time, the very people who probably need it the least.

Earl Weaver, the old manager of the Baltimore Orioles, used to try to bait the umpires by going in their face and simply saying, are you going to get any better, or is this it?

In all good deference, is this it? There is a significant problem we have, and hopefully once the rhetoric of the power plays of the couple of weeks are past, we can do some bipartisan work. For, indeed, the ranking member from California, my good friend, Mr. MCKEON, does have a bill which addresses the real needs of kids in public education and higher education at the same time, and it builds on a foundation of increasing support for higher education that has been going by the Republican Party for years and years and years.

□ 1415

It does try to expand access, which is what we should be doing. It does try and help those who are in school right

now, to support them. To be honest, I may even vote for this bill. This is one of those whoop-te-do bills. It doesn't spend a whole lot, it doesn't address a whole lot, it doesn't help a whole lot.

But, to be honest with you, what it does for my kids in college right now is nothing. What it does for the friends of my kids in college right now is nothing. What it does for the students I taught in high school who are still in college is basically nothing, when it could have done so much more and should have done so much more, and we need to move forward to do so much more.

There has to be something more. This isn't hopefully as good as it gets.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. GEORGE MILLER) now controls the time for the majority.

There was no objection.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY), a member of the committee.

Mrs. MCCARTHY of New York. Madam Speaker, I thank my chairman on the Education Committee.

Madam Speaker, I am watching and listening to this debate, and we certainly have had this debate going back into the committee last year. Many of us have said this is only the beginning of what we are going to be doing for our students.

When you travel around the world and you look at those students that are going to school and you see what those nations are doing to make sure that their students are prepared for the global economy, I have always thought, what are we doing here? What are we doing here in the United States?

I heard that some people say they can go to college without taking out a loan. Well, I wish a lot of my students back home, my constituents' children, could do that. Almost all the students that I know that are going to school have a job and go to school, because that is their dream.

Then I hear that this is not going to do anything for our students that are in school. I sit on the Financial Services Committee also, and we know the burden that our young people are facing when they finish college because of the interest rates. We are trying to address that. As I said, this is the first of the things that we will be doing to make sure that our students have the opportunity to go to college, to keep the costs down and help them on every single level.

This actually fits, in my opinion, with Leave No Child Behind, which we will be addressing in the committee this year also. We want our students to be well prepared so they are able to go to college, and it fits together, and we are going to make sure that we have a good plan for Leave No Child Behind. I am looking forward to working on that.

College education is expensive, and yet we know that our students need to go to college to compete in the global economy that we are facing. This Nation has not stood up to help our students, and we need to do a better job of it. This is the beginning of that.

I hope all my colleagues will support this bill.

Mr. MCKEON. Madam Speaker, I am happy to yield 4 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I rise today in opposition to H.R. 5, the College Student Relief Act. Once again, my colleagues on the other side of the aisle bring legislation to the floor today that will do nothing to solve the problem they have outlined.

In this country, a college education is an accomplishment that all individuals should have the opportunity to pursue. I believe it is not only a noble, but also an essential endeavor for our government to pursue avenues to increase access to post-secondary education for any and all individuals interested. However, Madam Speaker, it needs to be said that this legislation does nothing to actually tackle that very real and crucial problem.

Right now our country is in need of leadership that will tackle the tough issues head on, not hide behind some quick sound bite solutions, rhetoric that does not translate to sound policy that actually combats the problem.

Madam Speaker, the problem really is the price tag of a college education. My colleague, the ranking member of the Education and Labor Committee, has brought this fact to the forefront of this Congress over a number of years, and certainly as chairman of this committee in the 109th. This is the real problem, the sticker shock of these low-income families trying to pursue for their children a college education. And here we are offering them a little bit, a very little bit in small increments over a 5-year period, cutting the interest rate.

I want to remind my colleagues, Madam Speaker, of the old adage that you can absolutely go broke saving money. These kids cannot afford a college education because of the inflationary spiral of tuition and fees at our college campuses and universities, both public and private.

So this is the kind of issue that we need to address, not this window dressing of just lowering the interest rate. They don't really get that break until they get out of college, 6 months after graduation, at a time where that shouldn't really be a problem for them. But coming up with that $10,000 a semester to go to school is wherein the real problem lies, especially for these low-income families that would be eligible for the benefit, this $6 billion benefit, which, by the way, Madam Speaker and my colleagues, was actually a $60 billion promise in these recent elections last November. Ninety percent of the promise has automatically disappeared.

The point I want to make, Madam Speaker, is that this bill could be a lot better had we had the opportunity for it to go through the regular process, the Education and Labor Committee, so that both Democratic members of that committee and Republican members, the minority, would have an opportunity to offer amendments to make this much, much better, and to let the American people know that we can do a much better job than this.

So we can do a lot better than this, Madam Speaker, and I am going to oppose this bill. I encourage my colleagues on both sides of the aisle to look at this and give us the opportunity to recommit with instructions, so we can send this bill not back to committee, but to the committee under regular order and get a better product.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO), a member of the committee.

Ms. HIRONO. Madam Speaker, I thank the chairman for yielding me time.

Madam Speaker, I rise today in strong support of H.R. 5. As a first generation immigrant who came to the United States speaking no English, education was a great equalizer for me, which is why this bill is of particular importance to me. Access to education is critical, but college costs are so high that individuals and families are being priced out of the opportunity.

I worked to put myself through college and law school, but I couldn't have done it without student loans. It took me 15 years to pay those loans back, but I was glad to have them.

Today we have an opportunity to do something concrete, something real, to help make college more affordable and accessible. I urge my colleagues to join me in supporting this bill. Education should be the great equalizer, but that can happen only when every qualified student has the opportunity to pursue it. Mahalo.

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

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH), a member of the committee.

Mr. KUCINICH. Madam Speaker, I want to thank the gentleman for yielding.

Madam Speaker, as the first person on either side of my family to be able to have the opportunity to graduate from college, I understand what it is like for members of American families to have this dream of higher education and to have to work full-time, sometimes two jobs, and to go to school and to try to balance all that and see tuition keep climbing and climbing and the reach of a higher education starting to elude one's grasp.

Millions of Americans are facing this. This is why the College Student Relief Act is so important. Last year, over the strong objections of students and many Members of Congress, Congress cut approximately $12 billion

from the Federal student aid program. But at the same time the price of a college diploma at a public university has continued to grow at a rate that far outpaces inflation. Since 2001, tuition and fees at public universities have increased by 41 percent after inflation.

Now, are students suddenly finding themselves in a market where they are making 41 percent more? Not a chance. They are lucky to have a job at all. Are their parents making more money? No. Most of their parents are maxed out on their credit cards. This bill is critical when we consider what the needs are.

We have to encourage innovation and talent of our youth and ensure that every American is given the skills and training necessary to reach their fullest potential. This Congress must work together to help ensure that every American, regardless of their income level, has the opportunity to continue their education.

Our Nation benefits from an educated and skilled workforce. We must not hesitate to invest in education for our students. The passage of this bill is a vital step in our efforts to increase access to college. With the passage of this bill, we can take the first step towards increasing access to college and ensuring that students graduating from college are not weighed down for life with debt.

I rise in support of H.R. 5, the College Student Relief Act.

Last year, over the strong objections of students and many Members of this body, Congress cut approximately $12 billion from Federal student aid programs.

However, the price tag on a college diploma at a public university has continued to grow at a rate far outpacing inflation. Since 2001, tuition and fees at public universities have increased by 41 percent after inflation.

The prior Congress cut student aid, as the costs of attending a public university continued to rise.

Therefore it is no surprise that over the next decade financial barriers will prevent 2 million high school graduates from continuing on to post-secondary education, even at a local community college.

Furthermore, as Federal student aid programs have faced funding cutbacks, students have increasingly been forced to rely on loans as their primary source of support.

It is outrageous that easy access to a college education be restricted to the wealthy while students from less advantageous circumstances must either do without or be saddled with a paralyzing debt.

These plights make the passage of H.R. 5 all the more necessary. Cutting these interest rates is a first step towards ensuring the rising cost of tuition does not continue to place a college education beyond the means of many Americans.

Today, with the passage of this bill, this House can take the first step toward increasing access to college and ensuring that students graduating from college are not weighed down for life with debt.

When the interest rate reduction in this legislation is fully phased in the average borrower will save approximately $4,400 over the life of their loan. This action will cut the cost of college for over 5 million students.

This Congress must work together to help ensure every American, regardless of their income level, has the opportunity to continue their education.

The benefits of expanded access to college are not limited to the individuals continuing their education, but extend to society as a whole.

We must encourage the innovation and talent of our youth and ensure that every American is given the skills and training necessary to reach their fullest potential.

Our Nation benefits from an educated and skilled workforce and we must not hesitate to invest in the education of our students.

The passage of H.R. 5 is a vital first step in our efforts to increase access to college and I urge my colleagues to join me in supporting it.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Madam Speaker, I rise today in support of H.R. 5, the College Student Relief Act. And certainly what a relief it is.

Madam Speaker, for years, students and families have been burdened by growing debt and Congress' unwillingness to budge on any key higher education issues. The fear of student loan debt causes many would-be students to forgo the better quality of life that a college education offers.

These difficult decisions tangibly impact minority access to education. Over half of Arizona's K through 12 students are minority. By the year 2020, Latinos will make up almost one-quarter of our Nation's undergraduates.

Now we have the chance to make up for the $12 billion cut in student loan programs that the former majority enacted during last year's budget reconciliation. This is just the first of many steps this Congress will take to achieve this end.

This bill enjoys bipartisan support. Unfortunately, last night the President released a statement indicating a possible veto of the bill, reasoning that H.R. 5 would direct Federal subsidies to college graduates and not to students and their families.

This statement is simply untrue. As an example, at the University of Arizona, in my district, all 6,200 Pell Grant recipients also receive subsidized Stafford loans. In our current higher education climate, subsidized Stafford loans are an integral part of a comprehensive, need-based financial aid package.

The fast-rising price of post-secondary education, coupled with the decline in need-based aid, endangers the opportunities of low income, first generation and students of color in the pursuit of a better life through education. This bill brings need-based aid front and center and provides real relief for student borrowers.

I urge my colleagues to pass H.R. 5 and open the doors to college affordability once again for all.

Mr. MCKEON. Mr. Madam Speaker, I am happy to yield such time as he may consume to the gentleman from Florida (Mr. KELLER), the ranking member of the subcommittee dealing with higher education, the Pell Grant expert.

Mr. KELLER of Florida. Madam Speaker, I thank the ranking member for yielding to me. I am back. Like gum under a bus seat, you can't get rid of me here. Let me just address a couple of issues to clarify some things.

First, you keep hearing about a $12 billion raid on student aid. We didn't take a single penny away from a single student. Not one Pell Grant went down, not one student paid a higher interest rate on their student loans. What we did was take money away from lender subsidies.

Now, when we took $12 billion away from lender subsidies, it is called a raid on student aid. When the Democrats today took $6 billion away from lender subsidies, it is called the College Student Relief Act.

Now, they say, ''well, we poured that money back into helping students with lower interest rates, $6 billion of it.'' We poured $9 billion back into helping college students. $4.5 billion went to Pell-eligible students in something called Academic Competitiveness Grants and SMART Grants, giving high achieving Pell Grant students the opportunity to get an extra $4,050 their final 2 years. We also lowered the amount of origination fees students would pay for loans and increased their loan limits.

So we poured $9 billion back, 33 percent more than they did. So don't be fooled by the funny little names characterizing things, because it is not a lot of straight talk.

The second thing you hear is ''would have, could have, should have.'' They had been in power for 6 years. Why didn't they do more to increase Pell Grants? Pell Grants in 2000 were $7.6 billion. This past year, they were $13 billion. That is a 71 percent increase. We did increase it. In addition, we paid down the shortfall of $4.3 billion.

□ 1430

Second, if you look over here, in 2000, the maximum award was $3,300. In the final year, it was $4,050. This is an increase, not as much as many of us would like, but it is an increase.

Finally, the reason this $4,050 did not go up to $5,100, as President Bush and I and others had hoped, is because we had a dramatic increase in the amount of students who were eligible for Pell Grants from 3.9 million to 5.3 million. So the pie got a lot bigger, and rather than cut their grants, we still continued to fund them and had an extra 36 percent enrollment of people who got Pell Grants.

Now, what should we have done more? The Higher Education Act, we had language that I put in there that increased the Pell Grant authorization to $6,000. We made Pell Grants year round. I sent letters to the appropriators asking them to fund that

amount. We had the funding up 71 percent. We have SMART grants and academic competitive grants. What more could we have done?

At some point, we have to realize as the authorizing committee, we are kind of dependent on what appropriators are going to spend. We have a pretty good record on the Pell Grant issue, one we can be proud of.

To see it visually a little easier, you can see the yellow marks the 10 years when Democrats were last in control of Congress. The red is when the Republicans took over. You can see a dramatic spike in Pell Grants. And what is interesting, in the final 2 years when Democrats were in control, 1993 and 1994, they actually cut Pell Grants.

So we have got a good record to be proud of, and that is one of the reasons we wanted some of this money to go to Pell Grants today so it would help people to actually go to college rather than just helping people on the back end.

With that, I am not here to make fun of the proposal the Democrats have come forward with. I am going to vote for it. The thing I am most impressed with is, this time they have offered a way to pay for it. That is something they did not do last year. They should be commended in doing that.

I just hope that, moving forward, they will work together with us in a bipartisan manner to address this skyrocketing increase in tuition costs and to help increase Pell Grants so that every child in this country, rich or poor, will have the opportunity to go to college.

Mr. GEORGE MILLER of California. Madam Speaker, for the purpose of making a unanimous consent request, I yield to the gentleman from Texas (Mr. GENE GREEN).

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

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of H.R. 5.

This bill cuts student loan interest rates to a fixed 3.4 percent over 5 years.

Right now, the average student loan debt is around $13,800. By passing this bill, we are saving a student with average debt $4,400 over the life of their loan.

Also, this legislation targets middle-class America. Half of the students that take on federally subsidized loans have incomes between $26,000 and $68,000 a year.

This benefits millions of lower income families, but also hardworking middle-class Americans that are trying to give their children a leg up in living the American dream.

College tuition has risen 41 percent since 2001. Just this year, the percentage of students relying on loans to get through school hit 52 percent.

This is a direct result of rising tuition costs in both public and private institutions.

These families need help and we should give it to them. Twice a year, our office holds a Paying for College workshop.

We bring in lenders and experts on filling out the FAFSA to help our students navigate through the application process and to come to terms with the amount of debt they may take on.

The most important consideration for families in our Congressional District is what the cost of going to college will be.

Financial barriers inhibit the ability of high school graduates to go to college.

By reducing student loan interest rates, we are encouraging families and students to get a college education.

When we pass this legislation, we are investing in the future of our economy because we will have more college graduates with a lower debt burden.

This will enable graduates to do things like buy homes, invest and fuel our economy.

To offset the costs of reducing interest rates, we are reducing the amount the Federal Government guarantees lenders.

While this is not a popular idea with large lenders, smaller lenders will not be impacted by this legislation.

Student loans are not the bread and butter of large financial institutions, but smaller local banks and credit unions often provide student loans in smaller communities.

This is why lower volume lenders will not be impacted.

Madam Speaker, this is a win for middle class America, future generations of college students and our Nation.

I urge my colleagues to support this bill.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, today's college students are graduating with increasing levels of student loan debt. In Illinois, the average Stafford loan debt for students who graduate from a 4-year university is over $14,000. Unfortunately, the cost of college tuition is skyrocketing, forcing more and more students to rely on loans than ever before. Because I believe higher education should provide economic opportunities for our students and not bankrupt them, I rise today in support of H.R. 5, the College Student Relief Act.

This legislation will cut interest rates on subsidized loans in half, saving the average student thousands of dollars over the life of his or her loan. Additionally, by making student loans more affordable, H.R. 5 allows many qualified students from middle- and lower-income families to go to college who would not have been able to go to college before.

On behalf of the many students in my district, such as those at Western Illinois University with whom I will be discussing this issue this weekend, I will vote for H.R. 5 and will work on the Education and Workforce Committee to find better opportunities for students and their hardworking families.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2¼ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a member of the committee.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, I rise in strong support of the College Student Relief Act. This bill will put college education back in reach for millions of students and their families.

The debt relief in this bill is targeted to help the students who need it most, students from 5.5 million working and middle-class families across the country.

Here I am, a kid from a family of seven whose parents came to this country without knowing English, without much money, and without jobs waiting for them. But with hard work, the great support of family and friends, and some good luck, and mostly because of affordable student loans, I made it where I am today. Each month when I write that check to make that payment on my student loan (because I am still paying off my student loans) I know that I am paying for an investment that was well worth it.

Many young people today find themselves where I was at age 18, wondering what they will do with their lives; and to those students, especially those whose parents did not go to college, the prospect of student loan debt can be very frightening.

When I was working as a bilingual aide in an elementary school to help pay my college bills, I would always talk to my students about going to college, what they would do when they went to college, and how hard they should work to prepare for college.

I used to talk to my kids about college all the time, and finally, one of them asked me, Teacher, what is college?

It is a long road from discovering what a college education is and what doors it can open to choosing the right college and then figuring out how to pay for it.

This bill makes the paying-for-it part a bit easier for millions of hardworking students and families and helps students make an investment in themselves by reducing the burden of debt that high interest rates create.

These students have worked hard to open the door of opportunity that a college education brings them. Those of us who have already stepped through that door have an obligation to hold it open for those who follow, and the College Student Relief Act does just that.

This bill will help make the prospect of college debt less daunting.

In this great Nation, what we teach kids from the youngest age is that there are no class barriers, that they can achieve anything they work for. Finances should not be a barrier between students and their educational training.

This bill will save students and their families thousands of dollars, giving them the opportunity to earn a college education. It will bring many American dreams that much closer to reality.

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

I really want those who are watching this debate to understand how much I

understand the importance of a higher education, how important it is and how necessary for someone to really achieve the American Dream; they need to get as much education as they can.

What we are looking at with this bill, though, really what it does is, if you look at it from July 1, 2007, to July 1, 2008, it cuts the fixed rate of student interest loans from to 6.8 to 6.1. A year later, it cuts it to 5.44; a year later to 4.76; a year later to 4.08. And then ultimately, 5 years from now, January 1, 2011, it cuts for 6 months the rate to 3.4, which is what they are saying is, it cuts the interest rate in half. Well, it does for 6 months of the 5 years that this bill covers.

I think what we need to really look at is the College Advisory Committee on Student Financial Assistance has done a study, and they show that 48 percent of low-income students cannot even get into college, into a 4-year institution. Twenty-two percent cannot even get into a community college because they cannot afford the upfront money.

What I am saying is what we should be looking at, even though we are putting in $90 billion this year, three times more than just 10 years ago, it is still not enough to provide all of the things we would like to do for all of the students that need the opportunity to go to college.

So, if you have to look at just what resources you do have, what we are saying is, why do we not put those resources to those students that are trying to get into college, rather than give a bonus to those that are graduating and are now going to repay a loan; and that is what this bill does.

Those who have been fortunate enough to graduate are going to receive about $1 million more income in their lifetime than those who do not get to go to college. We are saying in the time of limited resources, why do we not try to help those who are trying to get on that economic ladder to realize the American Dream rather than give a bonus to those who have graduated.

Even if you listen to the full debate, we are not even telling them the full facts. We are saying we are cutting your interest in half. For 6 months, we are cutting it in half. The other time, it is a phased-in cut over 5 years, and then it goes back up to the rate of 6.8 percent.

When I was chairman of the subcommittee when we did the last reauthorization in 1998, we came up with an interest rate that was the lowest in the history of the student loan business, and we did that in a bipartisan way, and it was good for students.

Now interest rates have changed, and in a bipartisan way last year, we set the rate at 6.8 percent, which is what it is now, which is a pretty good interest rate. Would I like it to be lower? You bet.

But I really think that we need to focus on helping those students, especially the lower- and middle-class that are just trying to get into school, that it will be 5 years. First they have to get into school, have enough money to pay their tuition and fees and make it through the 5 years to graduate, and then they start reaping some of the benefits of this as they repay their student loans.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), a member of the committee.

Mr. COURTNEY. Madam Speaker, H.R. 5, introduced by Mr. MILLER in the opening hours of this Congress, begins the critical work we must do as a Nation to build an economy that is based on an educated workforce.

Make no mistake about it. The economic health of our country will turn on whether or not our children have the educational tools to compete and succeed. And make no mistake about it, all the present trends in access to higher education point to danger.

The bipartisan National Conference on State Legislatures issued a report last month which described higher education in America as a system in crisis, largely due to the Federal Government's declining commitment to keeping higher education affordable.

Coming from a congressional district that is home to the University of Connecticut, this finding comes as no shock. Students and their families all testify to the same grim condition: tuition has gone up 41 percent since 2001, college costs have gone up faster than health care over the last 25 years, and in Connecticut, college is increasingly becoming the sole province of the well-to-do.

According to the Hartford Current, 58 percent of Connecticut's young people from the top income tier are in school, and only 16 percent in the lowest are enrolled. Students are leaving college burdened with record levels of debt, and many are forced to leave early because of economic hardship.

Even though all these disturbing trends are occurring, the last Congress did the unthinkable. It cut $12 billion of Federal assistance for college loans, pushing up the rate of interest for students. No other budget decision of the last Congress demonstrated how disconnected its priorities were than this cut, which hurt not only just students but America's future.

H.R. 5 will begin to repair the damage of the 109th Congress' harmful cuts to student hopes and America's economic future. It will reduce the rates of student loans by 50 percent over a 5-year period, and it will do it in a fiscally responsible manner with offsets, not an increase in the deficit.

Chairman MILLER deserves great credit for H.R. 5 and represents a down payment on the efforts of the Education and Workforce Committee to strengthen, and not weaken, our economic future.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, as one who graduated from college with two of my elementary school teachers, because they did not have to have a college degree at that time and could not get one, I want to thank and commend Chairman MILLER for bringing this legislation to the floor.

As a member of the Committee on Education and the Workforce, I am proud to cosponsor this historic legislation that will make college more affordable to students in Illinois and across the Nation.

A few minutes ago, I heard one of my colleagues from the other side of the aisle suggest that this was a sound bite of some kind, and I was thinking to myself, yeah, for those students in my district who live in and go to college at Columbia College, it is a savings bite of $2,430 over the years that they will be in school; at Chicago State University, $2,270; Concordia University, $2,430; DePaul University, $2,410; Dominican, $2,580; and on down the line.

Well, if it is a sound bite, I think the sound of this kind of saving sounds pretty good to the students who live in the city of Chicago, the State of Illinois and across the Nation. I urge its passage.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. BISHOP).

□ 1445

Mr. BISHOP of New York. Madam Speaker, during the most recent vote to extend the Higher Education Act, I stood in this very spot and expressed my hope that during the next session of Congress, under a new majority, we would again address the needs of America's college students and make it this time about increasing access and affordability. Madam Speaker, that hope is now being realized.

I rise today in strong support of H.R. 5, the College Student Relief Act of 2007. This important legislation cuts interest rates for subsidized student loans in half, from 6.8 percent to 3.4 percent over 5 years. In my home State of New York, students will save an average of $4,500 over the course of their loan once the 3.4 percent interest rate takes effect. This reduction of the student interest rate will save millions of college students thousands of dollars, and it will help the estimated 4.4 million high school graduates who will be prevented from attending college this year because of financial barriers.

It is important to note that all of the changes proposed here today are accomplished under this Congress' new PAYGO rules and are done without harming students' access to loans. In addition, all but one of the offsets included in the bill have been proposed by either the former Republican majority or by the President himself.

Madam Speaker, during the 109th Congress this Chamber chose to cut $12 billion out of the student loan program. These cuts, coupled with no increase in the Pell Grant maximum for 5 years, have sent a message to America's students that they are no longer among this Nation's top priorities. Today the message we send to students is loud and clear: We in this Congress are dedicated to helping you achieve the dream of a college education.

The changes we make here today are just a first step in a series of proposals that will make it easier for students and their families to afford college. As we move forward with the long overdue reauthorization of the Higher Education Act, I hope to see an increase in the maximum Pell Grant, simplification of the FAFSA, and an increased investment in campus-based aid programs. These changes are all part of an effort to narrow the expanding gap between the amount of available student aid compared with the cost of attaining a college education.

As a former college administrator, I know firsthand the beneficial impact this legislation will have for needy students and their families who are working to help their sons and daughters realize their slice of the American Dream.

Mr. MCKEON. Madam Speaker, I am happy to yield 3 minutes to my friend from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Madam Speaker, I appreciate the time to discuss this matter.

Madam Speaker, the speeches and claims that we have heard from the other side sound so wonderful. They sound so good. If only this bill did what they say.

Madam Speaker, this bill is the hollow fulfillment of a solemn promise. It is the epitome of form over substance. And, Madam Speaker, it would be humorous if it weren't so serious. It would be humorous if it didn't increase the hopes and dreams of young people around this Nation only to callously and knowingly dash those hopes and dreams.

A couple of specific items. This really is bait and switch. Supporters of this bill contend that a borrower with $13,800 of subsidized debt will save up to $4,400. This assumes that they will see 4 years of loans made at the 3.4 percent rate. Under this legislation, however, no borrower will get more than one year of the 3.4 percent rate. And what happens in 2012? The rate goes right back up to 6.8 percent. Bait and switch. It is a shell game. It will result in damaging cuts to the program that has worked well for the vast majority of colleges in this country and in my own district, and not one single new undergraduate will be helped by this legislation. Not one. It is the fulfillment of a hollow promise. Very, very sad.

And it is the principle. Finally, as matter of principle, Madam Speaker, this proposal is a political gimmick. The majority proposes to rob $6 billion from the private sector loan programs, programs that work to not only offer and provide funding for college but also use market competition to drive down rates and offer borrower benefits the government can't match. And what will they do with the money? They will lower some rates for a short time on some borrowers who have in common only the fact that they have either graduated or left school and don't need the help as much as those who may lose the benefits and services that were cut in order to lower the rates.

It is a shame that those of us who desire to have a real debate about government's role in assisting middle class students achieve the American Dream of higher education are instead asked to support an expensive counterproductive cut in a student loan program that is working. Madam Speaker, this would be humorous if it weren't so serious.

I strongly support financial assistance for students who are in true financial need. Sadly, H.R. 5 is not a bill that will accomplish any of that.

I urge my colleagues to support a commonsense recommit that will indeed help students who are in financial need, and oppose the underlying bill.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Madam Speaker, each year the number of jobs that require a college diploma grows. And with tuition swelling at the rate of 41 percent over the last 6 years, so does the number of capable and dedicated Americans for whom that training is simply unattainable.

H.R. 5 does more than save $4,000-plus for 5.5 million students annually; it offers a chance to those who deserve it most. These are students who have put in their work, have demonstrated the desire, and possess the intellect to go to college, but don't have the means. These are some of the best and brightest this country has to offer. These young people are the hope for America's future.

Opposing this legislation is to turn our backs on these bright young dedicated citizens, creating a young workforce that is saddled with unmanageable debt, and each year preventing 200,000 of them from going to college at all. By failing to make education affordable, we are telling them we aren't interested in them or what they have to offer.

The University of Louisville is among a handful of universities which have developed programs to help low income students who have demonstrated exemplary potential. Their cardinal covenant is an innovative and necessary initiative. Programs like these can be an excellent supplement to sound national policy but cannot substitute for our responsibility to ensure that the capable and dedicated are also educated.

We have the chance to act on behalf of our country and our young adults; therefore, I urge my colleagues to support this important measure.

Mr. GEORGE MILLER of California. Madam Speaker, I ask if I might be apprised how much time each side has.

The SPEAKER pro tempore. The gentleman from California (Mr. GEORGE MILLER) has 55½ minutes remaining. The gentleman from California (Mr. MCKEON) has 43 minutes remaining.

Mr. MCKEON. At this time I am happy to yield 1½ minutes to my good friend from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Madam Speaker, I thank the gentleman, Mr. MCKEON, for his leadership and expanding opportunities for students to attend college.

Madam Speaker, I rise in opposition to H.R. 5. As the father of three college graduates and a college freshman, I am all too familiar with the financial burden higher education poses to families and students. That is why I am proud of the Republican efforts to expand college access and increase affordability.

During the past decade, House Republicans under the leadership of JOHN BOEHNER and BUCK MCKEON tripled overall Federal aid to a record $90 billion, helping millions of Americans achieve their dream of a college education.

In addition, Republicans increased new aid for Pell students more than $4 billion over 5 years, establishing the first ever grant program for high achieving Pell students in their first and second years of college. The program also provides grant aid to low income, high achieving students pursuing degrees in math, science, and critical foreign languages in their third and fourth years.

While the Democrat bill was well-intentioned, its focus on interest rate reduction does nothing to expand college access for new students. I urge my colleagues to vote in favor of the McKeon alternative, which will truly expand college access for young Americans.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), a member of the committee.

Mr. SARBANES. I thank the chairman for yielding his time.

Madam Speaker, the cost of college education is becoming the great separator in American society. It threatens to make access to the American Dream a matter of means and not merit. If we let that happen, then we guarantee the decline of American competitiveness and risk a slow and steady slide into mediocrity.

We can do better, and today we will do better. By passing the College Student Relief Act of 2007 and cutting the interest rates on student loans, we will take an important step in providing fairness and opportunity to the next generation.

I want to tell you about a woman I met in Maryland during my campaign.

She is the mother of three college age students, a professional woman who works here in D.C. She came up to me, she looked me right in the eye, she said, ''I have three children who are going to college and I can't afford it.'' And then she said, ''I did everything they told me I was supposed to do. I worked three jobs, my husband and I between us, we saved our money, and we told our kids if you work hard and study, you can make it in America. And now we can't afford college.''

What she was saying is what millions of Americans are saying, which is we worked hard and played by the rules, and then we found out we couldn't make it.

Madam Speaker, we have a chance today to begin restoring the bargain with America that so many fear is in jeopardy. No student who works hard and achieves should be denied the opportunity to attend college because they cannot afford it. Our country needs these young people if we are going to be strong. I urge passage of H.R. 5.

Mr. MCKEON. Madam Speaker, I am happy to yield 2 minutes to our friend from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. I thank the gentleman very much.

This is a press release. It doesn't matter what press release it is, it is just a press release. Which means, it says something, argues a position on an issue, and it is on a piece of paper, but it doesn't actually do anything. It just talks about things.

What is before us, this bill, is like a press release. It makes an argument, it is on a piece of paper, but doesn't really do anything.

I heard everyone on the other side of the aisle here talk about how people can't afford to pay for college. Well, this bill doesn't help people pay for college. It claims to help them reduce their interest rate once they are college graduates, after they are out of college, but it certainly doesn't help you pay for college while you are there.

I have also heard the argument that it cuts the rate for student loans in half, and in fact it does: For 6 months, 5 years from now. For 6 months, 5 years from now, it cuts the rate in half, but the rest of the time the rate is either the same as it is now or somewhere in between those two. So let's not say that it cuts it in half.

And, to its credit, the bill is cost neutral. Now, cost neutral, it doesn't cost the government anything because although it cuts interest rates to some degree, it also raises or reduces subsidies on fees. So it is like I give you a dollar with less interest rate and then I take that dollar out of your other pocket with less fees. If it doesn't cost anything, net, how is it supposed to help someone, net, pay for the program? And because, perhaps, some of the loan providers could choose to absorb some of these fees if they did that, then it would likely result in less student loans. You know, this is not a bill, it is a press release.

Now, it is an issue we ought to be dealing with, because college tuition, I have two kids in college, has gone up four times the rate of inflation. But this is not the solution. This is merely talk and press and not substance.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself 1 minute.

I just say it is an interesting discussion, but people who are betting with real money have a different discussion of this legislation. What they have said, the investment houses that are advising their people whether or not to buy stock in student loan lenders and others, have said that what we have done is absolutely manageable by these lenders. And, in fact, they were quite surprised that the committee had as light a touch on these lenders as we did. And that is interesting, because those are people who are advising mutual funds and others whether or not to buy the various lenders, and theirs was that this is essentially a neutral act and very manageable by those companies.

And so I think we ought to have it not what the political politicians are saying but what people who are betting with their money are saying.

Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Speaker, I thank my colleague for yielding and for his leadership on this issue which is so important.

Madam Speaker, I rise today in strong support of this legislation to reduce interest rates for student loans. In my previous careers, I spent years teaching and caring for students from all walks of life. I have seen firsthand the value of quality education for all students. A lack of good education hurts not only today's students and tomorrow's workers, it hurts our country's efforts to remain competitive in an increasingly global market.

Madam Speaker, college is not for everyone, and not everyone needs a degree to achieve their goals, but no one should be denied an education simply because they can't afford the cost of tuition or because they fear being overburdened by tens of thousands of dollars in student loans over the years. We have all seen the rising cost of education; 41 percent increase in the last 6 years alone.

□ 1500

Students today graduate with greater and greater debt, which not only hamstrings them but also makes it hard for occupations that need highly skilled graduates but can only afford modest salaries. For example, nearly 32 percent of graduates pursuing teaching careers can't afford to repay their student loans on a starting teacher's salary. And if new graduates can't afford to work in the careers where we need them the most, like teaching, nursing or in social work, then all Americans will suffer.

By passing this bill, students starting school this year will be saving an average of $2,490 a year and by 2011 we will be saving students an average of $4,830 over the life of their loans.

I urge all of my colleagues to vote ''yes'' on H.R. 5. Help our students pursue their dreams and build our country.

Mr. MCKEON. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Madam Speaker, I thank the ranking member.

Madam Speaker, I rise today in tepid support of H.R. 5, the College Student Relief Act. As a result of this measure, approximately 55,000 subsidized Stafford loan borrowers in Iowa, many of whom attend Iowa State University and other colleges in my district, will have their interest rates reduced upon entering repayment after graduation.

The savings college graduates will realize through this interest rate cut, approximately $2,300 for students starting school this upcoming academic year, is commendable and deserves our support.

However, any statements implying that this measure makes college more affordable or more accessible, those statements are simply incorrect. Several Members have made such statements and the official Website of the Democrat Caucus also claims the bill ''makes college more accessible and affordable.'' The fact is this legislation does neither.

How can a reduction in student loan interest rates make education more accessible when students do not feel the effect of the rate cuts while they attend school? Only after the students are through school and enter repayment will they be able to take advantage of the provisions of this bill. So H.R. 5 does not expand college access for a single Iowa student in any way.

Further, any claim that this measure makes college more affordable is pure conjecture. Institutions of higher education have been increasing tuition at an alarming rate, 35 percent in the past 5 years. According to the Department of Education, financial barriers will prevent 4.4 million students from attending a 4-year public college and prevent another 2 million from attending any college at all over the next decade.

Unfortunately, the Democrat majority did not make any amendments that might actually make college education more affordable, including Ranking Member MCKEON's College Affordability and Transparency Act, which would hold schools accountable for the huge cost hikes that they implement year after year, in order under the rule.

If recent pricing trends continue, any savings college graduates might enjoy from interest rate cuts will be negated within 3 years before the 3.4 percent interest rate takes effect.

Madam Speaker, I am proud that the Republican-led Congress tripled student aid over the last 10 years, and I fully support measures that make college education more accessible and

more affordable for America's working families. But this legislation falls woefully short of those important goals and is nothing but a cheap, or I should say a very expensive PR measure that allows Congress to get into the business of setting student loan interest rates based on campaign promises, not on sound fiscal or education policy.

I had hoped that the Democrat majority would actually fulfill the promise to make college education more accessible and affordable. I guess I hoped for too much.

Mr. GEORGE MILLER of California. I yield myself 1 minute.

I find it very interesting that my colleagues on the other side of the aisle keep coming to the floor and saying this won't help a single student. You know who thinks this will help a single student, and in fact this will help 5 million students, are the students, the students who are getting ready to take out the loans to borrow money to pay the tuition, to pay their college costs. They overwhelmingly support this legislation because it will help them and their families finance their education.

So apparently it won't help Republican Members of Congress, but it will help students and that is why the students support it. That is why we call them ''student loans'' because they go to students and then the students have to pay them back. You say they don't have to pay it back until after they graduate. Yes, but they borrowed the money their freshman year, their sophomore year, their junior year, and their senior year. They got the benefit. They were the students. So the students have decided that this bill is good, and it is really good for them, and it will make college more affordable for them and it will allow more of their colleagues to participate in going to college because the overall cost of that college education will be reduced through this legislation.

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

Mr. PERLMUTTER. Madam Speaker, I thank the gentleman from California for the opportunity to speak on this bill. I rise in support of H.R. 5.

Mr. MILLER, I can tell you that a single mom who talked to me this past weekend also recognizes the value of this bill. This past Saturday, Madam Speaker, I was at one of my daughter's swim-and-dive meets in Arvada, Colorado, and a woman whose kids have gone to school with mine approached me and she thanked me for the action that we are taking reducing interest rates on student loans. She told me that one of her kids is in college now, and she has another one that will be going in a couple of years. She is a single mom, and her kids have done well in school, but the cost of college has become prohibitive for their entire family. She said her kids have been excellent students, but she was fearful they could not get into college and be able to pay for it. She was very happy we were taking these steps to reduce the interest rate on student loans.

She thanked me for the actions we have taken during these first 100 hours of this Congress to change the direction of this Nation and to change the focus and the cost of higher education for the millions of hardworking Americans in this country who want to send their kids to college just as she does.

This is a bill that helps so many Americans that people approach Members at swim-and-dive meets. They appreciate this bill, and I would urge everyone in this Congress to support H.R. 5.

Mr. MCKEON. Madam Speaker, I yield myself such time as I may consume to respond to some of the comments of my good friend, Chairman MILLER.

He mentioned that Republicans keep coming to the floor and saying this won't help students. Let me get away from Republicans and just read a few comments of people from the press.

The first is in the Chronicle of Higher Education. The quote is: ''The question is, What are you achieving by cutting the interest rate? asked Jamie P. Merisotis, President of the Institute for Higher Education Policy, a Washington-based research group.'' Not Republican. He stated, ''You are not encouraging any more students to go to college because you are cutting the interest rate on loans that students have already taken out.''

Another one, Sandy Baum, a senior policy analyst at the College Board and an economics professor at Skidmore College, said the interest-rate proposals ''costs a ton of money and is not a well-targeted policy.'' That was in Chronicle of Higher Education.

In Congress Daily: ''The much-touted Democratic measure to slash in half student loan interest rates over 5 years has been drafted to offer only temporary relief with the lowest rate of 3.4 percent effective for only the last 6 months of 2011.''

Now since we didn't have the opportunity to debate this bill in committee or explore it to any great extent, I can only guess that the bill was crafted so that the 3.4 percent interest rate is only in effect for half of that last academic year because the Democrats know the interest rate cut is unsustainable in that it would cost $22 billion if it ran for 10 years.

Another thing that was mentioned is that this will cut all student loans by half. I am hopeful that those students that are now in college that will benefit from this at some point out in the future when they become graduates will check to see if they are in a subsidized loan because they are the ones that will be covered. They should also check when they graduate to see what interest rate they will pay because again this just takes effect year by year. It doesn't reach the ultimate half until 5½ years from now. And also, those who are not on subsidized loans, don't get too excited about this because your loan interest will not be cut.

Another thing that the chairman mentioned was that there was an article, a Wall Street analyst referring to this felt that it was okay, that this wouldn't hurt and you could still buy mutual funds and everybody would get along just fine. I read the same article, and I think he was referring to Sallie Mae, the giant, the largest lender, and he said he felt they would be okay, especially based on the promise that the hit was going to be for $60 billion, and when the bill was finally written last Friday it was $6 billion. He was comparing what they will have to live with versus what the original promise was of the $60 billion cut which would have cut all student loans in half instead of reducing year by year a little amount until we get to only the subsidized loans and only for 6 months that they enjoy that cut before it goes back up to the 6.8 percent.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself 30 seconds.

So under the gentleman's theory, apparently the Republican repeal of the estate tax is only good for one day because you have a sunset on it.

And when the gentleman says one of the pundits, as opposed to a student who is going to get value for this, one of the pundits says this isn't good because it is on existing loans, no, it is on new loans.

So the pundits don't like it, the Republican Members of Congress don't like it, but the students like this. Hey, a novel idea. Let's do something the students like that they think will help to make college education affordable. There is an idea. Let's vote for that.

Madam Speaker, I yield 2 minutes to Mr. MORAN of Virginia.

Mr. MORAN of Virginia. Madam Speaker, I thank the chairman, and I also thank Speaker PELOSI for making this a national priority within our first 100 hours agenda

This is about the middle class and those struggling to make it to the middle class.

Frankly, I am stunned at the opposition from the Republican side. I guess I shouldn't be because the Republican Party opposed the GI Bill of Rights half a century ago which in so many ways created the middle class in this country by enabling soldiers coming back from World War II to be able to afford to go to college.

I guess I shouldn't be stunned either given the fact that when 9 months ago Chairman Miller suggested that we increase the value of Pell Grants for low income families and reduce the cost of student borrowing, it failed on virtually a party-line vote 220–200.

I guess I shouldn't be stunned either because 6 months ago, the White House and what was then the majority Congress, decided it was more important to give tax breaks to the very wealthiest

people in this country than to give some help to those middle class and working class, families who couldn't afford to go to college. Then they took $12 billion out of college student aid to pay for those tax cuts. You have to ask yourself, where are there priorities?

You know, the cost of college has gone up by more than the cost of health care. It has gone up by more than the cost of inflation per capita personal income and by more than the cost even of health care.

□ 1515

The fact is, right now, here in January, there are hundreds of thousands of families trying to decide whether they can send their child to college. How can they afford it? And there are also any number of college students trying to decide whether they can become a teacher or work in health care or any other number of professions we critically need because they have to pay off their college student loans and those professions generally don't pay enough.

This is the right thing for America. It will make America stronger and smarter.

Mr. MCKEON. Madam Speaker, I yield myself such time as I may consume just to respond a little to the gentleman.

He talked about the $12 billion in cuts. Yes, we cut $12 billion out of the lenders, and we put $9 billion of it back into students. Not graduates, students.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself 15 seconds to correct the record.

You took $20 billion out of the lenders and put some back. And the rest of it you just took off with, and that could have been used.

Mr. MCKEON. For deficit reduction.

Mr. GEORGE MILLER of California. No, no, no, to pay for your tax cuts, which was driving the deficit.

Mr. MCKEON. Deficit reduction.

Mr. GEORGE MILLER of California. That was your priority. You are welcome to do it.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Thank you, Mr. Chairman, for yielding.

Madam Speaker, I rise today in strong support of legislation that is very important to the many colleges and institutions in my district in upstate New York.

The legislation before us is a promise made to the American people, a promise to make college more affordable to the Nation's future leaders and to the people that need it most, the middle-class families. We are doing that by cutting student loans in half over the next 5 years.

It is no secret that rising tuition fees are making it more difficult for students to attend college. In response, we are taking action today to alleviate the heavy financial burden many students face after graduation when the loan collector comes knocking on their door. Through this legislation, we are providing relief where it is needed most, while at the same time creating incentives to attend college for those who otherwise might not, and we are doing it in a fiscally responsible way by meeting the pay-as-you-go requirements.

Madam Speaker, the message from America is clear. The time to act is now. I urge my colleagues to support this measure and provide needed financial relief to the hardworking, middle-class families and students who need it most.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Madam Speaker, I thank the gentleman for introducing this legislation. I am a granddaughter of immigrants to this country that couldn't speak English. They had no education when they came to the United States. The only thing they had was a dream, and that dream was that their children and their children's children would lead a better life here in the United States.

My father has a 9th grade education because he had to quit school in order to support his widowed mother and five brothers and sisters during the Depression. So my father had no education and my mother graduated high school, but the one thing they stressed in our home was that their children would get a good education.

Now, my dad was a waiter all the years I was growing up. And if it hadn't been for Federal loans to help me get through college and law school, I guarantee I wouldn't be sitting here as a Member of the United States House of Representatives.

For the people I represent, most of the students that attend college in Nevada are first-generation college-goers, just like I was. Their parents work in the casinos, they work in the service industry, and they didn't get an education, but they want their kids to. So these are the people that we are talking about.

There are almost 11,000 students that are similarly situated to what I was when I was a student at the University of Nevada, Las Vegas. There are 11,000 of them that are depending on these Federal subsidized loans. Of those 11,000, they are going to benefit if we pass this legislation to the tune of $2,300 over the life of that loan. That is a substantial amount of money when you are a first-generation college-goer and your family works as a waiter or waitress or a keno runner in a Nevada casino.

I cannot understand how anybody would think cutting an interest rate in half would not be a benefit to these students. I wholeheartedly endorse this legislation, and I urge all of my colleagues to support it.

Mr. MCKEON. Madam Speaker, since the Republican majority's record on student aid has been one of the things we have focused on today, as well as the Democratic leadership's rhetoric over the past few years, I believe it might be useful to take a few minutes to be perfectly clear about where Members on this side of the aisle stand when it comes to expanding college access.

Now, I was really interested in the gentlewoman from Nevada's discussion about her family, because that is the beautiful thing about this country, that you do have the opportunity to go to college. My dad, during the Depression, didn't have the opportunity and my mother didn't have the opportunity. I was the only one of five sons that was able to graduate from college. It took me 30 years. I graduated with my oldest daughter.

We have six children. Four of them have graduated from college and two are still working on it. We have 28 grandchildren. So I have a big interest in the opportunities of education, and I am hopeful that all of my grandchildren will be able to get an education.

Before Republicans gained control of the House in 1995, there had been no serious congressional effort to address the issue of rising college costs or even discuss it. We have seen the charts. We have seen how from the time Pell Grants were instituted, all the time that the Democrats were in charge, they got the Pell Grants up to $2,000. In the 12 years that we had the majority, we more than doubled that and put much more money into Pell Grant relief and to other student aid projects.

Similarly, there has been very little discussion on whether our colleges or universities were producing graduates who were ready for the job market. In fact, the entire American competitiveness discussion we are having these days was not on the minds of those inside the Beltway at that time. But over the course of the past decade, we have made it a priority, often working in a bipartisan fashion. We gathered facts, talked within the higher education community, and worked to craft legislation that represented a fresh approach to policy.

In fact, as I said earlier, we have been talking about student loan interests. And when we did the reauthorization in 1998, in a bipartisan way, we came up with the lowest interest rate in history, which has afforded many, many more students the opportunity to go to school. But what we came up with was something that was not necessarily revolutionary, but at the same time, it was vitally important.

It was a two-pronged approach. First, we made an unprecedented commitment to student aid, and today our efforts are paying off. Some $90 billion in Federal resources currently fund student aid programs, from loans and grants to work-study programs and education tax benefits. That is nearly triple what it was just a decade ago. And within that $90 billion is a record $13 billion for Pell Grants, a two-thirds increase over the past decade. That is a record we should be proud of.

On top of that, we have also eliminated a troubling shortfall in the Pell

program, placing it on a sound financial foundation for years to come. Beyond that, just last year alone we enacted legislation to increase loan limits to give students access to more financial aid; reduce loan fees so students can keep more of what they borrow, and this is students I am talking about, money they can put in their pockets; established $4.5 billion in new grant aid for low-income students studying math, science, and critical foreign languages, as well as high-achieving Pell eligible high school students; and we permanently expanded loan relief for highly qualified math, science, and special education teachers who commit to teaching in high-need K–12 schools for 5 years. These are things that really help us in K–12 and in higher education.

To pay for these new student loan benefits, which again included $4.5 billion in new grant aid for our Pell students, we reduced the subsidies paid to student loan lenders by more than $20 billion, as the chairman previously stated. We need to be thoughtful about increased cuts to the private sector so that we don't leave students with the poorly run direct loan program as their only option.

In short, Madam Speaker, our commitment to student aid has never been stronger. Anyone who says otherwise simply is not being candid.

The second and equally important part of our two-pronged approach to expand college access gets to the heart of the college cost crisis itself, the actual cost of a college education. This is what we really should be talking a lot more about instead of trying to get a little, small reduction in the interest rate. We should be trying to cut the total cost.

In short, we are aiming to bring greater accountability to an unchecked system so that consumers of a higher education have more information than ever before about the cost of a college education. As a result, we have dramatically shifted the college cost debate. A decade ago, the interest of students and colleges were seen as identical, and the conventional wisdom was that colleges knew what was best for students. A decade ago, the higher education establishment made clear that simply adding more Federal student aid was the solution to the problem of rising costs and that there was no point in questioning why costs rose.

Today, while we maintain an unprecedented commitment to student aid, we have also identified students, parents, taxpayers, community organizations, and employers as legitimate stakeholders in the outcomes produced by our higher education system. We are asking hard questions of colleges, such as why costs are so high, how successful the college is in helping students graduate on time, which helps keep costs down, and whether the college will give them the skills needed to compete successfully in the workplace.

Admittedly, we have gotten some blow-back. Some of these colleges don't want to answer these questions. They want us to just leave them alone, send more money. But you know what? We were and are right to demand such accountability, and we will continue to do so.

I wish we were able, as part of this debate, but the closed process under which we are operating won't allow that possibility. Still, I look forward to working with my colleagues on both sides of the aisle as we do so in the weeks and months to come.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentlewoman from California (Mrs. DAVIS) now controls the time for the majority.

There was no objection.

Mrs. DAVIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of the College Student Relief Act of 2007. This legislation makes college more affordable and higher education more accessible for all Americans. But the bill, as we know, will do much more than help Americans make it to college. As we know, graduates today often spend years paying off their loans.

This fall, a young woman named Amy wrote to me and explained the challenges her family faces. Their income is over $60,000 a year. She pays $700 a month in student loans. I am an attorney, she wrote, and my student loans are killing me. Without help, I risk never buying a home or being able to save for retirement.

By reducing interest rates, those who graduate from college will save more than $4,500 over the life of their loan. Lower interest rates also mean that college graduates will have more money to contribute to the economy, start innovative businesses, that kind of competition we talked about, and save for their retirements. Do we really want to discourage our young people from taking the kinds of career risks that bring a benefit to society?

This Congress has an opportunity to help a new generation become engineers, doctors, business leaders, teachers, public servants, or whatever they dream of becoming. So let us not shackle young adults with spiraling debt just as they reach independence. I urge my colleagues to support H.R. 5.

□ 1530

Madam Speaker, I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, may I inquire as to the time that we have remaining.

The SPEAKER pro tempore (Ms. DELAURO). The gentleman from California has 25 minutes remaining, and the gentlewoman from California has 41 minutes remaining.

Mrs. DAVIS of California. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I want to thank my friend, Chairman Miller, for bringing this bill to the floor. We campaigned on the fact that we would do certain things; one of those was to try to bring down college costs as they escalate throughout this country. All of us heard, throughout this country, parents who came up to us, students who came up to us and said, Mr. HOYER, Mr. MILLER, Mr. MCKEON, we need that done. Mr. WICKER, we need that done.

This bill is not perfect. It doesn't go as far as some would like. Frankly, I would like to have very substantial impact on the Pell Grants, but we have adopted pay-as-you-go because we think you need to pay for what you buy. So we are constrained. But I hear people saying this isn't going to do anything for anybody. I disagree with that.

Madam Speaker, our Nation's economic security and future prosperity are inextricably bound to our ability to compete in the global marketplace. And in the 21st century, a century in which knowledge, skills and creativity are key, our competitiveness necessitates a highly educated citizenry.

As the journalist and author Tom Friedman has observed, and I quote, ''The main challenge to America today comes from the fact that all the walls are being taken down and many other people can now compete and collaborate with us much more directly.'' In fact, he has observed that the world is flat. That means we are more competitive. That means that we need to be better able to compete. That means that our young people need to be better educated. That means that we need to give them access to affordable, quality higher education.

Former President Clinton also has remarked that, and I quote, ''We are living in a world where what you can earn is the function of what you can learn.'' I think all of us agree with that. That is not a debating item. It is, how do we get there?

Today, Madam Speaker, I am pleased to support this legislation, the College Student Relief Act of 2007, which is the first step by House Democrats to make college more affordable and accessible.

In short, this bill will cut interest rates on need based Federal student loans for undergraduate students from 6.8 percent to 3.4 percent over 5 years. Why over 5 years? Because we have got to pay for it. It would be very nice to do it like that if we could pay for it. But we are in a position where we are in deep debt. We can't do that.

This legislation will cut the cost of college for an estimated 5.5 million undergraduate students and their families. That is a significant number of people. And when fully phased in, it will save the typical borrower, with $13,800 in need-based student loans, $4,400 in savings over the life of the loan.

Now, frankly, that is not a big sum when you think of the life of the loan. I understand that. But, frankly, we view large sums differently than some

others, but we make $165,000 a year. Very few Americans are so privileged.

The irony of course is that at a time when an education is more important than ever to one's success, the costs of attending college have continued to skyrocket. For example, just since 2001 the tuition and fees at public universities have increased 44 percent when adjusted for inflation, and tuition and fees at private universities have risen 17 percent.

Madam Speaker, we simply need to make a college education more affordable and accessible, and this legislation helps us to do that.

Let no one be mistaken, H.R. 5 is not a panacea to the high costs of college education. But it is a good first step, and I know that Mr. MILLER and Mr. MCKEON are going to be looking at ways and means to do better for our students.

In the weeks ahead, House Democrats will continue to work on efforts to make college more affordable and to help our Nation maintain and strengthen its leadership role in education and the world economy.

Finally, I should note, Madam Speaker, that this bill contains no new costs for taxpayers. It meets all pay-as-you-go budget requirements, containing offsets that pay for the cost of cutting interest rates. This legislation is supported by an overwhelming majority of Americans. Eighty-eight percent is the figure, but whether or not they specifically know about this legislation, the overwhelming majority of Americans know that we have to bring the cost of college education down if we are going to remain competitive.

I congratulate Mr. MILLER on his leadership, and I urge my colleagues on both sides of the aisle to support this legislation as a step, a good step that we can take to make ourselves more competitive and to give our students greater access to college.

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

I agree with much of what the majority leader just said. I think we do have to expand access. We have to give opportunities to students.

My real concern is at the end of this debate, I am hoping that students understand that the 6.8 percent interest right now, tomorrow, doesn't go to 3.4; even if the Senate were to act on this and pass this bill exactly, that it would be almost 5 years, and then it only is cut in half for a 6-month period. So that if you look at how much they really would save over the period of a repayment, the way it works is when they graduate, 6 months later, they have to, or they have the opportunity to consolidate their loans and they can take all the loans because they get one their first year, one the second year, third year, and if they go through in 4 years they probably up end up with four loans. They consolidate those loans and they will take the interest rates, well, anyway, they are 6.8 now, and then they go to 6.1 and then they work their way down to 3.4. They will take how much they borrowed each year. They consolidate those loans. They average those out, and they will probably get a reduction of about like 4½ percent. And if they borrow the maximum during that period of time, they will end up with a savings of a little over $2,000, not $4,400, as some are saying.

I think it is really important to really have the true facts out there so that we don't give people this idea that tomorrow my interest rate is cut in half.

And also, that only pertains to the 50 percent of students that are borrowing on the subsidized basis. I know the promise during the campaign was, we are going to cut student loans across the board in half for all students. But when you tested that out you found out it cost about $60 billion, and to comply with the PAYGO they had to come back with this reduced offer.

Again, it will help people that have graduated from college, but those people are already well on their way to realizing the American Dream. If we could just take this same amount of money, the savings and try to help those who are trying to get into college, that is probably the major difference in our debate, is how we help people get an opportunity, not those who are now graduating and are benefiting from the college graduation and also benefiting from this reduced student loan rate.

Madam Speaker, I am happy now to yield to my friend from Mississippi (Mr. WICKER) 4 minutes.

Mr. WICKER. Madam Speaker, I expect a lot of Members on both sides of the aisle are going to vote for this legislation. I can't vote for it because it doesn't live up to the rhetoric that we have heard from the proponents of the legislation in debate today.

If you want to come up with a bill to, indeed, make college more affordable for middle America, then count me in. If you want to improve access to a college education for millions and millions of American young people, then count me in. If you want to do something about the very real problem of slowing the growth rate of college tuition, which is really what we should be getting at, then count me in. But I don't think this bill does any of that. And frankly, I am afraid that in the end this legislation, if enacted, would actually make a college education more expensive.

But I have to respond to some comments made by my friend from Virginia, Mr. MORAN, just a few moments ago to the effect that Republicans are not interested in helping Americans get a college education, that we somehow have a poor record in supporting student aid and higher education. I would take strong exception to those remarks, and I would submit to the contrary, Madam Speaker, that House Republicans, over 12 years of Republican majorities in this House of Representatives, have a proud record of working to expand college access through a two-pronged effort: Number one, working to hold institutions more accountable for their role in college costs, and this bill does nothing to address that whatsoever, and number two, maintaining a historic bipartisan commitment to Federal student aid. Under 12 years of a Republican majority in this House of Representatives we have achieved record levels of overall student aid, more than tripled what it was a decade ago. We funded more Pell Grants, a two-thirds increase over the past decade. In addition, the Republican record on student aid includes new grant aid for Pell Grant students, higher loan limits to give students access to more financial aid, lower loan fees so that students can keep more of what they borrow, tuition savings and deductibility, reduced student loan payments and ending the single holder rule, student loan relief for higher demand teachers—and certainly, that is something that we could have hearings about and have a bipartisan consensus about, Madam Speaker, targeting this student aid to those students who plan to go into difficult areas where there is a great need in this country—taxpayer savings through fewer lender subsidies and, finally, less fraud and abuse in Federal student aid.

So I would submit that this party has had a proud 12-year record of accomplishment in student aid, and I could not let the statements of my very good friend from Virginia go uncontested. We are all for helping students, for making college education more affordable and more accessible and for helping move more people into a higher education and a better way of life for them and their families. And I don't think this bill gets us there. I think 12 years of Republican leadership is something that we can all be proud of. So I will be voting against the bill.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. GEORGE MILLER) now controls the time for the majority.

There was no objection.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Madam Speaker, I just want to take a moment, just one moment, to thank Chairman MILLER on behalf of hundreds and thousands of students attending the eight colleges and universities in my district for bringing this legislation to the floor. They will be more than grateful to you forever for bringing this legislation to the floor, and I want to thank you, Chairman MILLER.

Madam Speaker, for too long the doors to our colleges and universities have been closed to too many of our young people. Too many of our best and brightest cannot afford to go to college, and those who do are buried under a mountain of debt when they graduate. Today we can ease that burden. Today we can make colleges and

universities more affordable by passing H.R. 5. The best and brightest American minds, rich and poor, all of our children, must have access to higher education. Our young people will be competing with young people from around the world, not just on this little piece of real estate we call America, but from around the world, and they must have every opportunity to succeed. I am the first person in my family to finish high school, to go to college.

□ 1545

I worked in a kitchen washing dishes, pots and pans, serving food, working as a janitor. That is how I made it through school. But today, hundreds of thousands of our young people cannot make it because of the debt, because of the high cost of student loans. American students should never, never be turned away from college because they cannot afford it.

It is unacceptable, it is a shame, it is a disgrace that our country is willing to spend millions and billions of dollars to fight a war in Iraq that we know is a mistake, while the doors to our colleges and universities are closed to too many of our young people.

Vote ''yes'' on H.R. 5, vote for America's future. Vote for our young people.

The SPEAKER pro tempore (Mr. PASCRELL). The time remaining for Mr. MILLER from California is 38 minutes. Mr. MCKEON from California has 18½ minutes.

Mr. MCKEON. Mr. Speaker, maybe if I reserve for a while, you can catch up with us a little bit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. HINOJOSA), a member of the committee.

Mr. HINOJOSA. I want to thank Chairman MILLER for yielding time and for bringing the bill to the House floor.

Mr. Speaker, I am proud to rise in support of H.R. 5, the College Student Debt Relief Act of 2007. Last year, the 109th Congress cut $12 billion from the student loan programs. These savings were not reinvested in helping low- and moderate-income families send their children to college. Instead, the $12 billion from the student loan program was used to underwrite the irresponsible deficit spending generated by the tax cuts for the wealthiest Americans. Those cuts severely hampered our Nation's ability to close the college access gap for Hispanics and other low- and moderate-income students.

The 110th Congress has a new set of priorities. H.R. 5 will cut in half the interest on subsidized student loans by the year 2011. This legislation will save average borrowers $4,400 over the life of the loan.

The student loan programs have become an important piece of the access puzzle for Hispanic families. This interest rate reduction is part of the solution. Hispanic students borrow less on average than other groups. The reluctance to assume debt that could be difficult to repay has pushed many Hispanic students into attendance patterns that jeopardize their ability to persist until graduation. Nevertheless, according to the report, ''How Latino Students Pay for College, Excelencia in Education,'' the average loan amounts exceeded the average grant amounts by more than $1,800.

It is of critical importance to the Hispanic community that we provide assurances to borrowers that there are protections to help them meet their student loan obligations. We are committed to addressing the other pieces of the access and affordability puzzle as well. We will move forward to ensure that academic preparation is no longer a missing piece of the puzzle.

The Advisory Committee on Student Financial Assistance estimates that in 2003 more than 400,000 college-qualified low-income students did not enroll in a 4-year college and 170,000 did not enroll in any college at all because of financial barriers.

We here in the 110th will right a wrong and place savings from the student loan program where they belong, with our low- and middle-income students. I urge my colleagues on both sides of the aisle to support this down payment on college access and affordability and to vote ''yes'' on H.R. 5.

Mr. MCKEON. Mr. Speaker, I yield myself such time as I may consume to respond to my good friend from Texas, whom I have worked with in the 1998 reauthorization when we helped the Hispanics, adding the title that helped the Hispanic community. He was one of the strong leaders that really helped his people and community. We worked together then. We worked together last year in bringing the bill to the floor that unfortunately died in the Senate, but it would have reauthorized the Higher Education Act.

I want to congratulate him. I understand he is going to be the chairman of the subcommittee in this Congress, and I am looking forward to working with him.

But I just want to say one thing to straighten the record out, we took $20 billion in the Deficit Reduction Act last year from the student lenders. We put $9 billion of it back into student services to help them; the balance we used in the deficit reduction which resulted in the $71 billion decrease, the deficit right now, versus last year.

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

Mr. GEORGE MILLER of California. Mr. Speaker, for purposes of a unanimous consent request, I yield to the gentleman from Oregon.

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

Mr. WU. Mr. Speaker, I rise in support of H.R. 5, the legislation to lower student loan interest rates.

According to the Department of Education, two-thirds of undergraduate students will take out a Federal student loan this year to help finance their college education.

As tuition costs swell and grant-aid fails to keep pace, students and their families are increasingly turning to loans as the primary mechanism to finance a higher education. While student loans make the college dream a reality for millions, they all too often turn into a nightmare of debt.

Over the past eight years the typical student loan debt has more than doubled to approximately $19,000. In addition, 39 percent of all student borrowers now graduate with unmanageable debt levels. Too many student borrowers struggle to make their monthly loan payments, and many must forgo savings, public service careers, and home ownership.

Borrowing for higher education should be a sound investment for the future, both for the student, and our society. Yet, today we are asking far too many students to mortgage their future at too high a cost.

I am proud to support this legislation which will help ease the burden of student loans. H.R. 5 will cut the interest rate for subsidized student loans in half to 3.4 percent. For a student with $13,800 in student loans, this will save them $4,400 in interest over the life of their loan and will help make the college dream a viable reality for countless students.

I have been working in Congress to do just that. I have been pushing for legislation that will not only make student financial aid more flexible for students but also ease the financial burden of student loans.

For instance, I have been pushing for passage of the Student Loan Interest Full Deductibility Act, which would allow eligible taxpayers to deduct the full amount of their student loan interest and would remove the current income cap limiting the deduction. Current law only allows for $2,500 to be deducted, even though many students pay thousands more each year in student loan interest, and phases out this deduction if a taxpayer's income is greater $50,000 a year.

I have also been advocating for the Community College Partnership Act, which would create partnerships between community colleges and four-year institutions to encourage students to continue their education at a college or university. This is based on an Oregon idea where colleges noticed their students were taking classes in non-traditional ways. Students would take classes at a community college in the morning, go to work, and then take another class at a different campus at night, or vice versa. However, in order to create such a class schedule, the students had to deal with two sets of administrations, two sets of paperwork, and two sets of financial aid. In order to encourage more of these students to continue and complete their studies at the 4-year institution, Portland State University partnered with neighboring community colleges to make this transition seamless through dual enrollment programs in which enrollees' class credits, financial aid, and administrative paperwork seamlessly transfer between the schools. The Community College Partnership Act expands on this idea by establishing a competitive grant program to encourage or expand similar partnerships throughout the United States.

Finally, I am proud to be investigating the high price of college textbooks. Recent news reports have exposed what has long been experienced by students and college bookstores: often the exact same college textbooks that American college students are required to buy for class are sold overseas for less than half the price. This situation does not meet the test

of fairness and common sense, and it is especially troubling when one considers the skyrocketing cost of higher education in general and of college textbooks in particular. It is increasingly common for students to pay in excess of $1,000 per school year for textbooks and supplies alone. Last Congress, I was successful in getting the Government Accountability Office to investigate the high price of college textbooks and the disparity of prices between textbooks sold in the United States and overseas. The GAG report unmasked the problem of rising prices of college textbooks. Given this, Congressman BUCK MCKEON and I commissioned the Advisory Committee on Student Financial Assistance to further study the problem and to develop solutions.

Again, I am pleased to support H.R. 5 today because it will help address the rising cost of college. We are at the dawn of a new economy—one that is based on knowledge. A higher education is more important than ever in this economy. We must work on policies that not only improve access to a higher education but also makes this education more affordable. That is what H.R. 5 is about, and I urge my colleagues to support it.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, of all the barriers that families have faced these last several years, from the rising cost of health care and energy, to the outsourcing of good-paying American jobs, few have had as chilling an impact on opportunity as the skyrocketing cost of college tuition. The last 5 years, tuition at public universities shot up more than 40 percent.

These kinds of financial barriers prevent about 4.4 million high school graduates from attending a 4-year public college over the next decade, 2 million high school graduates finding themselves unable to attend any college at all. This, when the United States has talked about a proposed projected shortage of up to 12 million college-educated workers by 2020.

There are so many challenges before us, breathtaking challenges that impact every American. This Congress has to recognize how closely tied access to a quality education is to our economic prosperity, our national security, our civic health. Strengthening those bonds, reaffirming our commitment to our Nation's family, that is what this legislation is about. Cutting the interest rate for undergraduate students with a subsidized student loan in half over the next 5 years, we can help 5.5 million students fulfill their dream.

In Connecticut, more than 33,000 students currently take out 4-year loans. They have an average debt of $14,200. We are going to help these youngsters save more than $2,300 over the life of the loan.

I happen to represent an area with many first-rate universities. The time has come to make these universities and the lifetime of opportunity they unleash accessible to every American, to every parent who wants to send their child to college.

Lowering college costs is about expanding opportunity. It is what government should be all about. It is the reason why the people in our communities send us here, to try to help them have the opportunity to have an education for their children at a rate that they can afford, an interest rate that they can afford.

Let's help them with the college loans. This legislation deserves our support.

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. KELLER) will control the time for the gentleman from California (Mr. MCKEON).

There was no objection.

Mr. KELLER of Florida. Mr. Speaker, we will continue to reserve the time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, allow me to take a moment to thank Chairman Miller and the Democratic leadership for the powerful groundwork that they are laying to provide relief to the Nation's college students and aspiring college students seeking an opportunity.

Mr. Speaker, we have heard a number of Horatio Alger stories here on the floor of the House, representing the lives of so many of my colleagues, Democrats and Republicans, and I salute them. So many of us are first-generation college students who have had the opportunity to receive a degree in the Nation's institutions of higher learning.

But let me cite for my friends and colleagues the landscape of the 21st century when China is producing more engineers in 1 month than America is producing in 1 year. It is a landscape that my friends from the other side of the aisle created, for over the last couple of years, Pell Grants have had no meaningful increase in the last 5 years. Last year, the maximum Pell Grant was worth $900 less in inflation-adjusted terms than it was in 1975 and 1976. Since 2001, Pell Grants have only increased by $300. Yes, more students are getting Pell Grants, Mr. Speaker, because more are eligible because they are poor.

So there has been no educational agenda, but I am delighted that we are going to fix it for Texas. In the name of my schools, Texas Southern University, the University of Houston, Rice University, Houston Baptist University, Houston Community College, North Harris Montgomery Community College and University of St. Thomas, University of Houston-Downtown, we will finally, for the 208,000 students in Texas, bring down the cost of student interest rates some $4,000 over the next 5 years. This is relief, and this is opportunity.

We need to move quickly to pass this legislation to go to the Senate and, yes, to have the President's signature. This is long overdue, and this is a meaningful response to students who are seeking an equal opportunity.

I ask my colleagues to support H.R. 5. It is the right thing to do. It is long overdue.

Mr. Speaker, I rise today in support of H.R. 5, the College Student Relief Act of 2007. This bill does much more than ease the burden of student loans for college graduates—it will make the American dream possible for the children of more than 5.5 million working and middle-class Americans.

Mr. Speaker, in 21st century America, a college education is critical for individual success and the strength of our nation. Higher education is associated with better health, greater wealth and more vibrant civic participation, as well national economic competitiveness in today's global environment. As the need for a college degree has grown, however, so has the cost of obtaining that education. The result is rising student debt.

About 5.5 million students borrow subsidized Stafford loans every year. Of those borrowers, nearly 3.3 million attend four-year public or private nonprofit institutions. The vast majority of these borrowers come from low- and middle-income families. According to the Congressional Research Service, 75% of traditional-aged borrowers with subsidized Stafford loans come from families with incomes below $67,374. The median income for an American family of four is $65,000.

H.R. 5 CUTS INTEREST RATES IN HALF

Mr. Speaker, I support H.R. 5 because it cuts the fixed interest rate on subsidized Stafford loans for undergraduates from 6.8 percent to 3.4 percent over the next five years. Loans originated during the intervening five years would be set at fixed interest rates of 6.12 percent in 2007–2008, 5.44 percent in 2008–2009, 4.76 percent in 2009–2010, 4.08 percent in 2010–2011, and 3.4 percent from 2011 forward. After graduation, students could consolidate their loans into one loan at the weighted average of the interest rates of their various loans.

Mr. Speaker, by lowering interest rates on subsidized Stafford loans, Congress can save college graduates thousands of dollars over the life of their loans. For example:

The average four-year college student starting school in 2007 with subsidized Stafford loans would save about $2,280 over the life of his or her loans under the proposed legislation.

When the interest rate cut is fully phased in, the average four-year college student starting school in 2011 with subsidized Stafford loans would save $4,420 over the life of his or her loans.

Mr. Speaker, I support H.R. 5 because it will bring relief to the more than 205,000 student loan borrowers in my state of Texas. Today, the average subsidized Stafford Loan debt for a 4–year graduate of a Texas public college is more $14,230. Under H.R. 5, the savings for the average student starting school in Texas this year will be $2,350 over the life of his or her Stafford Loan and more than $4,500 for a student starting college in Texas in 2011.

Last year, the Republican-led Congress cut $12 billion in federal student aid to give tax cuts to the wealthy. H.R. 5 would serve to give just a bit of that back by cutting interest rates on student loans in half by 2011. It may seem like just a small step, but reducing the interest

rate on student loans from 6.8 percent to 3.4 percent will do a lot for many Americans.

HIGH STUDENT DEBT DETERS COLLEGE GRADUATES FROM BECOMING TEACHERS AND SOCIAL WORKERS

Mr. Speaker, recent graduates, especially those with low and moderate incomes, must spend the vast majority of their salaries on necessities such as rent, health care, and food. For borrowers struggling to cover basic costs, student loan repayment can create a significant and measurable impact on their lives. Crushing student debt also has societal consequences, Mr. Speaker. According to a report by two highly respected economists, Drs. Saul Schwarz and Sandy Baum, the prospect of burdensome debt likely deters skilled and dedicated college graduates from entering and staying in important careers educating our nation's children and helping the country's most vulnerable populations.

To solve this problem and ensure that higher education remains within reach for all Americans, we need to increase need based grant aid; make loan repayment fair and affordable; protect borrowers from usurious lending practices; and provide incentives for state governments and colleges to control tuition costs. H.R. 5 is an important step in a new and right direction for America. I urge my colleagues to vote in favor of H.R. 5, the College Student Relief Act of 2007.

Mr. KELLER of Florida. Madam Speaker, I continue to reserve the balance of our time.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Thank you, Mr. MILLER, for yielding time. Americans have always seen access to higher education as one way to help them live out the American dream. Starting with the Greatest Generation and the GI Bill, our Nation's citizens have been able to pursue an education beyond high school because of Federal assistance.

Today's job market is increasingly knowledge driven, and people are deciding they need skills beyond what is taught in high school. Whether it is 2 years, 4 years, public, private or community based, students are realizing there are economic benefits to expanding their skill set beyond a high school education. An educated workforce will also stem the flight of jobs overseas.

When I meet with the college students in my district, one of their biggest worries is, how am I going to pay off my student loans. I was talking to one young woman who had a great job. She said, I have to find a new job. She said, there is no way I can keep this job and still pay off my student loans.

As college tuition continues to skyrocket, more and more students are turning to loans to help meet the costs. In my State, the average debt for students coming out of a 4-year school is $15,000. This legislation will save those students, on average, $4,400 over the life of the loan.

I applaud Chairman MILLER and his committee for the work they have done on behalf of American students and recent college graduates. They have done the work necessary to prevent higher education from again becoming a luxury of just the wealthy.

Mr. KELLER of Florida. Madam Speaker, I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you, Mr. Chairman, for gathering support from both sides of the aisle. To those who have said this is a Pyrrhic victory, I ask them to look at the record here. This is a victory for undergraduates and future undergraduates.

What I also hear on the other side is that, perhaps, why are we waiting till students get out of school, why don't we do something about the tuition in school? We believe, most of us, on both sides of the aisle, in the free market. You certainly aren't suggesting that we inject ourselves in what colleges charge as tuition. I don't think that is what you mean. But I don't know what you mean.

What I do know is what I have heard on the other side of the aisle from too many that defend the lenders and not college students.

I am the first member of my family to have the opportunity to go to college. I am a strong believer in the importance of higher education, like many in this room today. Our success in educating today's generation of students will have a striking and lasting impact on the Nation's success.

According to the Department of Education, financial concerns will prevent 4.4 million high school graduates from attending a 4-year college. That is not acceptable to anybody here. It will prevent another 2 million high school graduates from attending college at all at any time. That is not acceptable either.

As tuition and fees at 4-year public colleges and universities have risen 41 percent, after inflation, since 2001, the typical student now graduates with an enormous $17,500 in total Federal debt. Besides what we are doing on interest rates, we will be working in the future, down the road, consolidating these debts, providing some loan flexibility within this program and loan forgiveness for many public service employees who give their lives and put their lives on the line today.

□ 1600

In my home State of New Jersey, the College Student Relief Act will save students an average of $2,370 on interest payments over the life of their loan if the student starts school this September. And if the student starts school in 2011, he or she will save $4,600 over the life of the loan. This is not theory, this is not empty. This is substantial.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. MCKEON) will control the time for the minority.

There was no objection.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Thank you, Chairman Miller.

Madam Speaker, following each statement I will provide a translation in Spanish.

Today, I join my colleagues to support the College Student Relief Act, H.R. 5. A competitive global economy cannot be sustained without an educated workforce and the affordable education for those people.

Hoy, acompaño a mis colegas en apoyar la propuesta. La economía competitiva global no se puede llevar acabo sin tener ciudadanos educados y hacer educación accesible.

Like many students from my district, Jenna, a Pomona student, recently spoke of her $30,000 debt for her post-graduate degree.

(En Espanol) Como muchos estudiantes de mi distrito, estudiante Jenna recientemente habló sobre su deuda de 30 mil dólares, el costo para obtener su licenciatura posgraduada.

She is burdened not only by the high cost of education tuition, the loan payments, but also by having to look for employment, much like many of the other minority and Hispanic peers.

(En Espanol) No solo tiene la deuda de su colegiatura y de su préstamo, también tiene que buscar empleo, como la mayoría de sus colegas Hispanas y otras menorias.

Students like her will save $2,500 over the life of their loan at no additional cost to the taxpayer.

(En Espanol) Sin costo adicional al los que pagan impuestos, estudiantes podrán ahorrar más de $2,500 sobre el total del préstamo.

It is time to help our students. Give them the aid they need. Lower the student loan rates. I certainly want to ensure that all my colleagues on both sides vote for this proposal, H.R. 5.

Es tiempo que ayudemos a nuestros estudiantes. Denles la ayuda nécésária!! Bajemos la tasa del préstamo!

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. BACA).

Mr. BACA. Madam Speaker, first of all, I would like to thank the chairman, Mr. MILLER, for carrying this legislation. It is very important to thousands of students and giving them the accessibility to education. It is about time.

As Chair of the Congressional Hispanic Caucus, I believe this bill is a good start in helping Hispanic students across the Nation. I thank Congressman RUBÉN HINOJOSA as Chair of the Congressional Hispanic Caucus Education Taskforce for working to ensure Hispanic students have equal opportunity. Let's make sure that college is affordable and accessible for all students.

We need to prepare our students to make sure that we have a workforce for the 21st century. The only way we

can do that is to make sure that all students have access to affordable education.

We know that most of the students right now are relying on student loans. Forty-one percent right now have increased the student loans since the year 2001. So more students are relying on student loans. We want to make sure that it is affordable for every student.

Hispanics: 33 percent of Hispanics in their communities are under the age of 18 and the number of Hispanics attending colleges are growing in numbers. We want to make sure that they have access and an opportunity to fulfill their goals. It is not just about attending college. It is about completing college and making sure they become part of our workforce. In order to have a strong America, we must make sure that they fulfill their dream and opportunity. I am like many of those, the first one out of a family of 15 that was able to graduate; out of 15, the first one to graduate and obtain college. I went through the military, obtained the GI bill, obtained loans.

We want to make sure it is accessible and individuals have that opportunity. An educated nation is a successful nation. The only way we can do that is providing this service.

I encourage everyone to support H.R. 5. I thank Mr. MILLER for carrying this legislation and caring about many individuals, and I thank my colleague across the aisle too as well, because he has cared about education.

We need to support this legislation to make sure that every student has access to affordable education, to make sure that we have the workforce that meets the needs of the 21st century.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Madam Speaker, I also rise in strong support of H.R. 5.

The high cost of education and the lack of adequate financial aid make obtaining a higher education unattainable for many of America's working families, including Latinos. This has been a great challenge for us in the last decade.

Since 2001, tuition and fees have jumped by 17 percent at private universities and by 41 percent at public universities and student loan interest rates have risen by 2 percent. According to the Congressional Advisory Committee on Student Financial Assistance, the cost of higher education will prevent 4.4 million high school graduates from attending a 4-year public college or institution.

Obtaining a higher education is especially difficult for Latinos, who face low family incomes, low financial aid awards and a reluctance to assume debt. The median household income for Latino families has fallen by over 4 percent over the past 5 years.

Latinos, as you know, represent about 15 percent of the college-age population, and yet only represent 12 percent of all undergraduates in U.S. colleges and universities and only represent 5 percent of those students in graduate schools.

Of all undergraduate students enrolled in the 2003–2004 academic year, 49 percent of Latino undergraduates were more likely to be first-generation students, much like myself. Fifty-one percent are enrolled on a part-time basis and the majority are coming from low income households. Yet Latinos receive the least financial aid of any ethnic group in the country.

Latinos and other low income communities deserve the security provided by an affordable higher education. H.R. 5 is part of that solution. Cutting the interest rate on subsidized student loans in half from 6.8 percent to 3.4 percent will make college more affordable for many thousands and thousands of Latino students.

A higher education should not be a privilege and available only to the few. Today, we are fulfilling that promise by passing this bill, H.R. 5.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Madam Speaker, I thank the gentleman from California, Mr. MILLER, for this time.

Madam Speaker, I rise in strong support of the College Student Relief Act, a bill that will lower the interest rates that college students pay for subsidized loans from the current fixed rate of 6.8 percent to 3.5 percent over 5 years.

This is a fair bill that pays for itself by reducing the profit that the top lenders make from subsidizing loan debt, and it gives help to lower and middle income students who want to go to college but cannot afford it.

The Project on Student Debt states that over the past 10 years debt for graduating college seniors has increased by 108 percent. For graduates from public universities it has more than doubled, increasing by 116 percent.

This bill is needed because we want students to receive a college education without the stress of leaving with massive amounts of debt that will force them into jobs just for the sake of saving their credit. Furthermore, we do not want students to decide not to enter college because they are afraid of acquiring unmanageable debt.

According to Baum and O'Malley, in 2002, loan debt caused 14 percent to postpone marriage, 30 percent to postpone buying a car, 21 percent to wait on having children and 38 percent to wait on buying a house.

This bill chips away at the opportunity gap that keeps students of needy families and communities of color at the bottom of the ladder of success. Half of the students with Federal loans come from families with incomes between $26,000 and $68,000. The lower end of this range is close to the national poverty level for a family of four of $20,000.

Many parents who want to send their children to college have to take on large debt, rather than invest in homes or their retirement.

Mr. Chairman, I would like to thank you for the strong position you have taken on the floor today as you have presented this bill, and I would like to ask my colleagues on the opposite side of the aisle, if they had an opportunity to reduce the interest rate on their mortgage loans by 50 percent, on their automobile also by 50 percent, or any of their other debt, would they think it was such a terrible thing, as they think about this that we are doing today?

I ask my colleagues to support this bill.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of H.R. 5, the College Student Relief Act. A college education is the foundation of economic mobility in America. College graduates enjoy higher incomes, better career opportunities and more financial stability.

College has never been more important than it is today and, sadly, never more expensive. But in the last few years Federal support for higher education has declined. We have been moving in the wrong direction.

That is why H.R. 5 is so critical. It will save middle and low income students thousands of dollars in debt. The bill cuts the interest rates on federally subsidized Stafford loans in half over 5 years. It will save the average college student in Maine who starts school next fall $2,170 over the life of his or her loan. Maine students starting in 2011 or after will save an average of $4,200.

Sixty years ago, the GI bill sent a generation of veterans to college. Thirty years ago, Pell Grants and Stafford loans extended this opportunity to more working class Americans. The future economic prosperity of America turns on giving today's students the same opportunity. I urge my colleagues to support H.R. 5.

Mr. MCKEON. Madam Speaker, I yield myself such time as I may consume just to respond to the words that we just heard.

If a student in 5 years takes out a loan, they will not save $4,000, because this ends at the end of 5 years and the 3.4 percent is only good for that 6 months, the last 6 months of the bill. Then the loan goes back up to 6.8 percent. So at the end of 5 years, the student will be paying the same as they are now.

We just have to keep the facts correct. The rhetoric is good, but we should try to keep the facts correct.

Madam Speaker, I would be happy to yield 6 minutes to my friend the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, I thank the gentleman.

As I sit here, I am reminded of the story we have all heard about the guy who goes on the $100 cruise. He sees an advertisement for a $100 cruise. Like all of us, especially a guy like me, I have never been on a cruise, he goes down to the dock real excited about it and he gives the man $100. The man pulls out a two-by-four, hits him over the head, puts him on an inner tube and pushes him into the water. And he is cruising along. After a while he wakes up. He bumps into another guy with an inner tube and he is rubbing his head. Finally, the first guy says to the other guy, ''Hey, do they serve drinks on this cruise?'' And the second guy says, ''Well, they didn't last year.''

Now, the point is, how vulnerable could you be to do this twice? How vulnerable would these students be to believe what they are hearing about an interest rate that, it is true, it does go to 3.4. It dips down to 3.4, and then it springs back up.

I only wish the stock that I owned in whatever my savings account is would dip down like that and then go immediately back up the way the Democrat Party is.

But this bill had no hearings. A broken promise right off the bat. We would have hearings, we would have amendments. There are no amendments, there are no hearings.

What happens when you have no hearings and no amendments? You can get to only what can be called the tuna fish clause. We know what the tuna fish clause is. That is where there is something embarrassing stuck in a bill that nobody quite understands. And I think Mr. MCKEON over and over again has pointed out what the tuna fish clause is in this, and that is that the 3.4 percent interest rate is only in effect for 6 months, from 2011 to 2012.

Now, I want to explain to the folks who haven't been paying attention, when we passed the minimum wage bill the other day and we heard over and over again how it was going to help save the workers of America and how it was good for all, at the same time the very people who were telling us what a great bill it was had put in a scheme to exempt the tuna fish industry from American Samoa, the very people who are telling us this is great for all.

□ 1615

So it can be called the tuna fish clause. We are going to look for the tuna fish clause over and over again.

Now, one thing that we have not talked about is that universities have had a 35 percent inflation rate over the last 5 years. That is relevant because not everybody is going to go to college on a loan or on a scholarship, and so when you have a 35 percent inflation rate, you have got to say, well, what does that do to the rest of the student population. That is something the Republican Party and, frankly, the Democrat Party should focus on, what can we do to bring this under control.

The second thing is, there has been a commitment on this. Frequently, you hear about a poll that is taken that says 90 percent of the people of America believe in clean air. Oh, my goodness, 90 percent. Please tell me about the 10 percent who do not believe in clean air. So when you hear the guy standing on the dock with the $100 cruise, that this is good for education, of course, it is good for education. Who does not want more kids to get a college education? Because our kids today are going to be competing against kids from Tokyo, and from Moscow and from Beijing.

It is important in an international global economy that we have kids that are as competitive as possible, and that is why we have always worked on a bipartisan basis. I mean, think about this. In 1995, when the Republican Party took over the House, the Pell Grant money was $2,340. We increased it the next year to $2,470, and now it is at $4,050. We did not do that only with Republican votes. We did it with Republican leadership, but the Democrats were there with us. We think bipartisanship is very important.

In addition to that, we have together worked on Perkins loans, on college work student loans, on supplemental education grants. It is very important that we as a bipartisan body come together on education just like national defense issues, because education no longer ends at the water line. It goes internationally.

So when we hear over and over again that this bill will save a student $4,400 over the life of the loan, it is absolutely mathematically impossible, and maybe that is one thing we need more of, math education, so folks could tell a fraud when they see it.

In order for you to save that kind of money, the 3.4 percent interest rate would have to stay in effect for years at a time, but as Mr. MCKEON said over and over again, it is only in effect from July 2011 to January 2012. That is the tuna fish clause of this bill.

If we had worked through committees on a bipartisan basis, regular order, hearings and amendments on the floor, we could get rid of the tuna fish clause in this, and we want to do that.

I am the son of a college professor, the brother of a college professor. I am the only one in my family who only has an undergraduate degree. I believe in higher education. Who does not believe in higher education? But I also believe in truth in representation and in bipartisanship.

I thank the gentleman.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, I thank the gentleman.

Across America, our Nation's young people are burdened with this President's misplaced priorities. With the debacle in Iraq, many of our young people actually give their life or their limb, and with the soaring national debt combined with the personal debt for the cost of going to college, many of our young people find that their future is already mortgaged.

Escalating costs for tuition, the textbooks, for the cost of gasoline to get to and from school and work, they all impact who can afford the opportunity of higher education.

It was Thomas Jefferson who urged public support of higher education, wanting the youth of all of our States to, ''drink from the cup of knowledge.'' But today, those students, thirsty for knowledge, confront too often a parched, unwelcoming desert of financial need and debt; and the last Republican Congress just made matters worse.

This bill represents a constructive step forward in making the dream of attending quality institutions a reality. It is a reality that will be there, now available, for 47,000 students each year in Texas who choose not to get a higher education because of financial barriers.

It lends a hand to working parents who want to earn a degree and provide a better life for their children.

It lends a helping hand to a young person who is the first in her family to see the inside of a college classroom.

And it lends a hand to middle-class Americans who struggle to save for college while their cost of living continues to increase.

A skilled, productive workforce is an investment in our future. We cannot afford to leave higher education unaffordable to so many of our neighbors.

Pass this bill because our youth are worth the investment.

Mr. MCKEON. Madam Speaker, I am happy to yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

Mr. CARTER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I have here a copy of three letters that I have received out of 500 letters I have received on this bill that we are addressing today, from my constituents in my district in central Texas. They are raising a lot of issues that they are very, very concerned about.

The trend of the letters is, we were promised a 50 percent reduction in interest rates for the money that we borrowed to go to school or that we are going to borrow to go to school and we are not getting that. The only subsidized loans for undergraduates fall in the category of this bill. They are concerned about that. They are unhappy and mad about that.

Then the cost of this bill comes out of the Federal Family Education Loan Program, those other loans that are not being addressed in this bill, to reduce the interest rate which was promised to the American people by the other party. This is a concern for people in my district because many of those people are going to school with the same financial burdens that they thought that were going to be addressed by the bill, that are not being

addressed; and the programs that they work through are going to bear the cost, which is going to make that market weaker and less available for those students who have to go to that market so they can go to school. Quite frankly, these letters are very concerned about that.

And then I have letters from people who work in the FFELP program, who are concerned about the fact that what this bill is going to do is put them out of work. Eight hundred people in my district work in the student loan program and have expressed a concern that this bill will put them out of work because it actually puts the burden of taking care of the subsidized undergraduate students on all the other Federal programs in fees and taxes that are added on.

So I have 500 letters in my office expressing concern, three of which I have with me.

When we tell the American people we are going to do something, we ought to do it. This bill would be much more acceptable, I think, to these people who have written me from my district if we were meeting the promise that was made to the American people, and, more importantly, to our college students, and addressed lowering interest rates for everyone.

So I rise today on behalf of the 500 letters that I have received in my office since this bill came on the radar screen, and I rise on behalf of those of us who wish we could have had some input into this bill so that possibly we could have addressed these issues and possibly we could have come up with better solutions that would not deprive others of the ability to go to school.

Finally, nothing is done here to address the real costs of education for our American students, which is also a promise broken.

So I rise here on behalf of the people of central Texas to express our concern about promises broken.

I must oppose this legislation because of the negative effects this program will have on the Federal Family Education Loan Program, FFELP, program. The new taxes and fees imposed by this legislation will devastate the FFELP industry—an industry that has been proven successful by any imaginable measurement. FFELP makes higher education more affordable by using market forces to provide borrowers with the most competitive rates. FFELP also works with students to manage their debts, an effort that has led to record-low default rates. By attacking the FFELP industry, this language will cause decreases and lender competition and affect the ability of families to choose the lender that best suits their needs. I wholeheartedly support attempts to lower the costs of higher education, but the unspoken consequences of the bill will result in less competition and fewer options for these students. That is a consequence I cannot support.

DECEMBER 21, 2006.

Hon. JOHN CARTER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: I have worked at Sallie Mae for 17 years and am a supervisor in Killeen, Texas.

Sallie Mae does a great job helping students and parents get the loans they need for college.

Sallie Mae also works hard to help make our community a better place and just received an important award from the President for its community service.

Please continue to support the Field Program that has worked so well.

Thank you.

Sincerely,

DON MCCANNELL.

DECEMBER 18, 2006.

Hon. JOHN CARTER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: I'm a Sallie Mae employee and now company officer, and have worked here for over 17 years. I'm really proud of what I do at this company to assist students to go to college. Not only do we help students and their families but we give back to our communities here in Texas. The Killeen/Ft. Hood area benefits greatly.

As you get ready to start the new Congress, I ask that you please remember the great help that the guaranteed education loan program provides for our Nation's students.

Thanks for all your support of higher education. It's priority for us and I know it's a priority for you.

Thank you.

Sincerely,

DEBORAH J. BRAGG SATHER.

DECEMBER 18, 2006.

Hon. JOHN CARTER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE, I am a Sallie Mae employee and have worked here in Killeen, Texas for 15 years. I can say in all honesty, I have never worked for a more caring, generous and respectful company than Sallie Mae.

I am very proud of the part I play at this company to help students go to college. Not only do we help students and their families, we give back to the community here at Sallie Mae.

When I tell my family and friends all the charitable events we participate in, they are amazed. Their amazement is not because I participate but because of the extent Sallie Mae the corporation participates, matching our donations (2:1), giving employees time off for fund raising and encouraging all employees to give back to the community. I personally participate with, The American Cancer Society, March of Dimes, United Way, American Heart Association, Families in Crisis and a few others. The giving doesn't stop with our local communities, Sallie Mae reaches across the country to people in so many ways.

I had the privilege to participate in one of the Sallie Mae Fund's National Latino ''Paying for College'' Bus Tour events. I cannot express in words how overwhelmed I was to see the company I work for reach out to young Hispanic adults, showing them the way to a better life through higher education. Thirty years ago, I was a young Hispanic adult with parents who did not speak English and there was no ''Sallie Mae'' to help me find the path to higher education. Although I did not go to college, Sallie Mae has given me an opportunity to succeed and achieve my goals in life. I have been able to use the tools Sallie Mae has shared with thousands of people to ensure my children follow that road to higher education. I do not understand how Senator Kennedy and others can say Sallie Mae puts profits ahead of students. Over the past five years alone, The Sallie Mae Fund has distributed nearly $90 million in philanthropic giving to support programs and initiatives that help open doors to higher education, prepare families for their college investment, and bridge the gap when no one else can.

As you move forward to help families afford the rising college costs, I ask that you not dismantle the FFELP loan program that has worked so well to help millions of Americans go to college and achieve their dreams.

Thank you.

Sincerely,

BLANCA VAZQUEZ.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, I thank my colleague, the chairman of the Education and Workforce Committee, Mr. MILLER, for his work on this and other education issues, as well as my other colleagues.

It is interesting to hear people talk about the fact that this does not totally reduce the cost of going to college when, for the past many years, this body has not delivered on that commitment to the American people.

In the last campaign, we did make a commitment to reduce the cost of going to college, and this bill is a follow-through on that commitment, and we will reduce the cost. We know in this country that one of the greatest impediments we have to people getting ahead is the burden of the cost of college tuition, a burden that has risen dramatically over the years.

Right now, many students who graduate from college are faced with a big debt burden that takes a long time to retire, and even worse than that is the number of students who are deterred from even going to college in the first place because of the cost of going to college and the debts they will incur. This bill takes a significant step toward reducing that burden and opening up the doors of opportunities.

We lose some of the very best and brightest in this country who have the ambition to go out and learn, who are qualified to go out there, who have done the work and gotten the grades, and because of the high costs are prohibited from going forward. In fact, about 4.4 million students are essentially deterred from going to college it is estimated over the next 10 years as a result of these high costs.

So, yes, during the last campaign this was a very, very important issue to the American people. Instead of raising the costs of going to college, instead of cutting $13 billion from higher education as was done in the last Congresses, we said, we are going to turn that around; we are going to make it easier for people to go to college; we are going to open the doors of opportunity, not just because it is the right thing to do to make sure that every individual has the opportunity to reach his or her full potential, but because our Nation needs to make sure we do that in this competitive era.

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

Let me remark again, as I said earlier, the Advisory Committee on Student Financial Assistance issued a report saying that 48 percent of our low-income high school students are not able to enter a 4-year university, and 22 percent of them cannot even get into a community college. I think we are in total agreement that we want to do what we can to help them get into school, and the numbers are not much different for the middle-income students.

The one thing that we are not really talking about too much is the cost of the education. I am concerned that the young people are graduating from college with a mortgage and no home. This debate we are hearing is all about the interest rate on that mortgage, on that loan, but what we should really be addressing is the cost of higher education.

I would like to just mention a few things that are driving that cost of education, some examples of some extravagant spending on college campuses, that if we had held hearings, we could have talked about a little bit. We have done this over the past when I was a chairman. We did have some hearings about this, but let me get some of these in the RECORD.

Cornell is investing $259 million in what it calls student life and residential facilities alone.

Ohio State University is spending $140 million to build what its peers enviously refer to as the Taj Mahal, a 657,000-square foot complex featuring kayaks and canoes, indoor batting cages and ropes courses, massages and a climbing wall big enough for 50 students to scale simultaneously.

The University of Cincinnati is spending $250 million on a Main Street of sorts, with everything from outdoor cafes to what is called a mall-style student center.

The University of Houston spent $53 million on a wellness center, including hot tubs, waterfalls and pool slides. The school has a 5-story climbing wall, while boulders and palm trees frame the leisure pools outside.

The University of Vermont plans to spend $70 million on a new student center, a colossal complex with a pub, a ballroom, theater, an artificial pond for wintertime skating and views of the mountains and Lake Champlain.

Now, we are not going to be able probably to talk about extravagant spending by the schools because we are not talking about the cost of college. We are talking about the cost of student loans that, because of this extravagant spending, students are having to take out to go to college.

Makes me want to go back to school. Some of these things sound pretty enticing. Some are pretty nice.

□ 1630

But what about the kids that are trying to get an education? They don't really, some of them, have time to use these hot tubs, anyway. They are working to put their way through school. Why don't we focus some of that stuff on the cost of an education rather than on just trying to save a few students who have already graduated, who are already on the ladder to receiving the American Dream.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy.

In listening to my friends from the other side of the aisle, first of all, I am sorry my friend from Georgia is not here because I think I could tell him who the 10 percent are who don't believe in clean air, at least I could direct him to people in the administration and to the committee leadership on the other side of the aisle for the last 12 years who proposed policies that clearly indicate that they don't care about clean air.

It is amusing to hear from our friends from the other side of the aisle who for 12 years have run the show and are complaining about some of the choices that are being made by some 4,000 institutions of higher education. If they had something that they wanted to do, I am sorry, but they didn't for the last 12 years. But what we have done in the first 12 days is to act to make a difference.

Mr. MCKEON. Would the gentleman yield?

Mr. BLUMENAUER. I would be happy to yield on the gentleman's time?

Mr. MCKEON. I yield 1 minute so we could talk about that.

Mr. BLUMENAUER. I would be happy to.

Mr. MCKEON. I introduced a bill that really would have addressed some of these issues. In fact, in the last Congress we passed a bill out of this body. It stalled on the other side of the Capitol, but we passed a bill out of this body that would have addressed some of those issues, and we did it in a bipartisan way. I appreciate those who voted for it on that side of the aisle.

Mr. BLUMENAUER. And I am saying for 12 years they had a chance. I am sorry if you couldn't work with the administration and the Republicans who ran the other Chamber. But my point is I am not dealing with Taj Mahals; I am dealing with community colleges that have not had the basics. I am not talking about rock walls for 50 students at one time; I am talking about basic laboratory space, classroom space, library space, people who are having difficulty getting access.

The point is that the people on the other side of the aisle have been talking about this while they have been cutting opportunities and cutting budgets, cutting taxes. This bill continues our commitment to working families, promoting competitiveness in the workforce by starting by cutting interest rates on these subsidized undergraduate loans. It targets the lower and middle income students and their families with the most financial need and the least support.

The poor often get grants; the rich don't need them. This bill would save that college borrower in the middle thousands of dollars. In my State in Oregon, our students have the second highest amount of debt in the country. Over 40,000 Oregon students a year will be substantially helped by this legislation amongst the 5½ million students around the country in times of skyrocketing tuition.

Now, unlike the Republican approach of the last 12 years of cutting budgets and cutting taxes and putting the tab on the credit cards of our youth, this bill is fully paid for by offsets. Five of these six were included in President Bush's fiscal year 2006 budget and have bipartisan support.

We owe it to our students, our communities, and hard pressed families to make college not just a dream but an affordable reality, and I urge my colleagues to support H.R. 5 as an important first step in making that happen.

Mr. GEORGE MILLER of California. I yield to the gentleman from New York (Mr. ENGEL) for 1 minute.

Mr. ENGEL. I thank the Chairman for yielding to me.

Madam Speaker, I rise in strong support of H.R. 5. This legislation will help ease the burden of student loans that so many of today's young people face by cutting loan interest rates in half over the next 5 years.

As the father of three, I am all too familiar with the challenges of financing a college education. I have one child in law school, one in undergraduate school. It is very, very difficult. I can imagine the vast majority of the American families that don't make what Members of Congress make, how even more difficult it is for them. So a college education becomes out of reach for many families. It is very, very important.

We are going to cut student loan interest rates in half by the next 5 years. The vast majority of student loan borrowers are low to middle income students who are burdened with huge amounts of debt upon graduating. In my home State of New York, the average subsidized Stafford loan debt for a 4-year graduate is over $14,000, and a student starting school in 2007 will save $2,360 over the life of his loan; a student who starts school in 2011 will save over $4,500 over the life of this loan.

These are real savings put directly into the pockets of people who need it most, and I am proud that Democrats have made it a priority to make college more affordable in this 110th Congress. This is the right first step. I commend the Chairman and I commend the leadership of the Democrats here in the 110th Congress.

Mr. GEORGE MILLER of California. Madam Speaker, I now yield to Mr. ETHERIDGE from North Carolina for the purposes of engaging in a colloquy.

Mr. ETHERIDGE. I thank the chairman for yielding to me and I support this bill to cut interest rates in half for our students.

Let me say, as the first member of my family to graduate from college, I know firsthand that affordable access to higher education is the key to the American dream for working families. The cost of attending college continues to skyrocket and puts it out of reach, as we have already heard and I won't state the numbers, for many working families and students.

In our State of North Carolina, Mr. Chairman, we have a unique situation where our State nonprofits provide significant benefits to students. I am concerned that this legislation could have the unintended consequences of reducing the benefits that our students will receive through our nonprofit lenders.

Mr. GEORGE MILLER of California. I thank the gentleman for his inquiry, and I would say to the gentleman that I appreciate you sharing your concerns with me. Nonprofit lenders, certainly, our guaranty agents all play a necessary role in the Federal student loan program. Our goal is to ensure in the end that our policy benefits all students, and I pledge to work with you to ensure that we meet this goal and maximize the benefits of the most number of students.

Mr. ETHERIDGE. I thank the gentleman, and look forward to working with you as the bill moves along to make sure that this takes care of our students.

Madam Speaker, I rise in support of H.R. 5 and urge my colleagues to join me in voting to pass this important first step toward making college more affordable.

As the first member of my family to graduate from college, I know firsthand that affordable access to quality higher education is the key to the American Dream for working families. The costs of attending college continue to skyrocket and putting college out-of-reach for middle class families. Since 2001, tuition and fees at public universities have increased by 41 percent after inflation, and tuition and fees at private universities have jumped by 17 percent after inflation. According to the Congressional Advisory Committee on Student Financial Assistance, financial barriers will prevent 4.4 million high school graduates from attending a four-year public college over the next decade, and prevent another two million high school graduates from attending any college at all.

Unfortunately, recent Congresses and this Administration have failed to take action to help our working families and college students. In fact, the 109th Congress raided billions of dollars from federal support for college aid to pay for tax breaks for the wealthiest few. And even yesterday, the Administration announced its opposition to H.R. 5 by stating college students do not need more help because college graduates "have higher lifetime earnings." Sadly, this Administration just doesn't get it.

H.R. 5 is designed to make college more affordable and accessible by cutting the interest rate on subsidized student loans for undergraduates in half over the next five years. H.R. 5 will cut the interest rate from the current 6.8 percent to 3.4 percent. As a strong supporter of education, I support H.R. 5 and also want this Congress to increase investments in Pell Grants for low-income families and other federal financial aid for college. Education is the great equalizer in our society because it gives each citizen the opportunity to make the most of his or her God-given abilities. The new Democratic Majority must reverse the failed priorities of the past and invest in education for greater opportunities for all Americans.

Madam Speaker, I strongly support budget discipline, and I am pleased the Democratic Leadership has made good on our promise of no new deficit spending.

I urge all my colleagues in joining with me to pass H.R. 5.

Mr. GEORGE MILLER of California. Madam Speaker, I have no further requests for time.

Mr. McKEON. I yield myself such time as I may consume.

Madam Speaker, once again, we just heard that 5 years from now somebody that takes out a loan will save $4,400. Five years from now, there will be no savings based on current interest rates which are 6.8 percent because that is what the rate will go back to. There will be a 6-month window; if somebody takes a loan out at that point, that particular loan they will repay at 3.4 percent. The rest of the time it goes back.

Madam Speaker, let me be clear. Had this debate been held in the Education and Labor Committee, I believe the bill we are slated to vote on in a few minutes would have been substantially better.

What could we have done in committee to improve upon this badly flawed legislation?

For starters, we would have been able to change the fact that college students won't even feel the slightest impact from this plan until they begin repaying their loans when they aren't even students anymore. In other words, we would have made clear that this proposal does nothing to expand college access. And, as a result, we could have done better.

Had we done our work through regular order, rather than providing 5 years of gradually increasing benefits to college graduates, we could have crafted a reform measure that continues our commitment to real student aid, a reform measure, while ensuring a sharper focus on institutional accountability. And, as a result, we could have done better.

And, had this bill gone through committee we also would have been able to work to ensure this proposal included language that improves college affordability. We would have discussed the fact that we are spending some $90 billion this year on Federal student aid, triple what it was just a decade ago, and we also would have reminded one another that even in spite of this dramatic increase in aid, tuition continues to skyrocket. And, as a result, we could have done better.

In committee, Madam Speaker, we also would have more quickly exposed those who were playing fast and loose with the facts. For example, when some on the other side of the aisle say that a typical borrower would save about $4,400 over the life of his or her loan because of H.R. 5, we would have made clear that this simply is not possible. We would have explained to our committee colleagues that for a borrower to receive the complete $4,400 in savings, the 3.4 percent rate must stay in effect for years at a time rather than the 6-month window, and they must consolidate their loans and stretch out repayment over 15 years.

In reality, Madam Speaker, for a college freshman who receives a loan at 3.4 percent in the fall of 2011, the only semester during which such loan rate will be available, he or she would save a whopping $6.42 a month in repayment. That is right, $6.42, thanks to the bait and switch tactic disguised as a sunset in this flawed legislation.

Consider this: If we were to put the same savings into Pell Grants, for example, that H.R. 5 earmarks for these gradually reduced interest rates for college graduates, we could increase Pell by about $500.

I only wish we were afforded that opportunity. However, we weren't, and the legislation before us is little more than a reflection of the broken process by which it was cobbled together.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to begin by thanking the staff of the majority side of the committee, Gabby Gomez, Julie Radocchia, Lisette Partelow, Stephanie Moore, Brian Kennedy from my staff for their great efforts in helping to prepare this legislation for the 100 hours, legislation that will have a dramatic and important impact on the cost of student loans for students borrowing from the subsidized loan program.

Madam Speaker and Members of the House, we come to the end of this debate on the question of whether or not we ought to make an effort to reduce the cost of college for millions of college students who will be taking out loans in the future to try to pay for that cost of college, and I think the resounding answer of this Congress in a few minutes will be: Yes, we should. Because we understand from discussions with our families, with our neighbors, with people in our communities that families are struggling with their children to try and figure out how they can afford them the opportunity that has become so terribly important in the economic future of these young people, and that is a college education. No longer today can you get by with a high school education. In fact, for most jobs now and most jobs certainly in the future we know that employers are telling us that at a minimum 2 years of college education is required. So this bill is about the opportunity to provide those students the means by which they go to college.

I have listened to all of this discussion on the other side of the aisle. The fact of the matter is they simply don't understand the bill. When a person is deciding whether or not they are going to pay the tuition this year, some of these students are eligible for a Pell Grant, they will get their $4,100; they still won't be able to meet the cost of the college, and they will borrow money. And under this legislation, after July, they will start to get a reduced interest rate, and next year they will get a further reduction in the rate and it will continue on. Unless the Republicans are going to repeal this legislation, maybe you are going to repeal it and take away this benefit for the students, it will continue on, as the gentleman knows. Just as we have a sunset in the Higher Education Act, a reauthorization of No Child Left Behind, we continue to reauthorize them time and time again because that is the commitment of this Congress, and I don't think the gentleman is suggesting that.

So what we have today is the opportunity for this Congress in the first 100 hours, in the first 100 hours of legislative business to reduce the student loans for those people on a subsidized loan from 6.8 percent down to 3.4 percent over the next 5 years and then thereafter. That is a magnificent opportunity.

When it is fully implemented this legislation will provide $4,400 in interest rate relief. $4,400 is a very substantial relief to low income and middle income families when they look at the life cycle cost of what it is going to cost to acquire 4 years of education to get that basic B.A. degree. When they look at that, they will see that this legislation will substantially reduce their costs.

But as Speaker PELOSI made very clear about this 100 hours, this is only the beginning. This is a down payment on our efforts to reduce the cost of college.

Yes, we want to follow along with Mr. MCKEON's suggestions and his work in talking to the universities about whether or not they are doing all they can to keep the cost of college down and to make it affordable. We want to increase the Pell Grant, and we will be doing that in this committee and in the Appropriations Committee. And we hope to be able to enlarge the tax deduction for parents who are paying for the tuition and the cost of college beyond that.

□ 1645

So, yes, in this 100 hours, this is what we can do. This is what is affordable. Yes, my colleagues talk about all that they wanted to do. They paid for none of it. They sent the bill to these very same college students in terms of deficit, in terms of debt, in terms of interest on the debt, trillions of dollars of debt. This they may think is too small now, but the fact of the matter is, it is very important to these families that it is paid for so we don't continue to add to the debt because we have said we were also going to be fiscally responsible and have pay-as-you-go.

Finally, there has been a lot of discussion today about who doesn't like this bill. Maybe some of the lenders don't like this bill, some of the pundits don't like this bill. Maybe some of the people who work with the lenders don't like this bill. The people who like this bill and the people who matter are the students. And that is why U.S. PIRG and the U.S. Student Association and so many students support this legislation, because they know what this means to them with the passage of this bill, that their interest rates will be lower. They know this will lower the cost of college.

That is what we said we would do. That is what we are going to do. That is what the 100 hours have been about. That is what is going to happen with the passage of this legislation.

I urge my colleagues to support the legislation. Help these students and help families with the cost of college.

Mr. PEARCE. Madam Speaker, I believe we can all agree that we must work to increase opportunities to enhance the education of America's men and women. Education provides the needed foundation for helping Americans become productive working citizens. This makes our country stronger and more competitive both now and in the future.

Because I believe we must open the doors to higher education while ensuring taxpayers are protected, I plan to vote in favor of H.R. 5. This bill cuts subsidized student loan interest rates from 6.8 percent to 3.4 percent over a period of 5 years and includes offsets within the federal budget to ensure the budget deficit is not increased. This makes the bill a "win-win" situation for both college graduates and taxpayers.

However, the bill before us contains serious weaknesses—weaknesses that could have been avoided had the Majority allowed for a more open discussion both in committee and on the House floor. The bill lacks in its ability to help individuals who need to fund their education today. To truly increase college enrollment and affordability, students need to have increased access to financial aid while they are attending college.

Last year Republicans brought to the House floor more comprehensive legislation that created Academic Competitiveness and Science and Mathematics Access to Retain Talent (SMART) grant programs to supplement the existing Pell Grant program. I supported this measure as well as an increase in student Stafford loan limits from $2,625 to $3,500 a year for first year students and $3,500 to $4,500 a year for second year students. These measures were signed into law on February 8, 2006 and are helping students get increased access to financial aid as we speak.

By focusing on the principles of fairness, accountability, affordability and quality, we can continue to reform federal student aid programs to both maximize the benefits for students and spend taxpayer dollars wisely. I look forward to the Majority changing their closed door policy and giving all Members of Congress an opportunity to put forth their ideas to develop comprehensive higher education reform this year. We must continue to improve our efforts to increase college access and affordability to help Americans achieve a better future for themselves and their families.

Ms. BORDALLO. Madam Speaker, I rise today in strong support of H.R. 5, the College Student Relief Act of 2007, a bill to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers. This bill would provide a fifty percent reduction in the interest rates applied to loans provided through the Federal Family Education Loan and Direct Loan programs to undergraduate students over the next five years. These interest rates would be reduced to the 3.4 percent by the year 2011.

Tuition costs and fees for four-year-colleges and universities in the United States have risen 41 percent after inflation since 2001. The Congressional Advisory Commission on Student Financial Assistance reports that nearly 4.4 million high school students will not be able to afford to attend a four-year public college over the next 10 years. If we do not act today, Madam Speaker, 12 million fewer college-educated workers will be among America's workforce by the year 2020.

The interest rate cuts proposed by H.R. 5 are significant, and will help stem this potential crisis. For example, a student with a $13,800 loan will save nearly $4,400 over the life of their loan. This will serve to mitigate the rise in college tuition, and will allow nearly 5.5 million students in the United States and the territories—especially those in the middle- and low-income brackets—to pursue and attain a quality higher education. Increasing the numbers of American workers who earned a college degree will help ensure the strength and vibrancy of America's economy into the next generation. The realities of the global marketplace place a high premium on workers with advanced education and training. We must do all that we can to make such education and training accessible to as many of our children as possible.

I represent the territory of Guam. This legislation is of great value to my constituents who plan to seek higher education. It is my hope that enactment of the provision of this bill into law will those among my constituency who previously believed higher education to be unaffordable to reconsider and pursue college degrees. This legislation will significantly lower the overall financial burden of higher education for Americans.

I urge my colleagues to support H.R. 5, the College Student Relief Act of 2007.

Ms. ROYBAL-ALLARD. Madam Speaker, I am proud to rise in support of the College Student Relief Act of 2007. This bill will make college more affordable for the more than 5.5 million students who depend on subsidized student loans to pay for a higher education.

If our country is to continue as the world leader and remain competitive in today's highly technical global economy, we must maintain a highly educated workforce. To achieve that goal, we must give all America's children the opportunity to develop their talents and reach their full potential.

Tragically, our country fails to benefit from the talents of so many of our students simply because they cannot afford a college education. Tuition and fees at most four-year institutions have skyrocketed in recent years, rising 41 percent since 2001. These high costs are financial barriers for many students seeking a college degree. In fact, over the next ten

years the cost of higher education will prevent nearly 4.4 million high school graduates from attending a four-year public institution and another 2 million from going to college at all.

The passage of the College Student Relief Act will help to alleviate this financial burden for talented, hardworking students who cannot afford their education without financial assistance. For example, over five years, the bill will cut student loan interest rates in half, saving a student on average $4,400 over the life of his or her loan. That $4,400 in savings will be a lifeline to low and middle income students as they deal with the financial pressures of life after college, such as paying for rent, utilities, groceries, health care, and other essential costs, in addition to paying off their loans.

I am especially excited about this bill because it will greatly help poor and middle-income students in my district realize their dream of a college education. These students, many of whom are the first in their families to attend college, pay for college through a combination of scholarships, need-based loans, and jobs on the side. I am always impressed that, even in the face of so many obstacles and sacrifices, they remain determined to succeed, make their family proud, and give back to their community.

Madam Speaker, cutting interest rates on subsidized student loans today will not only help students across our country realize their dreams, but it will also help to make our country stronger. I support the bill before us today and I will continue to support other legislation to lower the financial barriers to a college education for our nation's children.

It is time to pass the College Student Relief Act.

Mr. UDALL of New Mexico. Madam Speaker, I rise today in strong support of H.R. 5, the College Student Loan Relief Act. As many of my colleagues have explained, H.R. 5 cuts in half over the next five years the interest rates on subsidized student loans for undergraduate students. This will make college more affordable and accessible for low- and middle-income students and their families.

Since 2001 tuition and fees at public universities have increased by 41 percent after inflation. During that same period tuition and fees at private universities have also increased by 17 percent after inflation. At the same time, interest rates on student loans have risen by almost 2 percentage points, adding another increasing cost to students and their families. It is estimated that 4.4 million high school students will be prevented from attending a four-year public college over the next decade, and another two million high school graduates will be prevented from attending any college at all, because of financial barriers.

In my home state alone, over 20,000 students currently have subsidized loans at four-year institutions, at an average debt of over $12,000. For these students starting school in 2007, over the life of the loan they will save over $2,000, while the average student starting school in 2011 will save over $4,000 over the life of the loan. While this savings is certainly significant, more than saving money, this legislation will provide opportunity to students across New Mexico, and the country, who otherwise might not be able to attend college. This is an inestimable value both to each of these students, as well as to our respective state's and our nation, which benefits from having a highly skilled and well-educated workforce.

I urge my colleagues to support this legislation.

Mr. LARSON of Connecticut. Madam Speaker, I rise today in support of America's college-bound students. As an original cosponsor of H.R. 5, the College Student Relief Act, I join my colleagues in helping increase the access and affordability of college to over 5 million students.

In today's economy, the key to higher wages is through higher education. Unfortunately, the soaring cost of college education has left many of America's young adults behind. No student should ever be turned away from college for fear of being unable to pay the debt.

The College Student Relief Act of 2007, H.R. 5, makes good on the Democratic pledge for a New Direction for this country. This smart, fiscally-responsible bill would cut the interest rate for undergraduate students with subsidized student loans in half over the next five years, from 6.8 percent to 3.4 percent. H.R. 5 is targeted to help the students most in need, those with subsidized loans from low and middle income families. The bill's cost is offset with six modest reductions in various subsidies to lenders and guaranty agencies.

In my home state of Connecticut, over 33,000 students with subsidized loans would benefit from this bill. For those entering college in 2007, they will save more than $2,000 over the life of their loans. When the rate cut is fully implemented in 2011, students will save over $4,000. This is a substantial savings for students entering our workforce.

Today's legislation is about helping students and their families. The opportunity for a college education should be available to all Americans. As a Nation, we must invest in our youth and insure they have every tool and opportunity to succeed in the global economy. I urge all of my colleagues to join me in supporting H.R. 5.

Mr. REYES. Madam Speaker, I rise today in strong support of H.R. 5, a bill that would expand educational opportunity for millions of young Americans by slicing interest rates on federally subsidized student loans in half.

This fair, well-balanced legislation would open the doors to America's colleges and universities for millions of our sons and daughters who would have otherwise been dissuaded by the high cost of pursuing a higher education. Among those millions will be young men and women who will be the first in their families to attend college. There will be inventors and innovators, businessmen and women, generals, scientists, leaders of all stripes, and, surely, future members of this body.

At the University of Texas at El Paso, UTEP, in my district, students entering school in 2007 will save $2,300 on an average debt of $13,800, and students entering in 2011, when the full interest rate cuts take effect, will save over $4,400 on the same amount of debt.

These savings would mean the world to my community of El Paso and to Latino communities across the country. This is true because Hispanic students have historically borrowed less on average than other groups, a reluctance that means students are often too busy working for a paycheck to complete their degrees in a timely fashion. The six billion dollars in loan relief we are passing today will mean our kids will have the ability to borrow the money they need to finance their educations and ultimately get the jobs that will allow them prosperous lives.

What we are doing today also has broader significance. It is significant to the strength of our economy and the security of our country. If America is to compete economically with countries like China and India and fill key positions in our national security agencies, we need to start by sending more kids to college. Under current policy, financial barriers will prevent 6.4 million high school graduates from attending college and would cost our economy 12 million college-educated workers by the year 2020. This is a crisis, Madam Speaker. We need to recognize right now that the investments in education we make or choose not to make today will determine our economic future—whether or not our grandchildren and great-grandchildren have high-quality jobs.

College access is an integral part of our competitiveness and security puzzle, because we will not find the answers to the challenges we face as a Nation without a well-educated and innovative workforce. The bill we are passing today will make our country a safer and a more prosperous place.

Madam Speaker, I urge my colleagues to pass this bill, and I look forward to continuing this dialogue about the importance of education for national competitiveness and security.

Ms. SOLIS. Madam Speaker, I stand here today in strong support of H.R. 5, the College Student Relief Act of 2007.

I was proud to cast my support for this bill earlier today and commend the democratic leadership for making college affordability one of our first items of business in the 110th Congress.

Our children's future is very important to America's families. A quality education is key to that future.

However, many of America's working families, including Latino families, struggle to provide this future for their children.

The high cost of an education and the lack of adequate financial aid makes obtaining a higher education unattainable.

Since 2001, tuition and fees at private universities have jumped by 17 percent after inflation.

At public universities tuition and fees have increased by 41 percent after inflation.

In addition to tuition and fees rising, interest rates on student loans have risen.

Over the last 5 years, the interest rates on student loans have jumped by almost 2 percent—further increasing the cost of college.

During the same period of time that tuition jumped by 41 percent, the median household income for Latinos fell by 4 percent.

Of the millions of student loan borrowers with need based loans, half have family incomes between $26,000 and $68,000.

According to the 2004 National Postsecondary Student Aid Study, 73 percent of Latino families had incomes below $62,240. Forty-seven 47 percent of Latino families have incomes less than $34,288 per year.

In 2005, the total cost of college for one Latino student was 32 percent of a median household's income for a public institution.

It nears 75 percent of a median household's income for a private institution.

Yet Latinos receive the least financial aid of any ethnic group, including Federal and non-Federal aid.

While the average total aid award for all undergraduates in 2003–04 was $6,890, Latinos

received the lowest average aid award of $6,250.

The high cost of higher education leaves many Latino students with no choice.

According to the Congressional Advisory Committee on Student Financial Assistance, the cost of a higher education will prevent 4.4 million high school graduates from attending a 4-year public college over the next decade.

And would prevent another two million high school graduates from attending any college at all.

This road is especially difficult for Latinos, who face low family incomes, low financial aid awards and a reluctance to assume debt.

Latinos represent 15 percent of the college-age population, yet only 12 percent of all undergraduates in U.S. colleges and universities, and 5 percent of students in graduate programs.

Only 12 percent of Latinos over the age 25 have a bachelor's degree.

Of all undergraduates enrolled in the 2003–2004 academic year, 49 percent of Latino undergraduates were more likely to be first-generation students, 51 percent are enrolled on a part-time basis and the majority have low-incomes.

Latinos and other low income communities deserve the security provided by an affordable higher education. H.R. 5 is part of the solution.

Cutting the interest rate on subsidized student loans in half from 6.8 percent to 3.4 percent over the next five years will make college more affordable for thousands of Latino students.

In fact, this bill will save students with $13,800 in subsidized federal student loan debt approximately $4,400 over the life of their loan.

At a time when financial barriers are preventing millions of young Americans from attending college we must make college more affordable.

I was fortunate to have access to federal and state programs such as the Pell Grant and Work-Study Program.

As Director of the California Student Opportunity and Access Program, I was able to help students find ways to afford their college education.

As a former Member of the Rio Hondo Community College Board, I know the struggles our colleges face in providing services to students.

My experience taught me that access to higher education should not be a privilege available to a select few, but a right available to all.

Investing in affordable higher education for every child benefits our society as a whole.

Today we are fulfilling our promise to make college more affordable for students.

Cutting interest rates in half on student loans is the first step.

I look forward to working with my colleagues to ensuring our children—all of our children—have a brighter future through education.

Mr. LEVIN. Madam Speaker, one of the pillars of the New Direction for America was a promise to make higher education more affordable and accessible so that more Americans can advance their education and enhance their economic future in an increasingly competitive global economy. Today we are taking a first step towards achieving this goal.

For a country whose economic success relies on the very best colleges and universities in the world, we are at an important crossroads. Today's college students are graduating with increasing levels of student loan debt—$17,500 on average. In many cases, this debt is simply too substantial to manageably repay. For many young people, the mere thought of putting themselves in such enormous debt could lead them to delay or forgo college. Indeed, according to the Congressional Advisory Committee on Student Financial Assistance, financial barriers will prevent at least 4.4 million high school graduates from attending a four-year public college over the next decade, and prevent another 2 million high school graduates from attending any college at all.

At a time when college tuition is sky-rocketing—increasing by 35% at four-year public institutions over the past five years—it is clear that Congress needs to act and act now to make college more affordable.

The College Student Relief Act cuts the interest rates for undergraduate students with subsidized student loans in half over the next five years at no cost to the taxpayer. This commonsense legislation will help 5.5 million students across the country.

In Michigan, for about 144,000 student borrowers who will graduate from Michigan colleges and universities, this bill would generate savings of over $4,200 on average over the life of their loans. For example, these savings will benefit close to 1,200 students at Lawrence Tech and 3,500 students at Oakland University.

For Michigan, the benefits of this loan relief couldn't be clearer. A report by Michigan's Lt. Governor John Cherry's Commission on Higher Education and Economic Growth spelled out how Michigan's economic future is directly linked to our ability to accelerate the completion of degrees of higher education. Two-thirds of the jobs created in the next decade will require post-secondary education and training.

By making a higher education more affordable for thousands of Michiganders we are not only helping them realize their dreams, but we are also helping ensure the future of our state.

I urge all of my colleagues to stand today with our students and support the College Student Relief Act.

Mr. CROWLEY. Madam Speaker, I rise in support of H.R. 5, a bill to lower the cost of college for millions of middle class Americans.

Tuition all over the country has sky-rocketed. The State University of New York (SUNY) costs over $12,000 a year to attend for a commuter and almost $17,000 a year to live on campus.

And these are resident in state tuition figures.

The GOP's response to the sky-rocketing price of college tuition: Last year, Republicans cut $12 billion from student aid. To add insult to injury on December 23, 2004 with a Christmas gift only worthy of the Grinch, the Republicans actually cut back college grant programs to 1.3 million students.

Democrats offer a New Direction. Our American direction is designed to make college more affordable for Americans by cutting the current interest rate for student loans in half. Our bill will save middle class families in New York and nationwide approximately $4,400 over the life of their loan.

Democrats are putting our money where our mouth is and passing legislation to actually benefit middle class families. I urge my colleagues to pass this common sense legislation.

Mr. CUMMINGS. Madam Speaker, I rise in support of the ''College Student Relief Act of 2007,'' H.R. 5. Every opportunity I get, I tell young people about the benefits of a college education. I use my own experience as an example of the opportunities that higher education can afford. I have a bachelor's degree from Howard University and a law degree from the University of Maryland and I am convinced that, without those degrees, I would not be standing before you today. The statistics support this assertion. The poverty rate for college graduates is about one-third that of high school graduates and individuals with college degrees are less likely to be unemployed. Further, women with bachelor's degrees earn 70 percent more than those with high school diplomas, and for men the difference is 63 percent.

Regrettably, a college education is becoming increasingly inaccessible in this country. A recent assessment by The Education Trust entitled, ''Engines of Inequality: Diminishing Equity in the Nation's Premier Public Universities,'' finds that public institutions are no longer the engines of upward social mobility that they once were. To the contrary, these institutions are pursuing increased selectivity over expanded opportunity—targeting wealthier students to improve rankings in college guides. Some argue that the system is now a meritocracy, but this is by no means the case. The highest achieving students from high-income families are nearly four times more likely to attend a highly selective university than the highest achievers from low-income families.

Our nation's low-income and middle-class students are being pushed out of premier colleges and universities simply because they cannot afford to attend. Tuition and fees have risen by 35 percent in the past five years, and the typical student now graduates with $17,500 of debt. The Congressional Advisory Committee on Student Financial Assistance predicts that rising costs will prevent at least 4.4 million high school graduates from attending college over the next decade. This trend affects not only individual students, but our nation as a whole. By 2020, the U.S. is expected to experience a shortage of nearly 12 million college-educated workers, losing its competitive edge in the global marketplace.

That is why I stand before you today to express my strong support for this bill, which would cut student loan interest rates in half over five years—giving 5.5 million students a much needed break in the cost of college. In my home state of Maryland alone, 48,484 students would get a break. We must do all that we can to provide every American with access to a college education. I want to thank Mr. MILLER and the Democratic leadership for introducing this vitally important legislation and bringing us one step closer to achieving that goal.

Mr. STARK. Madam Speaker, I rise today in strong support of making higher education more affordable. Access to college is absolutely necessary if our country is to fulfill its promise of economic, social, and political inclusiveness for all individuals. By cutting interest rates in half on needs-based student loans, we will make college more accessible to hundreds of thousands of students from low- and middle-income families.

Last November, the American people sent a clear and powerful message. They are tired of

business as usual in Washington. Instead of economic policies that help the rich get richer, they want education policies that will help their children to realize an American dream that is increasingly difficult to come by. Since 2001, college costs have risen by 41 percent. According to the Department of Education, such increases put college out of reach for as many as 200,000 would-be students a year. Rising costs have also forced more and more students to rely on loans to pay for college, which now saddle the average graduate with $17,500 in Federal student loan debt.

The College Student Relief Act, H.R. 5, offers real relief to students priced out of college and burdened by debt. According to USPIRG, my home State of California has 228,500 subsidized loan borrowers. This bill will save the average California student enrolling in college this fall $2,490. When fully implemented, it will save the average student who starts college in 2011 $4,830.

Today's legislation is an important first step in what I hope will be an ongoing effort to make college more affordable. This effort should include raising the maximum Pell Grant amount and exploring other policies to open the doors to college to a larger slice of our society. Our guiding principle should be ensuring that all students who meet academic requirements for undergraduate study can afford to attend college, not just those from wealthy families.

I urge my colleagues to heed the voice of the American people and take this initial step toward making higher education accessible to all.

Mr. ELLSWORTH. Madam Speaker, I rise in strong support of H.R. 5, the College Student Relief Act.

The strength of our economy relies on a highly-educated workforce. That's why Congress can and must do more to help families afford college. Cutting the interest rate on student loans is a good place to start in reducing the financial burden students and their families face.

Each year the high costs of college education will prevent many American students from pursuing a college education. The savings created by reducing the interest rate of student loans from 6.8 percent to 3.4 percent will provide an opportunity for more of those students to afford a higher education.

According to analysis provided by U.S. PIRG, there are over 94,000 students in the State of Indiana who are currently receiving subsidized loans. Upon graduation from a 4-year institution, these Hoosier students are saddled with an average Stafford loan debt of $12,967. Enactment of this bill will bring an average savings of $2,140 to $4,140 over the life of the student's loan.

The financial burden of today's college graduates continues to worsen as college tuition escalates at a steady clip. This weekend I heard this very sentiment from students at the University of Southern Indiana in Evansville and Indiana State University in Terra Haute. Passage of H.R. 5 will help ease this burden and give college graduates a break as they begin their career.

Enacting H.R. 5 is only a start. Congress must press ahead by finding sensible ways to make college education both affordable and assessable to students from low- and middle-income families. Our strength as a nation depends on fostering a highly-educated workforce.

It is also important to note that the College Student Relief Act adheres to the pay-as-you-go budgeting rule that Congress adopted earlier this month.

Madam Speaker, H.R. 5, the College Student Relief Act, shows Congress can make a significant difference in the lives of average Americans without raising taxes or adding to the staggering national deficit. I am proud to support this bill and I look forward to keeping the focus on making a college education accessible and affordable for Hoosier families.

Ms. LEE. Madam Speaker, I rise today to strongly support H.R. 5, the ''College Student Relief Act of 2007.''

I want to thank Chairman GEORGE MILLER for his leadership on this bill, and thank Speaker PELOSI and the Democratic Leadership team for making this a priority during the first 100 hours of the 110th Congress.

Madam Speaker, today, we take an important step in the right direction—a direction that leads to closing the gap between the have's and the have not's in this Nation.

And in doing so, Madam Speaker, today the doors of opportunity will swing open to a whole new generation.

Cutting the interest rate on student loans in half will have a tremendous impact on our nation's students and allow millions of others to pursue their dreams of higher education. In my home state of California, the estimated savings for one student will be over $4000. By making this cut, we are alleviating the burden on lower and middle class families, and allowing their children to reach higher.

Madam Speaker, we all know that there are many challenges in our current educational system. Excessive student loan payments are just one of many obstacles. Today, we remove an obstacle placed in the path of the students that need this help the most.

We need to be creating the workforce of the future. It is estimated that 42 percent of all jobs next year will require post-secondary education. That is why, I know, that today is just one step in many this Democratic House will take in improving the accessibility to our institutions of higher education.

Madam Speaker, I urge my colleagues to support H.R. 5, for the future of our children.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in strong support of the College Student Relief Act, as it will give financial assistance to millions of student borrowers.

In order to remain competitive in a global economy, students are taking out more loans and falling further into debt. The College Student Relief Act will go a long way towards making college more affordable and accessible. H.R. 5 will cut interest rates in half on certain federally subsidized student loans over the next 5 years. These cuts will particularly impact low- and middle-income students saving the typical borrower approximately $4,400 over the life of their loan. These interest rate cuts will help more than 5.5 million undergraduate students once they are fully phased in.

With the cost of higher education continuing to skyrocket, this is an important first step in easing the financial burden for millions of students and their families. It's estimate that around 200,000 students delay or completely forgo going to college due to the associated costs. This is simply unacceptable. We will not be able to continue to compete in the global economy if we continue to throw hurdles in front of our young people. Today's vote to ease the debt burden for millions of students will go a long way toward increasing access to higher education.

If Americans fail to address these issues now, we will default on our traditional commitment to a better future for our children. We owe it to our young people to provide the opportunities that will allow them to become successful and productive adults.

I would like to commend the Democratic Leadership for their dedication to this issue, and I urge my colleagues to support H.R. 5, the College Student Relief Act.

Mr. GARRETT of New Jersey. Madam Speaker, I rise today in opposition to H.R. 5, the so-called ''College Student Relief Act.'' Although its supporters would have the public believe that implementation of this bill would be a cure-all to the skyrocketing costs of higher education, the truth is that H.R. 5 does nothing to address tuition costs for students and could actually end up making college even more expensive.

In fact, the only students who will be fortunate enough to reap the full benefits of this proposal are those who take out their loans during the small 6-month window from July 1, 2011 to January 1, 2012. Before that date, the promise of halving the interest rates is unfulfilled. And, after that date, the interest rate will again double.

While this bill provides great sound bites and interesting political opportunities for my colleagues on the other side of the aisle, it also demonstrates that they have no intention of implementing an enduring plan which will address the costs of higher education. And, while this bill purports to help those in financial need, in reality, it only applies to college graduates who have already reaped the financial and other benefits of that education.

I am concerned for those students who apply for loans on January 2, 2012 and any date afterwards, for they will not only have missed the boat on a low-interest rate loan, but they will also bear the brunt of having to pay higher tuition costs. The proposal before us will exacerbate perverse incentives already at play with regard to government subsidies for student loans. College tuition costs have skyrocketed by almost 300 percent between 1982 and 2003. The only segment of our economy that comes even close to such growth—where costs have also outpaced inflation by such a dramatic gulf—is health care, which grew by nearly 200 percent. As the Wall Street Journal noted in an editorial today, ''it's no coincidence that third parties foot the bill for big chunks of both higher ed and health care spending. . . .''

Colleges are serving up these Federal subsidies to education-hungry students knowing full well that those students will not be able to realistically judge the costs of the education they receive. Those students who apply for loans in that first semester of 2012 will be forced to pay for the sound bite we consider today.

While cutting the interest rates on students' loans made for an attractive campaign slogan, the new leadership is creating a program which is costly, has negligible effects for those it purports to help, and has retroactive consequences for many aspiring scholars. I challenge my colleagues to evaluate this bill for what it truly is: a political stunt which sorely

lacks an effective plan to cut college costs for future students.

Mr. FERGUSON. Madam Speaker, I rise in support of H.R. 5, but I also stand to say that the legislation should be expanded to address not only college graduates but also students who are in college now and struggling with the weight of mounting tuition and expenses—or families that are considering college for their high school children.

The Chronicle of Higher Education reported this month that average tuition and fees at four-year colleges have increased by 38 percent in recent years. ''Tuition inflation'' far exceeds inflation in the general economy, and is pushing the dream of a college education away from too families and students. For too many parents and too many children, college simply isn't an option because it's not affordable.

That's wrong. But while H.R. 5 would aid college graduates, it would do nothing to help today's college students or families that are struggling to pay for their children's college expenses. H.R. 5 does not address the growing barrier that restricts access to higher education and new opportunities.

That's a missed opportunity—not only for this House but also for the families who cannot afford their children's college tuition and fees.

As H.R. 5 is considered in the Senate and later in the legislative process, it is my desire that its scope include not only college graduates but also current and prospective college students—and their families.

It is my further desire that the legislation should not hamper competition and restrict access to student loans for future graduates.

During the last six years, Congress increased spending on federal student aid by 57 percent. Funding for Pell Grants increased by nearly 50 percent. These programs have helped college graduates and current students.

It is my hope that before we vote again on H.R. 5, its scope is expanded to address the urgent needs of prospective and current college students, too.

Mr. LAMPSON. Madam Speaker, like many of my colleagues have mentioned today, my brothers and sisters and I were the grandchildren of immigrants who barely knew English, and the first in our family to go to college. Although my mother was only able to attend school through the 5th grade, she instilled in us the importance of an education. My mother led by example, receiving her GED on her 80th birthday, and all six of us received at least one college degree. And we all worked our way through college, I myself swept floors. She wanted us to have a better life, to be able to provide for our families without constantly worrying and living paycheck to paycheck. And we have all led successful and happy lives thanks to her encouragement and strong will.

But this Nation has lost sight of the importance of an education. We have allowed our education system to fall to the wayside, and put our citizens at a disadvantage—when they try to move up the career ladder, and when our Nation competes on a global level. We have failed our constituents when we fail to not only provide access to education, but when we fail to encourage our young people to dream and to achieve.

America is now 39th in the world in math and science. As a former physical science teacher and the current representative for Houston's Johnson Space Center I find this simply unacceptable. During the Apollo years, our Nation united behind a vision, and backed that vision with proper resources, in turn inspiring millions of children to go into these fields. The technological and medical advances that followed continue to benefit our Nation and the world. We have lost our vision. Our commitment to education and our position as a global leader.

Now is the time to repair the foundation that our country is based on—equality. It has long been said that education is the great equalizer. In recent years, millions of working and middle-class families have been left behind as college tuition has skyrocketed and student loan interest rates have risen sharply. By taking this important first step—making college more affordable and accessible for all Americans—we are showing our Nation's young adults that we are dedicated to their future. We will not make it to Mars, grow new hearts in Petri dishes, or develop new fuels without a renewed commitment to education.

A commitment to education should include all types of post-high school programs. We must encourage young adults to attend vocational schools as well as universities. Those who work as skilled laborers, such as mechanics and electricians, keep our society running and deserve encouragement and aid as well.

This bill, H.R. 6, The College Student Relief Act of 2007, is a fiscally responsible measure that meets our new pay-go requirements. It will ease the burden students and families bear as they strive to improve their situations and contribute to our Nation's economy, but not increase the burden on taxpayers. This is not merely a win-win situation; this is a win-surplus. Our country will benefit immensely both globally and locally through a renewed commitment to education.

Our students deserve the best. They are our future, and by cutting student loan interest rates and expanding access to higher education we are ensuring our Nation's future.

Mr. McGOVERN. Madam Speaker, I rise in strong support of H.R. 5, the College Student Relief Act of 2007. Currently, Massachusetts has about 99,000 undergraduate students attending 4-year colleges and universities who receive federal need-based college loans—or Stafford Loans.

In my own district, the 3rd Congressional District of Massachusetts, at Worcester State College, a 4-year public college, more than 1,300 students have Stafford Loans; and at Worcester Polytechnic Institute, a 4-year private college, more than 1,700 students have Stafford Loans.

In Massachusetts, the average Stafford Loan Debt is about $14,000 ($13,994).

Even though, under H.R. 5, the full reduction to the interest rate takes five years to achieve—because Democrats believe in making sure their proposals are fully paid for—Massachusetts students starting college in 2007 will benefit immediately from these changes to the interest rates. The savings for the average student in Massachusetts receiving a Stafford Loan who starts school in 2007 will be $2,310. That translates into $1,760 for that student at Worcester State College and $2,750 for the student at WPI.

And for the students who start school in 2011, when the interest rate reduction is fully phased in, their savings will increase to $4,470. Or once again, about $3,420 for the student at Worcester State College, and about $5,330 for the student at WPI.

These figures have real meaning to low- and middle-income students and their families. They are targeted at families whose annual income is less than $70,000. These are the families and individuals who most need our support to achieve the dream of a college education. According to the Congressional Advisory Committee on Student Financial Assistance, financial barriers will prevent at least 4.4 million high school graduates from attending 4-year public colleges over the next decade—and another 2 million high school graduates from attending any college at all.

These reductions won't cost the U.S. taxpayer a single dime.

They will barely cause a ripple in the profitability of banks and lenders currently doing business with the federal government in managing Stafford Loans—no matter how much complaining and moaning we're likely to hear from them.

And let me emphasize one other point—I agree with my friends on the other side of the aisle that there are many reasons why a higher education is increasingly out of reach for many American families: The failure over the past several years to increase the maximum Pell Grant level, the stagnation of funding for campus-based aid programs, and the soaring costs of college tuition, fees, room and board—to name just a few. As my colleagues know, I have been a particular champion of significant increases both to the Pell Grant maximum level and overall funding of the program.

It's my understanding that the gentleman from California, Chairman GEORGE MILLER, will begin hearings on these and other issues related to the affordability of a college education. Working through the Education and the Workforce Committee, legislation will be drafted and marked up through regular Committee process, reported out, and hopefully be scheduled on the House legislative calendar in the 110th Congress. So these profound issues that concern Republicans and Democrats alike will proceed through regular order with the full participation of the Minority.

Mr. CARDOZA. Madam Speaker, I rise today in strong support of the rule and the underlying bill. The cost of public university tuition has increased a staggering 41 percent since 2001. In my district in California's Central Valley, high college costs have been a persistent barrier for working families seeking to send their children to college.

If our country is serious about preserving the American Dream and extending educational opportunity to the next generation of Americans, then we must take action. The College Student Relief Act would cut the interest rate on federal, subsidized loans in half over five years.

As a Blue Dog, I am proud to say that this bill is fiscally responsible: the cost will be offset by reductions in subsidies to lenders which have enjoyed bipartisan support in the past. This is a good bill for the American people, and I urge my colleagues to open the doors of opportunity for young Americans and support this bill.

Mr. DINGELL. Madam Speaker, I rise today in support of H.R. 5, the College Student Relief Act.

This much-needed legislation will make college more affordable and accessible by cutting the interest rate in half for undergraduates who take out subsidized Stafford loans. Because subsidized loans are need-based loans, the primary beneficiaries of this legislation will be low- and middle-income families.

In Michigan's 15th Congressional District, the average amount borrowed under the subsidized loan program is about $14,000 per student. If this legislation is enacted, students who take out loans this fall will save $2,300 over the life of the loan and students starting in 2011 will save nearly $4,500. This is a significant amount of money, especially for a college student.

I would like to point out that despite all of the arguments I've been hearing about how much this bill will cost, I am proud to say that the Democrats are committed to fiscal responsibility and have drafted this bill to fully comply with the pay-as-you-go (PAYGO) budgetary requirements passed earlier this month. The PAYGO rules require any new spending to be offset in other spending areas. The costs of this legislation are entirely offset by six modest reductions in subsidies to lenders and guaranty agencies, five of which were proposed by President Bush in his budget for fiscal year 2006.

Our goal of creating a highly skilled and innovative domestic workforce begins with a college education. This bill is a bold step in the right direction towards advancing America's competitiveness in the global marketplace. I look forward to working with my colleagues in the future on additional measures such as increasing the maximum Pell grant, which will contribute to our mutual goal of higher education for all Americans.

Mr. SIRES. Madam Speaker, I rise today in support of H.R. 5, the College Student Relief Act, which cuts interest rates in half over the next five years for undergraduate students with subsidized loans. As a former teacher, I understand how important education is to every child. It ensures that everyone has the opportunity to succeed and to make the most of their dreams.

Yet college is soaring out of reach for American students. Today the average student graduates with $17,500 in loan debt; almost 45 percent more than just 11 years ago. H.R. 5 makes a great first step in reducing the burden on students with these loans. In my home state of New Jersey, the typical student loan borrower will save approximately $4,600 over the life of their loan because of this legislation.

Not only does this bill make college more affordable, it does so without further increasing the nation's debt. Specifically, this bill is paid for by six modest reductions in various subsidies to lenders and guaranty agencies.

I urge everyone to support making college more affordable by voting in favor of this legislation.

Mr. WILSON of Ohio. Madam Speaker, Ohio students and their families are struggling. In fact, Ohio ranks 49th in affordability of college.

Sadly, this is a barrier many hard-working families cannot overcome. Bright young Ohioans are being shut out because college costs too much.

Today, by cutting student loan rates in half, we are opening up important opportunities for thousands of young Ohioans and young people across the nation.

Just in the first two years, this bill will save Ohio students an average of $2,230 and in four years $4,320.

We should ease the burden on our working families. We should put our students in a position to succeed in school and beyond. This bill, which cuts student loan rates, does just that.

Ms. WOOLSEY. Madam Speaker, I rise in strong support of the College Student Relief Act, which over the next five years will cut the student loan interest rate in half for undergraduate students with subsidized loans. And, I take exception to this Republican rhetoric about what the Democrats could have done under Republican domination.

Madam Speaker, Since 2001, tuition and fees have increased by 41 percent, after inflation, at four-year public colleges and by 17 percent (after inflation) at four-year private colleges.

Now, we have a chance to act; otherwise financial barriers will prevent more than 4 million students from attending a four-year college and more than 2 million from attending any college in the coming decade.

That would be a crisis for millions of hard-working families—but it also would be a crisis for our country's ability to compete in the 21st century economy.

In his article, "It's a Flat World, After All," Thomas Friedman argues that America's historical economic advantages have disappeared because "the world is flat, and anyone with smarts; access to Google; and, a cheap wireless laptop can join the innovation fray." No matter where they live in the world.

This means we must invest more in our most valuable resource—our people—and this bill would do just that.

For example, this bill will save the average student borrower who starts at a four-year college in California next year nearly $2,500 over the life of a loan—and will save the same student who starts in 2011 nearly $5,000 over the life of a loan.

Those savings are necessary to make a difference in the lives of millions of Americans and in the life of our country as to success over failure.

I urge my colleagues to join me in support of this bill.

Mr. WELCH of Vermont. Madam Speaker, I am proud, as part of our first 100 hours, that Congress has committed to expanding higher education opportunities to more Americans. Education has always been the great equalizer in this country. With each generation doors are opened through greater access to education.

The health of our economy and prosperity of our middle class rests on having a highly-skilled and well-educated workforce. We all know stories of working class families struggling to make ends meet to put a child, sometimes the family's first generation, through college. It is a struggle millions of families go through, as college costs skyrocket year after year. Reducing the debt burden these families and students face is the least Congress can do to help meet their commitment and sacrifice.

H.R. 5 will provide a significant reduction in student loan interest rates for students who borrow under the subsidized student loan program.

This legislation is worthy in its intent and it is legislation I support. However, it is my hope to work with my fellow members and the distinguished Chairman of Education and Labor to recognize the important role small, not-for-profit lenders play in opening doors to more working families. I believe it makes sense to distinguish not only between large and small lenders, but those that lend on a not-for-profit basis and who reinvest all revenues into additional student financial assistance.

Our goal is to improve educational opportunities for students and it is a goal I know our non-profit lenders share.

Ms. ESHOO. Madam Speaker, I rise in strong support of H.R. 5.

In today's increasingly competitive economy, a college education is more important than ever. That's why it's essential for us to ensure that anyone who has the desire to receive a higher education has the opportunity to do so. Higher education shapes citizens as well as the future of our country.

Today escalating college costs and legislation passed by the Republican Majority in 2006 are creating insurmountable barriers across the country for students to afford a college education. According to the Congressional Advisory Committee on Student Financial Assistance, financial obstacles will prevent at least 4.4 million high school graduates from attending a four-year public college over the next decade. This is an inexcusable waste of our most valuable resource, the young people of our country.

H.R. 5 will lower these barriers, cutting interest rates in half over the next five years for undergraduate students with subsidized student loans. This relief is targeted to reach those most in need . . . students and families making between $26,000 and $68,000. When fully phased in, this legislation will save the typical borrower in California with $15,125 in subsidized federal student loan debt approximately $4,830 over the life of their loan. All told, this legislation will provide students with $5.5 billion in financial relief and is entirely paid for through adjustments in lender rates, participation fees for financial institutions and collection fees for defaulted loans.

I urge my colleagues to join me in supporting this legislation. By doing so we will take an important step to improve access to higher education across the country as well as helping to relieve the burden on middle class families across the nation.

Mr. GEORGE MILLER of California. Madam Speaker, I yield back the balance of my time.

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

Pursuant to House Resolution 65, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MCKEON

Mr. McKEON. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. McKEON. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McKeon moves to recommit the bill H.R. 5 to the Committee on Education and

Labor with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. ___. BENEFITS CONTINGENT ON INCOME OR MILITARY SERVICE.

(a) ELIGIBILITY FOR REDUCED RATES.—Notwithstanding the amendments made by section 2 of this Act, a borrower shall not be eligible for a reduced interest rate under the amendments made by such section for any year during the repayment period of the loan unless—

(1) the borrower demonstrates, in accordance with regulations prescribed by the Secretary, that the borrower's adjusted gross income for the most recently preceding year was less than $65,000; or

(2) the borrower, during any part of that year—

(A) is serving on active duty during a war or other military operation or national emergency (as such term is defined in section 481(d)(4) of the Higher Education Act of 1965 (20 U.S.C. 188(d)(4)); or

(B) is performing qualifying National Guard duty during a war or other military operation or national emergency (as such term is defined in section 481(d)(5) of such Act (20 U.S.C. 188(d)(5)).

(b) INCOME VERIFICATION.—In prescribing regulations for purposes of subsection (a)(1), the Secretary shall provide methods for verifying the adjusted gross income of a borrower that are, as nearly as practical, identical to the methods used to determine adjusted gross income and to verify that income for borrowers of income contingent loans under section 455(e) of the Higher Education Act of 1965 (20 U.S.C. 1087e(e)).

Mr. MCKEON (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. MCKEON. Madam Speaker, as I have said repeatedly today, the process followed to get this bill to the floor was badly flawed, and the legislation in question is a reflection of that. Our inability to amend the bill means that the bill we have before us today is exactly the same well-intentioned, yet completely misdirected proposal the majority leader thrust upon us just days ago.

Our friends on the other side of the aisle have been touting H.R. 5 as a student aid bill during this debate. However, as we have pointed out time after time, not a single college student or potential college student will benefit from this legislation. It impacts only those who graduate when, by definition, they are no longer students.

However, Madam Speaker, this motion would transform H.R. 5 from a critically flawed gimmick into a proactive measure that indeed could benefit borrowers, students, and taxpayers alike.

To begin, this motion would not block the new majority's promise to reduce college loan interest rates. In fact, it would allow reductions to take place as scheduled for many of the very same graduates who would benefit from them in the first place. However, to ensure that those graduates who could pay their loans under a higher interest rate will do so, this motion establishes an income cap of $65,000, the income level at which the existing student loan tax deduction is phased out, at which the interest rate for a loan will revert back to the current level of 6.8 percent.

That is almost twice the average family income of a student eligible to receive a subsidized student loan. However, graduates who may not have as high an income, those men and women who need a little extra help after graduation, will see their interest rate stay at the same exact level as directed by this legislation, as will active duty Armed Forces personnel.

This means for many first responders, nurses, teachers and other graduates who choose public careers, their interest rates will remain as scheduled, under H.R. 5. In other words, this motion will maintain most of the same borrower benefits embraced by the Democratic leadership. However, unlike H.R. 5, this motion reduces college loan interest rates and then some. By making the interest cap adjustment I just described, this motion will generate additional savings within the legislation, savings that can be directed toward deficit reduction or an increase in need-based aid such as Pell Grants.

I have argued throughout today's debate, and for years, frankly, that our first priority in higher education must be to expand access for low- and middle-income students. This motion embodies that very philosophy.

With the savings we will generate as part of this motion, we could provide more aid to a student struggling just to find the means to pay for college. Sadly, more than 400,000 students are fully prepared to attend 4-year college, but will be unable to do so due to record high financial barriers, according to the Advisory Committee on Student Financial Assistance. For these students, the promise of a college education is an empty one, and for our Nation, the loss of human capital is a serious economic and social tragedy.

Under H.R. 5, highly paid college graduates would reap the benefits, but those struggling to find a way into school, they are forgotten altogether. It is ironic that the very same Members who supported the minimum wage increase a week ago for ''fairness'' reasons are today champions of a bill that would undermine that same principle.

Madam Speaker, a ''yes'' vote on this motion is a vote for lower college loan interest rates, more needs-based aid, and additional funds to pay down the Federal deficit. A ''no'' vote is a vote for providing benefits to well-paid graduates, not low-income students.

Let's give borrowers, students, and taxpayers a better deal. Let's improve this flawed legislation. Let's vote ''yes'' on this motion to recommit.

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

Mr. GEORGE MILLER of California. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Madam Speaker, I would hope that the House would turn down this motion to recommit because if you don't, there is going to be an awful lot of people who are going to be terribly disappointed.

This motion as presented today would knock almost a million students out of the benefits of this legislation, the benefits of a reduced interest rate on their college loans.

This motion if it is accepted would mean that families that might have one, two or maybe three kids in college, if they earn more than $68,000, they wouldn't get the benefits of this program.

This amendment, as offered and if it is accepted, means that perhaps a firefighter who is married to a teacher or teachers who are married to one another would not be able to get the benefits of this program for their families.

Is that what we want to do? Is that what we really want to do? We knock a million of the 5.5 million beneficiaries off eligibility for this interest rate reduction? Do we want to knock off families that may have more than one child in college off of this ability to benefit from the interest reduction? Do we want to take middle-class families, where a teacher might be married to a firefighter or teacher married to a nurse, and say to them, you are not eligible for this? I don't think you want to do, and I certainly know that the Congress doesn't want to do that.

This is aimed, based upon income, the cost of the institution you go to, the number of children in your family, income determinate, you get a subsidy. What they want to do now is put a cap on the income of about $65,000, which means if you have more than one child or two children in college, you still have the income cap and you can't get help.

So we are sending a message that you can help make your first child, but not the second child? That is what we are going to tell families? Their income didn't go up, but their cost just went up because another child is eligible for college? Another child said, I want to go to college. The family has to say, We can't help you because there is a cap.

That is why this is called the subsidized loan program, because we recognize there are people within the middle class, at the lower end of the middle class who need this help. Two and a half million of the recipients are eligible for Pell. They are going to get this help. That is what this is designed for.

This is designed for those families in the middle class that need this kind of interest rate help and is designed for those in Pell who still need additional

money to go to school. That is why we picked this category of people.

But to now tell hardworking Americans because of a cap you pulled out of the sky in the last 5 minutes that they can't help their children with the cost of education, that they are not eligible for this subsidy of cutting the interest rate from 6.8 to 3.4 percent, I don't get it. I don't understand it, and I don't think the Congress should support it.

I don't think that is the message that we want to send to those working families. I don't think that is what we want to do.

You think of your districts and you think of somebody with a family income of $65,000, and you start thinking who you are telling, you are not prepared to help with reducing the cost of college for those families. Start thinking now because you are going to vote in a few minutes. Think about that family, two parents working their tails off to make ends meet. They are firefighters, construction workers. They don't work all year round. They get laid off. They are married to a nurse or a teacher or a policeman. All of a sudden they find out that they are not eligible for this.

I ask this House to give this a resounding ''no.'' This isn't fair, it isn't just, and it is wrong. It is going to drive up the cost of college for the very families and students who need it the most.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. McKEON. Madam 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. 5, if ordered, and the motion to suspend on H. Res. 58.

The vote was taken by electronic device, and there were—yeas 186, nays 241, not voting 8, as follows:

[Roll No. 31]

YEAS—186

Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—241

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—8

Aderholt
Burton (IN)
Buyer
Calvert
Johnson, Sam
Lucas
Norwood
Obey

□ 1726

Mr. KLEIN of Florida changed his vote from ''yea'' to ''nay.''

Mr. RENZI changed his 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 (Mr. CARDOZA). 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. GEORGE MILLER of California. 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 356, nays 71, not voting 8, as follows:

[Roll No. 32]

YEAS—356

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin

Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—71

Bachmann
Baker
Barrett (SC)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Brown (SC)
Burgess
Campbell (CA)
Cannon
Cantor
Carter
Coble
Conaway
Culberson
Deal (GA)
Doolittle
Dreier
Feeney
Flake
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Granger
Hastert
Hensarling
Herger
Hoekstra
Issa
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
McKeon
Mica
Musgrave
Myrick
Neugebauer
Nunes
Pence
Price (GA)
Putnam
Radanovich
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Souder
Tancredo
Thornberry
Westmoreland
Wicker
Wilson (SC)

NOT VOTING—8

Aderholt
Burton (IN)
Buyer
Calvert
Johnson, Sam
Lucas
Norwood
Obey

□ 1735

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING MUHAMMAD ALI ON HIS 65TH BIRTHDAY

The SPEAKER. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 58.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 58, 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 421, nays 0, not voting 14, as follows:

[Roll No. 33]

YEAS—421

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Neugebauer
Nunes
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)

Thompson (MS)	Walden (OR)	Westmoreland
Thornberry	Walsh (NY)	Wexler
Tiahrt	Walz (MN)	Whitfield
Tiberi	Wamp	Wicker
Tierney	Wasserman Schultz	Wilson (NM)
Towns	Waters	Wilson (OH)
Turner	Watson	Wilson (SC)
Udall (CO)	Watt	Wolf
Udall (NM)	Waxman	Woolsey
Upton	Weiner	Wu
Van Hollen	Welch (VT)	Wynn
Velázquez	Weldon (FL)	Yarmuth
Visclosky	Weller	Young (AK)
Walberg		Young (FL)

NOT VOTING—14

Aderholt	Johnson, Sam	Obey
Burton (IN)	Lucas	Poe
Buyer	McCarthy (CA)	Rogers (AL)
Calvert	Napolitano	Rogers (KY)
Hunter	Norwood	

□ 1744

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CALVERT. Mr. Speaker, pursuant to my leave of absence, if I had been present earlier today, I would have voted as follows on today's recorded votes:

Rollcall No. 27—"Yea"—H. Con. Res. 31—Honoring the Mare Island Original 21ers for their efforts to increase equal employment opportunities in the military;

Rollcall No. 28—"Yea"—H.R. 434—Short Term Extension of the Small Business Administration;

Rollcall No. 29—"Nay"—Ordering the Previous Question on the Rule for H.R. 5;

Rollcall No. 30—"Nay"—Adoption of the Rule for H.R. 5;

Rollcall No. 31—"Yea"—Republican Motion to Recommit for H.R. 5;

Rollcall No. 32—"Nay"—Final Passage of H.R. 5; and

Rollcall No. 33—"Yea"—H. Res. 58—To Honor Muhammad Ali, global humanitarian, on the occasion of his 65th birthday.

DOMESTIC TERROR

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

Mr. POE. Mr. Speaker, a new terrorist has just been captured in Florida. Not an international terrorist, but a homegrown domestic one.

The facts are hard to comprehend, but here they are, according to the Associated Press. A husband took his wife on a canoe trip, and finding a wilderness spot, he took her ashore and then he raped her. He tied his naked wife to a tree and assaulted her with the butt of a knife. He let her hang on the tree for over 2 hours, then he took her off and raped her again. All the while, get this, he was videotaping this ghastly, dastardly crime. This crime is one of intimidation, degradation and humiliation.

Mr. Speaker, rape is a crime where the deviant tries to destroy the soul of the victim. When the assault occurs in the family, the domestic rape is even worse.

Now the hubby is facing a multitude of criminal charges, as it ought to be. Wives are not male property and these crimes are not to be excused as a domestic problem.

The offender should be given quick, accurate justice, and then tell him to pack his toothbrush, because justice is a thing we are going to find and demand life behind bars in this case.

And that's just the way it is.

WORKING FOR A SAFE AND SECURE IRAQ

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I certainly agree with my colleague from Texas. We must really approach violence, wherever it is, and I thank him for his words.

Mr. Speaker, so many of us as Members have confronted families who have lost loved ones on the battlefields of Iraq. We realize that not one of those fallen soldiers would in any way step away from their duty. So today I rise to thank them.

But because of their commitment to their Nation, I believe as policy makers we have a commitment to them, and it is imperative that this body and the other body not engage in nonbinding resolutions, when the American people have asked us to bring our troops home, when the President of the United States has not begun to consider alternatives such as political diplomacy, when there is no recognition that the Congress is an equal branch of government and can in fact cease the funding.

We must have a new direction. We must have a safe and secure Iraq. We can work for both, but we must have the respect and mutuality of the three branches of government.

A POORLY KEPT SECRET

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

Mr. MCHENRY. Mr. Speaker, I rise today to pass along some inside information to the American people. By the way, this is the most poorly kept secret in Congress. Big surprise: The Democrats want to raise taxes, again.

Never mind that tax revenues increased by 11.5 percent last year because of strong economic growth, economic growth created by the Bush tax cuts over the last 6 years. Never mind, never mind, the economy is strong. Never mind that last year the U.S. Government took in more revenue than any government in history. Actually, in the history of the planet.

But yet that is not enough revenue for the Democrats' plans, yet they talk about pay-as-you-go in order to tax the American people more.

This is a poorly kept secret, that the tax and spend Democrats are indeed still tax and spend Democrats.

TRIBUTE TO BENNY PARSONS

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

Mr. HAYES. Mr. Speaker, I rise tonight to call attention to the loss of one of the foremost members of the racing community. Benny Parsons passed away on Tuesday.

Benny was a wonderful friend, not only to the industry, but to mankind. Benny lived a wonderful life. He set many records. He was the first person to drive a stockcar over 200 miles an hour, and won many, many championships. A native and resident of North Carolina, he will be sorely missed.

Mr. Speaker, this body extends our sympathy and gratitude to the Parsons family and his wife, Terri, for the many, many services Benny has provided.

SPECIAL ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the following Members will be recognized for 5 minutes each.

A SAD DAY IN AMERICA

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

Mr. JONES of North Carolina. Mr. Speaker, today is a sad day in the history of America. Two law enforcement officers who have given years of their life in service to this Nation have entered Federal prison today for shooting a drug smuggler.

This is a black mark for the President and his administration. U.S. Border Patrol agents Ramos and Compean were found guilty in a Federal court last spring for wounding a Mexican drug smuggler who brought 743 pounds of marijuana across our southern border into Texas.

Many of us in Congress have written letters asking the President to consider pardoning these agents, a request that is justified by serious questions about the prosecution of this case, including both the indictment and the process. These agents never should have been prosecuted for their actions last year, yet they have been sentenced to 11 years and 12 years in Federal prison respectively.

These agents do not deserve to spend one day in prison. By attempting to apprehend an illegal alien drug smuggler, these agents were simply doing their jobs to protect the American people. The extraordinary details surrounding the prosecution of this case assure that justice was not served. These agents should have been commended for their actions. Instead, the U.S. Attorney's Office prosecuted the agents and granted full immunity to the drug smuggler for his testimony against our agents.

The drug smuggler received full medical care in El Paso, Texas, was permitted to return to Mexico, and is now

suing the Border Patrol for $5 million for violating his civil rights. He is not an American citizen. He is a criminal.

Although it is clear that the agents fired shots in self-defense, Ramos and Compean were convicted mainly on the testimony of a habitual drug smuggler who claimed he was unarmed. Despite my repeated requests for an investigation of this case and a request by more than 50 Members of Congress for the President to pardon these agents, this administration has ignored the concerns of countless citizens who have cried out against this injustice.

Mr. Speaker, the indifference of this White House will long be remembered by the American people and by those of us in Congress who tried to come to the aid of these two heroes.

WHERE DEMOCRATS REALLY STAND ON THE ISSUES

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

Mr. DEFAZIO. Mr. Speaker, the gentleman from North Carolina who preceded me in the well was saying, ''Those Democrats, they just want to raise taxes and spend.'' I would look at the legislation we passed today with 124 Republican votes as an example of where Democrats really stand on the issues.

Just about 1 year ago today, almost exactly a year ago today, the Republican Party passed legislation called reconciliation that actually raised the cost of student financial aid, dramatically raised the cost of student financial aid. It also did one other thing to ''save money'' or ''create revenue,'' which is it cut medical care for needy Americans.

Now, we have got to be fiscally responsible, but what they did with this money was cut taxes for wealthy investors, extend tax cuts for wealthy investors that were going to expire in the year 2008, not exactly an immediate problem, to 2010. They paid for that by raising the cost of student financial aid; i.e., taxing students and cutting medical care for poor Americans; i.e., taxing poor people or taking away needed health care. That is his model. He says we are the ''tax and spend'' folks.

Well, look at what we did today in legislation that passed with 124 Republican votes. We said it was wrong for the Republicans to jack up the cost of student financial aid. The cost of a higher education is beyond reach of too many Americans and we think people should have a chance at the ladder of success. Key to that is education, and we want to make education more affordable and more accessible. Today was the first step, and only the first step in our plan to help make higher education more affordable.

So I guess he would say we are taxing the banks; i.e., we are asking the banks to pay part of the cost here to lower the interest rate on student financial aid.

Now, these bank private loans are losers for the taxpayers. We have in fact a government study that says if we converted the whole loan program in this country to national direct student loans administered by the universities and overseen by the government, we would make money, even with the defaults. But in order to continue the subsidized bank program which he was up here defending, we are getting back 84 cents on the dollar.

The American taxpayers are subsidizing banks to offer loans on which they make a pile of money, and now he is aggrieved that we have asked the banks to lower the interest rate over 5 years. I would like to lower them tomorrow, and they shouldn't have been raised. The Republicans shouldn't have raised the cost of student financial aid to fund tax cuts for wealthy people.

Now, if they want to have more tax cuts for wealthy people, then they ought to find a way to responsibly finance that. Personally, I don't think wealthy people need more tax cuts. In fact, I think they have gotten way too many.

And he did not talk about the fact that we are borrowing money to finance tax cuts for the wealthy, that we are dinging people who need medical assistance to finance tax cuts for the wealthy, that we are heaping the costs onto students to finance tax cuts for the wealthy. If that is what he calls tax and spend, then that is what I am.

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.)

AMNESTY NEEDED FOR BORDER PATROL AGENTS RAMOS AND COMPEAN

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, the Federal Government, this body, the body down the hallway, for some time has been talking about amnesty, amnesty for anywhere between 12 million and almost 20 million illegal people in the United States.

Well, I would like to talk about amnesty, but not for people who are illegally in the country, because I am opposed to that. But I would like to talk about amnesty for Americans, citizens, and I only want to talk about amnesty for two of those citizens. They are border agents who have been convicted of so-called civil rights violations of an illegal drug smuggler bringing drugs to the United States.

□ 1800

Two border agents, Compean and Ramos, today went to the penitentiary for 11 and 12 years for doing this. They work on the Texas-Mexico border, a volatile war zone. The border is the second front, and while on duty patrolling the sovereignty of our country, they come across a drug dealer driving a van full of about 780 pounds of marijuana. That does not mean anything, but it is worth a million dollars. That does mean something, something we can relate to.

A confrontation occurs, drug dealer abandons the van, tries to flee back to Mexico, has an altercation with the border agents, shots are fired, he runs to Mexico.

The next thing we find out, our Federal Government chooses to go to Mexico, find this drug dealer, learns that he has been shot, bring him back to America, treat his wounds at American expense, give him a deal, a backroom deal, to testify against the border agents because they did not follow some policy of reporting shots being fired. So they go to court, give the drug dealer amnesty, give the drug dealer immunity.

While waiting to testify, the old drug dealer goes back to Mexico and picks up another load of dope, almost 1,000 pounds of drugs, gets caught by different border agents. Once again, not prosecuted by the Federal Government because the Federal Government is so determined to prosecute border agents, not drug dealers; and after the trial, the border agents were convicted, and now they went to the penitentiary.

Our Federal Government had a choice to make in this case, whether or not to stand on the side of the lawless drug dealer or stand with our border agents who try to enforce the rule of law. Our government chose poorly. They sided with the enemy. They sided with the outlaws. They sided with illegal drug dealers and prosecuted our border agents. I ask the question, why?

If the border agents violated some policy or rule, suspend them, give them days off, demote them, but send them to the penitentiary for 12 years when the drug dealer goes free? This does not pass the smell test or, as we say in Texas, that dog just don't hunt, Mr. Speaker.

So we are asking a very simple thing, some of us from Congress, about 55. We are asking the President to grant amnesty to these two border agents. The administration, Federal Government, talks about amnesty. We just want it for two folks, and the President has the constitutional power to pardon and parole. The President exercised that power, that is his right under the Constitution, almost 100 times in the last 6 years. We are simply asking that the administration exercise the pardon power and pardon these two border agents and send the message to the Border Patrol and all these sheriffs who work on the border, trying to enforce the law, that we will stand beside

you when you try and enforce the law; and also send the message to drug dealers that we are not going to work with you, we are not giving you a deal, we do not work backroom deals with drug dealers; we support our Border Patrol on the Texas-Mexico border.

So, Mr. Speaker, we hope that we get a response from the Federal Government on this pardon. So far, we have not received anything. I think the Federal Government is blissfully indifferent to the plight of these two border agents, and so we would hope that this gets some attention from folks across the country. Over 200,000 people have signed petitions asking that the President pardon both of these border agents; and we hope that that does occur because justice in this case did not occur, because our government chose to be on the wrong side of the border.

And that's just the way it is, Mr. Speaker.

BRING OUR TROOPS HOME AND SOVEREIGNTY OF IRAQ RESTORATION ACT

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

Ms. WOOLSEY. Mr. Speaker, earlier today, I joined with my good friends, distinguished colleagues and fellow Californians, Congresswoman BARBARA LEE and Congresswoman MAXINE WATERS, in introducing landmark legislation that would bring our troops home from Iraq within a 6-month time frame.

The Bring Our Troops Home and Sovereignty of Iraq Restoration Act is the first comprehensive legislative proposal to end the military occupation and provide a framework to help bring stability back to Iraq.

One week ago, when he addressed the Nation, President Bush demonstrated to the world that he continues to remain blind to the realities on the ground in Iraq. Instead of putting forth a plan that will withdraw our troops, the President is increasing our military presence, escalating the number of troops by over 20,000. What President Bush fails to grasp is that our military presence is only fueling the insurgency, plunging Iraq further into chaos and civil war.

Mr. Speaker, the November elections showed just exactly how fed up Americans are with the President's failed Iraq policy. It is time now to honor that mandate. It is now up to the Congress to catch up with the will of the people.

During his weekly radio address on Saturday, President Bush challenged those of us who disagree with him to offer a plan of our own. Today, we have taken up his challenge.

The Congress has already appropriated funding that will support our troops and keep this occupation going for at least another 6 months, possibly longer. That funding, instead, should be used to finance an aggressive withdrawal plan that brings our troops home to their families; and our bill would do exactly that.

Our plan will also withdraw all U.S. troops and military contractors from Iraq within 6 months from date of enactment.

It will prohibit any further funding to deploy or continue to deploy U.S. troops in Iraq. The bill does, however, allow for funding to be used as needed to ensure safe withdrawal of all U.S. military personnel and contractors. Funding may also be used for the increased training and equipping of Iraqi and international security forces.

Thirdly, it accelerates during the 6-month transition training of a permanent Iraqi security force.

And fourth, it authorizes, if requested by the Iraqi government, U.S. support for an international stabilization force. Such a force could be funded for no longer than 2 years and be combined with economic and humanitarian assistance.

It guarantees full health care funding, including mental health for U.S. veterans and military operations in Iraq and other conflicts.

In addition, Mr. Speaker, the bill would rescind the 2002 congressional authorization for the war in Iraq, prohibit the construction of permanent U.S. military bases in the country, and finally, ensure that the U.S. has no long-term control over Iraqi oil.

We believe that the oil in Iraq belongs to the Iraqi people, and we believe that when this oil goes into the world marketplace, the international marketplace, the U.S. will certainly have access to our share.

Mr. Speaker, excluding the veterans' benefits, our plan will cost the American people pennies on the dollar compared to continuing the occupation of 2 more years in Iraq. It will save lives, bodies and minds, and it will give Iraq back to the Iraqis.

The Bring Our Troops Home and Sovereignty of Iraq Act is an important step in regaining our country's credibility in the region and throughout the world, and it provides the President and Congress with a comprehensive strategy for responding to the majority of Americans who want our troops to come home.

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

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

HONORING THE LIFE OF BENNY PARSONS

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

Ms. FOXX. Mr. Speaker, I rise today to commemorate a true inspiration whose perseverance showed the very best of the human spirit. Yesterday, Benny Parsons, a NASCAR legend, passed away after a difficult battle with lung cancer.

Parsons grew up in the foothills of North Carolina in Wilkes County, and his dedication and drive lifted him from poverty to national recognition. He became an inspiration to countless fans and individuals. He was a beloved character who brought passion to the sport. Today, we mourn and also celebrate the life of this beloved man in the 5th District of North Carolina.

The chairman of NASCAR, Brian France, said of Benny Parsons, who was affectionately referred to as BP, that ''Benny Parsons was a true champion, both on the race track and in life. Benny loved our sport and the people that make it up and those people loved him. He will be remembered as being a great ambassador for the sport.'' Words such as these convey the deep admiration, respect and love of Benny and the effect he had on those with whom he connected.

After leaving Wilkes County, Benny first took a job as a cab driver in Detroit, Michigan, before he progressed to become a NASCAR champion. While faced with fame and admiration, Benny never forgot his roots and the importance of where he came from. He was often referred to as ''The Professor'' after he retired from racing in 1988 and began broadcasting and commenting on NASCAR races for NBC, ESPN and TNT. He had an uncanny ability to deliver information in a relaxed and informative way for the last 6 years, even when he was going through the rigorous treatment for cancer.

Michael Waltrip, who recently tested his car at the Daytona track, said of Benny, ''When you talked to him, he brought out the human element. The cars are nuts and bolts, but he talked through that. He was able to deliver to people. He just tried to be passionate about what he believed, and he did a great job of explaining what people were seeing.'' To show his admiration of Benny, Waltrip painted on the side of his car, ''We love you, BP.''

Respect, admiration and inspiration among colleagues, fans and the public made Benny Parsons the amazing and inspirational figure that he was, but it was his personality that espoused all of these qualities so many came to admire. It was his passion and commitment to NASCAR and his love of the sport that made Benny such a lovable person and such a great inspiration. Even at his sickest moments, he had set up a Web blog for his fans, continually sharing his optimism that he would recover and that the will to fight is so important.

Besides the inspirational spirit and the continual drive to fight any obstacle in front of him, Benny Parsons was quite the accomplished NASCAR driver. He was a member of NASCAR's 50

greatest drivers. He was the 1973 NASCAR champion and won 21 races, including the race in 1957 at Daytona. In addition to those accomplishments, Benny was the first driver to be a Cup competitor, to qualify for a race over 200 miles per hour, driving 200.176 miles per hour at the Winston 500 at Talladega Superspeedway in 1982.

Benny Parsons made 526 starts from 1964 until his retirement in 1988. With such an outstanding record, Benny was inducted into the International Motorsports Hall of Fame in 1994 and continued his passion by broadcasting from the pit and won a Cable Ace Award for best sports analyst on his first season in the booth.

I think that NBC sports champion Dick Ebersol said it best about Benny, commenting, ''Benny was a beloved and widely respected member of the NASCAR community. He was a great driver and a terrific broadcaster, but above anything else, he was a kind and generous human being. His character and spirit will define how he is remembered by all of us.''

Benny fought cancer to the end with optimism and grace, inspiring countless people. His compassion, generosity and charming personality will be missed. Benny had made North Carolina and NASCAR proud, and his memory will be a lasting one of inspiration and dedication.

CONCLUDING OUR INVOLVEMENT IN IRAQ AND BRINGING OUR TROOPS HOME

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, today Representative WOOLSEY, Representative LEE and I introduced a bill that would conclude our involvement in Iraq and bring our troops home. The bill, H.R. 508, is entitled, Bring Our Troops Home and Sovereignty of Iraq Restoration Act of 2007. The bill has 16 original cosponsors. Representative WOOLSEY was on the floor a moment ago, and she shared with you some of the provisions of that bill.

I will reiterate, I will repeat, if enacted, the bill would repeal the use-of-force authorization passed by Congress in 2002 and requires a complete withdrawal of U.S. troops and contractors hired by the U.S. Government within 6 months of the enactment of this bill.

The bill authorizes the President to support an international stabilization force in Iraq, if the Iraq government requests such a force, but U.S. troops would not be permitted to participate in the international force.

It would turn security activities and military operations in Iraq over to the elected Iraqi government within 6 months of the date of enactment.

It would prohibit the U.S. from establishing permanent bases in Iraq.

It would cap the number of officers and employees of the United States assigned to the U.S. embassy in Iraq at 500.

It would accelerate the training and equipping of Iraq military and security forces, and pursue security and stability in Iraq through diplomacy.

It would provide assistance to the Iraqi government in recovering cultural and historical artifacts that have disappeared since the U.S. invaded in 2003.

It will do a number of other things, but let me wrap this up by saying it would fully fund veterans' health care, including mental health care, for our returning veterans.

Mr. Speaker, I am spending an inordinate amount of time on this issue, along with many of my other colleagues, and I have chosen to be a major cosponsor on this bill because I feel it is absolutely my responsibility to not only articulate what is wrong with this war, but to do everything that I can to encourage the President of the United States, the commander in chief, to bring our troops home.

I think it is important to do this because we have lost over 3,000 American soldiers. As a matter of fact, I think it is about 3,034.

I look at the continuing devastation in Iraq, and I see that just day before yesterday I believe over 100 Iraqis were killed and maybe twice as many was injured and we lost four more American soldiers.

□ 1815

This has got to stop. We are in control. We can stop this. I am encouraging our Commander-in-Chief to bring our troops home, and to pursue diplomacy, save lives. Because I believe if they continue down the path that they are going, we are going to have a real blood bath in a short period of time.

This surge, this expansion of the war that has been advocated and pursued and pushed by this President is absolutely the wrong thing to do. I know that he has been advised and he has accepted the advice that he is to go into Sadr City and he is to confront al-Sadr, who is the head of a tremendous militia. They have over 50,000 signed up in that militia and more coming each day. I don't want our American soldiers to confront that militia. I don't want our American soldiers in the middle of this civil war. I don't want these young boys who come from our cities and our towns and these young girls who come from our villages and our hamlets of America to be caught in between Sunnis and Shiites and Kurds. They don't know a Sunni from a Shiite. We don't speak the language. We haven't trained people. Even the soldiers that are supposed to be embedded doing the training can't speak the language. They are depending on interpreters. And let me tell you, even some of the soldiers that we are training in Iraq are turning their backs on us. They desert our soldiers in the middle of a conflict, in a confrontation. These are the ones that we are training, that we are depending on to take over the security of Iraq somehow. It is not going to happen.

We have to leave, and we should not be deterred from the mission of leaving because someone is going to accuse us of cutting and running. We know how these sound bites take place. We know what people do when they want to promote their position. They will mischaracterize what is being done. We have got to have the courage to stand up and stand up for our American soldiers.

I support and cosponsor this new bill. I would ask my colleagues to support it.

Today, Representative WOOLSEY, Representative LEE and I introduced a bill today that would conclude our involvement in Iraq and bring our troops home.

The bill, H.R. 508 is titled ''Bring the Troops Home and Iraq Sovereignty Restoration Act of 2007.''

The bill has 16 original cosponsors.

If enacted, the bill would:

Repeals the use of force authorization passed by Congress in 2002.

Requires the complete withdrawal of U.S. troops and contractors hired by the U.S. government within 6 months of the enactment of this bill. The bill authorizes the President to support an international stabilization force in Iraq, if the Iraqi government requests such a force, but U.S. troops would not be permitted to participate in the international force;

Turn security activities and military operations in Iraq over to the elected Iraqi government within 6 months of the date of enactment.

Prohibit the U.S. from establishing permanent bases in Iraq;

Cap the number of officers and employees of the United States assigned to the U.S. embassy in Iraq at 500;

Accelerate the training and equipping of Iraqi military and security forces;

Pursue security and stability in Iraq through diplomacy;

Provide Iraqi government assistance in destroying/cleaning up land mines, unexploded ordnance and depleted uranium shells;

Provide assistance to the Iraqi government in recovering cultural and historic artifacts that have disappeared since the U.S. invaded in 2003;

Provide compensation for Iraqi noncombatant civilian casualties—except for those individuals that participated in the armed insurgency after May 1, 2003; and

Fully fund veterans healthcare, including mental health care, for our returning veterans.

This bill stands in stark contrast to President Bush's proposal to send more than 20,000 additional troops to Iraq.

The President proposes more of the same, while we provide a way to remove our troops from the sectarian civil war in Iraq, return our troops to their loved ones and begin the process of restoring our credibility throughout the world.

EVEN THE SOLDIERS WILL TELL YOU: ''NOTHING'S GOING TO HELP''

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

Mr. DUNCAN. Mr. Speaker, I voted against going to war in Iraq when Congress voted on this in October of 2002, and I am opposed to sending more troops there now.

President Bush has said that he is going to listen mainly to his commanders. I wish he would listen to Specialist Don Roberts, 22, of Paonia, Colorado, now on his second tour in Iraq, who told the Associated Press, ''What could more guys do? We can't pick sides. It's almost like we have to watch them kill each other and then ask questions.''

Sergeant Josh Keim of Canton, Ohio, also on his second tour said, ''Nothing is going to help. It is a religious war and we are caught in the middle of it.''

Saddam Hussein was an evil man, but he had a total military budget a little over two-tenths of 1 percent of ours, most of which he spent protecting himself and his family and building castles. He was no threat to us at all.

But even before the war started, Fortune Magazine had an article saying that an American occupation would be ''prolonged and expensive'' and would make U.S. soldiers sitting ducks for Islamic terrorists.

Now we have had more than 3,000 young Americans killed, many thousands more wounded horribly, and have spent $400 billion and the Pentagon wants $170 billion more. Most of what we have spent has been purely foreign aid in nature: Rebuilding Iraq's infrastructure, giving free medical care, training police, giving jobs to several hundred thousand Iraqis, and on and on.

Our Constitution does not give us the authority to run another country as we have in reality been doing in Iraq. With a national debt of almost $9 trillion, we cannot afford it. To me, our misadventure in Iraq is both unconstitutional and unaffordable.

Some have said it was a mistake to start this war, but now that we are there we have to ''finish the job'' and we cannot ''cut and run.'' Well, if you find out you are going down the wrong way down the interstate, you get off at the next exit.

Very few pushed as hard for us to go to war in Iraq as did syndicated columnist Charles Krauthammer. Last week, he wrote that the Maliki government we have installed there cares only about making sure that the Shiites dominate the Sunnis. And he wrote, ''We should not be surging American troops in defense of such a government,'' Krauthammer wrote. ''Maliki should be made to know that if he insists on having this sectarian war he can well have it without us.''

There is no way we can keep all of our promises to our own people on Social Security, veterans benefits, and many other things in the years ahead if we keep trying to run the whole word.

As another columnist, Georgie Anne Geyer, wrote more than 3 years ago, ''Americans will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe.''

We should help other countries during humanitarian crises, and we should have trade and tourism and cultural and educational exchanges, but conservatives have traditionally been the strongest opponents to interventionist foreign policies that create so much resentment around the world. We need to return to the more humble foreign policy President Bush advocated when he campaigned in 2000.

We need to tell all these defense contractors that the time for this Iraqi gravy train with its obscene profits is over. It is time to bring our troops home, Mr. Speaker.

I wrote that in a column that ran last Friday in Tennessee's highest circulation newspaper, the Nashville Tennessean, but let me just add this: William F. Buckley, who has often been called the Godfather of Conservativism, wrote about 1½ years ago, ''A point is reached when tenacity conveys not steadfastness of purpose but misapplication of pride.''

Mr. Speaker, we cannot win a civil war between the Shiites and the Sunnis. There can be no victory for us in such a war.

Mr. Speaker, as a teenager I sent my first paycheck as a bag boy at the A&P grocery store as a contribution to the Barry Goldwater campaign. I have been a staunch conservative since high school. This war in Iraq went against every conservative position I have ever known. We need to return Iraq back to Iraqis and start putting our own people first once again.

WE CAN TRANSFORM COMMON DREAMS INTO THE COMMON GOOD

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, we each have our heroes. Gandhi is one of mine. Gandhi said, ''Be the change you want to see in the world.'' Those are words to live by and a philosophy to guide us in making laws that affect the American people.

I have been elected as a subcommittee chairman in the new Congress, and I think the American people and my House colleagues deserve to hear something about my vision about that responsibility.

I am elected to chair the Human Resources Subcommittee of the Ways and Means Committee. Human resources is really about America's safety net. This subcommittee has jurisdiction over many vital social and economic programs that support the American people. They are key portions of the Social Security Act, which include unemployment insurance, temporary assistance for needy families, supplemental security income, and programs to protect vulnerable and assist disadvantaged children. I don't think the present subcommittee name ''Human Resources'' really conveys the mission of that committee or the urgency, so we have decided to change the name to the Subcommittee on Economic Security and Family Support.

In one sentence, here is my vision of what this subcommittee can do in service of the American people: We can transform common dreams into the common good, and we have a social responsibility and a moral imperative to do it. We should at least begin an effort to cut poverty by 50 percent, and I intend to try.

Millions of Americans, many in families where both parents work, live in poverty today. That should be unacceptable in the richest nation in the world. The millions of children who go to bed hungry tonight, abandoned, abused, neglected, or just plain forgotten, it is a shame. We have got to remember. We have got to say to these children, ''You are not alone, and we will help.'' We can inspire innovations in child welfare for children in kinship care, for foster parents, for case workers, for family court workers, and countless other unsung heroes in America. ''We thank you for your service to the children and your communities and your family, and I don't think it is unreasonable to expect that your government does its part.''

I am not standing here as a Democrat. Good ideas don't begin with a political party label; good ideas begin with a commitment to something bigger than ourselves but involving all of us. It is the common good. No child should be alone in a country as compassionate as ours. We can start there, and then debate the ideas and programs that can deliver the common good. We can vow to cut poverty in half.

Just 2 days ago, we stopped to honor Martin Luther King, Jr. Let's not forget something Dr. King said: ''Injustice anywhere is a threat to justice everywhere.'' That applies to every nation on earth, including the United States. The richest nation on the earth is poorer for every American who lives in poverty. There is work to be done, and we cannot deny it. We can make America the nation where social and economic justice applies to everyone regardless of their economic circumstance.

We admire the visionary work done by leaders who have come before us. These leaders believed we have an obligation to assist Americans who lose their job through no fault of their own. In the 21st century, changes wrought by a global marketplace should challenge us to reexamine and strengthen the support for American workers. Anyone who loses their job, especially an older worker, knows what I mean. America is a nation founded on the common good. It is the fundamental basis of this country, and every caring family, we take care of each other.

The safety net committee I chair is woven out of the social fabric that created America. We have been handed the

responsibility and an expectation to do good. It is far too convenient to bash the government and blame it for all our ills. In America, the people are the government. I think the people expect and deserve a government that acts in their name and on their behalf in a way that reflects the hope and promise America has meant for over two centuries.

America's future is in our hands, and it is within our power to nurture, heal, and defend. That is my mission, and that is the mission of this Congress. The safety net is ours to weave and ours to protect. We must do it.

□ 1830

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

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

WE MUST ADDRESS GUN VIOLENCE

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

Mrs. MCCARTHY of New York. Mr. Speaker, as the House begins its work in the 110th Congress, we must address the issue of gun violence. Congress has a responsibility to make sure violent criminals cannot legally purchase guns. I am not proposing any new laws or a ban on buying guns. Instead, we must help our States enforce current laws that prevent criminals from buying guns.

The NICS system, the National Instant Criminal Background Check System, is the database used to check potential firearm buyers for any criminal records. In large, NICS has been a very good success. Since 1994 more than 700,000 individuals were denied a gun for failing their background check. However, the NICS system is only as good as the information in its database.

Mr. Speaker, 25 States have automated less than 60 percent of their felony convictions into the NICS system. In these States, many felons won't turn up on the NICS system and would be able to purchase a gun with no questions asked.

In 13 States, domestic violence and restraining orders are not accessible through the NICS system. Common sense would dictate that you don't sell a gun to somebody that has a restraining order. Unfortunately, that is not the case.

On March 8, 2002, Peter Troy purchased a .22 caliber semiautomatic rifle. His own mother had a restraining order against him as a result of his violent background. It was illegal for him to purchase a gun, but he simply fell through the cracks. Four days later, Peter Troy walked into Our Lady of Peace Church in Lynbrook, New York, opened fire and killed two innocent people. Peter Troy had no business buying a gun, and the system created to prevent him from buying the gun failed.

We must fix the NICS system. That is why I introduced H.R. 297, the NICS Improvement Act. This legislation would provide grants to States to update the NICS system. States would be able to update their NICS database to include felons, domestic abusers and other violent criminals. We need the NICS Improvement Act to become law, and we need to pass more bills like it.

These ideas impose no new restrictions on gun owners, but give the government the tools to ensure existing laws are effective and enforceable. In fact, the NICS Improvement Act already passed the House in the 107th Congress by voice vote. Last Congress, a Judiciary subcommittee passed the measure. Unfortunately it did not get to the full committee.

This is commonsense gun legislation that we can all agree on. This bill will save lives while not infringing on anybody's second amendment rights.

Mr. Speaker, I call on Congress to act quickly on H.R. 247. If we can prevent tragedies like this happening throughout the country, we could save lives and enforce the laws already on the books.

Mr. Speaker, I would like to bring one other subject up. This country is facing a shortage of blood. I would encourage all people in this country to give blood. It is easy, it is painless, and it can save someone's life.

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

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

IRAQ WAR

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. Mr. Speaker, we did not need to invade Iraq. From the beginning, I found President Bush's stated reasons for the Iraq war unconvincing. Now we know they were also untrue.

At the time the decision was being sold to Congress, I was unable to get any level of assurance that there was a workable plan for victory. There weren't answers to questions like, ''What is the strategy for stabilization after the military victory?'' or, ''What is the exit plan?''

The American forces were to be greeted by grateful Iraqis bearing flowers, but I was never able to learn what plan B was if this rosy scenario did not prove out. Now we know there was no plan B.

I voted against the war in Iraq, but even though I opposed the invasion, I never dreamed that the President's policies and course of action would be as disastrous as they have been for Iraq, for the Gulf region and for America.

I think the real question America now faces is what is the least catastrophic end to this debacle, and how can we obtain it. Answering such a question would include options of utilizing diplomacy in the region as recommended by the bipartisan Iraq Study Group. It would include America calling upon neighboring States to take strong measures to avoid a spread of the conflict beyond Iraq as that nation disintegrates into tribal and sectarian violence. The Saudis are aware of the peril and Iran is aware of the prospects.

But President Bush has once again offered a proposal based on wishful thinking instead of the unpleasant reality. Having been the cause of the destabilization of Iraq, America has a moral obligation to take what steps are possible to obtain new stability. But wanting to create stability within Iraq and being able to accomplish that goal with U.S. military forces is not the same thing. That is why I have decided to cosponsor Representative John Murtha's resolution directing the redeployment of our troops at the earliest practicable date while maintaining a quick reaction U.S. force and an over-the-horizon presence of U.S. Marines in the region. Like Representative MURTHA, I feel like the solution to the war in Iraq is a diplomatic one.

America is a country that doesn't take disappointment well. Our culture is one where the phrase ''failure is not an option'' just makes sense. That attitude has served us well historically in science, industry and war. But it can also lead to problems and to decisions based on wishful thinking instead of on facts.

Political leaders don't want to be the ones to bring the bad news to an American public raised on the phrase ''failure is not an option.'' Some even suspect that the President's escalation plan may have as a goal running out the clock so the next President will be the one who has to deliver the bad news.

Right now I think another American phrase is better for this situation: When you are in the hole, the first thing to do is stop digging.

It is time to stop digging. Sending in more troops is not going to bring stability to Iraq because the primary problem between the Iraqis is political, not military.

We are not going to be met with flowers by the Iraqis today, or probably ever. More than 60 percent of the Iraqi public believes it is a good thing to attack and kill Americans stationed in Iraq. We have to accept that we are part of the problem in Iraq, not part of the solution.

Real leadership deals with the world as it is, not as we wish it to be. And

here is something to keep in mind: The American public already knows it is time to stop digging. Now they are ready to hear Congress say it out loud.

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

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

HONORING MUHAMMAD ALI ON HIS 65TH BIRTHDAY

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

Mrs. JONES of Ohio. Mr. Speaker, I rise today to honor a man known as ''The Greatest,'' Muhammad Ali on the occasion of his 65th birthday. We passed the legislation today, but unfortunately I didn't have a chance to speak. Those that know me know that I am a huge boxing fan, and Muhammad Ali is certainly one of the reasons why I enjoy the sport so much.

I can recall watching his fights and being in awe of his style and gracefulness in the ring. He was a masterful self-promoter, and won over throngs of fans and media alike with his charm and charisma. But it is his undeniable skill that kept him at the top of his game. His style is something that has often been imitated but never duplicated.

Muhammad Ali defeated almost every top heavyweight in his era, an era which has been called the Golden Age of Heavyweight Boxing. Ali was named ''Fighter of the Year'' by Ring Magazine more times than any other fighter and was involved in Ring Magazine ''Fight of the Year'' bouts more than any other fighter.

He is an inductee into the International Boxing Hall of Fame and holds wins over seven other Hall of Fame inductions. He is also one of only three boxers to be named ''Sportsman of the Year'' by Sports Illustrated.

But Muhammad Ali was more than an athlete, he was a revolutionary. He was a man that was not afraid to stand up for what he believed in. His prowess in the ring pales in comparison to his character and integrity as a human being. He refused to fight in the Vietnam war, famously stating, ''I ain't got no quarrel with those Vietcong.'' His actions led to his banishment from boxing in the United States and forced him to fight abroad.

Near the end of 1967, Ali was stripped of his title by the Professional Boxing Commission and would not be allowed to fight professionally for more than 3 years. He was also convicted for refusing induction into the Army and sentenced to 5 years in prison. Over the course of those years in exile, Ali fought to appeal his conviction. He stayed in the public spotlight and supported himself by giving speeches, primarily at rallies on college campuses, that opposed the Vietnam war. In 1970, he was allowed to fight again, and in late 1971 the Supreme Court reversed his convictions.

When I was a law student at Case Western Reserve University, Muhammad Ali was scheduled to speak. I was driving down the street in this little boxcar, and I looked out my window to the right, and who was walking down the street but Muhammad Ali. I rolled my window down in my modest way and said, ''What are you doing walking down the street? Get in my car.''

Muhammad Ali got in my car.

I had two little boys in the back seat, and throughout the ride to the campus he recited poetry to these two young men.

When we arrived at campus, I said, ''Mr. Ali, do you have a ride back to the airport?''

He said, ''No.''

I said, ''Now you do. You've got a ride.''

So he spoke. We drove the young people home to their parents. One little boy got out of the car and ran up to the house and said, ''Mommy, mommy, guess who is in the car? Muhammad Ali.''

That mom slapped the little boy and said, ''Stop lying and get in this house.''

Muhammad Ali gets out of the house and goes to the door and knocks on the door, and the mother almost fainted.

So then I drive him back to the airport.

That was such a wonderful experience, to see this man of such great talent spend so much time with these young people.

I will never forget the opportunities that I had to meet Muhammad Ali. On another occasion he came to speak in Cleveland connected with Warith Deen Muhammad, the son of Elijah Muhammad. But Mr. Speaker, it is such a wonderful opportunity to celebrate the life of the man known as ''The Greatest,'' Muhammad Ali.

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

(Ms. SOLIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE KUCINICH PLAN FOR IRAQ

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

Mr. KUCINICH. Mr. Speaker, Congress is beginning to focus on the necessity to take a new direction with respect to Iraq. There are some in the administration who are saying well, there is no plan. What can we do? We have to stay the course. We have to send more troops. We have to make a renewed effort.

Once again I am offering for the attention of this Congress a plan that I put together that meets the requirements of being able to bring our troops home and create stability in Iraq and reunite the United States with the world community in the cause of peace and security.

Here are the elements of the Kucinich plan:

First, the U.S. announces it will end the occupation, close military bases and withdraw.

The insurgency has been fueled by the occupation and the prospect of a long-term presence, as indicated by the building of permanent bases. A U.S. declaration of intention to withdraw troops and close bases will help dampen the insurgency which has been inspired to resist colonization and fight invaders and those who have supported U.S. policy. Furthermore, this will provide an opening for parties in Iraq and in the region to set the stage toward negotiations and peaceful settlement.

Second, the U.S. announces it will use existing funds to bring the troops and the necessary equipment home.

Congress appropriated $70 billion in bridge funds on October 1 for the war. Money from this and other DOD accounts can be used to fund the troops in the field over the next few months and to pay for the cost of the return of the troops, which has been estimated at between 5 and $7 billion while a political settlement is being negotiated and preparations are made for a transition to an international security and peacekeeping force.

Number three, order a simultaneous return of all U.S. contractors to the United States and turn over all contracting work to the Iraqi government.

The contracting process has been rife with corruption with contractors stealing from the U.S. Government and cheating the Iraqi people, taking large contracts and giving a few percentages to Iraqi subcontractors. Reconstruction activities must be reorganized and closely monitored in Iraq by the Iraqi government with the assistance of the international community. The massive corruption as it relates to the U.S. contractors should be investigated by congressional committees and Federal grand juries. The lack of tangible benefits, the lack of accountability for billions of dollars while millions of Iraqis do not have a means of financial support, nor substantive employment, cries out for justice. It is noteworthy that after the first Gulf War, Iraqis reestablish electricity within 3 months despite sanctions. Four years into the U.S. occupation, there is no water or reliable electricity in Baghdad despite massive funding from the U.S. and the Madrid Conference. The greatest mystery involves the activities of private security companies who function as mercenaries. Reports of false flag operations must be investigated by an international tribunal.

Fourth, convene a regional conference for the purposes of developing a security and stabilization force in Iraq.

The focus should be on a process which solves the problem of Iraq. The U.S. has told the international community, ''This is our policy and we want you to come and help us implement it.'' The international community may have an interest in helping Iraq, but it has no interest in participating in the implementation of failed U.S. policy.

A shift in U.S. policy away from unilateralism and toward cooperation will provide new opportunities for exploring common concerns about the plight of Iraq. The U.N. is the appropriate place to convene, through the Office of the Secretary General, all countries that have interests, concerns and influence, including the five permanent members of the Security Council and the European Community, and all Arab nations.

□ 1845

The end of the U.S. occupation and the closing of military bases are necessary preconditions for such a conference. When the U.S. creates a shift of policy and announces it will focus on the concerns of the people of Iraq, it will provide a powerful incentive for nations to participate.

It is well known that while some nations may see the instability in Iraq as an opportunity, there is also an ever-present danger the civil war in Iraq threatens the stability of nations throughout the region. The impending end of the occupation will provide a breakthrough for cooperation between the U.S. and the U.N. and the U.N. and the countries of the region. The regional conference must include Iran, Syria, Egypt, Saudi Arabia, and Jordan.

The fifth point in the Kucinich plan is to prepare an international security and peacekeeping force to move in, replacing U.S. troops who then return home.

Mr. Speaker, this is a 12-point plan, and I will be presenting more features of it in future sessions.

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

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

PUBLICATION OF THE RULES OF THE COMMITTEE ON APPROPRIATIONS OF THE 110TH CONGRESS

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

Mr. OBEY. Madam Speaker, pursuant to clause 2 of rule XI, I submit for publication in the CONGRESSIONAL RECORD the rules of the Committee on Appropriations for the 110th Congress, adopted on January 16, 2007.

COMMITTEE ON APPROPRIATIONS—COMMITTEE RULES EFFECTIVE FOR THE 110TH CONGRESS

(Approved January 16, 2007)

Resolved, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Ninth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Tenth Congress.

The foregoing resolution adopts the following rules:

SEC. 1: POWER TO SIT AND ACT

(a) For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House of Representatives, the Committee and each of its subcommittees is authorized:

(1) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary; and

(2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary.

(b) The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection (a)(2) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

SEC. 2: SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the sub committee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; Provided, however, That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are each authorized to sit as a member of all subcommittees and to participate, including voting, in all of the work of the subcommittees.

SEC. 3: STAFFING

(a) COMMITTEE STAFF.—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 9(c) of Rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) ASSISTANTS TO MEMBERS:

(1) Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of that Member. Effective as of such date as the Chairman may determine, all other Members of the Committee may also each select and designate one such staff member.

(2) Effective as of such date as the Chairman may determine, the Chairman and Ranking Minority Member of the full Committee and of each subcommittee may each select and designate one staff member, in addition to the staff member designated under the preceding paragraph, who shall serve at the pleasure of the Member making the designation.

(3) Staff members designated under this subsection shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in Clause 9(c) of Rule X of the Rules of the House of Representatives. Effective as of such date as the Chairman may determine, the limit on compensation under this subsection shall be increased to 80 per centum of such maximum.

(4) Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

SEC. 4: COMMITTEE MEETINGS

(a) REGULAR MEETING DAY.—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

(b) ADDITIONAL AND SPECIAL MEETINGS:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special meeting.

(c) VICE CHAIRMAN TO PRESIDE IN ABSENCE OF CHAIRMAN.—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) BUSINESS MEETINGS:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or the subcommittee concerned, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and depart mental representatives as they may authorize shall be present at any business or markup session which has been closed.

(e) COMMITTEE RECORDS:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is demanded. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congressional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House, except that the Committee authorizes use of any record to which Clause 3(b)(4) of Rule VII of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to Clause 3(b)(3) or Clause 4(b) of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

SEC. 5: COMMITTEE AND SUBCOMMITTEE HEARINGS

(a) OVERALL BUDGET HEARINGS.—Overall budget hearings by the Committee, including the hearing required by Section 242(c) of the Legislative Reorganization Act of 1970 and Clause 4(a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(b) OTHER HEARINGS:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under Section 5(c) of these Rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Clause 2(k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in Clause 2(k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; Provided, however, That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) QUORUM FOR TAKING TESTIMONY.—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) CALLING AND INTERROGATION OF WITNESSES:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or sub committee who so desires has had an opportunity to question the witness.

(e) BROADCASTING AND PHOTOGRAPHING OF COMMITTEE MEETINGS AND HEARINGS.—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause (4)(f) of Rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or subcommittee chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) SUBCOMMITTEE MEETINGS.—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) PUBLIC NOTICE OF COMMITTEE HEARINGS.—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or sub committee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subsection shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information Systems.

SEC. 6: PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) PROMPT REPORTING REQUIREMENT:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) PRESENCE OF COMMITTEE MAJORITY.—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) ROLLCALL VOTES.—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure of matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) CONSTITUTIONAL AUTHORITY STATEMENT.—Each report of the Committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) CHANGES IN EXISTING LAW.—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(g) RESCISSIONS AND TRANSFERS.—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) LISTING OF UNAUTHORIZED APPROPRIATIONS.—Each Committee report on a general appropriation bill shall contain a list of all appropriations contained in the bill for any expenditure not currently authorized by law for the period concerned (except for classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(i) SUPPLEMENTAL OR MINORITY VIEWS:

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital that any such supplemental, minority, or additional views are included as part of the report.

(3) This subsection does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) AVAILABILITY OF REPORTS.—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; Provided, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

(k) PERFORMANCE GOALS AND OBJECTIVES.—Each Committee report shall contain a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(l) MOTION TO GO TO CONFERENCE.—The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

SEC. 7: VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

(c) The Chairman of the Committee or the chairman of any of its subcommittees may—

(1) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment;

(2) resume proceedings on a postponed question at any time after reasonable notice.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

SEC. 8: STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in Section 202 (b) of the Legislative Reorganization Act of 1946 and in Clause (3)(a) of Rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

SEC. 9: OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, except upon request from the Chairman.

(d) In accordance with Clause 8 of Rule X of the Rules of the House of Representatives and Section 502 (b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) TRAVEL REPORTS:

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable

laws or regulations of the House and of the Committee on House Administration pertaining to such travel, and as promulgated from time to time by the Chairman.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. The gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes.

Mr. PRICE of Georgia. Mr. Speaker, I want to thank the leadership for allowing me to host this hour this evening, an hour once again of the Official Truth Squad. The Official Truth Squad is a group of individuals who got together almost 2 years ago now, and we are somewhat frustrated and concerned about the level of not just rancor here in Congress, but the level of disinformation and the kind of information that was often being put forward in support of certain legislation that, in fact, well, Mr. Speaker, just wasn't true.

So what we did is to get together, primarily, a group of freshmen from the last Congress and put in place this Official Truth Squad. Our goal, our purpose, is to raise the level of the rhetoric, to be a little more positive than is usually the case here in Washington, and to use facts. To use facts. We have a number of favorite quotes, but one we like to use frequently is one from former United States Senator Daniel Patrick Moynihan, who kind of crystallized what is a real concern here in Washington, because everybody throws around their own opinions. But his quote was, ''Everyone is entitled to their own opinion but not their own facts.''

We think that it is extremely helpful when we are talking about issues to talk about facts, because if we are not using facts to base the decisions we make here in Washington, if we are not using facts to reach the conclusions, then it is very likely that we will not reach the right conclusion.

I have said before, Mr. Speaker, that in my former life I was a physician, and I knew if I didn't use facts and I didn't make the right diagnosis, it was virtually impossible to formulate the right treatment plan and then have the patient get well. So we can look at that as an analogy for what we are trying to do for our Nation, which is to make the right diagnosis, to formulate the right proposals and plans and policies and put them in place so that the patient that is our Nation survives and thrives and does well.

Mr. Speaker, I am pleased to be able to have the opportunity once again tonight to host an hour of the Official Truth Squad; and I will be joined by a number of colleagues, and we will address two or three issues this evening. We are going to start by talking about what many people have discussed around the Nation, and it has kind of captured the attention of many in the media, Mr. Speaker, and that is this issue of the 100-hour agenda that the majority party, the Democrats, have.

It is curious to look at that for a variety of reasons, but we will look specifically at the amount of time and kind of what they have been doing with that 100 hours.

Secondly, we will talk about the issue of student loans. It is a bill we had here in Congress today, and we are trying to have facts back up policy as it relates to how best to provide appropriate loans for students who are trying to reach that American dream all across this Nation.

Thirdly, we are going to talk a little about energy policy, something that I would suggest, Mr. Speaker, needs a lot of facts brought to the table.

The common theme that I think people will appreciate if they are truly interested in looking objectively at these three issues, and so many others here in Congress, the common theme about these three issues tonight, I would suggest, Mr. Speaker, is broken promises. Broken promises.

In fact, when you look at these issues independently, I think you will be able to see as we go through them the broken promises that have occurred just in these first 2 weeks in Congress.

And why is it important, Mr. Speaker, for promises to be kept? Well, you know, we hear all the time from the other side that people voted last November for a change. And they did vote for a change; there is no doubt about it. There were a lot of things we in the majority could have done better. But people across this Nation based their votes upon information that they had. They based their votes upon what they were being told and what they were being promised by the other side. So if those promises aren't kept, then that is important.

It is important for a variety of reasons. One is that the policies that were promoted and were espoused as being the be-all and end-all for our Nation aren't being carried out by the majority party. But as important as that is, Mr. Speaker, maybe even more important is the fact that when people go to the polls and they vote, and they rely on what Members of Congress who are ultimately successful have told them they were going to do, and then those things aren't done, all that does, Mr. Speaker, is breed a cynicism and a disgust with our form of government and our Representatives, and makes it so that it is extremely difficult to move forward in a positive direction for our Nation.

I want to talk a little bit about the 100-hour clock, and then we will have some others, I know, who will be interested in speaking about that. There has been a lot of talk about this 100 hours, this wonderful 100 hours in which the Democrat majority was going to get all these grand things done. And it was promised, it was promised, this 100 hours.

Now, what we have seen over this period of time is that that 100 hours has changed. Initially, the first 100 hours was going to be, to quote the Speaker on October 6, 2006, she said, ''In the first 100 hours the House meets after Democrats win control,'' and then she went on to describe what they were going to do. The first 100 hours the House meets after Democrats take control.

Then it soon morphed into, well, it will be the first 100 legislative hours. On December 1, after the election, when they began looking at what they were going to do and how they were going to make it happen, they said, on December 1, 2006, ''In our first 100 legislative hours in office we have a bipartisan and an achievable plan.''

Mr. Speaker, as you well know, that kind of went by the wayside as well. And when we called them on it, we said what 100 hours is it, the new majority leader, Mr. HOYER from Maryland, put it best when he kind of talked about, well, we will try to do it in 100 hours. Maybe we will get it done, maybe we won't. But then he said, ''It all depends on how you are counting 100 hours.''

And he is right. He is right. It all depends on how you are counting the 100 hours. If you have the desire to deceive the American people and turn the clock on and off whenever you want to, then you get to about 33 hours, which is what the Democrat clock tells us they have taken.

This is our third week, Mr. Speaker, our third week here. So what does that mean? It means that we are working about 10 hours a week. About 10 hours a week. I think the American people are working a whole lot more than 10 hours a week. A reasonable amount of time, given that we have been sworn in for about 14 days, 2 full weeks, a reasonable amount of time may be 80. And that is about the sense of how many hours we have in fact been in session.

As of 7 p.m. tonight, Mr. Speaker, we will have been in session 81 hours and 53 minutes. So that is a reasonable estimate. But the total, if you really keep track of 100 hours, the total time as of noon today was 336 hours. As of noon today, 336 hours.

Now, people may say, well, that doesn't make a whole lot of difference what the time is. But, Mr. Speaker, it does, because the promises were made and the promises have been broken. Again, as Mr. HOYER says, it all depends on how you're counting 100 hours. Kind of reminds me of the quote about the definition of ''is,'' doesn't it, Mr. Speaker?

We are so pleased to have many members of our conference who want to take part in the Official Truth Squad, and tonight we have a new friend to me and to our conference, Congressman DAVID DAVIS, the gentleman from Tennessee, who is a freshman. This is his first term in Congress.

He began a small business, a very successful individual back in Tennessee, and he has great perception on the processes of legislation because he, like I, served 8 years in his State legislature. So I am very, very pleased to welcome Congressman DAVIS to the

floor this evening to share a few words with us about the first 100 hours, the first couple of weeks, and his experiences.

I welcome you and would be glad to yield.

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I thank the gentleman, and here we are in our third week of 100 hours, and that is not east Tennessee math. I represent the beautiful area of northeast Tennessee and the 1st Congressional District and am very honored to do so.

One thing I recall when we went through the elections last year, being a freshman legislator here in Washington, I remember the talk about we need change, and I think the American people actually voted for change, Mr. Speaker. But I am not so sure the American people are going to be happy with the change that is taking place here on the Hill.

One of the things that has happened as we have moved forward in this first 100 hours, one of the very first things that we did under the new Democrat majority is, we took a vote to not require recorded votes in the Rules Committee. Now, remember, back in the elections during the talk of change, this was going to be the most open Congress that had ever been known on Capitol Hill. Well, when you go into a committee and you take a vote and that vote is not open and recorded for the people back home, you are not opening up sunshine, you are actually pulling the blinds down on government.

I don't think that is exactly what the American people wanted to do. I don't think that is the change the American people wanted.

I was known as a Tennessee legislator that actually worked to open up government in Tennessee. When I went there, I found out in Nashville, Tennessee, that they were doing the very same thing. They were going into committees and subcommittees and people were taking votes, and you could go to the speaker of the house and say, Mr. Speaker, I am with you; don't worry about that, I will vote with you on that issue. And then you could go back home and say, don't worry about me, I am with you on that issue, and you would be telling two completely different stories.

Well, after 8 years of working in Tennessee, we finally changed that. And so I was looking forward to coming to Washington where we were going to have the most open Congress that had ever been known on Capitol Hill. Well, here I come, and the first week of the 100 hours, 3 weeks ago, I find one of the first things the majority party did was to actually stop recording votes. That is not the change the American people wanted, Mr. Speaker.

On another issue, Mr. Speaker, when the Republicans had the majority, if they wanted to raise taxes, if there was a need to balance the budget with taxes, it took a super majority to raise those taxes. It took three-fifths of the Members of this august body to raise those taxes.

Well, the American people voted for change. Not sure they got the change they wanted, though, because one of the very first things that took place here on Capitol Hill was, they lowered that super majority to raise your taxes down to a simple majority. So now taxes can be raised without one Republican vote.

I don't think they would have done that if that was not something they are looking at as a possibility in the future. I am not sure that is the change the American people voted for. I think they ought to be concerned. I think it can lead to bigger government, and it is going to lead to a bigger bureaucracy. We are seeing that in some of the votes.

Not sure that is the change the American people voted for.

One of the votes we voted for the second week of the 100 hours was to threaten life.

□ 1900

What a tragedy when you don't protect the life of the unborn. We were talking about stem cells. And I am a big supporter of actually using adult stem cells. There is new research that has come out that says you can use amniotic fluid. And if you look at the science, the science tells you that there are about 72 diseases that have been treated with adult stem cells. There is zero diseases that have been treated with the embryonic. And that debate was not really about can you do it or can't you do it. It has already been legal. And I can tell you, being a businessperson, if there had been a lot of scientific possibilities for that there would be some business somewhere that would have invested capital, risked that capital because there is a potential for success in the future.

Well, under the Democrat control, under the majority control, unfortunately, they decided to pass the piece of legislation to allow embryos to be destroyed; in other words, allow life to be destroyed. I am not sure that is the change the American people wanted, Mr. Speaker.

Then, again, in the second week of the first 100 hours, a bill actually passed here on the floor to allow our national security to be controlled by the United Nations.

Now, living in the mountains of East Tennessee, I don't know many east Tennesseeans that would want the U.N. to be in charge of our security. We are a sovereign Nation, and I honestly believe Americans across the Nation are just like most east Tennesseeans, we don't feel like we have to go ask the U.N. if we can protect ourselves. I can't think of anything that is more important than a government that is willing to protect its citizens. That is our number one responsibility is the security of our citizens. So putting us under the auspices of the U.N. is, I don't think, the change the American people wanted.

Then there is going to be a bill coming up tomorrow on energy taxes, and there is a lot of talk about big oil and what are we going to do with this issue. And we are giving special interest. Well, the reality is the special interest that I want to protect is the person that turns on his light switch back in east Tennessee tonight, or has to turn their heat on because it has gotten colder outside, or the family back in east Tennessee that is having to stop and fill up their automobile with gas tonight. That is the special interest that I want to protect. And raising taxes during this 100 hours is not the change that the American people wanted, Mr. Speaker. That is not what I hear from east Tennessee, and that is not what I hear from Americans.

Big government simply isn't the answer all the time. Oftentimes, I find, as I talk to the good commonsense folks back in east Tennessee, is sometimes the government is the problem. And bigger government leads to bigger bureaucracy. I think the way we solve these problems is not look to big government, but look back to our families, back across America. Families can make good decisions for their children and for their grandchildren. Then look to the States. States have a good handle on what is going on back across the United States and look to local governments. Look to businesses. Big government's not always the answer. I don't think that is a change that the American people wanted, Mr. Speaker.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman for participating this evening, and I appreciate your perspective. You have come with a wealth of knowledge and information, especially in the health care issues, but also your legislative experience. And I think you are right. I think that the American people did indeed vote for change. And you outlined a number of the issues that I suspect, had the other side run, during the campaign, on those issues, that the vast majority of the American people, Mr. Speaker, would have said well, that is not what I mean.

To not reveal to the American people what kind of votes are occurring in committee? That is not democracy in action. Doing away with the super majority. We know why they did away with the super majority don't we now, because they are about to raise taxes tomorrow, and they couldn't have done it if it required a super majority.

To have the United Nations have some significant control over portions of U.S. foreign policy, that is not the kind of change that the people were interested in.

And you used one of my favorite lines, and that is that the special interests that you have are the constituents that you represent. And it is so true, that when people in this Chamber talk about special interests, the fact of the matter is the only special interests we ought to be concerned about are the constituents that we represent.

And so I can't thank you enough for your participation tonight and the wisdom that you bring and the truth. We don't call it the Official Truth Squad for nothing. And you spoke words of truth and good fact and we appreciate that.

I want to move on, Mr. Speaker, to a couple of other issues. But before I do present a specific issue, I want to highlight some comments and a quote that come from our Speaker, from the new Speaker, that she made during her address to the first session of this Congress. And I think it is important for the American people to be reminded the difference between word and deed. People can say a lot of things. But the actions are what speak louder than words. And these are the words that she used on that first day. ''Let us join together in the first 100 hours,'' there it is again, ''to make this Congress the most honest and open in history. This openness requires respect for every voice in Congress. As Thomas Jefferson said, every difference of opinion is not a difference of principle. My colleague elected me to be Speaker of the House, the entire House, respectful of the vision of our founders, the expectations of our people and the great challenges we face. We have an obligation to reach beyond partisanship and to serve all Americans.''

Well, Mr. Speaker, those are wonderful words. Would that they were true. Would that they were true.

And so that brings us to the issue of student loans, the issue that was on the agenda for the House to deal with today. And I am sorry to say, Mr. Speaker, that what we have here is just one of a repeated series of broken promises. This is another broken promise by this majority party.

What did they promise? The promise was, this is a quote from their own publication. ''Our new direction plan will slash interest rates on college loans in half to 3.4 percent for students and to 4.25 percent for parents.''

What is the reality? Well, the reality, Mr. Speaker, is that instead of cutting rates in half across the board, the Democrats, what they did was phase in a decrease in rates over a 5-year period of time, and only for subsidized loans going to undergraduate students, not the statement that was given, not the promise that was given to the American people.

And Mr. Speaker, remember when promises are made and promises are broken, it does a disservice to all of America and it creates a distrust in our institution. But more importantly, this whole issue of decreasing student loan interest rates, once the fixed rate for this one category, just one category, reaches 3.4 percent, which occurs in July of 2011, it doesn't get there until July of 2011, but once it gets there it is only in effect for 6 months. The fixed rate returns to its original rate on January 2, 2012. Mr. Speaker, that is a broken promise. That is a broken promise if I ever saw one. And what it means is that the American people decrease their trust. They loose their trust in their leadership. And certainly that is what is happening right now across this Nation as this Nation sees the broken promises that are being piled up one after another.

I am pleased to be joined by another good friend and colleague, a member of the Official Truth Squad coming to the floor and assisting in bringing truth and facts and information to the American people, Congresswoman MARSHA BLACKBURN from Tennessee, who has again had a wealth of experience here in Congress, but also wonderful experience back home, and looks out for those special interests that she has, and that is her constituents at home. I welcome you this evening and yield to you and look forward to your comments.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Georgia, and I want to thank the gentleman from Tennessee who previously spoke. He was in the State House when I was in the State Senate there, and he has been such a leader on the issue of government accountability and government reform and openness. And the comments he made are so very, very true. And he truly does have a sense of disappointment with the way the Democrat majority has chosen to circumvent the rules process, circumvent the committee process, not record the vote and go under a shield of darkness rather than having sunlight and exposure in recorded votes. And he represents his constituents so very well, and I am delighted that he has joined us in this body. And I thank the gentleman from Georgia for his diligence in the Truth Squad and in continuing to bring truth to the floor and to talk about the issues that are before us. He is talking about the student loan bill that came before us today, and I tell you what. Listening to some of this today, I think the gentleman would agree with me, you had to wonder every once in a while what you were listening to and where they were getting this information, saying that it was going to save approximately $4,400 over the life of every loan, talking about how it was going to make college more accessible. And it was such a head scratcher because it doesn't do anything for students who are trying to get into college. It doesn't do something for the here and now. It is for the later on, after people have graduated from college.

And you know, another thing that I found to be so very interesting was the way there was no talk about things that the Republican majority had taken action on, conservative ideas, things that we had heard repeatedly from our constituents that they wanted to see happen. And I would like to highlight just a few of the steps that were taken by the Republican majority. You can go back to 1996.

Mr. PRICE of Georgia. Will the gentlelady yield for just a moment?

Mrs. BLACKBURN. I will yield.

Mr. PRICE of Georgia. I appreciate that because I think it is important to highlight that. But I think that what you said, I don't want folks to miss the fact that, and I was stunned when I learned this with the bill that came to the floor today, and I suspect you were as well, and that is that the bill that was on the floor today by the Democrat majority will not assist a single undergraduate student in this Nation. Not one. Isn't that the truth? And I yield back.

Mrs. BLACKBURN. And the gentleman is correct in that. This is for ones who have graduated and then you are earning an income and then you start to pay a loan back.

Now, the Republican philosophy, the conservative philosophy on this is, let's get more people into the classroom. Let's help people afford that. Let's allow deductions for families so that they have the opportunity to work hand in glove with their children to make a better education possible. You can go back to 1996 when the section 529 plans came in. Save for college. You, the wage earner, the taxpayer, the mom, the dad, take the responsibility for this and tackle it as a family. That is part of the American dream, working together to realize that dream.

And Mr. Speaker, I tell you what. That is something that is proactive. That is something that gives the power to the individual, not taking it away and saying hey, we are going to cloister it away in Washington, D.C. and you want to go to college, come talk to us. We don't believe in that.

Then you can look at the Taxpayer Relief Act of 1997, two tax credits in that. HOPE Scholarship, Lifetime Learning, reinstatement of the above-the-line deduction for interest on student loans, an exclusion for earnings accruing to education IRAs. They were later changed to be the Coverdell Education Savings Accounts. There again, not giving power to the government and control to the education process over the government, but giving it to moms and dads and families and students so that they can make those.

Well, we can look at the Deficit Reduction Act in 2005. The Smart Grants of up to $4,000 annually for students majoring in math, science, engineering or a foreign language critical to this great Nation's security. Smart Grants. It effectively doubled the Pell Grant for many students. It increased subsidized student loan borrowing caps for freshmen and sophomores, there again, steps that give you, the individual, the power and the control.

We can look at current student aid. We have seen such an increase in student aid over the past decade. To see the amounts that those have increased is just amazing. Our higher ed funding in total has increased.

□ 1915

To the gentleman from Georgia, you know, as we have stood here today and

listened to all the myths, and listened to the information that is erroneous, it has been very disappointing. I would just like to commend to our constituents who are watching tonight that they may want to go to the Education and Labor site, our ranking member, BUCK MCKEON's site, and look at some of the information there that the republicans.edlabor.house.gov have on there, what is the truth with the legislation that we have passed today, so that they can have a better understanding of it.

I had talked with a constituent who had thought that they were going to see enormous savings from this. They had misunderstood the rhetoric that they were hearing on the floor today and thought that they were going to be saving about $4,400 a year, not $4,400 over the life of a loan, which is incorrect, but that it would be even less than that, and for the average student it is more like $400.

So the gentleman is correct in the assessment that he is making. I appreciate that he is breaking down the interest rate chart so that our constituents do have clarity on the situation that is before us.

Mr. PRICE of Georgia. I thank the gentlelady for participating tonight and for bringing wisdom and truth to us in this Chamber.

I think the part of the challenge that we have is, this really is a difference in philosophy. It is about who ought to be in control. You highlighted that extremely well, talking about the importance of what we on the Republican side believe, and that is that students and parents ought to have the resources in order to make decisions, not government making decisions.

What we have seen in this very short 100 hours, depending on how you run the clock in these first couple of weeks, what we have seen is a clear example of the government controlling all aspects of our life from student loans to prescription medication to all sorts of things, wage and price controls.

This chart here is the exact chart that determines the definitions that were provided in the legislation that was on the floor tonight or today for student interest rates.

Right now, as you know, Mr. Speaker, they are at 6.8 percent, and that was fixed appropriately, our side did that last time, in order to make certain that we had more students eligible for student loans.

What happens over the ensuing 5 years with the bill that was passed today by the Democrats? You can see that next year the rate goes down to 6.12 percent, then down to 5.44 percent and on down until you get to 3.40 percent. But again that is only for 6 months. What happens after that 6 months? What happens on January 1, 2012? Goes right back up to 6.80.

So the frustration and the disconnect that people hear at home when they think that they have been told something that would occur, but in fact, that is not what is going to occur at all, in fact, they have been sold a bill of goods. It is another broken promise.

I think it is very destructive to all of us, all of us on both sides of the aisle, when people aren't able to trust what the Members are telling them in terms of what they would do would they be given the opportunity to lead.

We are joined again this evening by another dear friend, Congresswoman VIRGINIA FOXX from North Carolina, who is a stalwart on the Official Truth Squad, and she brings such wonderful wisdom. In this instance, she probably has more knowledge about this than virtually anybody else, that is because she was a college president back in North Carolina.

I welcome you and thank you for your participation tonight. I look forward to your comments.

Ms. FOXX. Thank you, Congressman PRICE, and thanks for always being so prepared with the Official Truth Squad and having the charts out there that show people the facts. Before I got here, I hope you said your famous line, people are entitled to their opinion, but the facts are the facts and we cannot change those. That is important.

Again, I think what we have here is a sham, and perpetuation of untruths by the Democrats to the American people; and frankly, having served 10 years in the State legislature, in the State senate, we were not allowed to say things that were untrue. We got called down by the presiding officer. So when I first came here and heard Democrats doing that, I was stunned, and as you know, pushed to get the Truth Squad going so that we could get the facts out there.

But I appreciate your comments about my experience. Let me say that I do know a lot about this subject, both from my own personal experience as a student and my experience as a university administrator and college president.

I grew up about as poor as anybody you will ever meet. So did my husband. It took me 7 years to get my undergraduate degree, but I graduated from college without a single penny of debt. We have heard all these sad stories about all these people graduating from college with debt. But, you know, it doesn't have to be that way. People choose to borrow money to go to college. They can work, and they can apply for scholarships. They can do the kinds of things I did. I got absolutely no help from home. I financed my entire education and graduated after 7 years without a penny of debt, so it can be done.

Students have lots of choices where to go to school. We have community colleges that are very inexpensive that do wonderful jobs, all the way up to very expensive schools in this country. People have that opportunity.

After I graduated, after I earned my doctorate, I was a university administrator, and I knew a lot about financial aid because that was part of my job. Then I became a community college president. So I do know this subject very well.

Again, I am appalled at this. I said on the debate about stem cell research that we are so misleading the public, thinking that if we do embryonic stem cell research, we are suddenly going to cure all the diseases in this country.

I think the Democrats are being very cynical again in trying to perpetuate to the American people that if this bill, this bill did pass the House today, by passing this bill in the Congress, what we would do would be to make college education affordable and accessible. It will do not one thing to increase access for any single person going to college. It will not make a college education more affordable.

I heard you and my colleague from Tennessee talking about how it is not going to help a single college student. It only cuts down the cost of interest that people have to pay back after they get out of school, and, as you pointed out, it exists for a mere 6 months. What an absolute travesty to try to perpetuate on the American people.

We need to get the truth about this bill out. I know that there is an 80 percent approval rate for this topic. Certainly the American people want colleges and a university education to be more affordable. However, what we are doing in the Federal Government is, we are actually driving up the cost of going to college. We are driving it up by putting all of this Federal money out there.

You know when the Federal dollars are out there, people will go after it, and the colleges and universities raise their tuition rates every time we increase the amount of money that is available to go to college. Then they scream and yell that they don't have enough money.

That is what we are doing. By doing this kind of a thing, we are doing the opposite of what the Democrats say they want to do.

If they were honest about what they wanted to do, if they wanted to help truly needy students, which I worked with my entire career in higher education, low-income students, first-generation college students, then they would put the money into the Pell Grants or into work-study. Studies show that people who work 15 hours a week while they are in college do much better than students who don't. So that is the kind of thing that we should be doing.

This is another broken promise. The Democrats want to say it is a fulfilled promise. But even this only produces one-tenth of what they promised to do in the campaign, 10 percent return on their promises. We need to figure out a nice ditty to go with that, 10 percent return, 10 percent of the 100 percent promise is what the Democrats are producing here, and it is bad.

What I think the Democrats really want to do is turn us into a socialistic country where the government controls everything. They want to put the

government in control. What I think they want to do is drive the private sector out of this area. We do have a direct government loan, but most of the loans are being done through the private sector.

You know, I don't know a single thing in this country that the government does better than the private sector. There is nothing more efficient. But what would happen is, by tinkering with these rates, even making things very insecure, you are going to drive the private sector out. Because they do business plans; they don't have a well to go to, like the American people, to draw up that money just by adding taxes that the American people cannot resist. What they want to do, I think, is really put the government in control of financial aid and of loans. That would be a terrible, terrible mistake. We don't need to be doing that.

So I think it is important that we come here every week, every night, every day, and tell the American people what the truth is about these programs that the Democrats are pushing.

I want to point out one other thing that I am not sure has been pointed out today. I am quoting from a fact sheet that was given to us by staff of the Education Committee. In a shocking display of hypocrisy, Democrat leaders are paying for their $6 billion-plus plan with some of the same lender subsidy cuts crafted by congressional Republicans in the 109th Congress. Ironically, House Democrats voted against many of these cuts the last time they were proposed, calling it part of the now discredited rate on student aid.

Now, what they do, they brought in, in almost every case the bills they brought in had been bills that we had last time. They voted against them, they now bring them in. This is not something that we did last time; we didn't say this. We did do a lot to decrease the rate of spending for loans, but we added money for the loans, but decreased what students would have to pay for the loans. We did do that.

Furthermore, in 2002, Representative GEORGE MILLER, who is now chairman of the committee, praised what the Republicans had done by fixing the 6.8 percent rate that began last year. He says, in addition to extending lender subsidies, it cuts interest rates to students fixing the rate at 6.8 percent beginning in 2006 and will save the average student about $400. Too often in Congress the needs of the average people come last in line.

My colleagues, meaning Republicans, should be commended for assuring that this legislation meets the needs of students and their families. My goodness, he has got amnesia about what he said just a short time ago about what the Republicans were doing. But this suits their needs. They can get out and make campaign promises and then come in here, fulfill 10 percent of what they promised to do, and then try to fool the American people.

Republicans have done a great deal to help students who are struggling to get an education, and we will continue to do that. But we are not going to be duplicitous about it. We have been very straightforward about it.

I want to thank you again for leading the Official Truth Squad tonight and helping us get the word out to the American people.

We are not going to let them get by with telling their open truths. We are going to bring the facts here every time and make sure that the American people hear, as Paul Harvey says, ''the rest of the story.''

Mr. PRICE of Georgia. I thank you so much for your wonderful words of wisdom and sharing your personal story. It really is extremely helpful and pertinent and apt.

You call this a travesty. It really is a travesty, because what has happened is that the hopes and dreams of so many Americans have been raised by the rhetoric that we have heard from the other side. In fact, if you look at this again, and you see over a 5-year period of time, the rate decreases for a mere 6 months to 3.4 percent and then shoots right back up to 6.8 percent.

It really isn't fulfilling a promise; as my good friend from North Carolina said, it is breaking a promise. I think that the American people are paying attention, and over a period of time, this will just add up to their frustration about this kind of hypocrisy and this kind of leadership.

My good friends on the other side of the aisle, for the past 2 years or so, have been talking about what they call ''third-party validators'' to make it so that they can cite individuals that are saying that what they are contending is the case.

We have got some third-party validators on this. I have before me a couple of quotes from some articles written in some very prominent newspapers yesterday and today. The first is from today's Wall Street Journal. This is about these student loans. It says, quote, ''The ostensible goal is to make college more affordable, but such a move could well wind up having the opposite effect.'' This bill, that is, could wind up having the opposite effect.

Further, in the absence of all of this subsidization, colleges would have to be more cautious about raising tuition because their customers would be affected more directly.

□ 1930

The biggest winners from this latest subsidy will be the relatively well off professors and administrators who run higher education. ''Ultimately increasing the government's role is a recipe for making college less affordable.''

Then from the Christian Science Monitor yesterday, from a gentleman who is quoted here, Mark Kantrowitz, the publisher of financialaid.org for students. He says, ''It's a great sound bite, cutting rates in half, but it is an incredibly expensive proposal with very little student aid benefit.'' ''Very little student aid benefit.'' ''Congress would be better off spending the money on something else, like increasing the Pell Grant,'' which isn't increased with this bill, offered to the neediest students as aid that graduates don't need to pay back,'' Kantrowitz said.

Mr. Speaker, really it is just another broken promise, and it is truly, truly a shame to have this be one of the hallmarks of these first ''six for six,'' these proposals that come forward. And virtually every one of them doesn't live up to the promise that was made.

Would the promises that were made be the proposals that I would bring to the floor? Well, not likely, Mr. Speaker. But I do believe that it is important that promises that are made for our constituents be promises that are kept when you are in control, in power, in Congress. Otherwise, we do a discredit and disservice to our entire electoral system.

How are the American people supposed to be able to decide for whom they should vote, if regardless of what an individual says it is not what they do? I believe in an individual's word, and I believe it is important that individuals make honest comments when they are running for office. In fact, that is not what we have seen to date, Mr. Speaker, and that is very, very troubling, to me and to many of my constituents and many folks around the Nation.

I want to switch gears a little bit now, Mr. Speaker, to the issue that will be on the floor tomorrow in the United States House of Representatives. It will be H.R. 6, a bill that has to do with energy policy, national energy policy.

The upshot of the bill is this: Mr. Speaker, as we talked about before, it will be the first time that the Democrats have very directly raised taxes on the American people. It took them 14 days to decide that they were going to do it, not a long time. But who are they going to raise taxes on?

Well, the Democrat energy plan that will be introduced tomorrow, and I will have some information on it, will be a tax increase on American oil companies. Yup, they are going to tax American oil companies because there is a lot of sentiment and anger out there about energy prices. But what happens to foreign oil companies? Not a thing. Not a thing, Mr. Speaker.

Mr. Speaker, you talk about a travesty. That is a travesty. This bill tomorrow will drive up our dependence on foreign oil.

Again, I want to go to some third-party validators. An article in the Wall Street Journal yesterday talked about this bill and said if you increase the cost of domestic oil production by $10 billion, you are ensuring that U.S. imports of OPEC oil will rise and domestic production will fall.

Mr. Speaker, I think it ought to be a goal and my constituents back in the Sixth District in Georgia believe that

we ought to be utilizing American resources for Americans, having American energy for Americans. There is a three-pronged way to do that: Conversation, utilizing resources and alternative fuel. What we are doing is increasing the amount of foreign oil being used. It doesn't make any sense at all. It doesn't make any sense at all.

The Wall Street Journal article goes on to say the House energy bill is nearly a carbon copy of California's Proposition 87. That 2006 ballot initiative would have taxed California's home-produced oil in order to subsidize green technology alternatives.

California is a fairly liberal State, the home State of our Speaker. Maybe that is where they got this idea. California is a fairly liberal State, but even those voters understood that Proposition 87 would have damaged the State's home oil and gas industry, increased foreign oil consumption and raised the energy bills for State residents, and it was clobbered at the polls.

This is a quote from the Wall Street Journal. ''The House will plow ahead anyway, but let's hope the Senate has more wisdom.''

I include a copy of that article for the RECORD, Mr. Speaker.

[From the Wall Street Journal, Jan. 16, 2007]

THE OPEC ENERGY SECURITY ACT

House Democrats have finally released the details of their ''Energy Security Bill,'' which will be voted on this week, and they must be cursing their rotten luck. Just when they want to stick it to Big Oil for alleged price gouging, oil and home heating costs are plunging. Never mind; this was a campaign theme amid $3 gasoline, and a detail like $2 gas isn't about to stop Democrats now.

This bill is said to promote America's energy independence, but the biggest winner may be OPEC. This is a lengthy, complicated bill, but the central idea is simple: Raise taxes on domestic oil producers and then spend the money to subsidize ethanol, solar energy, windmills (so long as they're not on Cape Cod), and so on. But if you increase the cost of domestic oil production by $10 billion, you are ensuring that U.S. imports of OPEC oil will rise and domestic production will fall.

The bill also includes a ''Strategic Energy Efficiency and Renewables Reserve'' fund for alternative fuels. That sounds a lot like the Carter-era Synthetic Fuels Corporation—one of the more notorious Washington boondoggles of all time, having spent $2.1 billion of tax dollars on alternative fuels before declaring bankruptcy. Today there is no underinvestment by the private sector in alternative energy. The research firm New Energy Finance has found that between 2004 and 2006 investment in alternative energy doubled to $63 billion. Venture capital funding of green-energy technologies has quadrupled since 1998.

The Democrats also insist that the big five oil companies have received sweetheart deals from the government that have ripped off taxpayers. So let's take a closer look. The most controversial issue involves $6 billion in royalty payments that oil companies are said to owe the government for oil pumped from federal waters. The facts suggest otherwise.

These were leases for drilling rights in the Gulf of Mexico signed between oil companies and the Clinton Administration's Interior Department in 1998–99. At that time the world oil price had fallen to as low as $10 a barrel and the contracts were signed without a requirement of royalty payments if the price of oil rose above $35 a barrel.

Interior's Inspector General investigated and found that this standard royalty clause was omitted not because of any conspiracy by big oil, but rather because of bureaucratic bungling in the Clinton Administration. The same report found that a year after these contracts were signed Chevron and other oil companies alerted Interior to the absence of royalty fees, and that Interior replied that the contracts should go forward nonetheless.

The companies have since invested billions of dollars in the Gulf on the basis of those lease agreements, and only when the price of oil surged to $70 a barrel did anyone start expressing outrage that Big Oil was ''cheating'' taxpayers out of royalties. Some oil companies have voluntarily offered to renegotiate these contracts. The Democrats are now demanding that all these firms do so—even though the government signed binding contracts.

The Democratic bill strong-arms oil companies into renegotiating the contracts or pay a $9 per barrel royalty fee from these leases. If the companies refuse, they lose their rights to bid for any future leases on federal property. So at the same time that the U.S. is trying to persuade Venezuela and other nations to honor property rights, Congress does its own Hugo Chavez imitation.

Are American taxpayers worse off because of these leasing agreements? Hardly. It's fortunate these contracts were issued when oil prices were so low, because the oil discovered from those leases will do precisely what the Democratic energy bill will not: reduce U.S. dependence on foreign oil. One of the largest oil deposits in the Gulf was recently discovered as a result of these leases.

Democrats also want to raise about $5 to $6 billion by snatching away alleged tax breaks for Big Oil in the Republicans' 2005 energy bill. Sorry, that isn't true either. The Congressional Research Service reports that the net impact of the 2005 energy bill was to raise taxes on the oil and gas industry by $300 million. Nor does it make sense to repeal a domestic oil company's eligibility for a 2004 tax cut that reduced the effective corporate income tax rate to 32% from 35% on U.S. manufacturers. This tax cut increases the competitiveness of U.S. manufacturers that are now penalized by a U.S. corporate tax rate that is among the highest in the industrialized world. Our objection is that every U.S. company should pay the same, lower rate.

The House energy bill is nearly a carbon copy (if we can still use the word ''carbon'' in polite company) of California's Proposition 87. That 2006 ballot initiative would have taxed California's home-produced oil in order to subsidize ''green technology'' alternatives. California is a fairly liberal state, but even those voters understood that Prop 87 would have damaged the state's home oil and gas industry, increased foreign oil consumption, and raised the energy bills of state residents. It was clobbered at the polls. The House will plow ahead anyway, but let's hope the Senate has more wisdom.

Mr. PRICE of Georgia. Mr. Speaker, I want to also refer to some good work done by the Heritage Foundation. The Heritage Foundation is a group of individuals who talks about responsibility, talks about making certain that individuals have opportunities to succeed in our Nation, and they came out with a memo to Speaker PELOSI citing this bill that is coming on the floor tomorrow, H.R. 6, saying that it risks making energy more expensive.

There are a number of quotes I would like to refer to, Mr. Speaker. First, it says, ''The public has responded with anger to recent high energy prices,'' and that certainly is true as I go home and hear what folks are concerned about, especially when gas was up around $3 a gallon people were very concerned, and understandably so, and home heating oil and all the like increasing, and that puts many individuals in significant trouble.

It goes on to say, ''Doing something about energy prices is understandably high on the agenda.'' No doubt about it. ''Unfortunately, the wrong approach to meeting Americans' energy needs is H.R. 6. H.R. 6 will at best do nothing to reduce gasoline prices, and could actually increase them over the long term.''

They go on to describe very clearly the consequences of what this will do, increasing taxes on the American oil companies, which will drive America to be more dependent on foreign oil.

Mr. Speaker, that doesn't make any sense. When I go home and explain things like that to my constituents back in Georgia, they say, well, why in Earth would you do something foolish like that? And all I can tell them is, well, it appears to be that the other side thinks that hollow rhetoric is what the American people want, that they aren't interested in real substance.

This Heritage Foundation memo goes on to say, ''The underlying assumptions that the domestic oil and gas sector is currently undertaxed may have been popular campaign rhetoric, but it is not supported by the evidence. Total income taxes paid by this sector reached a record $71 billion in 2005, the last year for which there is data available. This is up from $48 billion in 2004 and $32 billion in 2003.''

So, Mr. Speaker, what we see is that as revenues increase to oil companies, taxes increase, the amount that they pay in taxes increases as well.

What happens with H.R. 6? ''Most importantly, H.R. 6 will cause harm in the long run by discouraging investment in new domestic drilling for oil and gas.''

If you tax something, you get less of it. That is an economic principle that my friends on the other side of the aisle seem not to appreciate. If you tax something, you get less of it.

''America's demand for energy is growing, along with its economy.''

Again, that is the three-prong approach needed for energy: Conservation, utilizing responsibly American resources, and then alternative fuel.

But I think it is important, as this memo goes on to state, that we learn from history. The bottom line is that H.R. 6 will raise taxes and will reduce domestic supplies of oil and gas, it will increase imports to fill that void, and it will ultimately increase prices for consumers at the pump and for energy supplies.

How do we know that? Well, this is the lesson of the infamous windfall

profit tax on oil firms that was imposed under the Carter administration in 1980. It was repealed ultimately under the Reagan administration in 1988. But, Mr. Speaker, people around the Nation who knew what was happening at that time will recognize, and this will kind of ring a bell, it will remind them of what happened in 1980.

This goes on to say, ''In 1980, anger at Big Oil,'' and a lot of people were mad at Big Oil over high prices, ''led to this punitive tax, the windfall profit tax. But America learned the hard way that this approach does not benefit the American people. According to the Congressional Research Service, the windfall profits tax reduced domestic oil production between 3 and 6 percent.''

Mr. Speaker, let me say that again. This tax, similar to the one that the House is about to vote on tomorrow, reduced domestic oil production between 3 and 6 percent. It increased oil imports between 8 and 16 percent. This made the U.S. more dependent upon imported oil. We ought to take pains to avoid repeating that energy policy blunder.

This goes on to say, ''The best thing that can be said for the proposed tax changes and royalty relief provisions in H.R. 6 is that they might not be large enough to seriously reduce domestic energy production, in which case they would not cause much harm. But even so, they set a bad precedent, and if repeated in subsequent bills, could do as much damage as the infamous windfall profits tax.''

So if the past is any guide to the future, most of the money in H.R. 6 will be wasted. On the other hand, these tax revenues, if left in the hands of the energy companies themselves, will be reinvested. And how do we know that? Well, in 2005, the energy industry reinvested $131 billion, $131 billion, an amount that at that time actually exceeded and was higher than their net income of $119 billion for the year.

So what is the better way? Well, as this memo goes on to describe, Mr. Speaker, ''The better way, the real answer to high energy prices, is not to tinker with tax and royalty rates on existing domestic energy supplies, but it is to expand those supplies so that more oil and gas become available. Recent Department of Interior studies conducted pursuant to the 2005 energy bill confirm that the United States has substantial oil and natural gas deposits.'' Without a doubt. ''These studies also show that much of these offshore and onshore resources are off limits due to legal and regulatory constraints.''

This next sentence, Mr. Speaker, kind of caught my eye. ''In fact, America remains the only nation on Earth,'' the only nation on Earth, ''that has restricted access to a substantial portion of its domestic energy potential.''

We are the only nation on Earth that does this. And why we think that there is no connection between that and us being more reliant on foreign oil today than we ever have been is beyond me. It doesn't make any sense. Again, Mr. Speaker, my constituents back home don't think it makes any sense either.

In the early seventies, when we all waited in those gas lines and pounded our fist on the dashboard and said never again, we will never be this reliant on foreign oil again, and all of us who can remember that vividly know that sense of emotion and know that sense of frustration as the gas shortages in the early seventies occurred.

But the dirty little secret, Mr. Speaker, is at that time we were about 25 percent reliant on foreign oil. Now we are about 60 percent reliant on foreign oil. And if the Democrat majority has its way, we will be even more reliant on foreign oil, because what we are doing is punishing American companies who assist us in trying to have a greater production of American resources.

This article goes on to say, ''Reducing the restrictions on domestic exploration and drilling, not rewriting the Tax Code or revising royalty agreements,'' as in the bill to be dealt with tomorrow, ''will allow for greater supplies and lower prices in the years ahead, and by expanding the resource base it would lead to far greater increases in tax and royalty revenues than H.R. 6 ever could.''

So if my good friends on the other side of the aisle are truly interested in having more money, more taxes to spend as they see fit, to increase the power of government, they would be well advised to allow for increasing production, which would increase the ability for them to receive greater tax revenue. This should be the main focus of any genuinely pro-consumer energy policy; that is to not tinker with the tax policy and the royalty policy.

Again, a good energy policy, a quality energy policy, is one that we dealt with last year in Congress, Mr. Speaker. It was primarily three-pronged. One, it dealt with conservation. This bill tomorrow doesn't do significantly anything with conservation. And it encourages Americans to do all they can to conserve, because certainly all of us can do more to make certain we are not utilizing resources that are so, so precious.

□ 1945

Second is to make certain that we utilize American resources responsibly. Again, Mr. Speaker, as I said before, America remains the only nation on Earth that has restricted access to a substantial portion of its domestic energy potential.

Finally, the solution in the long run and the long term is, indeed, alternative fuel, and we worked diligently to try to make certain that we had resources that would be put forward for hydrogen fuel cells and encouraging inventiveness on the part of the American entrepreneur, because I know, as I suspect you do, Mr. Speaker, that when the American entrepreneur puts his or her mind to it, there is nothing that they are not able to do.

So tonight, Mr. Speaker, I am pleased to have had this opportunity to come before the House and to share with this House and with you, Mr. Speaker, and with the American people three issues: the issue of process here in the United States House of Representatives, the 100-hour clock; the issue of student loans, the interest on student loans; and the issue of energy policy.

I mentioned at the beginning, Mr. Speaker, that the common thread between those three issues tonight, that the majority party has brought to us, are really broken promises. It made multiple promises on the campaign trail, and it truly is a shame that promises kept on the campaign trail do not appear to be promises that will be kept in their majority in Congress.

I would suggest to you, Mr. Speaker, that the American people are understanding this. When I go home, I hear people's frustration about a lack of leadership, the broken promises that have occurred even in this short 2 weeks in Congress.

Mr. Speaker, we are a wonderful and great Nation, and it is an incredible privilege to represent my constituents in this House, this House of Representatives. I know that the challenges that we face as a Nation are not Democrat challenges and they are not Republican challenges. They are American challenges, and when we work together, we come up with the best solutions.

So I would encourage the Speaker to reread her words of the comments she made to this Chamber, to this United States House of Representatives on that very first day. I look forward to the day when we do, in fact, have the most open and honest Congress. Sadly, Mr. Speaker, we have not reached that day yet.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore (Mr. HALL of New York). Pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. HASTINGS, Florida
Mr. BOSWELL, Iowa
Mr. CRAMER, Alabama
Ms. ESHOO, California
Mr. HOLT, New Jersey
Mr. RUPPERSBERGER, Maryland
Mr. TIERNEY, Massachusetts
Mr. THOMPSON, California
Ms. SCHAKOWSKY, Illinois
Mr. LANGEVIN, Rhode Island
Mr. PATRICK MURPHY, Pennsylvania
Mr. EVERETT, Alabama
Mrs. WILSON, New Mexico
Mr. THORNBERRY, Texas
Mr. MCHUGH, New York
Mr. TIAHRT, Kansas

Mr. MIKE ROGERS, Michigan
Mr. RENZI, Arizona
Mr. ISSA, California.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. The gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come before the House once again.

As you know, the 30-Something Working Group, we come to the floor to share not only with the Members but also the American people the great things that are happening here under the Capitol dome and some things that Members should be informed of that could happen under the Capitol dome if we were able to work in a bipartisan way.

But I am so happy, Mr. Speaker, today because we are on the floor today, and we have a number of issues that we want to share with not only Members but also the American people. I am excited about all these bipartisan votes that have been taking place over the last 90-something-odd hours that have taken place.

I am glad to have good friends from all over the country. We are going to have the gentleman from Pennsylvania (Mr. ALTMIRE) that is going to join us, and also the gentleman from Connecticut (Mr. MURPHY) is going to join us tonight.

I think it is important for us to really reflect on some of the things that have been happening.

Mr. Speaker, if I may make an inquiry, how much time do we have, sir?

The SPEAKER pro tempore (Mr. RYAN of Ohio). The gentleman from Florida has 58 minutes remaining.

Mr. MEEK of Florida. Thank you, Mr. Speaker. I just wanted to verify that time check there.

In the 58 minutes we have left, I just want to talk about a few of the bipartisan votes, and then we will talk about this whole 100-hours agenda.

I was having a conversation before I came to the floor, and I was stopped by one of the outstanding staffers that are here. They said, Congressman, it is just interesting to see Democrats and Republicans voting together on major issues for a change.

Today, Mr. Speaker, we had a vote on the College Student Relief Act, and I am proud to say that not only did we have every Democratic Member that was in attendance today voting for it, but we also had 124 Republicans that voted for it. This was to take the interest rates down from 6.8 to now 3.4, and it is going to help 5.5 million students be able to afford college.

But I definitely love for my colleagues to chime in, because this is a good day of accomplishment whenever you can come to the floor and vote and be successful on something that you talk about when you are running for office; and now to see this legislative accomplishment in such a very short time is something that you should be excited about. I know that all our constituents are, too.

Mr. MURPHY of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Mr. Speaker, to Mr. MEEK and to Mr. RYAN, I am very pleased to be standing in the normal place of Ms. WASSERMAN SCHULTZ.

I know that because as a candidate for office and as a student of American politics I have had the honor of watching you stand here and really speak for the American people, for the last 4 years in your case, Mr. MEEK, and for the three of you, for the last 2 years. I have been able to serve in the State legislature and now obviously have just a unique opportunity to be here and advocate on behalf of those people with all of you.

If I could start by saying a tremendous and unconditional thank-you to what you have been able to do. Those of us in the political world and nonpolitical world sometimes do not get to turn on the TV until late at night. I will tell you, and speaking especially for a lot of the younger people in the State that I am from, Connecticut, who are interested in this process either as their profession or simply as an interested American, the work that you have done in talking about the agenda that was so badly needed, that was reaffirmed by the American people this November, made a difference, made a difference for me. I think I stole a lot of your lines over the course of my work this last fall.

So let me just say, by means of introduction, that it is a privilege to be able the stand here with you as a new member of the 30 Something Caucus. There are a few of us that came down here, and I think that speaks to the agenda that you have put forth that said the American people need change. We need change.

We especially heard it in our generation those of us who are looking at not just the next 10 years, but the next 20, 30, 40 years and want to make sure that things are happening here in Washington, D.C., whether they be on the 100-hours agenda or whatever we do for the next 2 years is looking to the future of our children and grandchildren, and that's what the 30 Somethings have been all about.

Mr. RYAN of Ohio. While we were down here, you were probably running through bingo halls and bowling alleys; and Mr. ALTMIRE, who is just across the border from me in western Pennsylvania, I think the impact that you have already had on Congress, you have all spoken on the floor. You all did and have done numerous press events representing our party, and I think you have done a tremendous job. So it is good to have you here with certain expertise, whether it is health care or labor, whatever the issue may be. We have got a very talented freshman class.

The reason we are still down here and we just did not quit when the elections were over is that this is about more than just the 100 hours, and we are going to hammer this 100 hours home and get it through and do what the American people asked us to do. But kind of the new energy and spirit that you guys bring is going to move us well past that 100 hours into something that is going to be very special.

So I would be happy to yield over to my friend from Pennsylvania right across the border, the same media market.

Mr. ALTMIRE. Mr. Speaker, I wanted to talk about what we did today. We have had a fantastic couple of weeks with the 100 hours, and we are going to talk a lot about that, but today specifically we did something that is going to impact just about every American with children in this country. We cut the interest rate on student loans in half. And currently interest rates are 6.8 percent; we are going to cut them down to 3.4 percent, and that is going to have an impact on people all across the country.

I wanted to take a few moments today and talk about what this is going to do for students in my district and for the impact per college in my district.

I have a college called LaRoche College where I served on the board of trustees for two terms. It is in my district. It is a private liberal arts college, and for students who are entering this year, over the lifetime of their loan, they are going to see savings of $2,120 over the time of this loan. And because this is phased in over 5 years, for students in 2011, for those parents who may have children that are going to enter college in 2011, over the lifetime of their college, if they go to LaRoche College, they are going to save over $4,000. On average across the country, it is over $4,500, and I think that is something we can be proud of in this House of Representatives.

Mr. RYAN of Ohio. I just want to make a point, and we try to distinguish our party from what the previous party has done in that we are getting some feedback from the other side, that we are phasing this thing in and it is not immediate, and we are not doing everything that we could possibly be doing. We are doing a heck of a lot more than they have done. We have done more in the last 3 hours today on the House floor than they have done in the previous 14 years in running this place for average students.

So we are not going to take it. We are doing more than they have done, and you know what, if they did not have us at a $400 billion deficit, we would be doing a heck of a lot more. The only constraints we have are the fiscal mess that they left us.

Mr. ALTMIRE. I would say to that criticism, and we all heard it today on the other side, that there is an immediate reduction. We are not cutting it in half immediately, but there is a reduction for students who are going to

go into college this fall. You are going to see a reduction in your interest rates for student loans, and if you are a parent of children who are deciding where to go to school, maybe entering high school right now and they are deciding to go to college in the year 2011, the interest rate is going to be half of what it is today, and that is because of the action we took in the House today. And I was proud to cast my vote.

In Pennsylvania, we have the fifth highest cost of tuition in the entire country as a State, and we have some great State universities like Penn State. Everybody knows about Penn State. There are 32,000 students on student loans at Penn State University who are going to benefit from what we did today, and the ones who are entering school this year have a $2,250 lower payment over the course of their loans. Students who enter Penn State in the year 2011 are going to see a reduction in what they pay over the lifetime of their loans of $4,360.

That is real savings, and there is nobody on the other side who can say that we have not taken strong action here today. So I am proud of what we did today, along with all the other action we have taken in the last 2 weeks.

Mr. RYAN of Ohio. I agree 100 percent with the gentleman, except for the fact that everybody knows Penn State. In Ohio, we do not barely recognize them.

Mr. MEEK of Florida. I am glad just to echo what everyone else is saying about this outstanding day on the floor of the House of Representatives.

The thing that I have been dwelling on in the last segment of the 30 Something Working Group is the fact that we have these bipartisan votes, but we still have the Republican leadership that is voting against, voting the opposite way of many of their colleagues in their caucus.

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I wouldn't say that the Republican Caucus are joining us, I would say that they are representing their constituents. And we talk about bipartisanship, my constituents talk about it. I know that all of our constituents would like to see it, because this vote, Mr. Speaker, today was for America, for America's future. It was for kids like these and others that were here on the opening day of the House. We are fighting on their behalf. And when we fight on their behalf, we fight on their parents' behalf, their grandparents' behalf. Because no matter what religion that one may practice, they want their children and grandchildren to have a better opportunity than what they have had. And with the whole devolution of taxation, Mr. Speaker, that was passing here with out-of-control spending here in Washington, D.C., sending a lack of funding to the States that they have to balance, many of us come from State legislatures, we know we have to balance. It is not like the Federal Government, they can put it on a credit card.

One of our first actions that we took here on this House floor was to pass the pay-as-you-go rules, of saying that if you are going to spend money, then you have to show how you are going the pay for it, not just saying that we are going to borrow from foreign nations and allow them to own a part of the American apple pie.

But today I want to talk about this vote again: 71 Republicans on that side voted against it. Amongst the Republican leadership, every last member of the Republican leadership voted against it.

Mr. Speaker and Members, what is important here is the fact that this bipartisanship is what America has been waiting on. They have been waiting on it. Let's not do it as some sort of slogan. Living proof is the vote that took place here today on this floor. 124 Republicans voted on behalf of their constituents, not just the Republican leadership saying, well, we want you to vote this way, you know, don't worry about it. It is some mighty tall ladder to climb to say that, well, go back home and say I voted against interest rate cuts for your kid to go to school. I don't know, I wouldn't be back if I was to go home and tell my constituents I voted against it because it didn't happen fast enough in my opinion.

Well, the Republican leadership and the Republican Congress on the other side last session took this money away from students and families, and raised the interest rate to give special interest tax breaks to the super, super, super plugged in here in Washington, D.C. the way it used to be. Now, today, we were like Robin Hood. Those Members that voted on behalf of their constituents and voted on behalf of America's future put their special interests love aside and said that we are going to vote on behalf of America's future.

So I am excited about it. This is a day that educators and parents and grandparents who want to see their children educated will see this day as a momentous day. And I am speaking from proof, Mr. Speaker. My wife couldn't have gone to law school. She came from a family that they just didn't have the money to do it. If it wasn't for her being able to get student loans, this bill isn't going to be able to help her but it will help kids like her, and she is a judge today. She wouldn't be a judge if she obviously didn't get a law degree. So I think it is important that we give face and voice to this day because this is about the future of our country.

Mr. RYAN, I will yield to you at this time.

Mr. RYAN of Ohio. I appreciate you being so gracious with your time. You mentioned the number 356–71. 71 people in this Chamber voted against cutting student loan interest rates in half. That is the extreme of the extreme in politics today, and that is why I guess you two gentlemen are here joining us, part of the reason anyway, is because that is the kind of extremism, Mr. Speaker, that was running this Chamber for 14 years, and we brought just a wee little bit of sanity to this place.

And then a beautiful segue into what we are going to do tomorrow: Tomorrow we are going to start repealing the Big Oil subsidies that have been doled out by the same Congress, and I would guess that you are probably going to get another 70-some Members on the other side that are going to be against repealing these major subsidies tomorrow. Major leases that these folks were getting, one of them gave, ConocoPhillips gave $106 million back in 2005 as it enjoyed profits totaling $13.5 billion.

So you are voting against cutting student loan interest rates in half. You are the ones who plugged in the super wealthy and the super plugged in into a Tax Code that is going to save you $106 million when you are making $13.5 billion.

So I am excited about what is happening here because this is a great time where the American people are starting to wrestle back the power that the American people have given us, and we are doing it on behalf of them.

I want to yield to the young new Irish Member of Congress.

Mr. MURPHY of Connecticut. Mr. Speaker, I am coming off of my first weekend back in the district after having spent a glorious first 1½ weeks down here getting sworn in and starting to work the 100-hour agenda. And people back in Connecticut are just so enraptured by the idea they have their House back, they have their House back in their hands.

You talk about the bill we are going to vote on tomorrow. Last summer, as those oil prices and gas prices rose through the roof and people started to make those terrible decisions about whether they were going to afford to pay for their family's basic needs or they were going to fill up their tank, they looked at their government which was giving away more and more tax breaks to oil companies, allowing these excessive royalties to go on in the Gulf Coast, and they just wondered who was in charge down here. They wondered who was in charge.

And that went for student loans as well, as they were crying out, clamoring for more assistance to try to get their kids to school, as students were asking, ''I need just a little more help to finish this degree.'' Congress said the opposite. In fact made it harder for them to get that degree by raising student loan interest rates.

There was just this sense out there, almost a sense of disbelief, and you all felt it I know as well that we had lost control of the people's House here. And what I felt when I was back in the district this week was just a sense of euphoria, that the people's agenda, just regular middle class families' agenda was finally being heard in this place.

And you are very right, Mr. RYAN, when you said that it certainly doesn't end with the 100 hours agenda. This is

just a preview of whose priorities are going to be heard here, and it is an exciting place to be.

Mr. RYAN of Ohio. I think the gentleman's constituents are probably glad to see him back in the district, too. And you would generate a state of euphoria for many folks back home, and yield to our friend from Pennsylvania.

Mr. ALTMIRE. Absolutely. And I was also back in the district this weekend and I heard the same things that we are talking about. There is a sense of excitement, that it really is a new day in America and this Congress has instilled a sense of confidence that has not been seen in this country in a very long time.

And if you look at what we have done here over the past 2½ weeks, as the gentleman from Ohio said, some would argue that is more than the previous Congress did in the past 2 years or maybe longer, and we have done that in the first 100 hours of business here in this Congress, and we are going to keep going when this is over. And I am excited that tomorrow we are finally going to complete that first 100 hours agenda, and then we are looking forward from hearing from the President thereafter.

But what we have done, no one should overlook the fact that this is extraordinary. What we have done here in the beginning of a new Congress with a turn in the leadership and a new group leading, we have taken right from the beginning when we looked at the lobbyists and special interests and took away the meals and the travel and the golf outings and the gifts that have been prevalent here in Congress over the past several years, and then we moved right into the pay-as-you-go where we had a system where 6 years ago we had come off four consecutive budget surpluses.

That seems like an extraordinary thing now. We had surpluses as far as the eye can see in the year 2000, and now you look back, the President is going to give us in a couple of weeks his seventh consecutive budget that is out of balance, running a deficit, and that is unacceptable. And the reason that has happened is because they allowed pay-as-you-go budget scoring, which is what we all do in our home checkbooks. You have to have money on one side of the ledger to pay for it out of the other. That is what all the families do at home, that is what I do, that is what we all do. But that is not what Congress has done. Congress has just been able to spend freely without having a revenue source on the other side.

So we are going to make the necessary cuts to balance the budget, which is something that fiscal responsibility has not been a part of the congressional landscape over the past several years. We did that on the very first day.

We followed that up with implementing the 9/11 Commission recommendations. Who can argue that we need to implement the recommendations to make this country more secure? Well, they had languished in the previous Congress. We took care of that the first Monday when we got back after the weekend.

Then we moved on to minimum wage. We raised the minimum wage for the first time in 10 years. Is there any other group of citizens that didn't even get a cost of living adjustment let alone a pay raise over the last 10 years? We did that with a bipartisanship vote. As the gentleman from Florida pointed out, these are not things that the Democrats are supporting on their own and ramming it down the Republicans' throat. These are issues that get bipartisan support.

We moved on to embryonic stem cell research; then we did Medicare prescription drugs; today we did student loans. These are issues that affect every American and working families across this country.

So I would yield back to the gentleman from Florida for him to continue this, but I just want to reemphasize how proud I am to have been a part of this historic beginning of a new session of Congress.

Mr. MEEK of Florida. I just want to let you know how much I appreciate you yielding to me. And you and Mr. MURPHY, this must be an outstanding moment for you, because it is better than what Mr. RYAN and I experienced when we came in the 108th Congress. We didn't have the opportunity to do even a quarter of the things that we told our constituents we would do if they gave us an opportunity to serve them in this great body.

And what you just talked about is exactly—you can run for five elections on what you just mentioned that we did in the last 2 weeks. Unfortunately, it has been so backed up to the fact that now it is like excitement, it is electric here in Washington, D.C. And these bipartisan votes, anyone who wants to say anything about partisanship, they have to look at what has happened over the last 2 weeks and say, this is what we are talking about. They want it.

Mr. RYAN of Ohio. They want it.

Mr. MEEK of Florida. They need it.

Mr. RYAN of Ohio. They need it.

Mr. MEEK of Florida. They asked for it.

Mr. RYAN of Ohio. They asked for it.

Mr. MEEK of Florida. And I just, again, as we go along, because, Mr. Speaker, I am just going to keep saying the same thing because the last 109th Congress, the gentleman from Connecticut and the gentleman from Pennsylvania and Ohio, we pulled this chart out. I know the Clerk's office here has seen it, they probably could close their eyes and tell you what is on it because they have seen it so many times, and I know that the Members on the Republican side and the Democratic side. But this is what has been happening, $1.05 trillion. We are going to have another chart because I am pretty sure that number has gone up of out-of-control borrowing from foreign nations, higher than 42 Presidents, 224 years prior to, $1.01 trillion. That is a real fact. And we kept saying and kept saying it.

And what I am going to say again is the fact that we have the 9/11 Commission recommendations implementation making America safer, Mr. Speaker, bipartisan 9/11 Commission. Anyone can go on Yahoo and get a copy of this, the 9/11 Report: 299 yeas. Every Democrat on the floor that was in attendance that day voted for it and 68 Republicans voted in the affirmative. That is bipartisan.

Minimum wage, we talked about it. On that day, there were 315 yeas. Here is the record here with everyone that voted for it and against it. Every Democratic Member in attendance, 233, 82 Republicans voted for it. That is the bipartisan spirit.

Stem cell research, that was mentioned earlier. We have 253 votes; we have 216 Democrats voted for it and we have 37 Republicans voting for it. That is a good number.

Also, you have the Medicare Prescription Drug Price Negotiation Act, which is 231 Democrats voted for it, 24 Republicans voted for it. And I think it is important that you take a look at that and pay well note to the fact that we were able to vote in a bipartisan way.

And I gave the vote out earlier and I want to direct the Members and all the Members to the vote counts. You can go to www.house.gov to get those vote counts so that you can share them not only back home in your district with your constituents, but the American people, Mr. Speaker, can go on www.house.gov and get this information and share it with the people that have been asking and polling and saying that they want bipartisanship in this House. We know there will be a point where there won't be bipartisanship on some votes, but we are going to try to encourage as much as possible. And I want to continue to say that. And I say that in Democratic circles and I say it in Republican circles with my Republican colleagues.

But we are so glad to be joined by another Member that has joined us in the 110th Congress, the distinguished lady from New York.

What we are doing here is kind of going around, and everyone is pretty much sharing what their experience has been over the last 100 or so hours or 90-something hours. We are going to hit 100 tomorrow. But talking about this governing in the way that we should be governing. And the American people are excited about it. So how is it for you?

Ms. CLARKE. Mr. Speaker, it has been extraordinary.

To the gentleman from Florida, I would like to thank you for welcoming me and all of my colleagues with open arms, and just to say to you that it is very clear that the winds of change are

blowing here in the House of Representatives. And I find it just sort of ironic that the rhetoric does not necessarily match the outcome. We do see bipartisan voting taking place right now, and I think the American people need to know that this 110th Congress in the first 100 legislative hours today alone by a margin of 356–71 voted for cutting interest rates in student loans.

Now, if my recollection is clear, in the 109th Congress I doubt that that would have ever occurred. And I think that we need to give credit where credit is due, and credit is due to the winds of change that the people of the United States have made clear through their votes in the November election. We have heeded that very significantly in the first 96-odd hours of the 100 hour agenda, and we have done the American people good. We have done them good.

So I am excited about it. I am just a freshman from Brooklyn, New York, but I am trying to make my way, and I see that we have heeded the call and that we are active in pursuit of the mandates that the American people have set forth for us.

Mr. MEEK of Florida. Just if you would yield, please.

Ms. CLARKE. I would like to yield.

Mr. MEEK of Florida. Let me just say the fact that in the 30-Something Working Group we are so glad that not only have the gentlewoman from New York, but also the gentleman from Connecticut and also from Pennsylvania joining us, and of course Mr. RYAN from Ohio.

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The fact is that we come to the floor to share with the Members what is actually happening here, because I think some Members may say they don't understand, but I think we were pretty clear last Congress about the facts.

Mr. Speaker, I want to make sure, I was actually corrected on the 90-something hours; it is 68 hours. Because we like to give out good information here. Even when we may sometimes by mistake give the wrong information out as it relates to the 100 hours, we correct ourselves here on the floor. So we give good information to the people so everybody knows exactly what is going on and how it is going on.

Congresswoman, you are going to add not only your experience, but also a good representation on behalf of your constituents and the people of America. By the fact of us being elected, our constituents have federalized us to deal with these issues that are facing the country right now.

Mr. RYAN, I yield to you.

Mr. RYAN of Ohio. I appreciate that, and I welcome Ms. CLARKE, the gentlelady from New York. We are going to have some fun. You, gentlemen and lady, have brought some energy and excitement to this Congress. The 100 hours is exciting. It is boom, boom, boom, we passed the ethics. And then we are coming back with the minimum wage, and now we are getting into student loans, real meat-and-potatoes stuff that you all campaigned on, and that we talked about on this floor for hours on end for the last 3½, 4 years. Now we are actually delivering.

Tomorrow is going to be another stellar performance on behalf of Speaker PELOSI and the leaders of the Democratic Congress. Tomorrow we are going to close tax loopholes for oil companies. We are going to close a loophole that gave ConocoPhillips $106 million in 2005 when it got profits of $13.5 billion.

Profits of $13.5 billion. They didn't, you know, take it in and then have to dish it out. That is their profit.

We stepped up and had the guts to say, and I would like to take more because they are making so much money, but we are going to take $106 million and pay for student loans and health care for young people. We are going to move forward on this agenda.

There are a lot of other things that we are going to be able to do. We will do the tax loophole thing. We will roll back the energy bill tax breaks for geological and geophysical expenditures. These are things that may get too technical, but the bottom line is this: The bottom line is that the American people are going to get the kind of representation they need.

If you know you are going to go and dig, if you know you are going to go and drill and you know you are going to make enough money, no tax incentive is going to make you want to do it, especially when you are drawing down profits of $15.5 billion.

Mr. Speaker, $100 million of public subsidy is not going to make that happen.

And then you get into the five royalty relief provisions, this is beautiful, from the 2005 energy bill. This measure will strike the energy bill provisions, suspending royalty fees from oil and gas companies operating in certain deep waters of the Gulf of Mexico.

The interesting thing about this is, the gentleman from Arizona (Mr. GRIJALVA), a great Member of this body, offered an amendment to strike this provision on April 21 of 2005, and it was defeated by 203–227. We have been trying to do this, and tomorrow is our day where we get to step up and actually deliver on behalf of the American people.

Mr. MEEK of Florida. I yield to Mr. ALTMIRE.

Mr. ALTMIRE. I would welcome the gentlewoman from New York as well, who has become a good friend.

This is an issue I hear about every day. It is an issue that we get calls about in our office every day. Mr. MURPHY and I were discussing earlier the fact that we had been back in our districts for the first time this past weekend. I have to tell you, everywhere I went, this issue resonates with people because they see it every day. When they drive past the gas station and they see the price, and of course it is winter season now and we are having a little bit of a cold spell where I come from in western Pennsylvania, and I know New York and Ohio and Connecticut, as well, but probably not in Florida, Mr. MEEK's area. But this is an issue we hear about because home heating is a big part of this as well.

So it affects everyday Americans and it affects working families. I think it is appropriate on the last 100 hours as we hit the finish line that we are going to address an issue, like the others that we have discussed, that really has a day-to-day impact on working families all across this country.

Mr. MURPHY of Connecticut. I think one of the things that makes a lot of what we are doing attractive, we are not just talking about pay-as-you-go, as Mr. MEEK stated, we are doing it in almost every piece of legislation that has been brought forward.

Today, for example, the reason we saw such support for the student loan interest rate is because that program was paid for with efficiencies within that program. That is at no cost to the American taxpayers.

Tomorrow, when we go forward on our new energy policy, that is not even going to be PAYGO, that is going to be pay-it-forward. We are actually going to take the savings from all of the programmatic changes that Mr. RYAN talked about and we are going to put it into a fund, a strategic investment fund, that we are going to be able to use down the line as we start to change our energy policy towards renewable and alternative energy.

We are exercising on a daily basis that kind of fiscal restraint that was lost for so long here, and I think that is why you see a real coming together of people in this Chamber, and why people were so excited back in our districts. Not only do they see things that are helping average families, on education, on energy policy, but they are seeing it done in a really fiscally sound way.

And tomorrow we will continue to do that by taking that money that we are going to save through repealing those tax breaks and repealing those very bad royalty policies and putting it into a fund that we can then use to promote clean energy and use to promote conservation, all of the things that have been so dearly lacking in this country for a very long time.

We are doing the right things, and we are doing them in a way that, as Mr. MEEK has talked about so often, are true to the fiscal restraint that really should be the hallmark of this Congress.

Mr. MEEK of Florida. It is nothing like, and I just keep breaking this down to what my cousin would understand, who has nothing to do with government. There is nothing like being a Member of Congress and telling people what you would do if you had the opportunity to get elected, and then coming and actually doing it.

Mr. Speaker, that is a paradigm shift. That is a paradigm shift here in

Washington, D.C. We said we would do what we are doing now, and it is actually happening. This is not something that somebody wrote in an article or an op-ed to your local newspaper, saying it would be wonderful if Congress could come together in a bipartisan way and raise the minimum wage.

It would be wonderful if we could start really diving into stem cell research in a way that would be responsible and along the lines of being able to cure many of the ailments that so many Americans have.

It would be wonderful for us to be able to take those super giveaways and loopholes and take $13 billion of those dollars and put them into energy innovation, making sure that we look at an efficient way to conserving not only energy but investing in the Midwest versus the Middle East. It would be wonderful, Mr. Speaker.

These are all of the things that people have been talking about, and I am glad to be a Member of the 110th Congress.

I was so happy, this last King holiday I had an opportunity to give a couple of speeches. I shared with folks; I told them what I had done over the last week and a half. They were, Wow, Congressman, we weren't ready for all that. We have been reading about it and we are so excited about it. It passed the House; and yes, it is on its way to the Senate and hopefully the President of the United States will sign it.

Our work is not done here. The Members' work is not done. America's public work is not done at this time. The American public has to continue to voice their opinion on these issues that we are passing off this floor.

I want to also let Members know that I will be down here tomorrow as a member of the Committee on Ways and Means, talking about the importance of the passage of this legislation. Being able to pass this legislation and turn these loopholes and great giveaways to special interests and turn them into something that the American people can wrap their arms around; and we can be innovative here, in the American homeland, to be able to hopefully save America.

I look at this as a national security issue. I was on Armed Services for the last two Congresses. I can tell you, I am not a Member of Congress with a conspiracy theory, but I know that if we start to invest in what we have here, our natural resources here, our alternative fuels that we can look at, be it E–85 or what have you, we will be able to do better.

I can tell you what is going to stop, Mr. Speaker, and we are going to make sure that the gentleman from Connecticut and the gentlewoman from New York and also the gentleman from Philadelphia, you will get your set of charts as you move along, to be able to show these great illustrations that I usually do. Mr. RYAN and I have a plethora of these charts.

I just want to say that it is important——

Ms. CLARKE. The gentleman is from Pittsburgh.

Mr. MEEK of Florida. I am sorry, did I say Philadelphia?

I am sorry, Mr. ALTMIRE, from Pittsburgh. I got a little excited.

Mr. ALTMIRE. I accept the gentleman's apology.

Mr. MEEK of Florida. Thank you so very much. You can say I am from Georgia at least once.

Let me just say this: It is the same media market that you are in with Mr. RYAN. I was listening.

Like, for instance, here is an actual pump of ExxonMobil. Here is E–85 that is here, and these are the other fuels that are there, need it be unleaded, regular, what have you. You see here ''cannot use your Mobil credit card'' to buy this ethanol which is something that is produced here in the United States. This is a part of innovation. This is a part of trying to roll back the clock on global warming. All of these things that have taken place, they have been allowed to do it.

What we are doing tomorrow is taking away some of those super giveaways that they didn't even ask for and the Republican Congress was so happy to give to them. And I don't blame the oil companies. Don't get me wrong. They can only do what we allow them to do.

And while they are making record profits and still have the taxpayer dollars to do what they wish to do, we are going to turn that around and we are going to invest. That is just the beginning. That is what I am excited about.

I yield to the gentlewoman from New York.

Ms. CLARKE. I thank the gentleman from Florida.

I just wanted to pick up on all the excitement. I think the velocity and the momentum that has been built in the 110th Congress is something that is reverberating around the Nation.

As I went back to my district over the King holiday weekend, the enthusiasm and just the whole buoyancy of how people feel about the work we have been doing, it is uplifting, quite frankly. I think we need to capture that and make sure we use that as a motivation to continue along this path.

Just think about going home to New York City and people talking about real homeland security. We passed legislation that directly impacted on the town from which I am from. And certainly as someone whose father was in the World Trade Center in the 1993 attack, we recognize how very serious it is to reapportion the formula based on risk.

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And just last week we were able to make that adjustment. We were able to organize things so that we can address port security and first responders in a meaningful, tangible way based on risk. And that says a lot about how we are going to operate as a body.

Everyone in New York saw the formulas before as just some of the most overt political pandering that you could possibly do. But now we have restored to them the faith that we can do what we have been sent to do, which is to create policy that protects and that uplifts our Nation.

And so my hat is off to the leadership, Speaker PELOSI, and everyone who has really tapped into the pulse of the American people. Because when you talk about a minimum wage raise in a city like New York, where the cost of living has been something that has created such a gap in people's lives, where raising the minimum wage just enables them to get by, is extraordinary for the rest of our Nation. It is extraordinary for all of us.

And we have an obligation to continue along this path, in making sure that everything that the American people have demanded of us, and I think the 6 in 2006 has really made it tangible, addresses that in a forthright way. I feel really great about where we are right now, and I look forward to working with all of these gentlemen in a movement to really move our civil society to where it needs to be, to make that paradigm shift and focus us as one of the greatest nations of humankind.

Mr. MEEK of Florida. I thank the gentlewoman. Again, being a new Member of Congress and to be able to go home and say that you actually have done what you said you would do should make your constituents feel good and should make even your family feel good and you feel good as a public policy maker.

Mr. RYAN, I yield to you at this time, the gentleman from Niles, Ohio.

Mr. RYAN of Ohio. Thank you. Yes, right over the border from Pittsburgh, Pennsylvania.

As I was listening to you talk, and everyone kind of mentioned some different issues. But if you are the average person sitting home and you have all these politicians, Mr. Speaker, making all these political promises and then actually delivering, that in and of itself is a monumental occasion for many people to celebrate.

But as I was listening and just thinking, if you are home, it is not just that we have accomplished this, but what the actual effects are when these legislative acts get put into law and signed by the President, if the President, in fact, signs them. He said maybe he was going to veto the minimum wage and the Medicare, but just look at what we have done.

We have raised the minimum wage. That is maybe a couple thousand dollars raise for most people. We can talk about the student loan issue, whether it is $2,000 over the course of the loan or $4,000 or $5,000 over the course of the loan, depending on when you get in school. You are talking about maybe $5,000, $6,000, or $7,000 a year that the average family is now going to have at the table that they didn't have a couple years ago when they were trying to

do the math and trying to work out their checkbook.

Then there is the prescription drug bill. Once that gets implemented and we actually reduce the cost of prescription drugs, that is going to have another significant impact. So they may be working a minimum wage job, or someone in the family may be working a minimum wage job to contribute. You are going to have the student loan rate lowered, and then a reduction in the cost of prescription drugs. That is significant.

It is great that we actually did what we said we were going to do, Mr. MEEK, and I couldn't agree with your eloquence any more. But the act itself, right down to the kitchen table, Mr. Speaker, this is making a difference.

Mr. MEEK of Florida. It is making a difference.

Mr. RYAN of Ohio. It is making a difference to average families.

And over the King holiday, the great thing is to go back and start reading some of the old speeches and the letter from the Birmingham jail where he talked about a sense of urgency. You know: Don't ask us to wait. What are we going to wait for? You go wait.

Well, I think that is the attitude Speaker PELOSI and our leadership took, and we didn't wait; we actually implemented this stuff. And when it is all said and done, I think no matter where any of our careers end, whether it is in the next term or retirement or some higher office, we are going to be able to see in our scrapbooks that my Aunt Rita keeps for me, I have a little Aunt Rita who cuts out my clippings and puts them in a little book, but we will be able to look back at all we have done throughout our careers and say, I was here when this all happened. I was in the United States Congress when this all happened. That is special, and that is why we are all so very excited.

So I will be happy to yield to my friend from Connecticut.

Mr. MURPHY of Connecticut. Mr. RYAN, thank you for yielding, and I think you are right, this is kitchen-table type of stuff we are doing now, and I think you are absolutely right, this is going to affect the lives of all the people in our districts.

I would go one step further. Before I came down here, I had the chance to go to my friend Adam Garner's elementary class at Highland Elementary in Cheshire, Connecticut, in my home town. And I looked at those kids, and we had about 50 kids in that place, and I thought about what their impression is of Congress, what they think happens in this place. And all they see and all they have read about for the last 10 or 12 years is bickering between the two sides. All they have seen is special interests and lobbyists giving untold millions to campaigns and having their business be brought before the House of Representatives.

So I thought, what kind of world are they going to grow up in, in which they think their government is for sale, where they think their leaders care more about arguing with each other than getting work done.

And you are exactly right, Mr. RYAN, this is going to mean money on the table for people who have very little to work with. This is going to mean a better quality of life for families.

I think of my little friend, Adam Garner, and his friends in Cheshire, Connecticut, and what this says to them about their faith in government. That is what, in the end, is our greatest legacy. Not just the fact we raised the minimum wage and not just the fact a few more kids get to go to college, but what we are doing here, and I think you are very right in this historic moment, is in some small way about restoring faith in the process of government.

The hundred hours is so brilliant because not only does it mean real, tangible results for people, but it means, I think, as Ms. CLARKE said, a paradigm shift, a paradigm shift that will be noticed by people who pay attention and watch C–SPAN late at night, but might also be noticed by those little kids who haven't thought much of their government over time.

I think the 30 Somethings being on this floor trying to expose what has become of this place, Mr. MEEK, has been part of that healing process.

Mr. MEEK of Florida. Well, you are 110 percent right. I am so glad you mentioned this faith in government and the opinion prior to the election. We would watch the news, and they would talk about the American public and what they thought about the Congress, what they thought about elected officials.

I can tell you, and this is going into my 13th year of public service in the Florida House and the Florida Senate, now here in the Congress, I have never had a 2-week period like I have had.

And let us not take it lightly. This is something that should be well noted, and it is something that I am excited about as an individual. But I know the American people are excited about it as well, because my constituents are very excited about it. They have never seen this. So let us not take this lightly.

I know we have about 5 more minutes left, and we want to go around and make sure we all get an opportunity to make closing comments, but look at the vision of this Congress from this point forward. Just think about it. Think about the committee work that is going to take place. Think about the oversight that is going to finally take place. Think about the way we are going to look at the President's budget when it is presented later on, when the President comes here and gives his State of the Union speech. Think about the response to that and how we work with the President on some of those issues and move it forward, not jammed up here in Congress.

Because the American people want action. They want it right here, right now.

We are going to give it to them, Mr. Speaker. And I am glad we have the leadership in place, with Speaker PELOSI and our entire Democratic leadership that is here. We also have some leadership, I believe, on the Republican side of the aisle, the Republicans who want to vote on behalf of their constituents. We are going to give them that opportunity.

Folks talk about bipartisan. There have been Republicans on the other side of the aisle who have been wanting to vote for this stuff, for these things. I am going to say this stuff, using Mr. RYAN's analogy, which is good. Because we don't want to speak over the heads of anyone. We want to make sure that we communicate with everyone, and that is what it is all about. That is what it is all about, communicating. And that is what we want to continue to do. Whether it is good or bad, we are going to come to this floor and be committed to it, and I am glad you are all here tonight.

Those are my closing comments, so we will roll all around to the Member from Pennsylvania.

Mr. ALTMIRE. Well, one of the things that has struck me in our first few weeks here, and I'm sure my new colleagues would agree, is that these are issues that, as we discussed, should not be controversial. Somehow, 71 Members on the other side voted against cutting the interest rates on student loans in half. Somehow, Members on the other side voted against raising the minimum wage for the first time in 10 years.

As I said during the debate on the floor last week, how could anyone vote against or even argue against allowing Medicare the right to negotiate group discounts on behalf of their 40 million beneficiaries to lower the cost of prescription drugs for every Medicare beneficiary? How can anybody be on the other side of that?

So what has struck me is, yes, we are getting bipartisan support, and we should all be grateful for that, but there are still folks on the other side who are arguing against these things. And what is amazing to me is, how is it we are able to pass these with such bipartisan support now, 300-plus votes today on the student loan bill, when in the past they couldn't even come up for a vote. Wouldn't even bring them up on the floor for a vote. Now, in the first 100 hours, we have done all these things.

So I just can't say enough about the new leadership in Congress and how well the entire Congress, including the other side, has worked together to make these things happen, and I just look forward to continuing my service over the next 2 years and working on these issues.

It is such an exciting time, and I am grateful to the gentleman from Florida for allowing me to join him this evening, and now I would yield for closing remarks to Mr. RYAN.

Mr. RYAN of Ohio. And I would yield to our good friend from Connecticut.

Mr. MURPHY of Connecticut. Thank you, Mr. RYAN, and let me just add my thanks not only for allowing us to come down and join you this evening, but for everything you have done over the past 4 years, in particular over the past 2 years, to help us get here and be part of this healing process, which I think this week and a half has been.

You will hear some acrimony from the other side, but when you look at the votes, as Mr. MEEK ran through, in the end, there is a lot of healing that happens here because we are working on things that benefit both sides.

I tell you, all of us new Members, and there are 50-some odd new Members, we all may have certain different issues that were accentuated to a greater or lesser degree in our races, but we have found in talking to each other these first few days that what binds us is the sense our constituents sent us here to get this place working again, get it working again for the right people.

I know from our side of the aisle we will do that with whoever it is. If you are liberal, conservative, Democrat, or Republican, we want to make this a place where we work together again. That is maybe why that sense of euphoria in my district that I talked about in the beginning is maybe due in part to the issues, to the substance that has happened here; but in part it is due to the sense they have that this place is back at work in a way that it hasn't been.

So I am just so grateful for what Mr. RYAN and Mr. MEEK have been able to do for everyone, us and all of our constituents, over the past 4 years, and grateful to have a few moments.

I yield to my friend from New York.

Ms. CLARKE. Thank you very much to the gentleman from Connecticut for sharing that, because I can only say ''ditto.''

We are, I believe, doing what needs to be done for the future of the Nation. While we see the immediate impact because we were campaigning and there were certain issues that had come before us, when I look at the fact that 8th graders, who will be entering college in 5 years, will be paying half the interest rate that current college students are paying, we are making a substantive difference in people's lives. That could encourage that one student who was saying there is no way my family can afford it to say, you know what, I can make it. And that is what this is about, future generations.

I want to thank the leadership, Mr. MEEK, Mr. RYAN, for giving us this forum in which we can reach out to the American people to come together in common cause with our colleagues, and even some of those folks on the other side of the aisle, to really do the work that is needed to be done for future generations. We have been doing it in the first 100 hours, and I look forward to doing it even more so as we move forward in the 110th session.

I yield to you, Mr. RYAN.

Mr. RYAN of Ohio. I thank the gentlewoman.

Again, raising the minimum wage, cutting student loan interest rates in half, and repealing the corporate subsidies to the oil companies so we can pay for some of this stuff. We are doing some great stuff for the American people, and I want to thank Leader Pelosi.

I will kick it to my friend from Pennsylvania to give us the Web site.

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Mr. ALTMIRE. I wanted to, Mr. Speaker, remind my colleagues that are here with us tonight if they wanted to share with their constituents, our website for this working group, it is www.speaker.gov/30something. Or they could send an e-mail directly or have their constituents send an e-mail directly to 30somethingdems@mail.house.gov. And at this point I would like to yield back to my friend, the gentleman from Florida.

Mr. MEEK of Florida. Well, I can tell the gentleman from Pennsylvania, you just had a great honor, because that is usually, for the last 4 years, that has been Mr. RYAN's honor, and he has now passed that on to you, so that means when you are here on the floor, the 30-something Working Group, it is your responsibility to give the website out and the e-mail address out. So consider yourself a friend, I guess, because since you all share the same media market, he thought he would be nice to you.

Let me just say in closing, it is an honor being joined here by my colleagues here in the House. And I can tell you, Mr. Speaker, even when I first came here to this House of Representatives, the good thing about being a Member of this House, when we take our voting card out, that is one vote. We all equal the same one vote. And that is very significant here in this Chamber.

We are going to take some tough votes, Mr. Speaker, and we are going to need Members to step up to the bat and be Members and be leaders on behalf of their district and on behalf of America.

And with that, we would like to thank the Speaker for the time to be here on the floor. Also, our Democratic majority leader and our Democratic whip and chairman and vice chairman for everything that they have done.

And with that, Mr. Speaker, we would like to yield back the balance of our time. And it was an honor addressing the House.

PEAK OIL PRODUCTION

The SPEAKER pro tempore (Mr. HALL of New York). The gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, tomorrow we vote here in the House on an energy bill. And I thought it might be appropriate to spend a bit of time this evening looking at where we and the world are relative to energy. I have here a chart with some numbers on it that inspired 30 of our prominent Americans, Jim Woolsey, Boyden Gray, McFarland and 27 others, among them retired four star admirals and generals, to write to the President a letter which said, ''Mr. President, we have only 2 percent of the world's oil reserves. We consume 25 percent of the world's oil, almost two-thirds of which we import. And that presents a totally unacceptable national security risk. We really have to do something about that to free ourselves from the necessity of buying foreign oil.''

The President recognizes that this is a problem. In his recent State of the Union message he said that we are hooked on oil.

There are a couple of other interesting numbers here. We represent actually a bit less than 5 percent of the world's population. We represent about one person in 22 in the world. And with only 2 percent of the world's oil reserves, we are pumping 8 percent of the world's oil. What that means, of course, is that we are pumping our oil four times faster than the rest of the world. We have been pumping less oil each year now for several years, and with this high pumping rate that decline will accelerate.

How did we get here? To find how we got here, you have really got to go back about 6 decades. I didn't know last year on the 14th day of March, when I gave the first speech here on the floor about peak oil, that I was just 6 days beyond the 50th anniversary of what I think will come to be seen as the most important speech given in the last century. This was a speech given by M. King Hubbert, a Shell Oil company geologist, to a group of oil people in San Antonio, Texas. At that time, if you look back in your history books, you will see that we were the largest producer of oil in the world. We were the largest consumer of oil in the world, and we were the largest exporter of oil in the world.

And M. King Hubbert shocked his audience by telling them that in just about a decade and a half, roughly 1970, the United States would peak in oil production. And no matter what we did after that, our production of oil would decline.

I have here a curve which shows his prediction. His prediction is the small green symbols here, and the actual data points are the larger green symbols. And you see they reasonably followed his predicted curve. By 1980, when Ronald Reagan took office, we were already well down the other side of Hubbert's peak, and we knew very well that M. King Hubbert had been right about the United States.

Now, in 1969, M. King Hubbert predicted that the world would follow the United States in peaking in oil production about now. If he was right about the United States, why shouldn't he be right about the world?

It has now been 27 years since we knew, in 1980. We are already 10 years down the other side of what is called Hubbert's peak. And we knew that he

was right about the United States and he had predicted that the world would be peaking about now.

If he was right about the United States, why shouldn't he be right about the world? And shouldn't we have been doing something about anticipating this world peaking oil production?

The red symbols there, by the way, are a similar curve for the former Soviet Union, now today, Russia. And you see that when they fell apart they did not meet their expectation, so they are now having a second little peak, but they will follow the general downward trend.

How was M. King Hubbert able to predict this? We had already been producing oil for quite a while in 1956, and M. King Hubbert had watched the exploitation and exhaustion of some individual oil fields, and he found that they always followed what we call a bell curve. Small production at first, and then increasing and finally reaching a maximum, and then falling off the other side.

This bell curve is very familiar. If you weigh people, some will be very light and some will be very heavy, but most of them are somewhere in the middle and they follow a bell curve. If you measure the heights of people, they will follow a similar curve, or the number of mice in a mouse's litter. There are just a great many things that follow this kind of a curve.

So he noted two things, one, that most of the fields tended to be exploited and exhausted in a bell curve, and when they had reached a maximum, for the average field, half of the oil had been pumped. And so he rationalized that if he knew how many fields the United States had, and how many more we would discover, if he added up all the little bell curves he would have one big bell curve which would indicate when the United States would peak in oil production.

He did that. His math may be difficult to follow, but his reasoning is pretty simple. He did that, and he predicted it would be 1970. And right on schedule, we peaked in 1970.

I have been joined on the floor by my good friend, also from Maryland, WAYNE GILCHREST. And before I yield to him, I would just like to introduce what he is going to talk about by quoting here from the International Energy Agency. This is a recent press release. And what they say here, ''The energy future we are facing today, based on projections of current trends, is dirty, insecure and expensive. But it also shows how new government policies can create an alternative energy future which is clean, clever and competitive.''

They go on to say that ''energy demand increases by 53 percent between now and 2030.'' Well, it may. The demand may increase by 53 percent, but the use will not increase by 53 percent because, as you will see when we develop the subject this evening, the oil almost certainly will not be there to meet this demand.

Over 70 percent of this increase comes from developing countries led by China and India. World oil demand reaches 116 million barrels per day in 2030, up from 84 million barrels today in 2005 and 2006 and 2007. That number really hasn't changed. We have been on a plateau for the last 3 years of about 84, 85 million barrels of oil per day.

By the way, we use about 21 million barrels a day, about exactly one-fourth of that. Most of the increase in oil supply is met by a small number of major OPEC producers. Non-OPEC conventional crude oil output peaks, they say, by the middle of the next decade. Most observers believe that that has now peaked and, as a matter of fact, the world is about to peak. These trends would accentuate consuming nations' vulnerabilities to a severe supply disruption and resulting price shocks. They would also amplify the magnitude of global climate change.

Mr. GILCHREST, I am pleased to yield to you. They introduce the subject that I know you are very much concerned about, and that is what our increased use of fossil fuels is doing to our climate and how it is affecting global climate change and global warming.

Mr. GILCHREST. I have sort of a summary, I guess you could say, a Global Warming 101 Introductory, which will take about 10 minutes, so I am not sure how you want to proceed. Do you want me to just give this sort of a 10-minute introduction to global warming, or break it up with your dialogue?

Mr. BARTLETT of Maryland. I think that would be very instructive for our audience. Please do.

Mr. GILCHREST. Congressman BARTLETT is talking about peak oil, the idea that our energy from oil is a finite resource, it is limited. And what I would like to do, in conjunction with that, is to give a perspective on one of the legacies of the age of oil, and that is global warming, heating the planet, upsetting that delicate balance between what the Earth has been used to for thousands of years, and the natural range of fluctuation in the climate, to what we have done in less than 100 years as a result of burning fossil fuel, oil in particular.

So here is how I would like to proceed. Number one, the Earth has a livable climate. The biosphere, which is the area of the planet that contains life forms that we have become familiar with is possible because of something called the greenhouse effect.

Now, in our atmosphere, we have oxygen, water vapor, methane, carbon dioxide, a number of different chemical mixes which provide us with the air we breathe and the type of atmosphere that produces, in part, the climate that we have, hence the greenhouse effect. It is warm enough and cool enough for life, as we know it, to exist.

Now, one of the most important greenhouse gases, other than water vapor, other than oxygen, other than methane—all of these contribute to the greenhouse effect—is carbon dioxide, or CO_2.

Now, even though carbon dioxide is less than 1 percent of the makeup of our atmosphere, it is critical in the heat balance of our planet. Now, that sort of gives us an idea of the importance of these greenhouse gases and the importance of carbon dioxide.

Now, is the Earth warming? There is no question, everybody would say yes, the Earth is warming, and it has been warming for the last 10,000 years. It has been warming for the last 10,000 years because that was the end of the Ice Age 10,000 years ago, and sea level has been rising, and the planet has been warming all of that time.

□ 2100

It is warming, in part, because there is an increase in carbon dioxide in the atmosphere. Ten thousand years ago, and you can evaluate this by looking at ice cores and checking the bubbles out, and see what the content in our atmosphere of CO_2 was by looking at those bubbles in ice cores from Greenland or the Antarctic, and CO_2 was about 180 parts per million in the atmosphere 10,000 years ago. CO_2, a greenhouse effect, or a greenhouse gas, was at 180 parts per million 10,000 years ago.

If we move forward almost 10,000 years to the year 1890, in 1890, CO_2 in the atmosphere was 280 parts per million. It took just about 10,000 years for CO_2, a greenhouse gas, which helps the balance of Earth's climate, it took almost 10,000 years for it to increase almost 100 parts per million.

Now, let us look at the year 2000. In the year 2000, CO_2 was 380 parts per million. In effect, the natural causes before the Industrial Age were really in full swing. The natural causes gradually warmed the planet over 10,000 years very slowly.

What we have seen in the last 100 years, actually, about the last 50 years, is a dramatic increase in the amount of carbon dioxide in the atmosphere, something like we have not seen for hundreds of thousands of years and perhaps millions of years. So CO_2 in the atmosphere right now is 380 parts per million. We haven't seen that much CO_2 in the atmosphere for 800,000 years. Now, as a result of this, we are going to see some changes in our climate.

Let me make this last comment, though, about CO_2 in the atmosphere, about the heat balance, about how the greenhouse gases intermix with the atmosphere. Human activity, burning fossil fuel, has put into the atmosphere in a little more than 50 years what the natural processes took out of the atmosphere, and it took more than millions of years to effect. In less than 100 years we have changed the atmosphere more than the natural processes of the Earth have changed the atmosphere in millions of years.

Now, what are the ramifications of this? Well, warmer seas and warmer temperatures. If we want to associate

that with hurricanes, we have more frequent, stronger hurricanes as a result of that. Warm seas are fuels for hurricanes.

What is that doing to our economy? What is that doing to our coastal communities? What are some of the other implications?

Well, one other significant implication is sea level rise. If you went to Ocean City 10,000 years ago, and we know Ocean City in Maryland was not there 10,000 years ago, if you went to Ocean City, where Ocean City was supposed to be 10,000 years ago, you would have 75 more miles to go before you got to the ocean; 10,000 years ago you would walk from Alaska to Russia, easily, there was a land bridge, a wide land bridge.

Today we know that you can't. That is because sea level has been rising, and it has been rising because of the natural consequence of global warming, but now there is a significant change. For example, the temperature has increased, sea level temperatures have increased. In the last 20 years we have lost 40 percent of the volume of the Arctic ice. The Arctic ice cap, we have lost 40 percent of the volume of that.

Let us take a look at Greenland. In Greenland, it has 630,000 cubic miles of ice, Greenland, 630,000 cubic miles of ice. If that were all to melt, sea level around the globe would rise 23 feet.

Now, we know that Greenland's ice shelf is melting. Recently it was discovered that it is melting 10 times faster than anybody could have ever anticipated. A few years ago, it was losing about 80 cubic miles of ice a year, a few years ago. Today, just a matter of a few years later, it is losing now, and it is accelerating, 80 cubic miles of ice are melting every year.

When I say melting, it is not dripping. This is running off. In fact, the greatest contributor to fresh water to the world's oceans is not the Nile River, it is not the Amazon River, it is ice melting, pouring off the ice shelf of Greenland.

What is that going to do to our coastal communities, our coastal economies? What happened in Katrina, in Louisiana and Mississippi and Alabama? What is happening in a fairly more frequent occurrence to States like Florida or South Carolina, or even States like ours, the State of Maryland? What other changes might there be?

CO_2, carbon dioxide, is being absorbed at an increasing rate by the world's oceans. How will the oceans change as a result of this absorption of CO_2? It will become more acidic. The ocean chemistry will actually change in the ocean, and it will become more corrosive.

What is the problem with an acidic ocean that is more corrosive? Some of the best habitats in the world for the world's most abundant fisheries are coral reefs. Coral reefs cannot survive in an acidic ocean. A whole host of ocean creatures will be disrupted in their process to reproduce or in their process to exist at all. There will be warmer temperatures in the atmosphere, increased forest fires, increased infestation, increased invasive species, changing in agriculture practices, changing in weather patterns. There would be more significant rain storms, more significant snow storms.

Storm cycles would be difficult to predict, shifting in vegetation zones, habitat lost for a whole range of flora and fauna species and 40 percent of ice lost in the Arctic ice shelf right now, and accelerating, may be gone by this midcentury, a whole range, including polar bears or endangered species.

The coastal economy, the coastal economy in the United States is 50 percent of our GDP, 50 percent of our GDP. The likelihood of sea level rise as a result of all of this is going to be between 1, and more likely, at least 3 feet, that will clean out, wipe out, disturb, destroy most of the coastal cities in the United States on the Atlantic and gulf coast.

We are looking at New York City, Boston, Wilmington, Baltimore, Philadelphia, coastal areas from Maryland down to Florida, including Miami. Much of the peninsula of the State of Florida will be under water, not to mention, if you look at the State of Maryland, much of the peninsula, the Delmarva peninsula.

The natural range of fluctuation has been disrupted by the burning of fossil fuel, by oil, a limited resource, the end of the Oil Age and what are the consequences, the last 100 years of the Industrial Age, the age of fossil fuel, the natural range of fluctuation for CO_2, methane gas.

The temperature range in the last 10,000 years has been fairly close and predictable. Now, imagine a straight line, and what does a hockey stick look like? We have corresponded the increase in CO_2 with the increase in atmospheric temperature, the increase in land temperature, and the increase in sea level temperature. All of this corresponding to the increase in burning fossil fuel, and as a result, the increase of methane carbon dioxide.

I want to end with a quote from a gentleman called Norman Cousins, who had an illustrious career in journalism and in politics. Norman Cousins says, ''Knowledge is the solvent of danger.'' And the key to the successful understanding and opportunities for a brighter outcome with what Congressman BARTLETT is talking about as ''peak oil,'' the end of the age of oil, and its consequences in global warming, the key to understanding and finding a solution is knowledge.

Mr. BARTLETT, thank you very much for the time.

Mr. BARTLETT of Maryland. What the gentleman has been talking about is more than valid reason for pursuing the development of alternatives, if no other. Why would we want to increase CO_2 more? Why would we want to threaten more the quality of life in this world?

The Congressman and I have been to Antarctica twice; one of those trips we went together. Down in Antarctica, 90 percent of all the fresh water in the world is locked up in the ice there. It is nearly 2 miles high, and 70 percent of all the world's ice is locked up in Antarctica. Now that hasn't really started to melt yet, although it has threatened. I am told that calculations indicate that if the polarized caps in the Greenland ice shelf, if they were all to melt, the ocean levels would rise 200 feet.

Now, if you look around the world you will note that a big percent of the world's population lives within 200 feet of sea level. This would be a monstrous, monstrous change.

There are three very good reasons for pursuing alternatives, which is what the bill tomorrow is going to be talking about. One of those is certainly a climate change, because what we are doing now is releasing CO_2 that was bound up in these plants and organisms that grew aeons ago, and it took many, many years to tie up the CO_2. Now we are releasing it very quickly as we burn these fossil fuels.

A second reason, of course, is I just don't think that the oil is going to be there, which is what we are talking about tonight as ''peak oil.''

The third really good reason for doing it is the reason the President advanced, and that is, it really is a big national security risk to be so dependent on foreign oil.

What I have here on this chart is another depiction of Hubbert's peak, and this is by the Cambridge Energy Research Associates, commonly referred to as CERA, and they are trying to indicate that one should not have confidence in the predictions of Hubbert because his curve didn't exactly actually follow his prediction.

Well, by golly, it is pretty close to actually following his prediction. Here is the U.S. actual production in red. You will see there is a little second peak here, and the next chart will show that is because of Prudhoe Bay. We found a lot of oil there, but that was not in M. King Hubbert's prediction. He hadn't imagined that we would be going to the North Slope of Alaska to drill.

So the little yellow ones here are his prediction. Notice that the actual Lower 48 has followed very closely, very closely, his prediction. We are now down to, even with Prudhoe Bay, we are now down to about half, about 5 million barrels a day. That is the red one over there, as compared to roughly 10 million barrels a day at our peak.

The next chart shows better where their oil comes from. Hubbert's prediction covered the Lower 48, and that is this gray area here. Now we need to add to that gas liquids. The big find in Alaska here, and that is what causes this little blip here in the downward slope. I remember a number of years ago, these fabulous discoveries of oil in the Gulf of Mexico, which is supposed

to solve our problem for the foreseeable future, that is the yellow there. Notice it hardly makes a shadow on the downward slope of Hubbert's peak.

The next chart is really a chart that we could spend a long while talking about because it has a great deal of information on it. The bars there represent the discoveries, and you notice that we were discovering oil way back in the 1930s, big discoveries in the 1940s, and then lots of discoveries which peaked about 1970, and since then it has been going down, down, down.

The solid black line here indicates the amount of oil that we have been using. Notice that for a long while we were accumulating big reserves of oil; everything about this solid black curve is reserves that we have in store that we can use later.

□ 2115

But then in about 1980 there, you can see these two curves cross. I say two curves, because obviously you could draw a smooth curve through the peaks here, and these two curves crossed about 1980. Ever since 1980 we have been burning more oil than we found. Today we burn two or three barrels of oil for every barrel of oil that we find. So for this period, between 1980 to the present, we have been using up some of the reserves that we have back here, but still a lot of those reserves remain.

Now, what will the future look like? Well, there is a big difference of opinion in what the future will look like. The persons that put this chart together believe that by about 2010, about 3 years or so, the world will peak in oil consumption. Some believe that it has already peaked, others believe it may peak a little after 2010, and then it will go down.

Now, they have made some guesses as to how much oil we are going to find. I am not sure I would have drawn that curve exactly that high, because a smooth curve might bring you down about here. I think they have been very generous in the amount of oil that is yet to be discovered.

By the way, the world's experts on oil believe that we have, most of them, we have probably found about 95 percent of all the oil that we will ever find. You notice that when we find oil now, we find it in very difficult places to get to. The last big find was in the Gulf of Mexico, through 7,000 feet of water, and then about 30,000 feet of rock and dirt until you get down to the oil. We aren't now developing that field, and I am told, you can be told a lot of things that aren't true and I don't know the veracity of this, but I am told we will be developing that field when oil reaches $211 a barrel, because that is what it will cost to get the oil out of that field.

I just want to spend a moment looking at this before we go to the next one. If you draw a smooth curve through these bars, the area under that curve represents the total amount of oil that we have found, and the area under the consumption curve will represent the total amount of oil that we have consumed.

Now, it is very obvious that you can't consume oil that you haven't found, and you can make the future, within reason, look anyway you like. But what you can't do is pump oil that you haven't found. Unless you believe that we are going to find a whole lot more oil than indicated by their projection, then you have some choices as to what that downslope is going to look like.

You can be very aggressive and use enhanced recovery techniques, you can pump steam down there, you can pump CO_2 down there, you can flood it with sea water as the Saudis do to get their oil out. You get it more quickly. But if you get it more quickly, you have less to get later on.

So we have choices facing us as to what that downslope will look like. But, remember, you can't pump oil you haven't found, and the area under the consumption curve cannot be larger than the area under the discovery curve. They have to be the same area ultimately, the same volume.

Here is a prediction by our Energy Information Agency, and it is a very interesting one, and they use some unusual statistical approaches. But this is a curve through the discovery peaks. Let me put the other one up just quickly so you can see the similarities here.

Notice the big peak here in the late 1940s and 1950s and another peak here. They have kind of smoothed that out here. You can see this is the early peak here and then the later peak and then down, down, down.

We get to the point we are at now, and they make some very unusual predictions. The yellow line there, they say, is the 95 percent probability, and the green line is the 50 percent probability, and the blue line is the 5 percent probability. And they say that the 50 percent probability is the average, the mean, and, of course, probabilities and means don't mean the same thing, so therefore, that is what our production is more likely to be.

Surprisingly, this curve that has been going down for a number of years they thought was going to turn around and go up. But notice for the roughly 5 to 10 years after they drew this first curve, notice the red symbols there. They have been following what you would expect they would follow, and that is the 95 percent probability. Ninety-five percent probably is a whole lot more probable than 50 percent probable, and that is what it has been following.

Here is another chart from CERA, and it shows something very interesting. First, I want to look at the left here. This is the low, they say, is the 95 percent probability. Now, the 95 percent probability is the most probable, so it is not the low, it is the most likely.

Then they say the high probability is almost 4,000 gigabarrels. The mean is right in the middle. Most of the experts in the world believe that we have found about a little over 2,000 gigabarrels of oil. I use the term ''giga,'' because a billion in England is a million million, and in our country a billion is a thousand million. So everybody understands giga. A giga is a thousand million. We have consumed about half of that and about 1,000 gigabarrels, maybe a little bit more, but roughly a thousand gigabarrels remains.

Several Congresses ago I was privileged to share the Energy Subcommittee on Science, and I wanted to get some idea of the dimensions of the problem we face, so we had the world's experts come in for a hearing. And I was surprised at the unanimity. It was like from 970 to 1,040 gigabarrels of oil remaining in the world, not a big spread.

Now, what they are showing here is that if in fact we find as much more oil as all the oil that now remains discovered, if we find as much more as all the oil that remains discovered, we will still peak at 2016, 9 years from now, if we find as much more oil as all the oil that now exists, that we know exists in the world. If you don't find that, then we peaked about now and it is going to start down this way.

Another thing they have shown here is if you aggressively develop these fields and pump life steam down there or put CO_2 down there or pump sea water down there, you can get it more quickly. But then look what happens. It falls off more quickly too.

Again, the area under this curve has to be the same thing as the area under this curve. You can't pump more because you are pumping it faster. Now, with enhanced oil discovery, you might get a little more, because you might get some oil that you wouldn't have gotten with conventional techniques.

Here is another more recent chart from the Oil Information Agency. They have been pooh-poohing the idea of peak oil. They said it was going to be an undulating plateau. I agree, it is going to be an undulating plateau. So they show here with what I think are wildly optimistic estimates of how much oil we are going to find, they believe that we are going to find twice as much more oil as all the oil we now know exists. That just isn't very probable.

But even if we find that much oil, they have a peak. Notice it. They say it is an undulating plateau. I agree. With the world's economies and demands and warmer temperatures, which is why oil is down a bit now, because we have warmer temperatures in our country, I agree it is going to be undulating plateau. They are pooh-poohing the idea of peak oil, and they show in this curve peak oil. They show it I think a good many years beyond when it will actually occur.

This little curve down here is closer what I think is reality. They have 1.92 trillion, and it is just a bit over 2 trillion, I think, so maybe it would extend

a little beyond this. But notice they are showing this peak about now, aren't they? So if we don't find this enormous amount of additional oil, it will be peaking about now. What they are saying is if we have only 2.93 trillion, we will be peaking at this point.

I have a quote here from one of the world's experts on oil, Dr. Laherrere, and this is what he says, and I think that it is kind of difficult to argue with his logic. Jean Laherrere made an assessment of the USGS report.

Now, it is the USGS report that provides the data that permits CERA to make their prognostications. He concludes that the USGS estimate implies a five-fold increase in discovery rate and reserve addition for which no evidence is presented. Such an improvement in performance is in fact utterly implausible, he says, given the great technological achievements of the industry over the past 20 years, the worldwide search and the deliberate effort to find the largest remaining prospects. Today we have 3–D modeling and seismic use, and so we know pretty much what the world's geology looks like.

I might take just a moment to talk a little bit about this geology, because it is very important in understanding how much more oil we are likely to find.

How did the gas and oil get there? Well, nobody was there when it got there, so we really don't know, but one of the best guess its is that a very long time ago the Earth was very much warmer than it is now. As a matter of fact, there were subtropical seas at the North Shore of Alaska. In the North Sea, there were subtropical seas. And every cycle the vegetation grew, and then when it matured or if there was a fall, and it may have been warm enough there was no true fall, but still there was a cycle of life, and it grew and sank to the bottom as algae does now in the ponds and so forth. And then waters washed erosive materials off the surrounding hills and it mixed with the organic material. This continued for an a large number of years until there was a lot of mixture of organic material and inorganic material there.

Then the tectonic plates of the world moved, and we know that happened, and it opened up and sank and went down to a depth where the temperature was appropriate, closer to the molten core of the Earth, and where the pressure was appropriate, and then cooked there under this pressure for who knows how long, and this organic material, mostly plants, maybe a few small animals, gradually became what we know as oil.

Now, the oil is made up of molecules of varying lengths. Some are very short and they are in fact gasses, if you let them escape from the oil. Some of them are very long, and that makes the waxes and so forth that we find in oil.

Now, if there happened to be a rock dome over top of this deposit way down there that is now being cooked and pressurized for a long while, if there is a rock dome over that, the gas that escapes will be trapped under that rock dome. So when you come along and drill a well through that, and you get down to the oil, the oil is going to be under pressure because of that gas above it. So you have what you call a gusher. The gas pressure above pushes the oil down and up the drill pipe and it continues to gush until that gas pressure has been relieved.

Now, this may not be the way that oil and gas were formed, but there isn't any better guess as to how it was formed. And if that is in fact the way it was formed, then we can make some guesses as to how much more oil and gas we are likely to find, because we have done a pretty good job of matching the geology of the Earth.

What you need to find is some of this organic material buried deeply for a long while with a rock dome over it so it captures the gas. By the way, if it doesn't capture that gas, you end up with something like the tar pits of California, and you end up with the tar sands, they call them oil sands, they are tar sands, thank you. They flow about as readily as the blacktop driveway out here, unless you heat them up, which is what they do, and combine them with some shorter chain molecules so that when they cool they will still flow.

The loss of these gasses has produced what we call our oil shales in the west. By the way, there are huge, huge deposits of these tar sands and oil shales.

As a matter of fact, the deposits of each of those represents way more than all the fossil fuels that we now know exist in the world, and the Canadians are making some heroic efforts because their big fields are up in Alberta, Canada, and they have a shovel up there that lifts 100 tons and they dump it into a truck that carries 400 tons and then they carry it and cook it. When it is cooked, why, the oil flows and then they mix it, as I said, with something with shorter molecules, a solvent, so when it cools it will flow and they move it out through pipes. With this heroic effort, they are getting about 1 million barrels a day. That sounds like a lot, 1 million barrels a day, but we use 21 million barrels a day. That is about 5 percent of what we use, and just a bit over 1 percent of what the world uses, because the world uses about 84–85 million barrels a day.

And what they are doing is not sustainable, because they are cooking this with natural gas that is what we call stranded. By ''stranded'' we mean there are not very many people there to use it, and natural gas is hard to transport unless you liquefy it and are near a port, so it is cheap. So I understand they may be using more energy from natural gas to produce the oil than they are getting out of the oil. But from a dollar and cents perspective, it makes sense, because the gas is really cheap and they are producing that oily understand for $12 to $25 a barrel, again, you get various estimates of this, and they are getting $50 to $60 barrel for it. So dollars and cents-wise, that makes good sense.

□ 2130

From an energy profit ratio, it does not make any sense at all. Natural gas is a high quality feed stock for an enormous petrochemical industry.

One of the things that we use it for, by the way, is making nitrogen fertilizer, and without our ability to make nitrogen fertilizer, we could not begin to feed the world. It is not just the plant breeder, and he has done marvelous with developing new plants. It is all of the fossil fuel energy we use in agriculture, and a great deal of that is used in making nitrogen fertilizer from natural gas.

I have next a little schematic here, and this kind of smoothes out these curves. By the way, the world has been increasing its use of oil about 2 percent. That does not sound like much, does it, 2 percent? But 2 percent exponential growth doubles in about 35 years. It is four times bigger in 70 years, and it is eight times bigger in 140 years.

Albert Einstein was asked after the discovery of nuclear energy and the detonation of the nuclear bomb, Dr. Einstein, what will be the next great energy force in the world? And he said the most powerful force in the universe is the power of compound interest. Exponential growth.

I have a namesake, no relative. I wish I had some of his genes. He is really very brilliant. Dr. Albert Bartlett, professor emeritus at the University of Colorado, he gives the most interesting 1-hour lecture I have ever heard on the failure of our industrialized society to understand exponential growth. Just do a Google search for Albert Bartlett and energy, and it will come up and you will be fascinated with this 1-hour lecture.

Here we show this little schematic curve. It is a 1 percent growth rate. Remember, that doubles in 35-years. This point is twice as high as this point, and that represents 35 years. Notice that the shortage occurs before we reach the peak.

The shape of the bell curve and the exponential growth curve indicate that you are going to have shortfalls in supply, price is going to go up before you might reach the peak, and maybe, just maybe, we are in this time right here. A lot of the evidence indicates that is true.

The next chart is one that really gives you some pause when you look at it. Let us just look at the upper one because the bottom one is an expansion of the upper one, separating the gas from the oil here in the red curve. But this shows only what 400 years, a little less than 400 years of more than 5,000 years of recorded history. The use of energy in our world was so small back in 1750 that that brown there which is

wood is just about the baseline, is it not?

The industrial revolution started with wood. The hills of England were denuded to make charcoal to make steel. Catoctin Furnace, a little historic site up in Frederick County, they denuded the Catoctin Mountains where Camp David now is, thankfully the trees grew back, they denuded that making charcoal for that furnace.

The industrial revolution really took off when they discovered coal, and it was stuttering when they finally discovered gas and oil. Then look what happened.

The hockey stick, that is the hockey stick that Congressman GILCHREST was talking about, look what it did. It just goes straight up. Notice here what happened in 1970. There was a real oil price shock there, and the world used somewhat less oil. We are now very efficient in the way we use oil in this country. Air conditioners probably are twice as efficient at least as the ones you used in 1970. If it were not for our increased efficiency we would be in even more trouble with energy today.

But what I want to point out is that we are about 100, 150 years into the age of oil. That is this. If Hubbert was right, and he was exactly right about the United States, why should he not be right about the world, this is going to be a bell curve. By the way, you can make this thing look steeper or shallower depending upon the dimensions and the ordinates, the absinthe ordinate and abscissa. Here, of course, we have 400 years on the abscissa so it is very compressed so it makes the curve look higher, but that is exactly the same kind of curve we have here. We just spread out the abscissa here so that we spread it out. If you really push these two things, that is going to peak up high in the middle.

Out of 5,000 years of recorded history, the age of oil will represent about 200 to 300 years, remaining about 100, 150 years. What will our world look like post age of oil?

The next chart shows us something that is alarming a number of people, and this is a little drawing of the world. It has a number of symbols on it, and one of those symbols shows where China is securing rights to buy oil, and they are all over the world. This symbol here was Unocal. They almost bought Unocal, one of our oil companies. They are buying oil all over the world. They are scouring the world for oil.

I just came back from a trip to China, and we went there to talk about energy by the way. I was pleasantly surprised when they began their discussion of energy by saying post-oil. They get it. I wish we did. They talk about post-oil. They recognize that they are big polluters. As a matter of fact, I have a reference here that says by 2010, just 3 years from now, they will be a bigger CO_2 producer than we are, in just 3 years. Their economy is growing, the last 2 quarters, at more than 10 percent a year. That doubles in 7 years. It is four times bigger in 14 years. It is eight times bigger in 21 years, 1.3 billion people. I saw essentially no bicycles on the street and traffic jams like we have at rush hour here in Washington.

Well, the fact that they are scouring the world for oil indicates their understanding that this is going to be a resource in short supply for the future. We can spend a long time talking about China and what they are doing. They are aggressively building a blue water navy.

A blue water navy is different than the brown water navy, brown from the silt that comes out the rivers near shore, little navies that protect you from somebody coming from afar. They are rapidly developing a blue water navy. Last year, for instance, we launched one submarine. They launched 14. Now, their submarines are not ours but 14 submarines is 14 submarines.

I have here a very interesting statement from our Secretary of State Condoleeza Rice: ''We do have to do something about the energy problem.'' I am thankful you recognize that. ''I can tell you that nothing has really taken me aback more as Secretary of State than the way the politics of energy is I will use the word 'warping' diplomacy around the world. We have simply got to do something now about the warping now of diplomatic efforts by the all-out rush for energy supply.''

It would be nice if everybody in the administration understood that and we were doing something meaningful about it.

So what do we do? Well, I think that any rational person would understand that you need to get busy developing some alternatives if you are going to run out of these fossil fuels. By the way, these fossil fuel are just incredible. The energy in these fossil fuels is just unreal.

I have an article, really not an article. It was a speech given by Hyman Rickover in 1957, 50 years ago this year, and I want to read something that he says here which is really interesting. He understood 50 years ago, ''With high energy consumption goes a high standard of living. Thus the enormous fossil fuel energy which we in this country control feeds machines which make each of us master of an army of mechanical slaves. Man's muscle power is rated at 35 watts continuously,'' little more than you are working, but you have got to sleep, ''or one-twentieth horsepower. Machines therefore furnish every American industrial worker with energy equivalent to that of 244 men, while at least 2,000 men push his automobile along the road, and his family is supplied with 33 faithful household helpers. Each locomotive engineer controls energy equivalent to that of 100,000 men; each jet pilot of 700,000 men. Truly, the humblest American enjoys the services of more slaves than were once owned by the richest nobles, and lives better than most ancient kings. In retrospect, and despite wars, revolutions, and disasters, the hundred years just gone by may well seem like a Golden Age.''

And it has gotten even more golden in these last 50 years, has it not?

Hyman Rickover understood very well our dependence on fossil fuels. One barrel of oil controls the energy of 12 men working all year for you. If you figure out what that costs, it is less than $10 to purchase the equivalent work of a person all year long.

Now, if you have some trouble getting your minds around that, imagine how far that gallon of gasoline or diesel fuel carries your car. And by the way, it is considerably cheaper, a little over $2 a gallon, than water in the grocery store.

Now, how long would it take you to pull your SUV or your car or push it as far as that little gallon of gasoline or diesel fuel take it? I own a Prius. We get under normal road driving conditions 51 miles a gallon. It would take me a long time to pull my Prius 51 miles.

Another indication of the incredible energy benefit from fossil fuels, if you work really hard all day long, I will get more work out of an electric motor for less than 25 cents worth of electricity. It may be humbling to recognize in terms of fossil fuel that we are worth less than 25 cents a day, but that is the reality, and that is why we live so well.

As Hyman Rickover understood 50 years ago, if that was true what he said 50 years ago, it is true in spades today, is it not, because we have even more helpers to make our life quality higher as a result of our use of energy.

Well, what do we do if we are going to run short of fossil fuels? Obviously, we have no surplus oil to invest in the development of renewables. If we did, oil would not be $50, $60 a barrel, but we can free up some oil and buy some time with a very aggressive conservation program.

Matt Simmons, who has written a really good book on Saudi Arabia called ''Twilight in the Desert,'' and he makes the case that Saudi Arabia has probably peaked in oil production. They will not tell you that, but you notice they cannot make good on any promise to increase oil production so he may very well be right. Then after having freed up this energy and bought some time, we must use it very wisely. We would get a lot of benefits from that.

Life is just so easy in this country that we are bored. We are watching awful movies. We are doing drugs because we are bored. There is no exhilaration like facing a big challenge and besting that challenge. There is nothing that puts flavor in pie so much as work, and I can imagine Americans, when they understand the problem we face, going to bed at night saying, gee, today, I used less energy than I did yesterday and I lived just fine, and tomorrow I am going to do better.

But we need leadership that is not here yet so that we will do that. By the way, big benefits. We could once again become a major exporter. We are the most creative, innovative society in the world. Properly challenged, we will figure ways to get this alternative energy. We could again be a major exporter. Today, we are a big, big importer, as you know, $800 billion trade deficit this year.

We are a role model whether we like it or not. When you use 25 percent of the world's energy, you are a role model. Not a very good one today. We profligately use energy, way more energy than the average person in the world. It really is possible to be much more efficient.

This is a fascinating chart, such a simple one, but what it shows is the heat that you get out of an incandescent bulb and the light you get out of it. Ninety percent of it is heat which is why I use an electric bulb for brooding little chickens. I am not so much interested in the light as I am the heat from it. Now fluorescents are much better, and I saw there was a Time magazine cover page that had a pile of coal there. I think it was on the cover page, and they have one of these screw-in fluorescent bulbs beside it. Five hundred pounds of coal, that is the amount of coal you save in the life of that one fluorescent bulb, that is here.

But notice what you get out of light omitting diodes. I have a little light omitting diode flashlight that I carry. I put two little batteries in it, and I have forgotten when I put them in.

□ 2145

It just lasts so long. We have the same amount of light out of each one of these, but notice the enormous amount of heat you are getting out of the incandescent bulb and the tiny amount of heat that you are getting out of the light emitting diode.

There are lots of opportunities in our society to live well and comfortably using a lot less energy. I don't have the chart here, but the average Californian uses only about 65 percent as much electricity as the rest of America, and it would be hard to argue that Californians don't live well.

This next chart is a really interesting one, and what it shows here on the abscissa is the amount of energy that we are using per person and what it shows on the ordinate here is how good you feel about life. You couldn't feel any better than 100 percent, and notice where we are. We are the biggest users of energy in the whole world and we feel pretty good about it; but notice how many countries that use less energy than we feel even better than their quality of life. Let's go way back here to Colombia. They use a fifth as much energy as we; they feel almost as good about their quality of life as we feel.

If you drew a curve through this, you need some minimum energy to feel good about life, but once you go up that steep part of the curve, the minimum energy is pretty flat. We can move way back here on the curve and feel just as good as we do now about life. You don't have to use the amount of energy that we use to feel as good about life as we do.

The average European, the countries are scattered through there, but the average European uses half the energy we use and, by the way, pays more than twice as much per gallon of gasoline and they have been doing that for a very long time.

We are shortly going to run out of our 60 minutes this evening and we will need to come back to finish this, but obviously we have got some finite resources here that we can use. When we come back, we are going to talk about the resources available to us to meet the challenge of transitioning from fossil fuels to renewables. And, by the way, we will transition either on a time scale that we have chosen or on a time scale chosen by geology.

As we run down the other side of Hubbard's Peak and the world has less and less supply of fossil fuels, we will transition. It can be a bumpy ride, or it can be a really bumpy ride. But Americans are up to it. We need leadership and knowledge. And we will be back again to talk about the finite resources available to us and all those fascinating opportunities in renewables.

CLEAN ENERGY

The SPEAKER pro tempore. The gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes.

Mr. INSLEE. Mr. Speaker, we come here to the well tonight to continue this discussion about energy. I have enjoyed listening to my colleagues Mr. BARTLETT and Mr. GILCHREST, who have been talking about the need for changes in our energy policy to effectuate an energy efficiency policy for this country, to use our innovative talents to come up with new technologies to deal with our energy challenges, and to really bring our energy policy from the 19st century into the 21st century. And the good news is tomorrow, Thursday of this week, in just the third week of the 110th Congress, this new Congress is going to start with a big step out of the 19th century, which has been represented by the last Congress, and into the 21st century, which is represented by this Congress, and I am pleased to report to the House tonight and to the country, tomorrow the Democratic majority with some help from some of our friends across the aisle will pass a bill which will cause a major shift in the energy policy of this country.

In the last Congress there was a clear direction of the energy policy of this country, and under the last management of the U.S. Congress the basic operative rule was to give billions of dollars of taxpayer money to the oil and gas industry, the most profitable industry in the history of the solar system, over $10 billion in tax breaks to the oil and gas industry. Tomorrow, that money will be returned to the citizens of the United States for the use in developing a truly 21st century energy plan.

Tomorrow, the Democratic majority held Congress or House of Representatives will pass a bill which will reel back in $14 billion of taxpayer money that was sent to the silk-lined pockets of the oil and gas industry, and that is a good thing for Republicans and Democrats and Independents and for our grandchildren for reasons we will talk about tonight. It is a good reason because when we reel that $14 billion in giveaways to the oil and gas industry that happened in the last Congress, what we will do tomorrow is take that $14 billion and create a fund of money belonging to the American people that will be used for the development of new technologies, creative new sources of energy, energy efficiencies, more efficient vehicles, more efficient appliances, and a way to beat global warming.

So we are going to convert the giveaways from the oil and gas industry that happened in the last Congress to an investment in the future of our country to have a new energy technology, technologically based future for the energy source of this country. We are going to do it for three reasons. And perhaps those three reasons are obvious, but I want to state them.

Tomorrow when we pass this bill, we will create a fund called the Strategic Renewable Energy Reserve. Not really much of an acronym; I didn't get to name it. But the Strategic Renewable Energy Reserve will be a fund with $14 billion that will be taken back from the oil and gas industry and be used for our inventors, our businessmen, our academicians, our people who are doing great work to develop new sources of energy, and we will do this for three reasons. I will go through them quickly.

Number one, we will use this fund to develop a domestic source of energy for this country. We will use this money to develop the new advanced biofuels, the second generation ethanol, the cellulosic ethanol, the advanced biodiesel systems so that we can start buying our fuel from Midwestern farmers rather than Middle Eastern sheiks. We know the trouble we are in in the Middle East due to our dependence on Middle Eastern oil, and we are going to break that oil addiction, not rhetorically, but in reality.

Second, we are going to use these funds to develop new clean energy sources that can stop global warming. We are going to have energy efficiency which can have efficient appliances rather than dirty appliances that waste energy. We are going to have energy efficient cars, plug-in hybrids, flex fuel vehicles that can use biofuels developed in the Midwest; energy created by wind turbine, solar energy and perhaps clean coal, wave power. You name it.

We have a thousand flowers that are going to bloom in energy if we use this money in a smart way to stop global warming.

And, third, we will use this money to create a new energy source of jobs in this country. It is about time to start building fuel efficient cars in this country, new technologies here. It is time to reel those jobs back in.

So I am very excited what will happen tomorrow. It is the first step in a long road of what we will talk about tonight, the new Apollo Energy Project. And we have a new Member of the U.S. House who has brought a new vision of energy, Mr. JOHN HALL of New York. And I will yield to Mr. HALL.

Mr. HALL of New York. I thank the gentleman for yielding, and I am excited to be here at this time, at this point in history when our country will finally, beginning in this House of Representatives, begin to act on renewable energy and conservation in a meaningful way. And I also want to say that I hope Northeast farmers will also be able to contribute to the biofuels that will be developing.

I have a friend in New York State who is driving around in a stock diesel Jeep Liberty 4-by-4 that he is running on biodiesel made from wood waste at a renewable tree farm that makes furniture in New York, just north of my district in Representative GILLIBRAND's district, but it is minutes from where I live in Dover Plains, New York. There is no modification needed to the vehicle. The company that is making this fuel runs all their farm vehicles on it, they run their road vehicles on it. Every scrap of leaves and sawdust and little twigs and things that are parts of the tree that are too small to go into the furniture they make goes into making biodiesel fuel, and it is very successful.

The only thing that is lacking is the knowledge on the public's part that they can ask for it, and the law of supply and demand will work for renewables the same way it does for any other form of energy or any other commodity.

I called up my own local oil company in my hometown of Dover and asked if they had biodiesel to sell for me to burn in my home heating oil system, my furnace that heats our home, and they said yes. And I said, ''What is it?'' And they said, ''20 percent soybean derivative.'' And I said, ''Sign me up.'' And I asked the gentleman on the phone, ''How is it?'' And he said, ''I am the owner of the company and I burn it in our house, and it burns cleaner than regular home heating oil.''

So it is similar to the situation I ran into when I served in county government and we were dealing with markets constantly fluctuating in recyclables, for instance, where one month you might make money on recycling paper and the next month you might lose it. It depends on how many plants are built to recycle it and how many new communities start to do so in earnest.

If our country and our citizens know to ask for wind power, which we get in my home the first 1,500 kilowatt hours per month from a wind farm in Atlantic City. And that is only one of many wind installations that are being put up around the northeast. There is a big wind farm in the Tug Hill Plateau in the Adirondacks that is going to figure majorly in New York's energy supply, and in the Finger Lakes region also. Farmers are finding out that they can lease space on their property for wind turbines, make royalties on it or lease payments from the utilities on it that will pay their property taxes and enable them to stay in farming. The cows don't care. They graze under the wind turbines, and meanwhile they are turning overhead and cranking out the energy.

The Jersey Atlantic Wind Farm in Atlantic City that my wife and I are buying power from will be amortized in 5 years. It consists of five 380-foot-tall wind turbines. Each turbine is a greater surface area than a football field and taller than the Statue of Liberty and generates 7½ million watts of power when it is running at peak operation.

So if it is free in 5 years, the investment is paid off. After that, you have free energy, you have no pollution, zero emissions, and as you were saying it helps our balance of trade deficit, it cuts back on the money that we are sending to the Middle East oil potentates that are funding the madrasas that are training people that we then have to send our military to go fight. It cuts back on oil spills. It cuts back on asthma and emphysema in the inner cities, the particulate emissions. So it is a win-win-win situation with jobs being created here, with the dollars that we are spending on energy being kept here.

And I would just like to say once again that I am proud to be a part of this action of repealing and closing loopholes. It is not a raise of taxes as our colleagues on the other side of the aisle were saying before, but it is actually closing tax loopholes, subsidies, and giveaways that they created in the last Congress and transferring those funds to these renewable energies.

Mr. INSLEE. If the gentleman will yield. Very much so, it is claiming what should be rightfully ours. We essentially gave away oil that belongs to the citizens of the United States, and gave it away with no royalties. It was a giant, giant giveaway program. And subsidies in certain circumstances are appropriate for nascent growing industries, but this is a mature industry. There was no reason to give a company that made $20 billion profit last year more of our taxpayers. You are paying twice when that happens. You are paying at the pump, and then you are paying on April 15 when you are paying taxes that are given to these oil and gas companies.

I want to just touch on your wind sample. Today I had the Director of the Bonneville Power Administration that runs the electrical grid in the Northwest today, and he was telling me that wind power today is cheaper, cheaper than essentially any other system that we have to generate electricity, at least in the Pacific Northwest, cheaper than coal even.

□ 2200

For those that say wind cannot be an integral part of the system, a study came down from a Minnesota group last week which evaluated how one can integrate wind because the wind does not always blow. It is not a totally reliable system, so you have to integrate it into your system.

They concluded it is so cheap you can integrate it by having backup gas turbines sometimes to kick in if the wind doesn't blow with minimal to no increases in prices.

This revolution that is happening in energy that we will start tomorrow, sort of the Concord Bridge moment for the energy revolution here, is all over the country. You mentioned in your neck of the woods, it is not just the Midwest, in Washington State we are going to have the biggest biodiesel plant in the Western hemisphere. It is going to be up and running next year.

Minnesota has huge growth in wind power. Wisconsin has a company that is building wind turbines so fast they cannot fulfill the orders. Missouri has just started three huge wind farms. This is something all over the country.

When I talk to businesses, what I find is there is not a State in the country that does not have some business that is going to benefit from what we will start tomorrow, which is new energy revolution. California in Silicon Valley is developing these new solar cells that could be 30–40 percent less expensive. A company called Fiber Forge in Colorado is starting to make composite bodies for cars that could be 40 percent stronger and half the weight. This is a national effort. All of us will get to brag about it some day.

I would like to yield to the gentleman from Florida (Mr. KLEIN), a new Member of Congress. Thanks for joining us.

Mr. KLEIN of Florida. Thank you, Mr. Speaker. It is a pleasure to be here with Mr. HALL, my good freshman friend from New York, and my good friend from the State of Washington. I know you have been leading the fight for a number of years and trying to get our focus, not only in your State, but throughout the country on the idea of renewable energy sources.

Many of us in the freshman class came to this year's campaign and this Congress with a view that this is an opportunity of historic proportion. This is an opportunity for us to recognize that this is a once-in-a-generation calling, no different than our predecessors had with the Manhattan Project. I know that many seniors in my district in south Florida have talked about that, the calling of their generation to make sure that World War II would end

with an atomic weapon. Of course we all know that when Sputnik went up in the early 1960s, a little before my time, but at a time when this country saw this little tin can up in space and thought this could be a threat of possibly bombs coming from outer space into our country, and John F. Kennedy saw this as a time and place for us to engage our private sector, our universities, our public, to create a new generation of scientists and mathematicians who would put a man on the Moon by the end of the 1960s. By 1969, they did that. And now the science and technology that came out of the space program has broad applications to our daily lives.

I view this, as do many Democrats and Republicans, as a time in our country's history when we need to make ourselves energy independent. I believe it. There is nobody in this room or in this country who doesn't believe that Americans, when they put their nose to the grindstone, can't accomplish anything. We can. We can and we will.

This has the unbelievable capacity of recognizing three great elements in this day. One is national security. We should never, ever have to make another foreign policy decision based on where the next drop of oil is coming from. That is a strategic mistake of unbelievable proportions. To have to import 60 percent of our oil from unstable countries around the world that in many cases are taking some of the dollars that we send over, the millions and billions of dollars, and financing both sides of the war on terror is wrong.

Recognizing that is something we need to do for our own national security, inside the United States, is crucial.

Secondly, we all understand the environmental impacts. I know my colleagues that are speaking tonight have led the fight on this, and many others. And recognizing whether it is global warming or any of the other environmental impacts of some of the technologies that are used today with oil and other things, these are issues that we need to take up.

I live in Florida. We have had a battle in Congress, and I was not in Congress last year, but many of us fought the fight back home: We don't want drilling off the coast of Florida, or in Alaska in the refuge. Those are false choices made by the administration.

The right choice is we don't have to have more oil drilling. Oil drilling will be a part of our energy solution, but we don't need drilling in places which will have a potential of having a tremendous long-term environmental impact. Off the coast of Florida, we have a very large tourist industry. We have wonderful reefs. We have a beautiful environment in our oceans and bays and the Gulf Coast. We can't afford to do that. It is not good for anybody in this country. There are choices that allow us to have alternative energy.

And of course the last thing is the new economy. Many have talked about the fact that in this economy today we have lost jobs overseas. We don't have steel manufacturing like we used to. We don't produce a lot of the products. The science of alternative energy sources and the commercialization of that technology and those products can once again be our big technology boom like we had in the 1990s in this decade, and for decades to come. It will make us energy independent, and it will be exportable science to the rest of the world.

Mr. INSLEE. I was talking to a businessman the other day who wants to develop the Chinese market to sell China thin solar film technology to become the distributor in China of a technology developed in America. Talk about a great thing for our balance of payments.

You talked about the original Apollo project. We have named our bill, the first step we will talk about tomorrow, the New Apollo Energy Project because we believe, as John F. Kennedy did, that we have unlimited innovative capacity. But what we don't have at the moment are policies to put that innovative genius to work.

For instance, we are spending less than 16 percent on energy research in total in this country. We are only spending 16 percent of what we spent on the Apollo project. That is just abysmal. We had at least as much of a challenge as trying to get to the Moon.

I had a utility executive in my office today. He told me this factoid: We spend more on research about dog food than the utility industry does on new energy in this country. I don't want to belittle dog food, it is important, but we need to boost our research. Tomorrow we will put $14 billion back into the pockets of Americans to use in part for research, the tremendous things that are going on. Every time I pick up the phone, I learn about a new technology being developed.

I yield to Mr. HALL.

Mr. HALL of New York. I am just looking at the uses of the Strategic Energy Efficiency and Renewables Reserve, and I will get that out in one sentence, to accelerate the use of clean domestic renewable energy resources and alternative fuels, to promote the utilization of energy efficient products and practices and conservation, and to increase research development and deployment of clean, renewable energy and energy efficiencies and technologies.

The word ''conservation'' is in there, and it is one that has been sadly neglected. In fact, it was unfortunate a few years ago when our Vice President said conservation may be a personal virtue, but it is no way to build a national energy policy. I completely disagree. I think it is one of the most important ways to start building a national energy policy, and I was happy Mr. BARTLETT earlier was talking about energy efficiency. It is time all of us on both sides of the aisle did that and put our money where those words are.

I see these pet peeves of mine as I go through every day life. For instance, walking down the aisle of the supermarket, in the Northeast, I can walk through Hanford's A&P or Stop & Shop, and there are aisle after aisle of cold cases with yogurt or beer or cheese that is being kept cold by a refrigerator and a compressor running all of the time, and an open top so it is convenient. I can just reach in. But there is no door or plastic sheet to keep the cold air in and the warm air out. Meanwhile, because we live in the northern part of the country, half of the year there is a furnace going to keep the shoppers warm and the furnace and the compressor are working at cross purposes. That is the kind of blindness we have gotten used to, that energy is something we can throw away.

Mr. INSLEE. There is so much good work going in to stop those things that you are talking about. To mention two instances of success on energy efficiency, I was talking to the Vice President of Dow Chemical yesterday. Dow Chemical historically has not been looked at as a company on the forefront on environmental issues, but they got a star last year for their energy efficiency program.

They have saved 42 percent of their energy since 1990. They have reduced their energy since 2000 by 22 percent by just adopting commonsense measures, some of which you might have talked about, by having energy efficient appliances and lighting, by looking at how they monitor the energy in their building. So a 42 percent reduction of their energy usage, and they did that because it is good business, not because it is some granola-crunching idea. They did it because it is good business. And we will create a fund tomorrow to help businesses and individuals go down that road.

Second accomplishment, California. California has essentially, while the average American uses 50 percent more electricity than they did 10 years ago, 50 percent, California has been stable for the last 10 years. They have not gone up one kilowatt hour. And the way they did that was to help people invest in energy efficient light bulbs, energy efficient windows and appliances. As a result, they use 8,000 kilowatt hours per person per year, and the average person uses 14,000 kilowatts.

Does that mean people in California are living in the stone age? They are still taking hot tubs in Marin County and still putting out movies in Hollywood. They are living a good life there, and their economy is booming. But they are doing some commonsense things with energy. That is what we are going to start tomorrow.

Mr. HALL of New York. I wanted to mention something that should be another part of our energy mix and that is low head hydroelectric power. There are dams and waterfalls throughout this country where in some instances they used to generate power and no

longer do. But our own Idaho National Laboratory from the Department of Energy did a study a couple of years ago that showed, and it is on their Website, it shows how much State By State latent hydroelectric power is waiting to be harvested.

In New York State, there are some 4,000 dams and waterfalls that could, just by having turbines placed where the water is already falling, yield greater than 1,200 megawatts of power, which is about 60 percent of the peak output of the Indian Point Nuclear Plant in my district.

It is that kind of using everything. We have to leave no stone unturned and to try every opportunity for clean, renewable domestic sources of power for national security purposes, as Mr. KLEIN mentioned, for environmental purposes, as we all know, and for global warming. Anybody in my part of the country knows that the weather is not normal this year. And, indeed, the records for last year showed that it is the warmest year on record and there has been a string of years getting warmer.

We had a seminar at one of our freshman orientation sessions on global warming that shows as the carbon dioxide levels in the atmosphere are rising, the temperature average is rising with it. It has risen out of what they call the background noise, where it is no longer something that can be written off to the normal ups and downs of climate. We are experiencing a change, a man-made change in our climate here on earth, and it is our duty to our children and grandchildren not to leave them that problem or to leave them mountains of debt because we refused to deal with this problem and keep borrowing money from one country so we can import oil from another country and lose our own sovereignty in the process.

Mr. KLEIN of Florida. One of the beauties of what we are talking about, and what Americans are talking about, is there is a lot of technology and a lot of science and businesses that are already out there doing these things. That is a very exciting thing. If you listen to the national picture that 60 percent of our oil is imported, and that is a major source. And we obviously have lots of other fossil fuels being burned at this point, but there is solar power.

I am from Florida, and we call ourselves the Sunshine State. And we constantly hear in Florida you can't use solar effectively because the panels are too big and they can't store the energy.

My personal feeling, and I think you believe this, if we put our mind and science to this, we could probably have a solar panel the size of this 8½ by 11 piece of paper on every house that powers that house. Individual power plants, and it will happen. It is going to happen. There is wave power. There is wind power and corn-based ethanol and sugar-based ethanol like they use in Brazil.

Again, they may not be perfect in their present form. That is the point. Let's further them and use our innovation agenda that we are pushing in this Congress to get all of the economic incentives in place to encourage the businesses, to encourage our science and university academics as well as business leaders to come together.

□ 2215

Mr. INSLEE. We had a meeting with Hank Paulson today, Secretary of the Treasury in the Bush administration, and he had made an interesting comment. I am very impressed with him, though I have been pretty critical of the Bush administration, because he has been a pretty outspoken advocate that we need to do something about global warning.

He said everything he has learned since taking the job as Secretary of the Treasury, he comes from a very successful Wall Street career, has been worse than he thought. The deficit, the situation in Iraq, everything he has learned has been worse than he thought, except energy, because he has learned about the new innovations going on around the country.

What we want to do is help businesses, like the Iogen Corporation, which is ready to build the first commercial cellulosic plant in America in Idaho. They are ready to go, as long as they can get their loan guaranty. They have 300 farmers that are going to give them their straw left over after wheat. They are going to chop it up, put an enzyme in it, and then free the carbohydrates and distill that into ethanol, and, boom, you have a product that is three to four times more productive per acre than the current type of ethanol we get from our farms.

Ocean Wave Technologies has the first permit for wave power in the United States off the coast of Oregon, a 50 megawatt plant. They are using a technology now that is in the water in Hawaii, generating technology with this buoy that is anchored below the water. It goes up and down and creates a force thoromatically that runs a generator. They are generating electricity today for the Navy. They are ready to make this a commercial operation. They need a little help to get started.

The Nanosolar Company, a company that was started, and the fellows who wrote the first two checks were the two guys who started Google. They have done pretty well for themselves, and they wrote a check to a couple of entrepreneurs in California, and now they are ready to do 450 megawatts of thin cell solar, where you use a solar panel that has one-fiftieth the width, using a selenium, iridium, gallium and caesium type of technology that they think can be 30 or 40 percent cheaper.

Another company trying something like this is called Miasole.

These are the companies that need help, not the big oil companies. And what we are doing tomorrow is shifting the subsidies that have been given away to the oil industry, an 18th century technology, and helping these new-generation technologies come on.

By the way, in this debate we are the optimists. We should identify who is on what side of this. We are the optimists who believe global warming can be dealt with. The pessimists say we can't.

Now, they are giving up. The debate about global warming is over. And I know it is over because yesterday the Exxon Corporation, which has fought tooth and nail the science on global warming, basically withdrew their support from the political organization that has tried to create doubt about global warming.

So when the Exxon Corporation agrees it is time to start getting serious about global warming, I think the debate is over. And now the question is, how can we join on a bipartisan basis to find solutions, and we are starting this tomorrow. I hope we draw some votes from some of our colleagues across the aisle.

I yield to Mr. HALL.

Mr. HALL of New York. Thank you, Mr. INSLEE. I am pretty confident there will be votes from both sides of the aisle tomorrow. And it is interesting thinking about the history of ExxonMobil in terms of their corporate advertising, going back to the days of Herbert Schmertz and the op-ed in The New York Times, and how they have spent probably more money, and other oil companies as well have spent more money. Or I should say they have spent good money on advertising to try to stop people from changing the approach that they could have spent instead on research and development on these new forms of energy.

I wanted to mention one you had not mentioned yet, and that is tidal power. Wave power, of course, is obvious. My dad taught me to sail when I was a kid, and many is the time I have sailed by a buoy that had one of those wave-driven generators in it and keeping the light powered, and/or a solar panel on it keeping the light powered and a battery storing the energy.

But tidal power in my neck of the woods, in the Hudson River, which splits my district in half, is tidal all the way to Troy, all the way past Albany, and navigable all the way that far north. The current runs a couple knots and a half south on the ebb and about two knots north on the flood in New York Harbor. And in the East River and in Hellgate, what they call the juncture of the East River and the Harlem River, where it opens into Long Island Sound to the east, the tidal current there runs five to six knots, depending on the phase of the moon.

We have inlets, rivers, harbors, coastline all throughout this country where tide comes and goes, millions of tons, millions of tons of pressure of water moving in and out of these bodies of water twice a day every day. And that is, well, it is solar and lunar, because it is driven by, I guess primarily by the

moon, but nonetheless it is natural, free energy that can be harvested and should be explored. And, indeed, there have been experiments going on in the East River with tidal generators within the last year that I am looking forward to seeing the results of. But that is one more available source.

Mr. INSLEE. I want to comment that some people have argued this is sort of peripheral or tangential sources of energy, niche types of energy. I think it is important to realize the scale of energy that we have available domestically. It is enormous.

When you talk to the scientists about this, the wave power in a 10-mile-by-10-mile stretch of the California coastline, that is 100 square miles, if you can imagine 10-by-10, there is enough wave power using this existing technology to generate all of the electricity used in the State of California. That is not hypothetical. That is actual wave power that is available. That is not a niche technology.

In Montana, if we can a find way to burn coal cleanly, and I say if because we are a long ways from being able to do that, to segregate and store the carbon dioxide below ground, but there is enough coal in Montana, just Montana, if we can find a way to do that, to power the electricity needs of the entire Nation for decades.

Just to give people a sense of the scale of this, with solar energy, in a few hundred square miles, there is enough to light the entire Nation, if we get solar power down to a market-based price. It is more expensive than electricity right now from a coal plant or a gas-powered plant.

But what we are learning is that for all the technologies we have talked about today, solar, wind, wave, efficiencies, where some day plug-in hybrids, plug our cars in and run on clean electricity, every single one of those technologies has come down in price dramatically as the technologies have improved and as we have scales of economy.

Wind power has come down in price 80 percent in the last decade. Solar is coming down. There is a factor basically every time, if I get this right, every time it goes up, and I am going to have to check to make sure. In fact, I will not use it because I can't remember what it was, but there is a ratio that has been clear with solar power that has come down. Every time you ramp up production by a factor of X, you get a Y percentage decrease in price, and that has been a constant.

What we have learned is that we know there are two curves. Fossil fuels are going up because China is coming on gangbusters and demand is going to go up. We might reach peak oil. We don't know. But we know fossil fuels are going up long term, and these are coming down, and we want to be on the downward sloping path.

So one of the things we want to do eventually, in our new Apollo project, is to have a renewable portfolio standard to say that a percentage of our electricity will be generated by clean energy sources by the year 2020. We just did this in Washington by popular vote.

I yield to Mr. KLINE.

Mr. KLEIN of Florida. I thank the gentleman, and I think that is exactly the point. The point is, there is not necessarily one source of energy alternative that is going to be for everyone. We have a big country, with lots of existing resources that have been mentioned by the gentlemen on the floor this evening, and the choices and the competitive ways that we as a country can competitively grant resources to companies, to scientists to come together and say, listen, we think there is enough coal in this country to power the country for 300 years, but we have a high sulfur and carbon dioxide problem. Is there a solution? If there is a solution, that can be a wonderful thing. So there is coal in certain parts of the country and maybe that works there.

Wave power, wind power, all the things we are talking about, it is this competitive way of approaching this. Not one solution necessarily to fit all. There is still going to be oil out there to some extent, but the point of all this is, it is there. And the most exciting part about this is that there is a solution, and Americans need to engage this.

The Congress is way behind the American public, and the administration is even further behind. And the part where we, I think, are coming together tonight and tomorrow, as you and many others are going to be leading this fight for energy independence in the first step we are taking now, which will continue with additional steps, is, we want to ask the American public to come forward to their Members of Congress, to their business leaders, and to their Chambers of Commerce and start talking about the technologies that they have. What can we do to collaborate with each other to take some of these ideas and make them commercially viable? The more competition out there, the more resources in, the lower the price will be.

It is almost like the discussion we have had for so many years, public transportation versus road building. People have said, well, you have to subsidize public transportation. Well, absolutely you do. But guess what road building is? Who pays for the roads? It is your gas taxes in every State of the country and the Federal Government that pays for that. So it is a question of reordering our priorities.

In this case, it is the reordering of priorities from more oil drilling and giving those types of resources and support to putting that into places and with people that can create the new generation of energy alternatives, and it is very exciting.

Mr. INSLEE. I want to comment on two really exciting transportation alternatives. One is public transportation.

The city of Portland, Oregon, has demonstrated the ability of America to reduce our CO_2 emissions to deal with global warming. They are the first city in the Nation to reduce their carbon dioxide emissions to 1990 levels, which would be consistent with the Kyoto Treaty, which may be a treaty we do or do not eventually adopt, but they have been the first city in the Nation to reach these 1990 levels, to roll back their carbon dioxide emissions.

One of the principal ways they did it was they embraced an incredibly popular light rail system to move people. Rather than sitting on freeways for hours at a time, you go down to Portland on a convenient, much-loved system that has now been voted on five times successfully in Portland because people love this system. It is convenient, it is safe, it is cheap, and it saves us from global warming.

So if we have a transportation policy in this country that helps communities work in that regard, we will make some strides.

The second thing I want to bring up is a technology called plug-in hybrids, which I think could be maybe the ultimate vision for us in the next decade, and that is to develop our cars so we go home at night and we plug them in. You take power off the grid, electricity generated by clean wind, clean solar, clean wave, clean coal, or a variety of technologies. These are cars that today are running, that can run 20 or 30 miles just on electricity. And then when you run out of juice, you start running on your motor.

If we have a flex-fuel hybrid plug-in car, we are going to be in really great shape in this country, because we can plug it in and get clean electricity. We have the pipes to deliver it, which is the electricity grid. You plug it in at night, you run your first 20 or 30 miles, then you use ethanol that you bought from our local farmer in the Northeast, or in Iowa, or eastern Washington. And if you don't like that, you can burn gasoline as well.

General Motors just announced their first sort of proposed car, called the Volt. They ran it out at their show just 2 weeks ago in Detroit at the auto show. Now, we have to improve the batteries to really make them commercialized, but that is where our money should be going, to improving the batteries so we can have plug-in vehicles, rather than going to the oil and gas industry.

So tomorrow we are going to make a decision to take money we gave to the oil and gas industry and give it to these companies, to the extent we can, to help develop these new technologies for batteries and a whole host of other things. These are lithium iod batteries, and they are close to being commercialized. There are a few security issues they have to work with to make sure they are stable and workable, but that is a good shift for the country.

Mr. KLEIN of Florida. If the gentleman will yield for a second, the next level of this, just like any start-up business in this country and the success of the capitalistic system that we have is, business entrepreneurs realize value. What we are talking about here is start-up capital for many of these businesses. We are not talking necessarily the United States taxpayer funding these things indefinitely.

The great part about this is that many of them are already in place. They just need a little additional push or a little additional resource, and then you will see venture capital and lots of business entrepreneurs, and probably even oil companies who will see a good opportunity, who will even invest. But whoever it is, we want to see the direction of this jump-started, and that is what the gentleman is talking about.

Mr. INSLEE. Sure. And we can do things essentially at no cost to the Federal Government. For instance, loan guarantees. If we guarantee a company that wants to start a plant, like this Iogen cellulosic ethanol plant, if we do a loan guarantee for them, there is a high level of confidence it is going to work, and it never costs us a dime, assuming that it works. But it helps them get the capital to give security for the investors to do that.

That is a good investment for the country, if we choose wisely. But these companies will tell you they have to cross the valley of death, to get from development, where they have their prototype, until they can really commercialize it. And that is where Uncle Sam can happen.

And we will get a lot more bang for our buck helping a battery company that will help us drive plug-in hybrids a few years from now than we will just giving it to a company that made $22 billion last year in the oil and gas markets.

□ 2230

That is a better deal for America. Mr. HALL.

Mr. HALL of New York. Yes, if the gentleman would yield for another minute. I wanted to mention a couple of other ways we can help, that the government can help jump start these industries. One of them is indemnification of risk. We have unbeknownst to most Americans been the underwriters for the nuclear industry since its beginning via the Price-Anderson Act. In fact, there would never have been a nuclear plant, electrical generating plant built in this country if the taxpayer didn't underwrite the possible cost of a catastrophic accident.

Now, if we took that same approach where we were willing to subsidize or underwrite alternative fuels or low head hydro plants, many of which are being held up, by the way, because of liability issues, that would be one way that we could help.

Another way would be preferential purchasing, because the government, at all levels, buys a lot of vehicles. And if we put out a request for proposals saying that we want American companies to build vehicles that will either be plug-in hybrids or plug-in biodiesel hybrids, or just high efficiency vehicles that can be used in our fleets that the different departments of our government used, that would start the economy of scale working. The same way the wrist watches, digital wrist watches that used to cost $200 when they first came out came down to the point where they are $2 now, and computer chips that were bought in quantity by the Defense Department, or by the aerospace industry and NASA, drove down the cost to the point where now anybody can afford a laptop. It is that economy of scale that we can help get started.

And as you said, it is not going to be something that we will have to underwrite or subsidize forever. But when you look at the number of years that we have been subsidizing the old technologies that may be 19th or 20th century technology, we certainly now, in the 21st century can look at these renewables, domestic clean safe renewables and think about the same helping hand to get them off the ground.

Mr. INSLEE. And I think it is important to point out the tremendous payback to our economy of relatively small Federal investments. Look at the computer industry. It grew by leaps and bounds because of the Apollo project. There is more computing power now on a wrist watch than there was in the original Apollo space vehicle because we developed computer based software systems as part of the Apollo project.

Our medical device industry with these exotic materials largely came from the American space program, and these were relatively small investments.

By the way, we spend less today on research and energy than we do in a month in Iraq by a factor of about 10, just to put this in perspective. We are talking about for a family's budget a lot of money, but for the Federal budget fairly small amounts of money that can have absolutely tremendous payoffs.

I want to talk about one other thing that we think we need to help these companies too, though. If you want to start a company that will generate clean electricity with no carbon dioxide emissions today, you don't have a huge advantage because of a loophole in the law that a coal company has right now that is putting their carbon dioxide up the stack. That coal company that has what we call dirty coal, where you just burn it and you put your carbon dioxide, you dump it into the atmosphere, they have a huge loophole in the law because they can put as much CO_2 into the air as they want the tape. They can't put as much sulfur dioxide, they can't put as much nitrogen oxide, they can't put as much particulate matter, but they can put as much CO_2 into our atmosphere that you and I own jointly, with no charge. And the company that is going to make a clean industry, they don't get any benefit like that. We have to close that loophole. There has to be a way that there is some charge imposed on polluters who use our atmosphere to dump their carbon dioxide. And that is a loophole that needs to be closed to help these innovators as well to level the playing field.

Now it is really interesting. We are getting some support for this idea from some unusual sources. Duke Energy, I think, the third or fourth largest electrical utility in the United States, they burn massive amounts of coal, I think 40 or 50 percent or more of their electricity is produced by coal. But they recognize the need to have what they call a cap and trade system that caps the amount of carbon dioxide going into the atmosphere. And in part they realize that, I think, because when you impose some cost on this pollution it inspires these new companies to be able to create new technologies that are clean. So we hope ultimately the U.S. Congress will adopt a measure that will level the playing field and not allow these dirty plants to continue to pollute our atmosphere for nothing. You know, when you and I go to the dump it costs us 25 bucks to dump our pickup load of junk at the dump. But a company that burns coal can put their carbon dioxide and just dump it into our atmosphere, gigatons for nothing. That needs to change

Mr. KLEIN of Florida. Well, exactly. And the incentive that is being used to encourage a company to make the investment in some type of scrubber or some type of way of reducing the amount of carbon dioxide should be just that. It should be an incentive to do that and make that capital investment in that technology, versus not having to pay for it. There is no economic incentive to change. Obviously there is a huge environmental impact for all of us who are breathing the air and the entire impact on the climate and the environment. But those companies that continue to burn coal don't have an incentive. So if we flip it around and say, all right, there is going to be a charge, in order for you to do this there is going to be an expense associated with it, whereas if you invest, if you are going to have to pay something in, if you are going to invest in something that is good, good for the environment, good for you. You get some type of benefit out of it then it is a good swap for the company, and it is a particularly, it is exactly what we need in terms of our encouraging private investment in technology that will clean our air.

Mr. INSLEE. And what we are finding is that more and more companies are actually accepting this idea, thinking it is a good idea because one, it will drive innovation. It will help us invent new technologies. But second, they realize this works. What we are talking about is a thing called a cap and trade

system. We cap the amount of carbon dioxide that can go into the air and we allow polluting companies to bid and trade for the right to put that pollution in. It is the most economically efficient way to do it. And what the companies have discovered is that when we do this, it works. When we did with sulfur dioxide in the 1980s it cleaned up the air and it actually ended up helping the economy.

Mr. HALL of New York. It created jobs.

Mr. INSLEE. It created jobs in creating these scrubbers. It helped our health and it actually, if anything, increased the gross domestic product. So what we are seeing is that some of these visionary companies are embracing this idea and it makes sense.

Today when I was talking to the Treasury Secretary, Mr. Paulson, I said, you know if we don't do this we are going to be wasting a lot of money. The Bush administration has supported a program, basically, it is a combined cycle way of using coal that you can make into hydrogen and sequester the carbon dioxide. It is called ''future gen.'' We are going to have a future way of generating coal based electricity. And I think it is a good idea to invest in that type of research to see if we can burn coal, take the carbon dioxide, stick it in the ground forever and we will have clean electricity. But the Bush administration is spending $750 million of taxpayer money to do that. But the plant will never, ever, ever be used or built if the Bush administration's policies succeed because they don't want to have any charge for carbon dioxide, any regulation on the amount of carbon dioxide going into the air. Well, if you are a coal company and you have got to invest money in this future gen program but you can put your carbon dioxide in the air for free, are you ever going to build this kind of machine that President Bush wants to build? It doesn't make any sense. So if we are going to do research in this new technology, it only makes sense also to have some regulation in the amount of carbon dioxide that goes into the atmosphere. Otherwise these technologies will be developed and never used. And that is not our goal, Mr. HALL.

Mr. HALL of New York. I wanted to say that you prompted this thought. I am not against big corporations. I am not against corporations making a profit. In fact, a couple of the companies that are making the most innovation and putting the most investment into wind energy in our country right now are GE and Siemens. General Electric built the wind turbines that are in the Atlantic City wind farm that I mentioned earlier. Whether it is small start up companies working on alternative energy or whether it is existing oil companies or other utilities or big energy companies, the important thing to say, and this is the important thing, I think, to say to individuals also, and it is what I believe leadership should be doing, whether it is our President, whether it is Senators or whether it is us here on the floor of the House of Representatives, we need to tell our corporations and our citizens that it is patriotic to save energy, that it is patriotic, when you have a choice, to use the most domestic, clean, renewable form of energy that you can. It is patriotic to try to support, if you have a choice on the back of your utility bill, as I do in New York State, to check off that I want wind power, or to check off that I want hydro electric. You could choose the source of where your power comes from if you can afford to do it. And not everybody can, but those of us who are able to spend a couple of cents more per gallon for home heating fuel can get biodiesel. Well, right now it is no difference where I live. It is the same price for bio as it is for oil. But we need to think of this in terms of patriotism and national security and our national interest, and that you can't separate it from our foreign policy. You can't separate it from our economic well-being. You certainly can't separate it from our health. And I don't think you can separate it from our job future either. We need to have these industries start up and be developed here so we can compete. We can't afford to be in a situation we are in right now with hybrids, where I, who want to support, I got elected with union support, I am proud to say. Now I want to buy an American hybrid car that gets top mileage, and right now, the best mileage cars being sold in the United States are made in Japan. I don't believe, for a minute, that we can't compete and make a car that will get as good mileage or better as any other country in the world as their companies can. I think it is the choices that have been made, and the incentives that have been offered or the direction that has been given by government has been lacking. And I am proud to be a part of this 110th Congress, when we, tomorrow, will start down that road where we transfer the emphasis from the old to the new in terms of energy.

Mr. INSLEE. I really appreciate your comment. A couple of comments, first off, about the value of business, big, little, medium, small, all sizes. There are so many companies today that are leading this revolution that we want to assist them. DuPont has done tremendous work on energy efficiency. 3M has done tremendous work on energy efficiency. British Petroleum, an oil and gas company, internally, because of their great leadership, reduced their own carbon dioxide emissions down to 1990 levels. They thought it was going to take them 5 years. It took them 3 years. And they saved $300 million in energy because of doing just exactly what Mr. HALL is talking about of energy conservation. This is a green policy in two ways. Green environmentally and green for profit, and red, white and blue for America. So we have a lot of colors working for this policy.

I want to mention one other thing about our auto industry. We need our auto industry to give consumers cars that we can drive to use multiple fuels. Right now we are all kind of slaves to gasoline. We don't really have a choice. We need cars that will burn gasoline or ethanol, like they have in Brazil. The cars in Brazil drive, almost all of them burn either gasoline or ethanol. And because of that Brazil is energy independent today because they are growing their own ethanol, which we can do in this country. But we need the auto industry to give us this choice, to give us cars that can burn gasoline or ethanol. Now you can make a car for about $85 that does that. That is all it costs. Almost nothing. That is what is costs to put tint in your glass. But we need the industry to do that. And you know, Congress may need to act, and I think it does need to act to get the industry to agree to do that rapidly. The second thing we need is these oil and gas companies to agree to put pumps in that will be ethanol pumps or biodiesel pumps.

□ 2245

That is not happening, because, unfortunately, those companies kind of only are selling gas right now, not biofuels. So we need to act to give consumers that ability to have at least a small percentage in the number of service stations that are going to give us that choice.

Mr. KLEIN of Florida. To follow up, if, the whole idea of gas, miles per gallon, which people have a tendency to look at cars today and look at the miles per gallon, there have been a lot of games that have been played with that over the years, sport utility vehicles being viewed as trucks, therefore, not having the same limitations that most automobiles in the United States have.

As the gentleman from New York mentioned, there are many cars made in other places around the world that have figured out how to make 40, 50 miles per gallon, base car and some hybrids as well. I don't believe there is any inhibiting factor in the United States for our car companies to do the same.

Now, do we need to give a little incentive? Maybe. I think we have all seen the statistics. For every couple of miles per gallon you increase in efficiency, we are dropping some amount of oils per barrel, gas that has to be imported from the Middle East or wherever every day. So there is a trade-off here.

There is also this issue of importing, which is a current issue which we need to reduce. The technology is going to take a little bit of time. We need to do exactly what we are doing tomorrow and over the next number of weeks and months. But there are some immediate things we can do.

I certainly would suggest to Americans on a patriotism basis, on a smart basis on the thinking of your children

and your grandchildren and what's right, we will sacrifice. We are all in this together here. Let's make the right decisions, do what you can. It's not the right thing for everybody. But to the extent that you can buy a car that gets better gas mileage and focus on that cars that maybe use regular instead of premium. Those are all choices that people make. Everybody is in this together. Let us make some smart decisions.

Mr. INSLEE. We know this can be done because in the 1970s and early 1980s we increased our gas mileage by 60 percent in 8 years. If we had simply continued on that path with the same rate of improvement, we would be free of Saudi Arabian oil today. We need to get back on that path of energy efficiency. We can do that. We can start tomorrow. It will be a good day for energy revolution tomorrow. I am looking forward to it.

Mr. HALL do you have any closing comments here? We are about ready to wrap it up.

Mr. HALL of New York. I think you have said it all, Congressman. I am happy to be here and proud to be here as part of this 110th. This is part of our taking our own future back, we as a country, I am talking about all the citizens of this country.

I think the same way Congressman KLEIN mentioned the moon shot, I do remember that, I am a couple years older than you are, and there was a huge lift in the psyche of this country, because even though President Kennedy didn't live to see the day that we landed a man on the moon, it was done in 9 years when he said we could do it in 10.

So our ingenuity and our industry and our creativity took hold, and we accomplished the goal. You could just sense this palpable lifting of the weight off the shoulders of Americans on the street. I mean, people you knew, that we had done this.

The day that we harness all these alternatives, and harness the power of conservation and efficiency so that we can say no thanks, turn that tanker around, send it back to the Middle East, we don't need that oil, that day, when that day arrives, you will see the same feeling of weight lifting off the shoulders of the American people and a feeling of self-sufficiency and of pride and of being in control of our own destiny again. That is really something to look forward to.

Mr. INSLEE. When that day arrives they will write a sequel to Tom Wolfe's book about the Mercury 7 program, and he called it ''The Right Stuff.'' Tomorrow Congress is going to have the right stuff. We are going to do a good energy policy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.
Mrs. MCCARTHY of New York, for 5 minutes, today.
Mr. BUTTERFIELD, for 5 minutes, today.
Mr. GEORGE MILLER of California, for 5 minutes, today.
Mrs. JONES of Ohio, for 5 minutes, today.
Ms. ZOE LOFGREN of California, for 5 minutes, today.
Ms. SOLIS, for 5 minutes, today.
Ms. NORTON, for 5 minutes, today.
Mr. STUPAK, 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, today.
Mr. KIRK, for 5 minutes, January 18.
Mr. DUNCAN, for 5 minutes, today.
Mr. HAYES, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

ADJOURNMENT

Mr. INSLEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Thursday, January 18, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

275. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Erie [CGD09-06-153] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

276. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Coast Guard Live Fire Exercise, Gulf of Mexico, Clearwater, FL [COTP Sector St. Petersburg, FL 06-199] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

277. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-06-006] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

278. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Algoma Shanty Days, Algoma, Wisconsin [CGD09-06-143] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

279. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: St. Peter's Fiesta Fireworks display, Glouchester, Massachusetts [CGD01-06-071] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

280. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Miles 284 — 285, Port Arthur, TX [COTP Port Arthur-06-007] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

281. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Port Arthur, TX [COTP Port Arthur-06-001] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

282. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Port Arthur, TX [COTP Port Arthur-06-002] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

283. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Superior [CGD09-06-158] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

284. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Superior [CGD09-06-162] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

285. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Ontario [CGD09-06-155] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

286. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Live-Fire Gun Exercise, Southeast of Ocean City, MD, Atlantic Ocean [COTP Hampton Roads-06-046] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

287. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercises; Bodega Bay, CA [COTP San Francisco Bay 06-035] (RIN: 1625-AA00) received Decemebr 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

288. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Lake Michigan [CGD09-06-030] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

289. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Lake Michigan [CGD09-06-041] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

290. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercises, Lake Huron [CGD09-06-042] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

291. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine River, Orange, TX [COTP Port Arthur-05-020] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

292. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM60 to GICW MM105, Longbeach, MS to Pascagoula, MS [COTP Mobile-005-039] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

293. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River Mile Marker 183.5 to Mile Marker 184.5, St. Louis, MO [COTP St. Louis-05-031] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

294. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Biloxi Industrial Seaway West of Cowan/Lorraine Bridge; Biloxi, MS [COTP Mobile-05-040] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

295. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bayou La Batre Channel, Bayou La Batre, AL [COTP Mobile-05-041] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

296. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-05-017] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

297. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Intersection south of the Martin Luther King, Jr. (Gulf Gate) bridge, Port Arthur, TX [COTP Port Arthur-05-014] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

298. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine Bank Channel, Sabine Pass, TX [COTP Port Arthur-05-015] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

299. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River Mile Marker 0.1 to Mile Marker 0.5, Pittsburgh, Pennsylvania [COTP Pittsburgh-05-017] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

300. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Atlantic Ocean East of Charleston, S.C. [COTP Charleston 06-062] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

301. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Michigan [CGD09-06-043] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

302. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Ontario [CGD09-06-081] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

303. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Huron [CGD09-06-151] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

304. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Michigan [CGD09-06-159] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

305. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Superior [CGD09-06-160] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

306. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay, CA [COTP San Francisco Bay 06-012] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

307. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Atlantic Ocean East of Charleston, S.C. [COTP Charleston 06-069] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

308. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chocolate Bayou mile 7 to mile 9, Alvin, TX [COTP Houston-Galveston-05- 0015] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

309. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Crystal Bay, Crystal River, FL [COTP St. Petersburg 06-059] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

310. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, Lat 29-08.15N 093-18.10W [COTP Port Arthur-05-028] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

311. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Neches River, Beaumont, TX [COTP Port Arthur-05-027] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

312. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-05-026] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

313. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-05-019] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

314. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [COTP Port Arthur-05-022] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

315. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW mile 155 to mile 160, Santa Rosa Sound to Dauphin Island, AL [COTP Mobile-05-050] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

316. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Biloxi Industrial Seaway West of Cowan/Lorraine

Bridge; Biloxi, MS [COTP Mobile-05-045] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

317. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Thimble Shoals Channel, Chesapeake Bay, VA [CGD05-06-029] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CUELLAR (for himself and Mr. REYES):

H.R. 502. A bill to amend the Foreign Assistance Act of 1961 to authorize assistance to improve security and promote economic development in Mexico; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. WHITFIELD, Mr. RAHALL, Mr. SPRATT, Mr. GALLEGLY, Mr. MARKEY, Mr. PALLONE, Mr. NADLER, Mr. VAN HOLLEN, Ms. MCCOLLUM of Minnesota, Ms. BORDALLO, Ms. SCHWARTZ, Mr. ACKERMAN, Mr. DOYLE, Ms. LEE, Mr. CLEAVER, Mr. SERRANO, Ms. BERKLEY, Mr. SHAYS, Mr. JONES of North Carolina, Mr. MCCOTTER, Mr. CUMMINGS, Ms. DELAURO, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mrs. CAPPS, Ms. BEAN, Ms. MATSUI, Mr. KING of New York, Mr. BURTON of Indiana, Mr. KILDEE, Ms. KAPTUR, Mr. DICKS, Mr. BERMAN, Ms. HIRONO, Mr. CHANDLER, Mr. GERLACH, Mr. TIERNEY, Mr. BISHOP of New York, Mr. FRANK of Massachusetts, Mr. LYNCH, Mr. KIRK, Mr. CAMPBELL of California, Mr. WILSON of South Carolina, Ms. JACKSON-LEE of Texas, Mr. SHERMAN, Mr. LATOURETTE, Mr. LARSON of Connecticut, Mr. ISRAEL, Ms. WOOLSEY, Mr. BROWN of South Carolina, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. INSLEE, Mr. WOLF, Ms. CARSON, Mr. WEINER, Mr. RUPPERSBERGER, Mr. SMITH of New Jersey, and Mr. LINDER):

H.R. 503. A bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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. HAYES (for himself, Mr. SPRATT, Mr. MCGOVERN, and Mr. COBLE):

H.R. 504. A bill to redesignate the Special Textile Negotiator of the United States Trade Representative as the Chief Textiles Negotiator and confer the rank of Ambassador upon that position, and for other purposes; to the Committee on Ways and Means.

By Mr. ABERCROMBIE (for himself and Ms. HIRONO):

H.R. 505. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Natural Resources.

By Ms. BALDWIN (for herself, Mr. PRICE of Georgia, Mr. TIERNEY, Mr. FORTUÑO, Mr. STARK, Mr. LINDER, Mr. CONYERS, Mr. WESTMORELAND, Mrs. CAPPS, Mr. SOUDER, Mr. ALLEN, Mr. MARCHANT, Mr. GENE GREEN of Texas, Mr. GOHMERT, Mr. LARSON of Connecticut, Mr. BURTON of Indiana, Mr. WELCH of Vermont, Mr. GINGREY, Mr. HOLT, Mr. WAMP, Mr. COOPER, Mr. CANTOR, Mr. PAYNE, Mr. CARTER, Ms. JACKSON-LEE of Texas, Mr. AKIN, Ms. MOORE of Wisconsin, Mr. WU, and Mr. LANGEVIN):

H.R. 506. A bill to provide for innovation in health care through State initiatives that expand coverage and access; to the Committee on Energy and Commerce, and in addition to the Committee on Rules, 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. GENE GREEN of Texas (for himself, Mr. FOSSELLA, Mr. ENGEL, Mr. SULLIVAN, Mr. PASCRELL, and Ms. ROS-LEHTINEN):

H.R. 507. A bill to establish a grant program to provide vision care to children, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WOOLSEY (for herself, Ms. LEE, Ms. WATERS, Ms. WATSON, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. FATTAH, Mr. NADLER, Mr. CONYERS, Mr. CLAY, Mr. COHEN, Mr. HINCHEY, Mr. FILNER, Mr. KUCINICH, Mr. PAYNE, and Ms. JACKSON-LEE of Texas):

H.R. 508. A bill to require United States military disengagement from Iraq, to provide United States assistance for reconstruction and reconciliation in Iraq, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Veterans' Affairs, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. LAHOOD, and Mr. PLATTS):

H.R. 509. A bill to apply the Federal Minimum Wage to American Samoa; to the Committee on Education and Labor.

By Mr. GOODLATTE (for himself, Mr. PETERSON of Minnesota, Mr. KING of Iowa, Mr. MICA, Mr. PUTNAM, Mr. POE, Mr. GOODE, Mr. MCINTYRE, Mr. SENSENBRENNER, Mr. JONES of North Carolina, Mr. INGLIS of South Carolina, Mr. MANZULLO, Mr. GRAVES, Mr. FRANKS of Arizona, Mr. MILLER of Florida, Mr. HENSARLING, Mr. BARTLETT of Maryland, Mr. MCCOTTER, Mr. CULBERSON, Mrs. DRAKE, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. BARRETT of South Carolina, Mr. HASTINGS of Washington, Mr. FEENEY, Mr. BUYER, Mr. CARTER, Mr. MARIO DIAZ-BALART of Florida, Mr. CONAWAY, Mr. GARRETT of New Jersey, Mr. WICKER, Mr. PENCE, Mr. LINDER, Mr. KUHL of New York, Ms. FOXX, Mr. FLAKE, Mr. EVERETT, Mrs. CUBIN, Mr. BONNER, Mr. BAKER, Mr. ADERHOLT, Mr. BISHOP of Utah, Mr. BRADY of Texas, Mr. CAMP of Michigan, Mrs. CAPITO, Mr. AKIN, Mr. LUCAS, Mr. MCKEON, Mrs MCMORRIS RODGERS, Mr. SHADEGG, Mr. SHIMKUS, Mr. WAMP, Mr. BILBRAY, Mr. BLUNT, Mr. BOOZMAN, Mr. CRENSHAW, Mr. DOOLITTLE, Mr. FORBES, Mr. GINGREY, Mr. HASTERT, Mr. HAYES, Mr. KLINE of Minnesota, Mr. PETERSON of Pennsylvania, Mr. SMITH of Texas, Mr. STEARNS, Mr. SOUDER, and Mr. PRICE of Georgia):

H.R. 510. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BOEHNER, Mr. BLUNT, Mr. PUTNAM, Mr. CANTOR, Mr. MCCOTTER, Ms. GRANGER, Mr. CARTER, Mr. COLE of Oklahoma, Mr. DREIER, Mr. HOEKSTRA, Mr. HUNTER, Mr. KING of New York, Ms. ROS-LEHTINEN, Mr. BUYER, Mr. LEWIS of California, and Mr. YOUNG of Florida):

H.R. 511. A bill to pledge the faithful support of Congress to members of the United States Armed Forces serving in harm's way; to the Committee on Armed Services.

By Mr. BECERRA (for himself, Ms. ROS-LEHTINEN, Mr. GRIJALVA, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. SALAZAR, Mr. GUTIERREZ, Mr. LYNCH, Mr. TOWNS, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. REYES, Mr. ROTHMAN, Mrs. CAPPS, Mr. MOORE of Kansas, Mr. SERRANO, Mr. CUELLAR, Mr. BERMAN, Mr. JOHNSON of Georgia, Mr. BACA, Mr. CARDOZA, Mr. CLYBURN, Mr. COSTA, Mr. CROWLEY, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. SIRES, Ms. SOLIS, Mr. UDALL of New Mexico, Ms. WOOLSEY, Mr. ENGEL, Mr. FILNER, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. VAN HOLLEN, Ms. JACKSON-LEE of Texas, Mr. CLAY, Mr. SCHIFF, Mr. MCCOTTER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. FORTUÑO, Mr. RENZI, Mr. WELLER, and Mr. LAHOOD):

H.R. 512. A bill to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on House Administration, 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. BRADY of Pennsylvania:

H.R. 513. A bill to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of active duty military personnel who are activated for military service; to the Committee on Veterans' Affairs.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, Mr. MILLER of Florida, Mr. CRENSHAW, Mr. KELLER, Mr. MACK, Mr. BUCHANAN, Mr. BOYD of Florida, Mr. PUTNAM, Mr. MICA, Mr. STEARNS, Mr. HASTINGS of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. YOUNG of Florida, Mr. FEENEY, Ms. WASSERMAN SCHULTZ, Mr. KLEIN of Florida, Mr. MAHONEY of Florida, Mr. WEXLER, Ms. CASTOR, Mr. WELDON of Florida, and Mr. BILIRAKIS):

H.R. 514. A bill to designate the facility of the United States Postal Service located at

16150 Aviation Loop Drive in Brooksville, Florida, as the ''Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office''; to the Committee on Oversight and Government Reform.

By Mr. COOPER:

H.R. 515. A bill to establish a commission on corporate entitlement reform; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Rules, 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. JO ANN DAVIS of Virginia:

H.R. 516. A bill to increase the security of sensitive data maintained by the Federal Government; to the Committee on Oversight and Government Reform.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 517. A bill to amend the Internal Revenue Code of 1986 to make permanent certain tax incentives for alternative energy, to amend the Clean Air Act to accelerate the use of renewable fuels, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL (for himself, Mr. ROGERS of Michigan, Mr. EHLERS, Mr. MCCOTTER, Mr. UPTON, Mr. LEVIN, Mr. CONYERS, Mr. KILDEE, Mrs. MILLER of Michigan, Ms. KILPATRICK, Mr. CAMP of Michigan, Mr. KNOLLENBERG, Mr. HOEKSTRA, Mr. WALBERG, Mr. STUPAK, Mr. WYNN, Ms. BALDWIN, and Mr. GILLMOR):

H.R. 518. A bill to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste and implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DOOLITTLE:

H.R. 519. A bill to amend the Immigration and Nationality Act to remove the discretion of the Secretary of Homeland Security with respect to expedited removal under section 235(b)(1)(A)(iii)(I) of such Act; to the Committee on the Judiciary.

By Mr. FEENEY:

H.R. 520. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Ponce Inlet Unit P08; to the Committee on Natural Resources.

By Mr. HARE (for himself, Mr. LAHOOD, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mr. COSTELLO, Mr. RUSH, Mr. JACKSON of Illinois, Mr. GUTIERREZ, Mr. EMANUEL, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Mr. KIRK, Mr. WELLER, Mrs. BIGGERT, Mr. HASTERT, Mr. JOHNSON of Illinois, Mr. MANZULLO, and Mr. SHIMKUS):

H.R. 521. A bill to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida (for himself, Mr. CONYERS, Ms. ROS-LEHTINEN, Mr. MEEK of Florida, Mr. WEXLER, Ms. CORRINE BROWN of Florida, Mr. THOMPSON of Mississippi, Ms. WATERS, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. GRIJALVA, Mr. RUSH, Mr. SERRANO, Mr. CROWLEY, Ms. SCHAKOWSKY, and Mr. GONZALEZ):

H.R. 522. A bill to designate Haiti under section 244 of the Immigration and Nationality Act in order to render nationals of Haiti eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 523. A bill to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district; to the Committee on Natural Resources.

By Mr. HINOJOSA (for himself, Mr. GORDON, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BACA):

H.R. 524. A bill to establish a laboratory science pilot program at the National Science Foundation; to the Committee on Science and Technology.

By Mr. KING of New York (for himself, Ms. ROS-LEHTINEN, Mr. BURTON of Indiana, Mr. FOSSELLA, and Mr. MCCOTTER):

H.R. 525. A bill to amend the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to require that, in order to determine that a democratically elected government in Cuba exists, the government extradite to the United States convicted felon William Morales and all other individuals who are living in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut (for himself, Mr. ETHERIDGE, Mr. BOSWELL, Mr. CONYERS, Ms. MATSUI, Ms. BORDALLO, Mr. MCNULTY, Mr. GENE GREEN of Texas, Mr. MCINTYRE, Mr. AL GREEN of Texas, Mr. PLATTS, Mr. CLEAVER, Mr. DOYLE, Mr. THOMPSON of California, Ms. ESHOO, Ms. HOOLEY, Mr. WEXLER, Mr. COSTELLO, Mr. MCCOTTER, Ms. JACKSON-LEE of Texas, Mr. HINOJOSA, Mr. MCGOVERN, Mr. BERMAN, Mr. WEINER, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Ms. HIRONO, Mr. CAPUANO, Mr. HARE, Mr. CUELLAR, Mr. SHERMAN, Mr. DAVIS of Illinois, Mr. KUCINICH, Mr. CARDOZA, Mr. CUMMINGS, Ms. HARMAN, Mr. ABERCROMBIE, Mr. BUTTERFIELD, Mrs. JONES of Ohio, Mr. WYNN, and Mr. BACA):

H.R. 526. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities; to the Committee on Education and Labor.

By Mr. LARSON of Connecticut:

H.R. 527. A bill to help American families save, invest, and build a better future, and for other purposes; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 528. A bill to require the Secretary of Defense, acting through the Defense Contract Audit Agency, to review all defense contracts relating to reconstruction or troop support in Iraq involving any contractors, subcontractors, or Federal officers or employees that have been indicted or convicted for contracting improprieties; to the Committee on Armed Services.

By Mr. LYNCH:

H.R. 529. A bill to implement the recommendations of the Office of the Special Inspector General for Iraq Reconstruction to ensure that the Department of Defense properly accounts for all small arms weapons procured by the Department of Defense for use by the Iraqi Security Forces; to the Committee on Armed Services.

By Mr. LYNCH:

H.R. 530. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to preserve the educational status and financial resources of military personnel called to active duty; to the Committee on Education and Labor.

By Mr. LYNCH:

H.R. 531. A bill to establish a grant program to enhance the financial and retirement literacy of mid-life and older Americans and to reduce financial abuse and fraud among such Americans, and for other purposes; to the Committee on Education and Labor.

By Mr. LYNCH:

H.R. 532. A bill to amend the Child Care and Development Block Grant Act of 1990 to increase the availability and affordability of quality child care services by creating incentives for older individuals to join the child care workforce, and for other purposes; to the Committee on Education and Labor.

By Mr. LYNCH:

H.R. 533. A bill to establish the Commission on Iraqi Transition; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH:

H.R. 534. A bill to provide for the security and safety of rail and rail transit transportation systems, and for other purposes; to the Committee on Homeland Security, 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. LYNCH:

H.R. 535. A bill to provide for a rail worker emergency training program; to the Committee on Homeland Security, 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. LYNCH:

H.R. 536. A bill to amend chapter 89 of title 5, United States Code, and the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require coverage of hearing aids under the Federal Employees Health Benefits Program and private group and individual insurance; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEK of Florida:

H.R. 537. A bill to establish a bipartisan commission on insurance reform; to the Committee on Financial Services.

By Mr. ORTIZ (for himself, Mr. HINOJOSA, Mr. DOGGETT, and Mr. CUELLAR):

H.R. 538. A bill to provide for the health care needs of veterans in far South Texas; to the Committee on Veterans' Affairs.

By Ms. SCHWARTZ (for herself and Mr. BAIRD):

H.R. 539. A bill to amend the Internal Revenue Code of 1986 to increase and extend the energy efficient commercial buildings deduction; to the Committee on Ways and Means.

By Mr. SHERMAN:

H.R. 540. A bill to amend chapter 1 of title 3, United States Code, relating to Presidential succession; to the Committee on the Judiciary.

By Mr. SHERMAN:

H.R. 541. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on Oversight and Government Reform.

By Ms. SOLIS:

H.R. 542. A bill to require the Department of Veterans Affairs to provide mental health services in languages other than English, as needed, for veterans with limited English proficiency, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TANNER (for himself and Mr. WAMP):

H.R. 543. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. GONZALEZ, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, and Mr. PASTOR):

H.R. 544. A bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the ''Santiago E. Campos United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. UDALL of New Mexico (for himself and Mr. KILDEE):

H.R. 545. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine; to the Committee on the Judiciary, 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. KING of Iowa:

H.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States to repeal the sixteenth article of amendment; to the Committee on the Judiciary.

By Mr. DOOLITTLE:

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States establishing English as the official language of the United States; to the Committee on the Judiciary.

By Mr. MURTHA (for himself, Mr. WU, Mr. BRADY of Pennsylvania, Ms. WATERS, Mr. DOYLE, Mr. CAPUANO, Mr. MORAN of Virginia, Ms. KAPTUR, Ms. LEE, Mr. DOGGETT, Mr. HOLT, Mr. OLVER, Ms. MCCOLLUM of Minnesota, Mr. BLUMENAUER, Ms. ZOE LOFGREN of California, Ms. CORRINE BROWN of Florida, Mr. AL GREEN of Texas, Mr. NADLER, Mr. FARR, Mr. THOMPSON of California, Mr. FILNER, Mr. MARKEY, Mr. ALLEN, Mr. MICHAUD, Ms. SCHAKOWSKY, Mr. WEINER, Mr. PATRICK MURPHY of Pennsylvania, Mr. MCDERMOTT, Ms. SLAUGHTER, Mr. CLAY, Ms. WATSON, Mr. ROTHMAN, Mr. HINCHEY, Mr. MOLLOHAN, Mr. HONDA, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Ms. MATSUI, Mr. VISCLOSKY, Mr. KUCINICH, Mr. PAYNE, Mrs. CAPPS, Mr. BECERRA, Ms. BALDWIN, Mr. GEORGE MILLER of California, Mrs. JONES of Ohio, Mr. MEEKS of New York, Mr. MEEHAN, Mr. LEWIS of Georgia, Mr. RUSH, Mr. UDALL of New Mexico, Mr. RANGEL, Mr. CLYBURN, Mr. RYAN of Ohio, Mr. MEEK of Florida, Mrs. CHRISTENSEN, Mr. FRANK of Massachusetts, Mr. LARSON of Connecticut, Mr. GUTIERREZ, Mr. CUMMINGS, Mr. BACA, Ms. SOLIS, Mr. PASCRELL, Mr. STARK, Mr. DELAHUNT, Mr. FATTAH, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. MOORE of Wisconsin, Mr. PALLONE, Ms. ESHOO, Ms. VELÁZQUEZ, Mr. JACKSON of Illinois, Mr. KANJORSKI, Mr. WYNN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WELCH of Vermont, Ms. NORTON, Mr. RAHALL, Mr. GRIJALVA, Mr. LOEBSACK, Ms. KILPATRICK, Ms. CARSON, Mr. BISHOP of New York, Ms. HIRONO, Mr. PASTOR, and Mr. YARMUTH):

H.J. Res. 18. A joint resolution to redeploy U.S. forces from Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYES:

H. Res. 69. A resolution recognizing and honoring Benny Parsons and expressing the condolences of the House of Representatives to his family on his death; to the Committee on Oversight and Government Reform.

By Mrs. CAPPS (for herself and Mr. GALLEGLY):

H. Res. 70. A resolution congratulating the University of California at Santa Barbara men's soccer team, the 2006 National Collegiate Athletic Association Champions; to the Committee on Education and Labor.

By Mrs. JONES of Ohio:

H. Res. 71. A resolution recognizing the importance of community development corporations (CDCs); to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAHONEY of Florida (for himself, Mr. HASTINGS of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PUTNAM, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. MILLER of Florida, and Mr. BOYD of Florida):

H. Res. 72. A resolution recognizing the work and accomplishments of Mr. Britt ''Max'' Mayfield, Director of the National Hurricane Center's Tropical Prediction Center upon his retirement; to the Committee on Science and Technology.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UPTON introduced a bill (H.R. 546) for the relief of Ibrahim Parlak; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. ENGEL, Mr. LIPINSKI, Mrs. DAVIS of California, and Mr. SHAYS.

H.R. 14: Mr. UPTON, Mr. MACK, Mr. TERRY, Mrs. BIGGERT, Mr. SENSENBRENNER, Mrs. DRAKE, Mr. BUCHANAN, Mr. WOLF, Mr. GERLACH, and Mr. HERGER.

H.R. 63: Mr. NORWOOD, Mrs. MUSGRAVE, Mr. HERGER, Mr. LEWIS of Kentucky, Mr. ALEXANDER, Mr. FORTENBERRY, Mr. MANZULLO, Mr. GOODE, Mr. FRANKS of Arizona, Mrs. BLACKBURN, Mr. SMITH of New Jersey, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Kentucky, Mr. GINGREY, Mr. WICKER, Mr. KING of Iowa, Mr. LINCOLN DAVIS of Tennessee, Mr. HOEKSTRA, Mr. WILSON of South Carolina, and Mr. SALI.

H.R. 65: Mr. WALSH of New York, Mr. MORAN of Kansas, Ms. VELÁZQUEZ, Ms. PRYCE of Ohio, Mr. HUNTER, Mr. GARRETT of New Jersey, Mrs. CUBIN, Mr. WALDEN of Oregon, Mr. KNOLLENBERG, Mr. ENGEL, Ms. WATERS, and Ms. HOOLEY.

H.R. 77: Mr. JONES of North Carolina.

H.R. 92: Mr. MILLER of Florida.

H.R. 137: Mr. MICHAUD, Mr. ROSKAM, Mr. DREIER, Mr. CAPUANO, Ms. WATSON, Mr. DOGGETT, Mrs. DRAKE, Mr. YARMUTH, Ms. SHEA-PORTER, Mr. MITCHELL, and Mr. PRICE of North Carolina.

H.R. 199: Mr. PASTOR.

H.R. 211: Mr. MCCOTTER, Ms. HARMAN, and Mrs. MCCARTHY of New York.

H.R. 251: Mr. SHIMKUS, Mr. BUYER, Mrs. MYRICK, Mr. DICKS, and Mr. KUHL of New York.

H.R. 274: Mr. GOODE and Mrs. MYRICK.

H.R. 277: Mr. DOYLE, Mr. JOHNSON of Georgia, Mr. GRIJALVA, and Mr. LINCOLN DAVIS of Tennessee.

H.R. 279: Mr. FEENEY, Mr. GOODE, Mr. SESSIONS, and Mr. SHUSTER.

H.R. 312: Mrs. DRAKE.

H.R. 319: Mr. RUPPERSBERGER.

H.R. 332: Mr. CULBERSON, Mr. HAYES, Mr. POE, Mr. CONAWAY, Mr. SENSENBRENNER, Mr. DAVID DAVIS of Tennessee, Mrs. BLACKBURN, Mr. SIMPSON, Mr. BURTON of Indiana, Mr. SOUDER, Mr. BOOZMAN, Mr. MILLER of Florida, and Mr. JONES of North Carolina.

H.R. 353: Mr. CAPUANO and Ms. LEE.

H.R. 358: Mr. MEEHAN, Mr. BURTON of Indiana, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, and Mr. WAMP.

H.R. 359: Mrs. EMERSON, Mr. PASTOR, Mr. GEORGE MILLER of California, Mr. SERRANO, Mrs. NAPOLITANO, Ms. WATSON, and Ms. BORDALLO.

H.R. 369: Ms. ZOE LOFGREN of California, Mr. GRIJALVA, Mr. TOWNS, and Mrs. MALONEY of New York.

H.R. 402: Mr. UPTON.

H.R. 403: Mr. FATTAH, Mr. JOHNSON of Georgia, Mr. FRANK of Massachusetts, Mr. CLEAVER, Mrs. LOWEY, Mr. COHEN, Ms. Velázquez, Ms. WOOLSEY, and Mr. MCDERMOTT.

H.R. 406: Ms. MOORE of Wisconsin, Mr. SIRES, Mr. COHEN, Mr. ENGEL, Mr. WAXMAN, and Mr. BAIRD.

H.R. 409: Mr. PASCRELL, Mrs. MCCARTHY of New York, and Mr. WU.

H.R. 410: Ms. WOOLSEY.

H.R. 433: Mr. BRADY of Pennsylvania, Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. INSLEE, Mrs. DAVIS of California, Ms. CARSON, Mr. FARR, and Mr. ROTHMAN.

H.R. 440: Mr. TERRY.

H.R. 450: Mr. BAIRD.

H.R. 457: Mr. MILLER of Florida.

H.R. 464: Mr. HONDA, Ms. SOLIS, and Mr. BISHOP of New York.

H.R. 471: Mr. BACHUS, Mrs. MCMORRIS RODGERS, Mr. BARRETT of South Carolina, Mr. BUCHANAN, Mr. MANZULLO, Mr. BOOZMAN, Mr. COHEN, and Mr. POMEROY.

H.R. 473: Mr. SHAYS.

H.R. 475: Ms. DEGETTE.

H.R. 488: Mr. MCGOVERN.

H.J. Res. 3: Mr. COLE of Oklahoma, Mr. CARDOZA, and Mr. GRIJALVA.

H. Con. Res. 20: Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. GALLEGLY, Ms. ROS-LEHTINEN, Mrs. MALONEY of New York, and Mr. HIGGINS.

H. Res. 37: Mr. PASTOR, Mr. BACA, Mr. HINOJOSA, Mr. SIRES, Mr. GRIJALVA, and Mr. ORTIZ.

H. Res. 41: Mr. DELAHUNT and Mr. HARE.

H. Res. 52: Mr. ROHRABACHER.

H. Res. 58: Mr. HARE and Mr. RANGEL.

H. Res. 64: Mr. MCCOTTER, Mr. KING of New York, Mr. BURTON of Indiana, Mr. WOLF, and Mr. ROTHMAN.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, WEDNESDAY, JANUARY 17, 2007 No. 9

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACK REED, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God who rules the raging of the sea, You have created us for Your glory. Today help us to see You more clearly, love You more dearly, and follow You more nearly.

Bless our Senators in their labors. Unite them in their efforts to find common ground and to work for the good of the Nation. May they seek creative ways of living a life of service that honors You. Guard them from danger and keep them from sin. As You work out Your plan for humanity, inspire our lawmakers with a joy that makes all difficulties seem worthwhile. Spare them from desiring success that focuses on things that pass away and ignores the things that last eternally. Let Your praise fill their hearts today and always.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JACK REED led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 17, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACK REED, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REED thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will be in a period of morning business for 1 hour, the first half controlled by the Republicans, the second half under the majority's control. Following morning business, the Senate will resume consideration of the ethics bill, S. 1. Last night, the Senate invoked cloture on an amendment strengthening the gift and travel restrictions. I understand that several second-degree amendments to the amendment are now pending. It is my understanding there are four. I anticipate that we will be in a position to dispose of any germane second-degree amendments later today and then we will dispose of the underlying amendment. Once the Senate has concluded action on the gift travel amendment and any amendments in relation thereto, there will be a cloture vote on the substitute amendment on which cloture was filed last Friday.

I said yesterday, and I say today, we are going to work through this bill as quickly as we can. We were able to get through the first part of the ethics legislation in good fashion. It is my understanding, once we move to the substitute, if cloture is invoked on that, there are about 24 amendments that are germane as of last night. There were a few other amendments filed. I don't know if they are germane. I have been told by staff that 30, 40 percent of those amendments Senators BENNETT and FEINSTEIN will agree to accept. The others we will take a look at and see if they are campaign finance related and try to work through them the best we can. I am also in contact with my distinguished colleague, the Republican leader, to see if he feels that there are other amendments we need to vote on, and we are working on that. Even if they are not germane, if the distinguished minority leader and I have some belief that they will help movement of this bill, I would be happy to work with him in that regard.

We are going to be in recess today for our respective party conferences from 12:30 to 2:15 p.m. If we need to use the whole 30 hours, it would be about 10:30 tonight before we could dispose of the amendment—something like that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

AMENDMENTS POSTCLOTURE

Mr. MCCONNELL. Mr. President, I will be consulting with my colleagues on the Republican side throughout the morning and at lunch on the issues raised by the majority leader with regard to the disposition of the pending amendments. As he indicated, some of them will be germane postcloture. I will be able to inform the majority

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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leader after lunch what other amendments we would hope to have an opportunity to vote on. I share his view that we ought to wrap this bill up as soon as reasonably possible. We will be working toward that end throughout the day.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the first half of the time under the control of the minority and the second half of the time under the control of the majority.

The Senator from Kansas.

IRAQ

Mr. BROWNBACK. Mr. President, I thank the leaders for the time this morning.

I recently returned from a trip looking into what is taking place in the war on terrorism. I was in Afghanistan in Kabul and also went to the Afghanistan-Pakistan border, had a brief meeting in Pakistan with our Ambassador and military leadership in Pakistan and also in Kuwait. I then went from there to Iraq. I was in Baghdad for a period of 24 hours plus. I went to Irbil in northern Iraq in the Kurdish region, met with Barzani, head of the Kurdish region, and traveled to Ethiopia to the current front, the expanded front in the war on terrorism, saw what the Ethiopians are doing in Somalia. I met with the Prime Minister of Ethiopia, Meles Zenawi, about what he is doing in Somalia. I had a very good meeting with him and also with our military commanders in that region, with the recent strikes we have done against terrorism in southern Somalia and work we have done with the Ethiopians.

All of this was very informative. There is a mixture of news to report as to what is taking place in the war on terrorism. There are some very positive things happening, particularly the recent events in Somalia, what the Ethiopians are pushing for, and some very positive things happening in Afghanistan, some difficulties we are still having with Pakistani leadership going after some of the threats on the Pakistan-Afghanistan border.

Northern Iraq is booming, the Kurdish area. Investment is flowing. There are cranes and people are building. Baghdad is in great difficulty.

I, also, wish to talk about my suggestions for the route forward. I think the President, in his address, was saying he is proposing a route forward, and if others might oppose or have a different view, all I ask is that you put forward a proposal yourself. That is fair. That is what we ought to do. We are all in this, and we need to see the route forward.

There is good news in Iraq, certainly. We have 140,000 of America's best and brightest working hard every day. I flew on troop transport planes in and out of various places with the troops and met and visited with them along the way. They are impressive. Their dedication and courage and commitment is impressive to feel. It is inspiring. It is inspiring to see. I have a niece and nephew who have signed up to join the Marines. So they are going into this as well. I am proud of them, as is the whole family.

The irrepressible spirit of our soldiers—from new recruits to veterans of multiple—is inspiring. I even saw a father-son team from Kansas in Kuwait. They are enthusiastic, determined, and we depend on them for the success we will achieve in Iraq. I know firsthand it is not just a good sound bite to say we have the best Armed Forces in the world. There is simply no other place in the world that can boast of so many courageous, committed, and talented volunteers so willing to make sacrifices, whenever the country calls upon them. They continue to deserve our great respect and admiration for performing so ably under such difficult circumstances. And the circumstances are that.

Baghdad still feels similar to an occupation zone. I was physically present in Baghdad for about 24 hours. It is hard to say that I saw the city. I left with an enduring image of concrete barriers and convoys of SUVs. I last visited Baghdad in March 2005. The environment is no better than it was at that period of time. Three mortar rounds exploded in the green zone while I was there meeting with the Iraqi Vice President. No one was harmed. They were launched from somewhere way out, but still they hit. It shows how insecure the city remains.

We all wish the situation would get better, but I am particularly disappointed. I have had a long-term interest in Iraq. When I first came to the Senate in 1996, I served on the Foreign Relations Committee and chaired the Middle East Subcommittee that held some of the first hearings on what to do about Saddam Hussein's regime. I carried the Iraq Liberation Act on the floor of the Senate that was signed into law by President Bill Clinton. I helped get the initial $100 million for the Iraqi National Congress. I, also, attended the first INC meeting with Senator Bob Kerrey of Nebraska. We both went to New York City to meet with the opposition about what to do about Saddam Hussein. I, also, attended the first Iraqi National Congress meeting in London. I have been committed to a free, safe, and secure Iraq from the very beginning.

During my meetings last week, I found less reason for optimism. Sunni leaders blame everything on the Shia, and the Shia leaders likewise blame everything on the Sunnis. The Kurdish leadership pointed out that the Sunnis and Shia only meet when the Kurds call the meeting. All of this suggests that, at the present time, the United States seems to care more about a peaceful Iraq than the Iraqis do. If that is the case, it is difficult to understand why more U.S. troops would make a difference.

One other bright spot was my visit to the northern part of the country, the Kurdish region. The security situation is stable and business is booming, as some number of people moving out of Iraq are moving into northern Iraq into the Kurdish region. The Kurds are demonstrating what is possible for the rest of Iraq when violence recedes. The Kurds are pragmatic. They are worried about committing Kurdish forces to Baghdad. I asked Brazani, would he commit Kurdish forces for the peace in Baghdad? He declined to do so. They don't want to get caught in the middle of a sectarian fight. If Iraqi Kurds feel this way, why should we feel any differently? Simply put, the Iraqis have to resolve these sectarian differences. We cannot do it for them.

This does not mean we should pull out of Iraq and leave behind a security vacuum or safe haven for terrorists. I do not support that alternative. It does mean that there must be a bipartisan agreement on our military commitment to Iraq. We cannot fight a war with the support of only one political party, and it does mean that the parties in Iraq—Sunni, Shia, and Kurds—must get to a political equilibrium. I think most people agree that a cut-and-run strategy does not serve our interests, nor those of the world, nor those of the region, nor those of the Iraqi people.

So I invite my colleagues all around, particularly on the other side of the aisle, to indicate what level of commitment they can support. We need to come together in Congress, and as a nation, on a strategy that will make real progress in Iraq and gain as much support as possible from the American people. Only a broadly supported, bipartisan strategy will allow us to remain in Iraq for the length of time necessary to ensure regional stability and to defeat the terrorists. That is our objective. Make no mistake, we may need to be in Iraq for some period of time, as we are in Bosnia, as we were in Europe, as we still remain in Korea. Iraqis should patrol their own streets, but we must continue to hunt down the terrorists. We must balance the aggressive moves by Iran, operating inside of Iraq, which seeks to exploit Iraq for its own gain.

These missions will take time to achieve on our part. It is vital we get a bipartisan way forward on Iraq as soon as possible. I invite people on the other side of the aisle to put forward their proposals. As we refine our military posture, we should also enlist the support of Iraq's neighbors, through a diplomatic initiative similar to the recommendations of the Baker-Hamilton Commission. Although I don't support all of those initiatives, I thought they had some good ideas, particularly engaging Iraq's neighbors. Each of Iraq's

neighbors can benefit from a peaceful Iraq, and they can assist us in reaching a political equilibrium among Iraq's various groups. These include Iran and Syria, which are clearly meddling in Iraq but whose cooperation will be necessary for any political solution in Iraq to be relevant for the long term.

To be successful, such a diplomatic initiative will require a great amount of attention and hard work. Thus, I recommend Secretary Rice and Vice President CHENEY go to Iraq and practice shuttle diplomacy. They should lay the groundwork for a meeting of leaders from all three major Iraqi groups to take place outside of Iraq. This kind of a meeting could be similar to the Dayton Accords that helped resolve the conflict in Bosnia. It would allow for intense, sustained discussions aimed at a durable, long-term political settlement amongst the Iraqis. One potential political settlement could involve a three-State, one-country formula. Each of Iraq's major groups would have its own autonomous region with Baghdad as a federal city.

Each group can manage its own affairs while preserving Iraq's territorial integrity. This is something the Iraqi Constitution allows, that the Kurdish people are practicing, and that the Iraqi leaders, I believe, should pursue to get to a political equilibrium. We have made our share of mistakes in Iraq. Still, we have invested the lives of more than 3,000 of our best and brightest for our Nation's future.

The mission for which they died is not yet complete. We still need political equilibrium if we are to achieve a stable, united Iraq that can be an ally in the war on terrorism. We must win in Iraq, and we will. We must win for the future of the region and for the future of the world and for the future of Iraq. We must win for the future of America. That victory will require more than bullets; it will require political arrangements inside Iraq and around Iraq to end the sectarian violence and move toward a peaceful future for the Iraqi people and stability for the region. We are in a tough time, but I believe we have solutions that can work.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

THE INTELLIGENCE COMMUNITY'S PERSPECTIVE ON IRAQ

Mr. BOND. Mr. President, I thank my colleague from Kansas, who made the point well that we cannot afford to lose in Iraq. I thought my colleagues, and maybe those who may be interested—if anybody is paying attention and watching the floor—may be interested to hear what the intelligence community said in public. It is rare we have public hearings in the Intelligence Committee, but once a year at least we have the worldwide threat hearing.

Last Thursday, we had that hearing and we spent about 5½ hours. It was very informative and mostly dealt with Iraq. Present were the Director of National Intelligence, Ambassador Negroponte; Director Hayden of the CIA; Director of the DIA General Maples; Mr. Foote from the State Department INR; and FBI Director Robert Mueller. Much of the questioning was about what is going on in Iraq. I think the consensus of the intelligence community was that while things have not gone well, the new commitment by Prime Minister Maliki and the rest of his Government—not just the Shia Prime Minister but the Kurds and the Sunnis—was to take over and take ownership of ending the insurgency in Iraq. That gave us the best hope of achieving a peaceful solution that would leave Iraq a stable country—not perfect by any means, with no guarantee of success, but this was the opportunity to get the three major elements in Iraq—the Shia, Sunnis, and the Kurds—to come together on what we believe will be and should be a long-term solution.

Frankly, one of the real problems we have had has been the reluctance of the Iraqi Government to let us go in and eliminate Shia militia, such as the Moqtada al-Sadr Mahdi army. This has been a serious problem. The American forces have been held back. Now it is our understanding—and the intelligence community believes what they have told the policymakers in the executive branch—that this is now the best chance, because they realize time is running out, that while our commitment was strong to Iraq, it is not an unending one, infinite.

They are going to have to take control if they don't want to see their country descend into chaos. So there was a lot of talk about the pros and cons of the policy the President announced to turn over the responsibility to the Iraqi military, for ending the insurgency in Baghdad, and to send our troops into the Al Anbar province to deal with radical Islamists, such as al-Qaida, who continue to stir up problems and who we believe were responsible for the bombing of the Golden Mosque in Samara, which escalated the insurgency.

So I asked another question and the answers, I thought, were very telling. They were not covered in the media. I asked what if we decided now or within 2 or 3 months to withdraw and turn it over to the Iraqi Government, and the consensus was uniform and frightening.

Admiral Negroponte said:

> And I think the view pretty much across the community is that a precipitous withdrawal could lead to a collapse of the government of that country, and a collapse of their security forces, because we simply don't think that they are ready to take over, to assume full control of their security responsibilities.
>
> We think that that is a goal that can be achieved on a gradual basis and on a well-planned basis. But to simply withdraw now, I think, could have catastrophic effects. And I think that's a quite widely held view inside of Iraq itself.

Later, I went back and asked what it would mean in terms of the worldwide terrorist threat of al-Qaida. Director Negroponte responded:

> I think in terms of al-Qaida's own planning, if you look at the letter that Zawahiri wrote to Zarqawi last year about establishing in Iraq a sort of beachhead for the expansion of al-Qaida's ideology throughout the Islamic world, establishing the caliphate, it would be the very sanctuary for international terrorism that we are seeking to avoid.

In other words, the No. 2 man under Osama bin Laden, Zawahiri, wrote to the notorious, infamous butcher Zarqawi, who had beheaded Americans and others on television, to tell him to cool it; we are trying to establish a basis for al-Qaida to operate out of Iraq. This would be, in Zawahiri's and bin Laden's own words, establishing the range of the caliphate. What they mean by that is to establish a Taliban style of government, such as we saw in Afghanistan, on a regionwide and ultimately a global basis.

I asked General Maples about the impact of withdrawal, precipitous or immediate, or politically, a timetable withdrawal, determined by what we want in Washington, rather than what is available on the ground. He said:

> . . . I believe that a failure in Iraq would empower the jihadist movement. It would give that base of operations from which the jihadist movement would expand. And it's consistent with the goals of al-Qaida in Iraq to establish that Islamic state, and then to expand it into the caliphate.

He went on to say there would be regional impacts and that there would be a tremendous economic impact. He cited hydrocarbons and, obviously, we know Iraq is very rich in oil reserves, and it would make oil reserves available to fund the activities of al-Qaida and the international radical Islamist terrorist movements. He also said it would have an impact on the world market on oil, driving up the power of oil. He concluded by saying it would give Iran the power to expand its evil empire, which President Ahmadi-Nejad is urgently trying to expand not only in the Middle East but throughout Latin America.

I think probably the best summary of the intelligence community estimates of the impact of the choices—and we are talking about choices—is there is nothing good in terms of choices. One option has been put forward by President Bush. I happen to believe it is the best available option to support the Iraqis who have committed to end the insurgency, to bring the Sunnis into a government that would share in the oil revenues and take responsibility for ending the insurgency, while our troops go after the external forces, the terrorists coming in from other countries and joining the al-Qaida movement.

I asked General Hayden to give me a concise statement of his view and the view of the intelligence community on the second option, which would be to

withdraw now, or to set a short timetable deadline in 2 or 3 months. I will read what he said:

Yes, sir, Senator. When I went before the Iraq Study Group, I prefaced my remarks by saying I think I'll give a rather—I'm going to be giving a rather somber assessment of the situation in Iraq. But before I do that, I said, let me tell you. If we leave under the current circumstances, everything gets worse.

At that point, I commended him for being a master of understatement. He went on to say:

Three quick areas. More Iraqis die from the disorder inside Iraq. Iraq becomes a safe haven, perhaps more dangerous than the one al-Qaida had in Afghanistan. And finally, the conflict in Iraq bleeds over into the neighborhood and threatens serious regional instability.

I said, well, what would be the threat to the U.S. homeland? How does that affect us in Washington, in Rhode Island, Missouri, Kansas, New York, Los Angeles, and elsewhere? He said:

The immediate threat comes from providing al-Qaida that which they are attempting to seek in several locations right now, be it Somalia, the tribal area of Pakistan or Anbar province—a safe haven to rival that which they had in Afghanistan.

I have my views on this. This is the overwhelming consensus of the intelligence community. There are no great options, but the best option, they believe, is to provide American troops to support what the Government of Iraq has pledged to do, and that is to end the insurgency, to stop the Shia death squads, to cut the Sunnis in on a fair share of the Government, and take responsibility not only for clearing but for controlling the areas in Baghdad that have been the problem. So I think as we talk about the options available, it is vitally important that we listen to the intelligence community and their best assessments of what happens if we follow the President's plan or if we choose a course of continuing to do what we have been doing, without assisting the Iraqis to take control of their Government, or if we cut and run.

I ask unanimous consent that the transcripts which I cited be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SSCI OPEN HEARING: CURRENT AND PROJECTED NATIONAL SECURITY THREATS

JANUARY 11, 2007

NEGROPONTE (responding to a question from Sen. Bond): And I think the view pretty much across the community is that a precipitous withdrawal could lead to a collapse of the government of that country, and a collapse of their security forces, because we simply don't think that they are ready to take over, to assume full control of their security responsibilities.

We think that that is a goal that can be achieved on a gradual basis and on a well planned basis. But to simply withdraw now, I think could have catastrophic effects. And I think that's a quite widely held view inside of Iraq itself.

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NEGROPONTE: I think, in terms of Al Qaida's own planning, if you look at the letter that Zawahiri wrote to Zarqawi last year about establishing in Iraq a sort of a beachhead for the expansion of Al Qaida's ideology throughout the Islamic world, establishing the caliphate, it would be the very sanctuary for international terrorism that we are seeking to avoid,

BOND: General Maples?

MAPLES: Sir, I'd follow up on that statement by the ambassador, because I truly believe that a failure in Iraq would empower the jihadist movement. It would give that base of operations from which the jihadist movement would expand. And it's consistent with the goals of Al Qaida in Iraq to establish that Islamic state, and then to expand it into the caliphate.

I also think that there, of course, will be very significant regional impacts, both in terms of stability to other countries in the region.

There will be economic impacts with respect to, in particular, hydrocarbons and the effect that that could have, particularly if those resources were in the hands of jihadists. And . . .

BOND: In other words, they could get the profit off of the high price of oil.

MAPLES: Absolutely. And then I would follow with one last, and that is the empowerment—further empowerment—of Iran within the region.

BOND: General Hayden?

GEN. HAYDEN: Yes, sir, Senator. When I went before the Iraq Study Group, I prefaced my remarks by saying I think I'll give a rather—I'm going to be giving a rather somber assessment of the situation in Iraq. But before I do that, I said, let me tell you. If we leave under the current circumstances, everything gets worse. And . . .

BOND: You have a masterful way of understating it.

HAYDEN: Three very quick areas. More Iraqis die from the disorder inside Iraq. Iraq becomes a safe haven, perhaps more dangerous than the one Al Qaida had in Afghanistan. And finally, the conflict in Iraq bleeds over into the neighborhood and threatens serious regional instability.

BOND: Any threat do you see—what threat to the United States homeland?

HAYDEN: The immediate threat comes from providing Al Qaida that which they are attempting to seek in several locations right now, be it Somalia, the tribal area of Pakistan or Anbar province—a safe haven to rival that which they had in Afghanistan.

Mr. BOND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AKAKA. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 310 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. AKAKA. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. DURBIN. Madam President, the issue that is paramount in the minds of many Americans is the war in Iraq. It is a consuming issue for us because we know that as we stand in the safety of the Senate Chamber or in our homes across America, at the same moment in time, 144,000 American soldiers are risking their lives. Sadly, some are giving their lives almost on a daily basis. Many are injured and come home to face a different life than they ever imagined.

The cost of this war, of course, starts with the human accounting. Over 3,013 American soldiers have died as of today, 23,000 have returned injured, 6,600 seriously injured, with double amputations, blindness, or traumatic brain injury of a serious nature.

This morning's Wall Street Journal, in an article by David Rogers, talks about the real cost of this war in dollar terms. Many of us have used the numbers of $380 billion, $400 billion, and some have come to the conclusion that the number is really much higher and that when you account for our obligations to our veterans and rebuilding the military after this war, it will range in the hundreds of billions of dollars more. This will affect our Nation. It will affect the quality of our life. It will affect our spending on basics, whether it is the education of our children, the health of our citizens, building the infrastructure so our economy can expand, or creating higher education opportunities so that the 21st century can be an American century, as the 20th century was.

This war has taken its toll. It isn't the first war that has been controversial in our history. Some of us are old enough to remember another war not that long ago. It was October 19, 1966, on the floor of the U.S. Senate, across the aisle, when a Senator from the State of Vermont, George Aiken, rose to speak. George Aiken gave a speech about the war in Vietnam. It is one that has been quoted many times since. He said a lot about the war at that moment. Some of the things he said are interesting in a historical context.

Senator Aiken said, in October of 1966, about the Vietnam war:

The greater the U.S. military commitment in south Vietnam, however, the less possibility that any south Vietnamese government will be capable of asserting its own authority on its own home ground or abroad. The size of the U.S. commitment already clearly is suffocating any serious possibility of self-determination in south Vietnam for the simple reason that the whole defense of that country is now totally dependent on the U.S. armed presence.

Of course, Senator Aiken went on to say that we should declare victory and start bringing our troops home. He said:

Such a declaration should be accompanied not by announcement of a phased withdrawal, but by the gradual redeployment of

U.S. military forces around strategic centers and the substitution of intensive reconnaissance for bombing.

This unilateral declaration—

Senator Aiken said—

—of military victory would herald the resumption of political warfare as the dominant theme in Vietnam.

He closed by saying:

Until such a declaration is made, there is no real prospect for political negotiations.

When Senator Aiken took the floor and gave that speech in October of 1966, we began that year with fewer casualties in Vietnam than we have already incurred in Iraq. Around 2,800 American lives had been lost in Vietnam at the beginning of 1966. But 1966 was a bloody year in Vietnam, and by the end of that year, we had lost 8,400 soldiers as Senator Aiken gave his speech. Had we followed his advice, what a difference it might have made. By the end of that Vietnam war, we hadn't lost 8,000, we had lost 58,193 troops.

The President's call for increasing the number of American soldiers who will be serving and fighting in Iraq is a grim reminder of the cost of escalation. Instead of assessing where we are today in honest terms, the President is continuing a strategy which has failed. He has conceded that point. The President no longer says we are winning the war in Iraq. He concedes we have made serious mistakes—mistakes which all of us know have cost us dearly in human life and in the cost of this war.

Now we face the reality of our politics in this town. In 2 weeks, things have changed pretty dramatically here in Washington. If you haven't noticed, with the hearings on Capitol Hill with the Democratic Congress, there is a different tenor, there is a different approach. Before, over the last 6 years, the President has had a compliant and supine Congress, afraid to ask hard questions about this war. That has changed. And the encouraging thing is that the hearings before the Foreign Affairs Committee last week showed that not only is the Democratic majority speaking out with important and relevant questions, but now our Republican colleagues are joining us in what should be a national and bipartisan chorus. This is a moment of accountability when this President and the administration will have to answer for policy decisions. It was a Republican Senator last week who made a statement in that Foreign Affairs Committee, which sadly I have to agree with, when he said that our invasion of Iraq was the greatest strategic foreign policy blunder in recent memory. I think it may be one of the worst mistakes in the history of our country, one we will pay for in years to come.

Now I watch carefully for the reaction in Iraq as we are preparing to send more soldiers, and I am waiting for signs and signals and statements from the al-Maliki government that they understand this is a new day, and I am still waiting. Until they are prepared to eliminate the militias, whether they are going to disband them or destroy them, there can be no security on the ground in Iraq. I read the statements by our soldiers and the media where they say the Iraq Army and the Iraq police force is a dead horse and we are not going to get anywhere by kicking it. If that is a fact, then 21,000 American soldiers' lives won't make a difference. That is the reality of what we face.

In the coming days ahead, very soon after we finish this debate on ethics legislation, we are going to move into a more serious and open debate on the war in Iraq. Initially, there will likely be a markup in one of the committees on a resolution. It will come to the floor, and we will consider it. I sincerely hope that, like the Foreign Affairs Committee meeting of last week, it is a bipartisan resolution because I will tell you, the sentiment about this war is strongly bipartisan or nonpartisan across this country.

First and foremost, there are some basics we should make clear. No. 1, how much we respect and admire and will stand behind our troops. These men and women in uniform, the best and bravest, have done everything we have asked them to do—in fact, many times with displays of heroism—and they have done more than we could ever expect from any human being. They have been there. They have unflinchingly responded to the call to arms and have served us so well. Their families stay home with worry and prayer, hoping they will come back safely. For those soldiers and their families, the first thing said is thank you, thank you from a grateful nation for all you have given to this country and continue to give.

Secondly, we won't turn our backs on these soldiers. Whether it is a matter of the equipment they need now to be safe in Iraq and to come home to their families with their missions completed or, if they come home with a need, whether it is through the Veterans' Administration or for college education or for some help in their lives, we need to be there. They were there for us; we need to be there for them. That almost goes without saying.

But I wish to make it clear from the Democratic side, and I am sure I speak for my colleagues on the other side of the aisle, we will never shortchange our troops. We will never shortchange their safety. For those who suggest any disagreement with foreign policy of this administration somehow is going to be at the expense of our troops, they are just plain wrong. In the final analysis, we will keep our word to our soldiers.

The other point I would like to make, though, is if we expect this to end and end well, it can only end with a political solution in Iraq driven by Iraqi leadership. We cannot superimpose a democracy on Iraq. They have to come to this clear understanding that their future is in their own hands. We can help them aspire to this goal, but ultimately they have to take the difficult, painful steps moving toward it. That means, of course, putting an end to the sectarian violence.

For 14 centuries now, the people of the Islamic faith have had a disagreement about who were the rightful heirs to their great Prophet Muhammad. We cannot resolve 14 centuries of this sectarian debate and violence in one little country with more American soldiers. This is something which will have to be resolved if Iraq decides their future will be a democracy. They have to treat all Iraqis in a fair and honest way instead of favoring one sect over another. They have to bring an end to violence, whether it is inspired by Sunnis or Shias or others. Whatever the inspiration, it has to come to an end.

The militias that now control parts of Baghdad and parts of Iraq have to come to an end as well. You can't have private armies in a country and expect the national army to have the strength to control the situation. We need to see the police forces in Baghdad and other places really emerge as professionals. When I was there in October, the reports were very disappointing. It was said that if you went to a police station, you could decide right off the bat whether it was going to be a Sunni or Shia police station and then decide how they would react to crime committed by their own. That has to end. We can't change that by sending American soldiers into battle. We can't change that with American lives and American injuries. Only the Iraqis can change that.

As Senator Aiken said 40 years ago now:

The unilateral declaration of military victory would really herald the resumption of political warfare in south Vietnam.

We need to move this to a political level, and that is where I think the President's recommendations last week are so wanting. He still is in the mindset to believe that enough American soldiers can somehow change the politics of Iraq. That is never going to happen. It has to come from the Iraqi people.

So we face a challenge—a challenge which we accept—to have an honest, nonpartisan, productive, and positive debate on our foreign policy in Iraq. Those of us who disagree with the President really stand in an awkward position in this regard. I sincerely hope the President is right. I hope 21,000 American soldiers change the whole contour of the debate and the future of Iraq. I don't believe they will, but I want this to end and end well, and I don't care who takes credit for it. But I believe—sincerely believe—that the only way to convince the Iraqis of their responsibility is for us to start bringing American troops home, as Senator Aiken called for in Vietnam in 1966 with 8,000 American lives lost, and that we start the phased redeployment of our troops. Had America, had Congress, had the President in 1966 followed the

suggestions of the Senator from Vermont, 50,000 American lives might have been spared. By the end of the Vietnam war, almost 3,000 Illinoisans had given their lives in Vietnam. Some were my buddies in high school, my friends with whom I had grown up. I still remember to this day and wonder, if the Senate at that moment in time had made the right decision, a decision Senator Aiken had called for, whether they might be alive today. That is the reality of war, and it is the reality of these foreign policy decisions.

ETHICS REFORM

Our business before the Senate now is the Senate ethics reform bill. We have a big task ahead of us. The leadership has made it clear to Senators on both sides of the aisle that we are going to finish this bill this week. It could mean long sessions, as Senator REID said earlier today. It could mean we are in late in the night, perhaps even on the weekend, but we want to get this important part of our business behind us. The culture of corruption, the climate of corruption which has been on Capitol Hill over the last several years has to come to an end.

There will always be Members of the House and Senate who can think of another way to improve the way we do business. Each of us has our own ideas. I was fortunate, as I said before on the floor of the Senate, to start my Senate and public career with two extraordinary men, Senators Paul Douglas and Paul Simon of Illinois, who tried to set new standards of ethical conduct in national service. Back when I was fresh out of law school and penniless, I went to work for Lieutenant Governor Paul Simon, who insisted that every member of his staff make a complete income disclosure every year and a complete net worth disclosure.

My first disclosure brought real embarrassment to me and my wife because we had nothing and with student debts would have qualified for bankruptcy under most circumstances. We didn't file bankruptcy, but those annual disclosures were embarrassing until we finally passed a point where we had a few meager possessions and were on the positive side of the ledger.

I have continued to do that every year. I make the most detailed disclosure I can in my financial statement, not categories of wealth or income but actual dollar amounts. I have done it every single year. I know it serves up to my critics a ready menu of things on which to attack me. That's OK. I want to make it clear that in the time I have been in public service, the decisions I have made—good, bad, whether you agree with them or not—have not been driven by any desire to come away from this experience wealthy.

I have not imposed that on my colleagues here, or suggested it by way of amendment, that they do a detailed income disclosure, put their income tax returns with that disclosure, and a net worth statement each year. But I feel comfortable doing it. I am glad I got started. Now that my family is beyond the embarrassment of those early disclosures when we had nothing, they have come to accept it every year as just a routine. It is a small thing, but it is voluntary on my part, and I hope that others, if they see the need, will accept voluntary changes in the way they approach this to demonstrate their commitment to ethics in public service.

The amendment before us by Senator REID, Senator HARRY REID, our majority leader, is one that deals with the use of corporate airplanes. That has been a source of some embarrassment and question before. I believe that Senators REID and MCCONNELL have shown real leadership in moving this amendment forward. We will consider some changes to it during the course of our debate but, once again, it is a step in the right direction.

Finishing this, we will move to the minimum wage bill and then to a debate on Iraq and then probably to the stem cell issue, so we have quite an agenda before us. Our friends in the House are benefited by something known as the House Rules Committee, which can expedite the process. The Senate doesn't work that way. We have a unanimous consent process which is slow, ponderous, deliberate, and, for Members of the House, absolutely maddening. It will take us longer.

At the end of the day, though, I hope we end up with a good work product for the American people.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1) to provide greater transparency in the legislative process.

Pending:

Reid amendment No. 3, in the nature of a substitute.

Reid modified amendment No. 4 (to amendment No. 3), to strengthen the gift and travel bans.

DeMint amendment No. 12 (to amendment No. 3), to clarify that earmarks added to a conference report that are not considered by the Senate or the House of Representatives are out of scope.

DeMint amendment No. 14 (to amendment No. 3), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

Vitter/Inhofe further modified amendment No. 9 (to amendment No. 3), to prohibit Members from having official contact with any spouse of a Member who is a registered lobbyist.

Leahy/Pryor amendment No. 2 (to amendment No. 3), to give investigators and prosecutors the tools they need to combat public corruption.

Gregg amendment No. 17 (to amendment No. 3), to establish a legislative line item veto.

Ensign amendment No. 24 (to amendment No. 3), to provide for better transparency and enhanced congressional oversight of spending by clarifying the treatment of matter not committed to the conferees by either House.

Ensign modified amendment No. 25 (to amendment No. 3), to ensure full funding for the Department of Defense within the regular appropriations process, to limit the reliance of the Department of Defense on supplemental appropriations bills, and to improve the integrity of the congressional budget process.

Cornyn amendment No. 26 (to amendment No. 3), to require full separate disclosure of any earmarks in any bill, joint resolution, report, conference report or statement of managers.

Cornyn amendment No. 27 (to amendment No. 3), to require 3 calendar days' notice in the Senate before proceeding to any matter.

Bennett (for McCain) amendment No. 28 (to amendment No. 3), to provide congressional transparency.

Bennett (for McCain) amendment No. 29 (to amendment No. 3), to provide congressional transparency.

Lieberman amendment No. 30 (to amendment No. 3), to establish a Senate Office of Public Integrity.

Bennett/McConnell amendment No. 20 (to amendment No. 3), to strike a provision relating to paid efforts to stimulate grassroots lobbying.

Thune amendment No. 37 (to amendment No. 3), to require any recipient of a Federal award to disclose all lobbying and political advocacy.

Feinstein/Rockefeller amendment No. 42 (to amendment No. 3), to prohibit an earmark from being included in the classified portion of a report accompanying a measure unless the measure includes a general program description, funding level, and the name of the sponsor of that earmark.

Feingold amendment No. 31 (to amendment No. 3), to prohibit former Members of Congress from engaging in lobbying activities in addition to lobbying contacts during their cooling off period.

Feingold amendment No. 33 (to amendment No. 3), to prohibit former Members who are lobbyists from using gym and parking privileges made available to Members and former Members.

Feingold amendment No. 34 (to amendment No. 3), to require Senate campaigns to file their FEC reports electronically.

Durbin amendment No. 36 (to amendment No. 3), to require that amendments and motions to recommit with instructions be copied and provided by the clerk to the desks of the majority leader and the minority leader before being debated.

Cornyn amendment No. 45 (to amendment No. 3), to require 72-hour public availability of legislative matters before consideration.

Cornyn amendment No. 46 (to amendment No. 2), to deter public corruption.

Bond (for Coburn) amendment No. 48 (to amendment No. 3), to require all recipients

of Federal earmarks, grants, subgrants, and contracts to disclose amounts spent on lobbying and a description of all lobbying activities.

Bond (for Coburn) amendment No. 49 (to amendment No. 3), to require all congressional earmark requests to be submitted to the appropriate Senate committee on a standardized form.

Bond (for Coburn) amendment No. 50 (to amendment No. 3), to provide disclosure of lobbyist gifts and travel instead of banning them as proposed.

Bond (for Coburn) amendment No. 51 (to amendment No. 3), to prohibit Members from requesting earmarks that may financially benefit that Member or immediate family member of that Member.

Nelson (NE) amendment No. 47 (to amendment No. 3), to help encourage fiscal responsibility in the earmarking process.

Reid (for Lieberman) amendment No. 43 (to amendment No. 3), to require disclosure of earmark lobbying by lobbyists.

Reid (for Casey) amendment No. 56 (to amendment No. 3), to eliminate the K Street Project by prohibiting the wrongful influencing of a private entity's employment decisions or practices in exchange for political access or favors.

Sanders amendment No. 57 (to amendment No. 3), to require a report by the Commission to Strengthen Confidence in Congress regarding political contributions before and after the enactment of certain laws.

Bennett (for Coburn) amendment No. 59 (to amendment No. 3), to provide disclosure of lobbyist gifts and travel instead of banning them as proposed.

Bennett (for Coleman) amendment No. 39 (to amendment No. 3), to require that a publicly available Web site be established in Congress to allow the public access to records of reported congressional official travel.

Feingold amendment No. 63 (to amendment No. 3), to increase the cooling off period for senior staff to 2 years and to prohibit former Members of Congress from engaging in lobbying activities in addition to lobbying contacts during their cooling off period.

Feingold amendment No. 64 (to amendment No. 3), to prohibit lobbyists and entities that retain or employ lobbyists from throwing lavish parties honoring Members at party conventions.

Feingold/Obama amendment No. 76 (to amendment No. 3), to clarify certain aspects of the lobbyist contribution reporting provision.

Feingold amendment No. 65 (to amendment No. 4), to prohibit lobbyists and entities that retain or employ lobbyists from throwing lavish parties honoring Members at party conventions.

Bennett (for Lott) amendment No. 78 (to amendment No. 4), to only allow official and officially related travel to be paid for by appropriated funds.

Bennett (for Lott) amendment No. 79 (to amendment No. 4), to only allow official and officially related travel to be paid for by appropriated funds.

Bennett modified amendment No. 81 (to amendment No. 4), to permit travel hosted by preapproved 501(c)(3) organizations.

Obama/Feingold amendment No. 41 (to amendment No. 3), to require lobbyists to disclose the candidates, leadership PACs, or political parties for whom they collect or arrange contributions, and the aggregate amount of the contributions collected or arranged.

Nelson (NE)/Salazar amendment No. 71 (to amendment No. 3), to extend the laws and rules passed in this bill to the executive and judicial branches of government.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, we, as Members of Congress, owe it to the American people to conduct ourselves in a way that reinforces, rather than diminishes, the public's faith and confidence in Congress. An informed citizenry is essential to a thriving democracy. And, a democratic Government operates best in the disinfecting light of the public eye. With this bill, we have an opportunity to balance the right of the public to know with its right to petition Government; the ability of lobbyists to advocate their clients' causes with the need for truthful public discourse; and the ability of Members to legislate with the imperative that our Government must be free from corrupting influences, both real and perceived. We must act now to ensure that the erosion we see today in the public's confidence in Congress does not become a collapse of confidence.

I am pleased with the progress we have been making on this bill. We have been having a good debate on a range of proposals to further improve this bill, including requirements to reign in wasteful spending such as by more fully disclosing earmarks and granting the President's enhanced recision authority. We have recognized the need for increased disclosure and more timely reporting of lobbyists' activities. And, I am pleased that we are considering an amendment—one that I fully support—to require Members of Congress who use corporate aircraft to reimburse the full charter rate for a flight, instead of simply paying the cost of a first-class ticket, as required under the current rules. These are all solid proposals, but we need to do more.

Madam President, on this issue of the first-class airfare, I don't think there is a more dramatic example of the difference between we Members of Congress and the average American citizen. No American citizen can today call up a corporation and say: Please let me use your airplane, and, by the way, I am only going to pay first-class airfare. Nothing is more egregious. There are worse abuses that go on around here, but there is no more egregious an example than the ability of a Member of Congress, who many times has oversight of the corporation that provides the aircraft, taking advantage of a situation where they only have to pay first-class airfare, with a difference of sometimes tens of thousands of dollars. It is remarkable.

We need to reform earmarking beyond mere disclosure requirements. We need to curtail this practice, which cost American taxpayers $64 billion in FY 2006, and I have offered an amendment to help do that. Above all, we need to ensure the enactment and enforcement of comprehensive lobbyist, ethics and earmark reforms. That is why we need to establish an Office of Public Integrity to help provide enforcement measures for the reforms that we are advocating. We can pass all the rules changes we want but unless we back them up with a tough enforcement mechanism, they are useless.

On the issue of earmarks, Madam President—and I obviously have a long record of being opposed to these egregious examples of porkbarreling—I think that it is important for us to recognize that there are two ways we can address earmarking. One is to eliminate them and the other is to watch them grow. Over the previous 20 years, I have watched them grow and grow and grow and grow.

I was intrigued by getting a call from an administration official who said the President is for cutting them in half. That is like saying we want to cut half of the drug dealers in America. There is an addiction in Congress to porkbarreling, and we have to cure the addiction or it will continue to grow.

It is because of this need that I am pleased to again join my colleagues, Senators LIEBERMAN and COLLINS, in cosponsoring an amendment to create an Office of Public Intergrity to investigate complaints of ethical violations by Senators, staff, or officers of this Chamber. Headed by a Director appointed by the President pro tem of the Senate upon the joint recommendation of the majority and minority leaders, the Office of Public Integrity would investigate complaints of rules violations filed with or initiated by the office. To ensure swift action, within 30 days of receiving a complaint, the office would be required to make an initial determination whether to dismiss or investigate it. Although a determination by the office to investigate may be overridden by the Select Committee on Ethics, the amendment stipulates that this can occur only if the Ethics Committee overrides the decision by a two-thirds vote and makes this vote public.

To assist it in its investigation, the Office of Public Integrity would be empowered to issue subpoenas, take statements, and compel the attendance of witnesses. If, after investigation, the Director of the office determines that there is probable cause that a violation occurred, he or she must inform the Ethics Committee, which again, can decide not to proceed on a complaint, but only upon a two-thirds vote that must be made public. If the Ethics Committee does not overrule the office's determination of probable cause, the office shall present the case to the Ethics Committee which shall vote on whether the subject of the investigation violated any rules or other standards. Again, this vote must be made public. If the Ethics Committee finds there was a violation, the Director of the Office of Public Integrity shall recommend appropriate sanctions and whether the matter should be referred to the Department of Justice for investigation.

For 2 years, the Committee on Indian Affairs which I chaired at the time, investigated the actions of Jack Abramoff and Michael Scanlon, and

brought to light their efforts to manipulate the political process. If there is a silver lining to the Abramoff affair, it is that it helped to compel Congress to reassess the rules that govern our dealings with lobbyists and others who seek to influence us, and to do so through the eyes of the public, not through our own jaundiced perspectives. Frankly, I also believe the American public sent a clear message that business as usual in an unacceptable proposition. That is what drives our amendment today.

Again, I point out that we investigated in the Senate Committee on Indian Affairs Mr. Abramoff and his connection, frankly, with both sides of the Capitol. There was never an Ethics Committee investigation. It was the Justice Department that finally had to take action. There was ample evidence of misbehavior in violation of the rules of both Houses, and here we are with people in jail and, as far as I know, the Ethics Committee never ruled on their behavior. So when I hear people say the Office of Public Integrity would somehow cause us embarrassment, are we not embarrassed by what already happened? Are we not embarrassed that Members of Congress violated their oath of office to the degree that they are in jail and the investigation continued on the part of the Justice Department?

I say to the opponents of this amendment, in a perfect world, maybe you are right. In the world that we live in today, you are not right. We owe the American public a better system than the one that has been in place for the past several years.

While strengthening the Senate rules regarding disclosure, gifts, meals, travel and post-employment lobbying is necessary and overdue, it is also of little importance if the rules are not enforced. Instances of apparent violations of congressional rules by Members and staff who were the beneficiaries of Mr. Abramoff's largesse were widely reported. Press accounts of luxury trips, high-priced tickets to sporting events, meals at expensive restaurants, and other gifts suggest that there had been flagrant, if not widespread, violations of our rules, and that these violations had been occurring for some time.

As the columnist and scholar Norman Ornstein has observed, Congress has ''regularly struggled with its constitutional responsibility to police itself, sometimes verging on partisan vendettas—what we called in the 1980s and 1990s 'the criminalization of partisan differences'—but more often erring on the side of doing nothing, or as little as humanly possible, to deal with ethical violations.''

At a time when the public is demanding change, the Senate needs to more aggressively enforce its own rules. We should do this not just by making more public the work that the Senate Ethics Committee currently undertakes, but by addressing the conflict that is inherent in any body that regulates itself. By creating, as this amendment would do, a new office with the capacity to conduct and initiate investigations, and a perspective uncolored by partisan concerns or collegial relationships, I believe we can address this long-standing structural problem.

This amendment strikes a good balance by keeping with the Select Committee on Ethics the final decisions on whether to conduct an investigation, whether a violation has occurred, and whether to refer the matter to the Department of Justice, while adding an independent voice to the process to ensure that the reputation of the institution is not sacrificed for the understandable concern for the reputation of one's friends and colleagues.

The Office of Public Integrity would not only assist in performing existing investigative functions, but would also be charged with the new function of approving or denying requests for travel by Members and staff. The purpose of this pre-clearance is to ensure that the trips serve a legitimate Governmental interest, and are not substantially recreational in nature. I believe that the Office of Public Integrity would be an appropriate entity to conduct these reviews.

I urge the majority and minority leaders to allow an up or down vote on this amendment. The American public is watching.

I urge my colleagues to support the amendment offered by Senator LIEBERMAN.

Madam President, there are many organizations that are observing our activities. I think, as I said earlier, we can be pleased at some of the progress we are making. But this would be a seminal vote. This will be an indication that we are really serious, if we are really serious, about making sure that decisions made by the Ethics Committee are untainted by personal relationships or by other factors. I think it is long overdue.

I want to point out again that in the exit polling from the 2006 election there were two major issues that affected the voters' opinion and vote. One, as we all know, was the war in Iraq. The other was the issue of ''corruption in Washington.''

The American public are very dissatisfied with the way Congress conducts its business. I have seen polls in the low twenties and even in the high teens of their approval rating of Congress. They don't think we conduct our business in an honest and straightforward manner, and they believe the special interests have way too much influence in determining both our priorities and the outcome of legislation.

I believe the Lieberman amendment can go a long way toward restoring the very badly tarnished image of the Congress of the United States.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 9

Mr. VITTER. Madam President, I rise to take a few minutes to urge my Senate colleagues to carefully study and support my amendment to ban spouses of sitting Members of the Senate from lobbying any Member of the Senate or any Senate staff person.

This is a very important debate. It goes to the heart of rebuilding confidence of the American people in our institutions—Senate, House, all of Congress, all of the Federal Government.

As we all know, we have seen scandal after scandal over several years, certainly involving both parties, that has, for obvious and good reason, rocked people's confidence.

At the heart of almost all of these scandals is a very simple, basic issue and that is public officials using their public position to enrich themselves, to enrich their family, and, of course, the public interest being sold down the road.

That is at the heart of this debate, and that concern is at the heart of my amendment. Again, my amendment—we will vote on this later this week—says very simply: No spouse of a sitting Member of the Senate can lobby the Senate, can lobby that Senator, can lobby that Senator's office, can lobby any Senator, can lobby any Senate office, can lobby any Senate committee.

Again, I don't think this is a peripheral issue. I think it goes to the heart of the matter: People using public office to enrich themselves, to enrich their families.

For the same reason, I thought it was important that we prohibit family members from going on the campaign payroll. Unfortunately, that was voted down. I think this is even more in need of strong action because certainly lobbying connections were at the heart of so many of the scandals that got us to this debate.

There are two big problems, two big conflicts we are talking about that this amendment can largely solve. One is for certain lobbyists to have undue influence. That is clearly an issue with regard to lobbying of spouses of sitting Members of the Senate.

The underlying bill would prohibit those spouses from lobbying their spouse Member, that office. That is fine. But clearly, any Senate spouse is going to have an enormous advantage in terms of access and influence to other Senators and other Senate offices. Imagine if a spouse lobbyist walks in the door and his or her spouse happens to be the chair of a committee on which the Member she is lobbying sits. That is a pretty significant power relationship right in the midst of that lobbying. Clearly, there is that real danger of undue influence and access.

There is a second problem too. In my opinion, the second problem is even

bigger than the first, and that is for a special interest, for a monied interest, to have a mechanism to write a big check straight into the family bank account of a sitting Senator, to directly and dramatically increase the income, the personal wealth of a sitting Senator. That absolutely happens whenever you are going to allow spouses of sitting Senators to lobby.

Again, that I think is an even bigger issue and certainly has been front and center in terms of a number of problems and scandals that have come up and reported fully in the media in the last couple of years on both sides of the aisle.

In that regard, I ask unanimous consent that this recent article about the problem, about that very issue in the Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 17, 2007]

LAWMAKERS' LOBBYING SPOUSES AVOID HILL REFORMS

(By John Solomon)

When Sen. Byron L. Dorgan (D–N.D.) rose to the Senate floor last summer and passionately argued for keeping the federal estate tax, he left one person with an interest in retaining the tax unmentioned.

The multibillion-dollar life-insurance industry, which was fighting to preserve the tax because life insurers have a lucrative business selling policies and annuities to Americans for estate planning, has employed Dorgan's wife as a lobbyist since 1999.

A few months earlier, Sen. Elizabeth Dole (R–N.C.) had pleaded for restraint as she urged colleagues to avoid overreacting to the news that the Bush administration had let a United Arab Emirates company take over operations at six U.S. ports. At the same time, her husband, Robert J. Dole, a former senator and presidential nominee, was registered to lobby for that company and was advising it on how to save the deal from the political firestorm.

At least half a dozen congressional spouses have jobs as registered lobbyists and several more are connected with lobbying firms, but reining in the practice to prevent potential conflicts or the appearance of them has not been a priority among congressional leaders. Even modest proposals such as banning wives and husbands from lobbying their spouses or using their spouses' floor privileges for lobbying have gone nowhere.

Democrats made ethics reform a major issue in last fall's congressional elections, but the ethics package the House approved earlier this month didn't address the issue and neither did the one proposed by Senate Democrats. Last week, however, Sen. David Vitter (R–La.) proposed banning spouses of senators from lobbying any part of the chamber. The lone exception is for spouses who were lobbying at least one year before their husband or wife was elected.

The Senate is scheduled to vote on the legislation as soon as today. Senate Majority Leader Harry M. Reid (D–Nev.) called Vitter and said he would support the proposal with one caveat: It should exempt spouses who are already lobbyists.

''As long as it is not retroactive, Senator Reid supports efforts to ban spouses of sitting members from lobbying in the future,'' spokesman Jim Manley said. Vitter said he will not support Reid's proposal. ''I think this goes to one of the fundamental issues in this whole debate and that is officeholders using their office to increase their personal and family income. It doesn't get any more basic than that,'' Vitter said.

Massie Ritsch of the Center for Responsive Politics, a nonpartisan group that studies political donations and ethics in Washington, said that if senators decide that a lobbying ban is necessary, it makes no sense to exempt current spouses.

''If there is a problem here, it is that family members can get access to lawmakers that other people don't. And if they exempt the current spouses, then they are making it all the more exclusive. Those family members will seem all the more special.''

Vitter's legislation does not apply to the House. It also does not address lawmakers' siblings and children, another growth area in lobbying. Vitter said he wanted to make the plan broader but was not assured of a vote, so he scaled it back to Senate spouses.

Elected to the Senate in 2004, Vitter took an initial foray into ethics reform more than a year ago, proposing the spousal lobbying ban as well as the end of large tribal donations like those seen in the Jack Abramoff lobbying scandal. But his plans went nowhere when his own party was in charge.

Vitter had garnered scrutiny during the scandal when it was learned that, as a House member in 2002, he had written a letter opposing a casino for an Indian tribe that rivaled Abramoff's clients. Vitter had taken donations from Abramoff's tribal clients but had refunded the money. He said he always has opposed gambling.

With Democrats in control of Congress and promising broad ethics reform, Vitter tried again. Last week the Senate rejected another of his proposals—one to end the practice of lawmakers hiring relatives and paying them with Senate office, campaign or political action committee money.

Typically, according to their offices, those senators with lobbyist-spouses do not let their spouses lobby them or their staff personally. The rest of the Senate and Congress, however, is usually fair game.

Robert Dole's office said that while he registered to lobby for DP World, he never contacted the Senate and instead focused on giving advice. Nonetheless, his work during the political firestorm over port security helped earn his firm $320,000 in the first half of 2006, records show.

Kimberly Olson Dorgan is registered as a lobbyist for the American Council of Life Insurers and worked on several issues, including the estate tax. She now has moved into an executive job. Barry Piatt, a spokesman for Byron Dorgan, said that the senator long opposed repealing the estate tax, that his position was consistent with that of most Democrats and that his wife's job had no bearing.

Piatt noted that Dorgan once was at odds with his wife's lobby when he supported exempting income under $10 million from the estate tax.

Though the Dorgans built a voluntary wall between them, it doesn't extend to the senator's reelection campaign. His wife's lobbying group gave the senator's campaign $2,000 from its political action committee in 2004. And other life insurers have donated tens of thousands of dollars to Dorgan's campaign, Federal Election Commission records show.

Among the other senators with lobbyist wives are Ted Stevens (R–Alaska) and Kent Conrad (D–N.D.).

Catherine A. Stevens has been a registered lobbyist for the Washington firm of Mayer, Brown, Rowe & Maw, whose past clients include media giant Bertelsmann AG and the famed King Ranch in Texas, lobbying records show. She did not return calls to her office seeking comment.

Lucy Calautti, Conrad's wife and a former chief of staff to Dorgan, is registered to lobby for Major League Baseball's commissioner's office, which paid her firm at least $360,000 in the first half of 2006, according to the most recent lobbying reports on record with the Senate. She did not return calls to her office seeking comment. Conrad spokesman Chris Thorne said that the senator and his wife have a firm rule prohibiting her from lobbying his Senate office and staff.

On the House side, Abigail Blunt, the wife of House Minority Whip Roy Blunt (R–Mo.), has lobbied for years for Altria Group, the parent company for Kraft Foods and tobacco firm Philip Morris. The couple were married in 2003 and decided about a year ago that Abigail would no longer lobby any part of the House, Blunt's office said yesterday. And Jennifer LaTourette, the wife of Rep. Steven C. LaTourette (R–Ohio), has been registered in recent years to lobby for several interests, including health-care companies and Cleveland's port authority.

Other congressional spouses have ties to lobbying even though they aren't formally registered in Washington. Ray Hutchison, the husband of Sen. Kay Bailey Hutchison (R–Tex.), works at the Vinson & Elkins firm, whose lobbying clients have included corporate giants such as 7-Eleven, Goldman Sachs and Halliburton.

Senate Democratic Whip Richard J. Durbin's wife, Loretta Durbin, runs a lobbying firm called Government Affairs Specialists. But Durbin's office said she limits her lobbying to their home state of Illinois and recuses herself from any federal matters that could affect her husband's work in the Senate.

Mrs. FEINSTEIN. Madam President, will the Senator yield for a question?

Mr. VITTER. Certainly.

Mrs. FEINSTEIN. It is my understanding, initially, the Senator's amendment had a grandfather clause. Does it now contain that grandfather clause?

Mr. VITTER. No, it does not. I appreciate the question. In developing this amendment, we dealt with a lot of different ideas and a lot of different versions. I mistakenly filed a version with the grandfather clause in it. That was never my intent, in terms of filing an amendment in this Congress and in this debate. As soon as I learned that from my staff, I amended the amendment, and so it does not contain that grandfather clause.

My thinking is very simple. If it is wrong, it is wrong. If it is a conflict, it is a conflict. If it is a problem, it is a problem. And because somebody has been doing it for a few years doesn't right the wrong.

I do have an exception, which is different from a grandfather clause. I bent over backward to try to meet every reasonable argument. The exception says: If the spouse lobbyist was a lobbyist a year or more before the marriage or a year or more before the Member's first election to Congress, that is a bit of a different situation that is allowed.

I can make an argument for even doing away with that exception, but I tried to bend over backward for what I considered any legitimate argument.

Mrs. FEINSTEIN. Madam President, may I ask a second question?

Mr. VITTER. Certainly.

Mrs. FEINSTEIN. So anyone who doesn't meet the specific confines of the Senator's bill would be forced to lose their job; is that correct?

Mr. VITTER. No, it is not correct, for the following reason: My amendment, first of all, applies only to Senate spouses lobbying the Senate. It doesn't apply to the House, it doesn't apply to Federal agencies, it doesn't apply to State legislatures. It doesn't apply to all sorts of other things. To be quite honest and direct, I would like to have it apply more broadly to all of Congress, but to make my amendment germane, I have to forgo that.

I think that is a direct answer to the Senator's question.

Mrs. FEINSTEIN. Madam President, I thank the Senator.

Mr. SALAZAR addressed the Chair.

Mr. VITTER. Madam President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I wish to emphasize what I stated to the distinguished Senator from California. I tried to meet every legitimate argument. I bent over backward with regard to that issue. Specifically, I point out that the exception in my amendment that says, quite simply, if the spouse lobbyist was a lobbyist a year or more prior to the marriage or a year or more prior to the Member's first election to the House or Senate, then that is an exception, and they can continue lobbying.

Every other case is a real problem, a real conflict, and specifically I don't think a grandfather clause that protects folks who are doing it now is appropriate. If it is wrong, it is wrong. If it is a conflict, it is a conflict. If it poses real ethical questions—that is true whether one has been doing it for 10 years or whether one starts tomorrow—I urge all the Senate to reject that grandfather clause.

The message of a grandfather clause is simple: Yes, we are going to get serious about ethics, as long as it doesn't do anything in practice, as long as it doesn't affect our friends.

I don't think that is the right policy. I don't think that is the right message.

I urge all my colleagues, Republicans and Democrats, to support this amendment. The American people are watching this debate. They have seen the leadup to this debate. They have seen the scandals. They have seen the rhetoric in the campaigns, and they are wondering: Is this going to be real or is this going to be a farce?

We have had some votes, quite frankly, that are leading folks to believe this is a lot of show, a lot of sound and fury with nothing behind it. I hope we can prove those cynics wrong, but I have to admit, I am quickly becoming one of those cynics.

I believe this vote is going to say a lot about how serious we are. If there is a vote on the grandfather clause issue, that is going to say a lot about whether we are going to act when it has a consequence in this body or just act when it doesn't affect anybody in this body as it stands now.

Madam President, I urge all my colleagues to look at the amendment, support the amendment, certainly resist any grandfather clause which would be horrible policy, and send a very simple message to the American people. I look forward to a fuller debate on the issue and a vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 71

Mr. SALAZAR. Madam President, I rise today to speak in support of amendment No. 71, which was offered and cosponsored by myself and Senator BEN NELSON from Nebraska. The essence of the amendment we offered last night is to try to make sure that as we move forward with ethics reform in Washington, DC, a spotlight not just be on the Senate or the House of Representatives but that the ethics standards we are moving forward with in this legislation, which will be a hallmark piece of legislation for Washington and for our Nation's Government, that those same kinds of high ethical standards should also apply to the senior executive officials of the executive branch of Government, as well as to the judicial branch of Government.

The essence of our amendment is to say, as we clean up Washington, DC, that we ought not to stop simply by cleaning up the affairs of the Congress; that what we ought to do is adopt a set of ethical standards that will also apply to the executive branch and to the judicial branch of Government.

As we move forward with that principle, what we have tried to do in this amendment is very simple. Let me discuss three important aspects of this legislation.

First, our amendment would apply to the gift and travel ban—which will become the rules of this Senate on passage of this bill—to senior and very senior executive and judicial branch personnel. After passage of this bill, we in the legislative branch will operate under a stringent set of rules which will ban gifts and travel from lobbyists, among other things. Currently, executive branch personnel can, with few exceptions, accept gifts, except from a few so-called prohibited sources. Simply put, there is no reason why lobbyists should be able to give gifts—no matter how small—to senior employees of the executive and judicial branches.

Second, the amendment would ban all executive branch personnel from lobbying their former agency for 1 year after leaving Government service. Currently, the revolving door rules in the executive branch apply only to senior and very senior personnel. That means junior employees of any executive branch agency are permitted to go directly from a Government job to a position of lobbying their former office. That, in my view, is an unethical thing to do. Meanwhile, here in the Senate, all Members and staff are subject to at least some form of a revolving-door rule, and the bill we are debating would strengthen those rules for the Senators as well as for staff. Simply put, there is no reason the executive branch personnel, no matter how junior, should be permitted to lobby their former office immediately upon leaving Government service.

Third, the amendment would require senior and very senior executive branch personnel to disclose to the Office of Government Ethics any negotiation for private employment within 3 business days. The bill we are now debating would require Senators and senior Senate staff to disclose to the Ethics Committee that they are negotiating for private employment within 3 business days. There is no principled reason this rule should not apply equally to senior executive branch employees as well.

This is a narrowly drafted attempt to apply some of the key provisions of this bill to other branches of Government. It is based on both principle and practical concerns. The principle is that ethics rules should apply uniformly across the Government of the United States. The practical concern is that key Government personnel should not accept any gifts from parties seeking action by the Government, that all legislative and executive employees should adhere to minimum revolving-door standards, that senior officials should not negotiate for future employment in secret, and that negotiations should be fully disclosed.

I support Senator NELSON's amendment, and I urge my colleagues in the Senate to accept this amendment as we move forward in an effort to try to clean up Washington, DC. At the end of the day, this is much more than just about dealing with the ethics issues of the Senate and the House of Representatives; this should be an effort from all of us to send a loud and clear signal to the people of America that we are taking ethics seriously and that we are going to bring a new standard of conduct, a new standard of ethics across all the branches of our Nation's Government.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I would like to ask a couple of questions about the Vitter-Inhofe amendment, amendment No. 3. I think it is one thing if the amendment is prospective and doesn't affect people. I think it is another thing when it is retroactive. I believe our side would accept

the amendment if it were, in fact, prospective.

The amendment has a complicating factor in addition to that; that is, there is a prohibition against any official contact with any spouse of a Member who is a registered lobbyist under the Lobbying Disclosure Act. That is not any lobbying contact, it is official contact. Now, what is official contact? Does this mean the spouse, if he or she happens to have been a lobbyist for a substantial period of time, cannot attend the Supreme Court dinner which just took place? That could be interpreted as an official contact. Is it an official contact if the individual calls the scheduler of her husband's or his wife's office and asks for some information on the schedule? I am surprised—and I didn't know this—that this amendment has the words ''official contact.'' You can be sure that even if it said: Well, it is not an official contact, that someone will make the argument: Oh yes, it is an official contact if you attend the Supreme Court dinner with your spouse.

Again, I would repeat, this is retroactive legislation. We know it affects people in this body who have worked, helped support their families. I don't recall another time when we have enacted this kind of legislation.

So it concerns me, and it concerns me if it is overly repressive, such as using the words ''official contact.'' I am puzzled as to why, when the majority leader offered that if it had a grandfather clause, we would accept it, it wasn't taken, unless the intent is essentially to sever people from their ability to have anything to do with this body, whether it is simply as a spouse or as a professional.

So I have some concerns about this amendment, and I wanted to take this opportunity to express them, and hopefully the author will respond.

Mr. VITTER. Will the Senator yield?

Mrs. FEINSTEIN. I certainly will.

Mr. VITTER. I thank the distinguished Senator from California for those points and questions. Let me respond to each one.

First, I think what you said, literally at the very beginning of your comments, says it all. You said this would be fine if it didn't affect anyone, but it does. This would be window dressing if it didn't affect anyone, if it did not do anything. But, yes, it does. And it should.

Mrs. FEINSTEIN. Will the Senator yield, please?

Mr. VITTER. I will be happy to, after I finish my comment.

Mrs. FEINSTEIN. Because I said ''presently employed,'' if I may, through the Chair. To clarify that, I said anybody ''presently employed.'' We know it affects people. We know it would affect people in the future. We also know it affects people presently employed.

Mr. VITTER. Reclaiming my time, the point is, yes, it is a great vote as long as it doesn't affect anyone here, as long as it doesn't affect anyone in the body now, as long as it doesn't affect any spouse.

I disagree. If it is a conflict, it is a conflict. If it is a problem, it is a problem. Having done it in the past doesn't cure the conflict, doesn't cure the problem. I think demanding that a grandfather clause be attached to this is the height of cynicism. We are going to reform things as long as it doesn't affect us. I think that is bad policy and I certainly think it is a very negative message to send to the American people—although it may be a rather clear message about what this debate and exercise is all about.

In terms of the question about official contact, I think that is very clear because it is in the context of the lobbyist disclosure law. It is in the context of lobbyist contact. However, if the Senator continues to believe it is not clear and wants to offer any clarifying language, I would look at that and work with the Senator. I will be happy to work on clarifying language. Obviously, no one wants to prohibit spouses from going to the Supreme Court dinner or anything else. I think that is a relatively—I don't think it is a problem. But even if you think it is one, I believe it is an easy problem to solve.

Mrs. FEINSTEIN. If the Senator will yield for a moment.

Mr. VITTER. Certainly.

Mrs. FEINSTEIN. Through the Chair, on line 5, if you substituted ''lobbying'' for ''official,'' I think that would do it.

Mr. VITTER. I will be happy to look at that and respond to that suggestion. Certainly, if there is any ambiguity there, and I don't think there is, I will be eager to clarify it and work on it.

Mrs. FEINSTEIN. I thank the Senator.

Mr. VITTER. Again, I think this goes to the heart of the matter. I think this grandfather clause issue goes to the heart of the matter. Are we going to do something that ''doesn't affect anybody,'' that doesn't matter in terms of people here and now and make a big show of it or are we going to make a difference and stop practices that the huge majority of the American people think are a real problem?

I hope we are going to do the latter. I hope we are going to be real and substantive and not go through a PR exercise, and I think the American people are watching to find out. I think this, among other votes, will be a clarifying moment.

I thank the Senator for her questions and I look forward to continuing the discussion.

I yield the floor.

Mrs. FEINSTEIN. Madam President, if I may, I thank the Senator. Perhaps our staffs can get together directly and take a look at this. I appreciate it.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CLINTON).

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I ask unanimous consent I be permitted to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO NANCY STETSON

Mr. KERRY. Madam President, one of the best things about the Senate and the character of this place and the opportunity it provides all of us is we are privileged to work with people as our experts on our committees and our aides who, even more than many of us, dedicate decades to this institution and to the causes that bring them to public service.

They do it selflessly, never seeking the headlines but always trying to shape those headlines, making contributions that are most often left in the unwritten history of this institution and of the country.

The fact is, though, as my colleagues know, it is these individuals and their commitment that really writes that history and makes an unbelievable contribution to the country as a whole.

One such person I have had the privilege of working with for the entire time I have been here, for 22-plus years. No one is a more dedicated, harder working, more idealistic, passionate, and effective example of that special kind of public service than Dr. Nancy Stetson of the Senate Foreign Relations Committee, who is retiring this year after over 25 years of remarkable service—groundbreaking service, really—to the Senate.

As a young and idealistic doctoral student, Nancy first came to Washington to work on her thesis and to ask the question whether a single legislator could make a difference in the shaping of American foreign policy. Her subject was Senator ''Scoop'' Jackson and the long record that he amassed in the Cold War through the legislation that to this day bears his name, the Jackson-Vanik waiver.

Nancy found that on Capitol Hill, despite the Historians' fixation on the rise and fall of the imperial Presidency, one Senator can make a lasting impact on America's role in the world. But it has really been for her role to the Senate Foreign Relations Committee and to me personally that I want to pay her tribute today.

She began working for Senator Pell from her beloved home State of Rhode Island and, then, of course, for Chairman BIDEN. I really inherited her in a sense from Senator Pell because when we came into the majority in 1986, Senator Pell was a chairman who believed in delegating responsibility. I was then the chairman of one of the subcommittees that had jurisdiction over the

State Department budget and a number of issues that sort of brought Nancy to me.

So there she was, one Senate staffer with a lot more knowledge on how the committee and the Senate worked than I had. She was committed, dogged, and determined to make this kind of impact or to affect the life of a Senator life who was trying to make that impact.

So I ask my colleagues to consider the legacy of this remarkable staff person. Among her many proud accomplishments as a senior aide on the Senate Foreign Relations Committee was the South Africa sanctions bill and the normalization of relations between America and Vietnam that culminated in the signing of the United States-Vietnam trade agreement in the last Congress.

I am also particularly proud of Nancy's work as the principal architect of the Vietnam Education Foundation and the Vietnam Fulbright Program. These are two programs that we worked on during the 1990s together, but it was really her sense of the possible and her willingness to do a lot of the detail work that helped to bring them to maturity.

Working with a very close friend of mine, a Vietnam veteran from Massachusetts, we helped to shape, and she helped to shape, what is now the largest Fulbright program of the U.S. Government, the program with Vietnam. We have students from Vietnam studying at Harvard in Massachusetts and likewise professors and others going from Harvard to Vietnam to help train their new technicians and leaders of the future.

I think Nancy and I both believed for the years we spent in a war that became so controversial and tore this country apart—which set out as our goal to transform a country, Vietnam—that this was the best way to complete that task; that the war in a sense had not ended, and there was a way to try to ultimately make peace with Vietnam, with ourselves, and build a new future for that country and for ours.

This Vietnam Education Foundation and this Fulbright program have been instrumental in helping us to do that. And today, Vietnam is simply a transformed, extraordinarily different country. It was an innovative policy, and it was a master stroke of public diplomacy for which Nancy deserves enormous credit. Without her vision and her perseverance, we would not be able to talk today, in foreign policy, in terms that say that Vietnam is not just a war but a country. It became a country because of this kind of effort and this kind of outreach in the consciousness of Americans.

We have a relationship today that we could have never imagined when so many of us were in uniform so many years ago. It is no exaggeration to say that entire effort of normalization also was part of Nancy's craftsmanship. And I will talk about that in a moment.

In addition to the normalization with Vietnam, Nancy contributed enormously to global health issues and to some of the most significant policies of any industrialized country against diseases of poverty. Her work on malaria, TB, and AIDS, where she fought to significantly increase the U.S. contribution to the Global AIDS Fund, were among her proudest accomplishments. People across the world today literally owe their lives to Nancy's work.

I remember when we began that effort, Senator Helms was then chairman, and a lot of people said: You are never going to get anything through this committee. Well, with slow and steady work, we not only got it through the committee, we got Senator Helms, to his credit, to be one of the principal cosponsors of this effort.

Together with Senator Frist, we drafted the first original comprehensive plan on AIDS that passed the Senate and which became the centerpiece of how we are approaching particularly Sub-Sahara and Africa today, but really our global efforts to try to deal with this scourge that is growing, I might say notwithstanding those efforts, for lack of global initiative and effort to focus on it.

Over the last 22 years in the Senate, Nancy Stetson and I traveled to many parts of the world. We went to Latin America, to Central America, to East Asia, to the Middle East, to dozens of countries on more trips than I can count. And I will tell you something. Nancy has the ability to win the ''Amazing Race,'' for those of you who have ever seen it. She secured meetings with heads of state, Nobel Prize winners, and unsung health advocates in some of the poorest countries of the world.

She pulled me and other staffs through the wilds of Myanmar, negotiated travel to remote areas of Vietnam, handled the logistical complexities of visiting Indonesia, Cuba. She gave up weekends, holidays, and vacations. And on trips she would stay up into the night, preparing for a press conference or a speech or a policy statement, and convincing the hotel business centers to open at 2 a.m. in Hanoi or Bangkok.

She gave up her 50th birthday. We celebrated it in New Delhi. It is hard to overstate the long hours, the incredible effort, the passion, and the personal sacrifice that Nancy has put into working for me and for her country.

She was indefatigable, and I am incredibly grateful. I might add that on occasion there were some very tricky moments in Vietnam when we were trying to open prisons and open the history centers in order to resolve the issue of POW–MIA, and it required some delicate negotiations. For American soldiers to be reentering Vietnamese prisons and communities by helicopter was an emotional leap for the Vietnamese to make. Nancy built wonderful relationships with leaders, with those people who could make those doors open. And, indeed, they did. I am grateful to her for that.

She was incredibly loyal, brilliant, blunt, honest, absolutely smart as a tack, and wiley. She always asked the questions that needed to be asked of me. Time and time again, when I failed to ask the right question before a witness at our committee, I could always expect that tap on the shoulder and the passing of a note, a reminder from Nancy of what really should have been said or really should have been asked.

Part prosecutor, part conscience, part intellectual, on matters of foreign policy, I was proud to think of her as an alter ego. And I hope that in some of my better moments, if there were a few, she thought the same of me.

She could step in as a surrogate Senator at the drop of a hat, and I mean that literally. When a massive fire took the lives of six of our firefighters in Worcester, MA, immediately—I was in Asia at the time in Myanmar and about to meet with Aung San Suu Kyi—and I immediately canceled all my meetings and flew back to be in Worcester. But Nancy stayed there and soldiered on and went to my meetings for me. In Burma, meeting with dissident Aung San Suu Kyi, she was herself living out her own commitment on the diplomatic stage with poise and with courage and with intelligence that I think is a credit to the Senate.

Nancy's first love was Africa. She started her career focusing on it. Many years later, she returned to work on the devastating health issues plaguing the continent now. She had a knack for seeing reality quicker than most. She was never swept up by the headlines or the political sales pitch.

She was prescient in seeing the disastrous path that has played out in Iraq for what it is and for helping me to devise a policy going forward. She has never been afraid to act on her conscience.

Nancy is headed now to Massachusetts to become the vice president for health policy at the New England Health Care Institute. Her Senate family will miss her more than we can ever properly express. Even as we wish her good luck and much happiness in her new endeavor, I hope she knows she is not going to escape my badgering e-mails or 3 a.m. phone call from Baghdad or Amman to mine her thoughts.

I have worked with Nancy longer and probably more closely than I have worked with just about anyone in my time in the Senate. As I mentioned, we traveled the world together. Although she may not realize it—I may not have said it in so many words in those long flights to Asia or back, or during the many long hours and late nights here in the Senate—I know in my heart I could not have done it without her energy, without her drive, her grit, her tough-mindedness, and her loyalty.

She has worked long and hard without ever getting the credit she rightly

deserves for the amazing things she accomplished in her time in the Senate. So I just want to say thank you to this special woman for her contributions to this institution and to our country.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent to speak as in morning business.

Mr. BENNETT. Madam President, may I inquire as to how long this presentation will be?

Ms. STABENOW. No more than 10 minutes.

Mr. BENNETT. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

Ms. STABENOW. I say thank you very much to my distinguished colleague from Utah managing the floor.

PRESCRIPTION DRUGS

Ms. STABENOW. Madam President, I felt it was important today to come to the floor and speak about the efforts of the House of Representatives to lower the cost of prescription drugs for our seniors. There has been a measure passed that will require that the Secretary of Health and Human Services negotiate prices. It sounds like something that is pretty straightforward and common sense: to negotiate the very best price for our seniors and people with disabilities.

I know my distinguished colleague and friend, the now-ranking member of the Finance Committee, has spoken about his objection to that approach. I think it is important that we also have voices speaking out about why we believe this makes sense for Medicare, for taxpayers, for our seniors, and for the disabled.

The facts really bear out that this makes sense. We are not talking about whether we do research and development on new breakthrough drugs versus being able to get prices that are affordable for our seniors. There is an ample way to be able to do both. In fact, we, as taxpayers, provide a tremendous amount of the money that is currently being spent on R&D, and it is important we know we can afford the medicine that we are helping to pay to have developed.

A report by Families USA, released last week, looked at the prices of prescription drugs most commonly used by our seniors. The conclusion could not have been more clear. The report compared the prices the private Medicare Part D plans charge now and the prices charged by the Department of Veterans Affairs, the VA, which negotiates, as we all know, for the best price on behalf of America's veterans. The report showed, again, what we have been seeing over the past year. The lowest drug prices charged by the private Part D plans are significantly higher than the prices obtained by the VA.

Among the top 20 most used drugs, the median difference between the lowest Part D plan and the lowest VA plan is 58 percent; 58 percent difference between what the VA is able to do for veterans and taxpayers versus what is happening under the Medicare Part D plan. In other words, for half of the drugs our seniors need most, the highest price charged by the private drug plans is almost 60 percent higher. That makes no sense. I hope we will act to change that.

It can be a lot worse, however. When we look at half of the top 20 drugs, the highest price charged by a private plan is twice as high as the average price through VA for the lowest priced drugs. Seniors and people with disabilities who get their drugs through Medicare are forced to pay more because the law actually prohibits the Secretary of Health and Human Services from negotiating the best price. It is not only that they are trying and are not able to do it; the law that was passed prohibits them from doing that. That does not make sense.

We have all heard from seniors, from families, from people with disabilities across the country trying to wade through all of the private plans and the complexities and dealing with the doughnut hole, and so on. We know that, in fact, one of the reasons that there is that gap in coverage is that we are not using the purchasing power of the Federal Government through Medicare to get the best price so that our dollars and the dollars of the people on Medicare are stretched as far as possible to help people get the medicines they need.

Mr. BENNETT. Will the Senator yield for a question?

Ms. STABENOW. I am happy to.

Mr. BENNETT. Is the Senator aware of the fact that there are well over 1 million veterans who have moved to Medicare Part D rather than the veterans plan because they find that the restricted formulary in the veterans plan has made it impossible for them to get the drugs they want? And one of the reasons the VA plan is cheaper is because they are rationing drugs? Is the Senator aware of the fact that many veterans have, in fact, moved to Medicare Part D for that reason?

Ms. STABENOW. Yes, reclaiming my time, I am aware that, in fact, there are veterans who have moved to the Medicare system. One of the reasons the House bill that passed did not include a national formulary was because of those kinds of concerns. We are not talking about that. We are talking about the ability to negotiate to get the best price. I would also say, though, from the VA's standpoint, that there are millions of veterans who are getting much better prices as a result of the fact that they can negotiate the best price for veterans. We are working to find that balance to provide a choice so that you can get the specific prescription drug that you need but at the same time be able to get the best price. I don't know why we wouldn't want to do that. It makes absolutely no sense not to do that.

We are seeing huge differences on prescription drugs that are commonly used by our seniors. Let me give an example. Zocor, which is a drug many seniors use for keeping their cholesterol levels under control, the lowest VA price is about $127 a month. But people under Medicare are paying $1,486. We are talking about a difference of over 1,000 percent. If you account for an aggressive R&D budget, if you account for differences, there is a lot of wiggle room when you are talking about a 1,000-percent difference in price between someone going through the VA and someone going through Medicare. I don't understand why we would not say to the Secretary of Health and Human Services: We want you to negotiate a better price for Zocor.

There were 7.5 million veterans enrolled in the VA health system in 2005. The administration estimated that over 29 million seniors were enrolled in private plans last year. So there are four times more seniors enrolled in Medicare than there are people under the VA system. And I do not understand—to me it defies logic—why we would not give them the same negotiating power.

I would also like to give the Secretary a chance to negotiate a better price for Protonix, a drug that is commonly used to treat heartburn. The lowest VA price for Protonix for a year is $214.52. Seniors paying the lowest private Part D price have to pay $934 more to get their heartburn treated. Again, that makes no sense. Older Americans are forced to pay 435 percent more for Protonix because the Secretary is forbidden from negotiating prices on behalf of our seniors. When we look at what is happening, the claim that private plans could actually negotiate a better price under Medicare but also under Medicaid has not borne truth.

The Wall Street Journal, the New York Times, and expert testimony before the Finance Committee last week all indicated that, in fact, drug prices are now higher for these individuals, those who were before on Medicaid and now on Medicare. These are our poorest seniors and people with disabilities. Our seniors are being charged more than veterans for the same drugs and our poorest seniors are not getting the price break we had anticipated. It doesn't make sense to me why we would be paying more and why prices would have gone up once Medicare came into place for prescription drugs, why prices have gone up rather than down.

There are two arguments that I am hearing all the time. One is that we can't possibly rigorously negotiate for lower prices for seniors and people with disabilities because we will see prices go down so much that the companies will not be able to conduct research and development on breakthrough drugs. At the same time, we hear also that negotiating would not make a difference; it would not lower prices. It is

impossible to argue both of those positions at the same time. If negotiating will, in fact, not lower prices, then it certainly can't affect R&D expenses. But yet both of those assertions are being made at the same time.

We are all committed. This Congress last year appropriated $29 billion for research and development through NIH. And I know the distinguished Chair has been involved in advocating for those efforts as well as for Medicare. The fact that we have put into place $29 billion of taxpayers' money indicates our commitment to R&D and to work with the industry. The research that is done through that effort is available free of charge to the industry. They are able to take that information. They are able to deduct as a business expense their R&D efforts, and they get a 10-percent tax credit for R&D efforts on top of that for breakthrough drugs, all of which I support. We then give about an 18-year patent to protect a company from a particular drug. They have to be able to recoup their costs and not have full competition from the private marketplace or from generic drugs. I, also, support that.

All we are asking—all the people of the country are asking, particularly our seniors and disabled—is that when one gets through with the process they have invested in, they should be able to afford to buy the medicine. Medicine that is not affordable is not available, and health care today is becoming more and more a question of treatment through medicine.

I am hopeful we will move quickly. I know the chairman of the Finance Committee has held a hearing. We are grateful for that. I am hopeful we will move forward together on a bill that will mirror what the House of Representatives has done in order to say that the Secretary should negotiate the best price for medicine for our seniors, for people with disabilities, and certainly for the taxpayers who are paying a substantial amount for this benefit.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COLEMAN. Madam President, I would like to respond to my colleague from Michigan. I wish to talk a little bit about the minimum wage, but I would love to debate drug rationing. And that is what we are going to get to. That is what we are talking about. We are talking about adopting the VA system. For those seniors out there listening, you have a limited list of drugs which are available. And by the way, you get them through the VA. You get about 80 or 90 percent through mail order, the rest at the VA, where my dad goes. I think he, also, may have an addition tied into Part D. I have seniors in Minnesota who like to go to the local pharmacy. I am struggling and fighting every day to keep rural pharmacies alive. You want to put a stake through the heart of rural pharmacies, of small business, talk about doing what the House is talking about. We will have that debate another day.

Americans and Minnesotans like choice. Under Medicare Part D, the poorest of the poor are dual eligibles, and it is a program that is working. Most of the seniors in my State who have Medicare Part D are pretty happy. We have some challenges with the doughnut hole. But going to a system of limited choice, limited options and somehow saying that that is going to be better than a system where you have millions of consumers and, in effect, the bargaining goes on every day, if you don't like one plan, you can go to the next, this plan has cost us less money. It is giving great choices. Our challenge is to keep our rural pharmacies alive. This is not going to make that any better.

MINIMUM WAGE INCREASE

Mr. COLEMAN. Madam President, I wish to talk about a bipartisan effort to increase the minimum wage. Last week, the House overwhelmingly passed legislation to increase the current minimum wage from $5.15 to $7.25 an hour. We will have a chance to deal with that in the Senate. We are going to get a better bill out of the Senate. We are going to have some small business protection which is important. But we do need to increase the minimum wage.

I have long supported increasing the minimum wage. I strongly believe that Congress should ensure that the benefits of our strong economy go to everybody. My State of Minnesota is 1 of 29 that have sought to ease the burden for minimum wage workers by increasing the minimum wage above the Federal minimum wage. But it is well past time that Congress acted.

It has taken more than 9 years to finally reach the point where we will be increasing the minimum wage, and it is about time. As a result of congressional inaction, the Federal minimum wage is actually at a 50-year low, when we factor in inflation. That is simply not fair. It is not fair for our minimum wage workers who must deal with the ever-rising cost of day-to-day living.

There are some who argue that the vast majority of those receiving the minimum wage don't come from poor families. They claim that those receiving the minimum wage are middle income families, young, and work part time. I don't think the facts support that proposition. If Congress increases the minimum wage to $7.25, we are talking about helping about 50 percent of the workers who come from poor and low-income families. We are talking about helping out those Minnesotans who work in the nearly 230,000 low-wage jobs who would benefit from an increase. We are talking about 40 percent of hourly workers who are making $5.15 or less who are uninsured.

Congress needs to find bipartisan solutions to reduce the ranks of the uninsured. We need to act to improve health care accessibility and affordability for all Americans, not the least of which are low-wage workers. It is important to make the point that these same uninsured Americans are also the ones who will benefit most from a hike in the minimum wage.

While I support increasing the minimum wage, I, also, support targeted small business protection. I want to see the hit of an increase in the minimum wage lessened. It is no good to increase the minimum wage if you are going to take away somebody's job. You have to look at the impact on small business.

I am a former mayor, a member of the Small Business Committee. I understand the importance of small business to our economy. I believe that America's future is tied to the growth of small business. Small businesses become big businesses, but they have to start small. They need the kind of protection we are talking about, bipartisan relief.

I have introduced legislation—and apparently a bill will come out of committee—that will provide some protection. I want to make sure a couple other things are in there, such as increasing expensing for small business. My small business owners tell me this is important. Under this sort of expensing, businesses can take an immediate depreciation deduction of up to $112,000 on taxes for qualified business purchases. This is important to do the right kind of protection and ensure that businesses can continue to hire workers and continue to grow and expand.

I applaud the Finance Committee today for passing small business relief. I think it includes an extension of increased expensing and a 15-year straight-line cost recovery period for qualified leasehold and restaurant improvements. I am not going to get into the nitty-gritty, but we are making progress. That is good.

I wish to comment on one other aspect of the minimum wage debate that is not included in the bill out of the Finance Committee. It is called the tip credit. Although this is somewhat of a technical issue, at the end of the day this is about jobs, plain and simple.

So what is tip credit? With tip credit, employers can count a certain part of their employees' tips toward meeting their employees' minimum wage. Tip credit has long been on the books. Labor laws recognize it. I know the State of New York has tip credit. I think there are 7 of the States that do not have a tip credit; 43 States have it. Again, labor laws recognize it, tax laws recognize it. It is an issue that impacts about 10,000 Minnesota businesses and their workers—mostly in the hospitality industry, such as restaurant workers. Those are important businesses. They are gathering places in the community. They are the cornerstone of many of the communities.

They form an important part of the State's tax base. The restaurants and those folks employed there are active in the community. They sponsor the local youth teams and support schools and neighborhood projects. Restaurants are where Little Leaguers celebrate victories, families celebrate special occasions, and tourists spend good money, as in my State of Minnesota. This is a way of life which is increasingly under threat. Minnesota is one of seven States that do not have tip credit. My hospitality industry is at a competitive disadvantage with respect to those States which surround us which allow for tip credit. Those in the hospitality industry in our border areas are in competition with other States.

Minnesota has a minimum wage of $6.15 an hour. That is a good thing, but it is not the case in our neighboring States. I think if we look at the other chart, for instance, Wisconsin has an even higher minimum wage. Ours is $6.15 an hour, with a tip credit of $4.17. In Wisconsin, an employer pays a minimum hourly cash wage of $2.33 and can apply $4.17 of their employees' tips toward meeting the minimum wage of $6.50. The employers in Wisconsin, Iowa, South Dakota, and North Dakota in the hospitality industry can pay employees less. There is a lower cost of doing business, which puts my employers at a competitive disadvantage. We are at risk of losing jobs in these areas.

As I have always said, the best welfare program is a job program and a housing program. Consider dining out in the border town of Moorhead, MN. Just across the river in Fargo, ND, there are more than 50 national chains, and there is only 1 in Moorhead.

Operating on an unfair playing field with North Dakota and Wisconsin, hospitality establishments have to make tough decisions, such as raising prices, cutting the workforce, reducing employee hours or, worse, shutting down in the State. Peggy Rasmussen, the owner of Countryside Café in Hamel, is seriously considering closing down her business because of this tip credit issue. When businesses such as Peggy's shut down, their workers are left behind and so, too, are our communities.

This is a fundamental question of fairness. Forty-three States have tip credit. All of Minnesota's neighbors have tip credit. Minnesota does not.

I wish to make it clear that any change in the tip credit law is not going to result in a lowering of this wage for Minnesotans. Anything we do needs to be prospective. I want to defend our restaurant employees. This is what they are making. Over time, we can equalize some of the disadvantage. We can do it in a way that doesn't support a tip credit that would lessen a worker's minimum wage.

As we increase the minimum wage, which I have consistently said is the right thing to do, let's also ensure that States such as Minnesota can operate on a more level playing field with the rest of the 43 States that have the tip credit. Without the tip credit, Minnesota's hospitality businesses and workers will continue to be hurt.

Throughout my time in the Senate, I have sought to improve the living standards of America's hard-working families. Increasing the minimum wage is one way to do so. I look forward to voting with my colleagues from both sides of the aisle to increase the minimum wage.

It is my hope that the minimum wage proposal will also allow for tip credit, which is critical to the future of Minnesota's businesses and workers, which is, in the end, about fairness and, most importantly, about keeping jobs in the States that need them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

HONORING THE PUBLIC SERVICE OF TED TOTMAN

Mr. GRASSLEY. Madam President, I rise to pay tribute to a staff person, Ted Totman, who will retire this week after 23 years of public service as a professional staff member in the U.S. Senate. I didn't know it back then, but when Ted took a job for me in 1983 on the Subcommittee on Aging of the Committee on Labor and Human Resources, I had hired someone who would be one of my closest, most trusted, and longest serving advisers.

Ted was a professional staff member for the Subcommittee on Aging from May 1983 to February 1985. He was staff director during my chairmanship of that subcommittee from April 1985 to January 1987. Ted played a major role in developing and passing the 1984 Older Americans Act amendments and was a forward-looking, successful advocate for more attention to Alzheimer's disease, including expanding the number of Alzheimer's disease research centers, increasing funding for Alzheimer's disease research, and increasing funding for the care of people with Alzheimer's disease. Ted also worked to help obtain funding for two statistical centers on aging in the Census Bureau.

For the next 10 years, from January 1987 to January 1997, Ted served as a legislative assistant in my office, where he was responsible for Medicare, Medicaid, Social Security retirement and disability policy, private pensions, and veterans issues. He was the leading staff member in the Congress for rural health initiatives. He worked to call attention to regional disparities in Medicare provider reimbursement which disadvantage rural providers, requested and achieved a major Office of Technology Assessment study on the problems of delivering health care in rural areas, and supported the Medicare Dependent Hospital Program and the EACH/RPCH hospital program. Ted's staff leadership helped to secure landmark amendments in the 1995 Finance Committee reconciliation bill to ensure geographic equity in Medicare managed care and to reform Medicare's reimbursement for nonphysician primary care providers. In addition, Ted spent countless hours helping Iowans navigate the Federal health care programs.

In January 1997, I became, because of seniority, chairman of the Senate Special Committee on Aging. I asked Ted to be staff director. For the next 3 years, Ted led the committee's work that focused on preparing for the retirement of the baby boom generation and rural health issues. The committee staff developed legislation on aging policy issues, including Medicare, Social Security retirement, and private pensions, most of which was referred to the Committee on Finance, where I was also a member. Legislative initiatives included bills on Medicare dependent hospitals, consumer protections for participants in Medicare managed-care plans, and the program of all-inclusive care for the elderly, and that comes under the acronym we all recognize as the PACE Program. Staff developed and helped enact the Balanced Budget Act in 1997, provisions that provided greater reimbursement equity to managed-care plans that operated in rural communities. As staff director, Ted also led the pursuit of an active oversight and investigative agenda, including a pivotal review of the quality of care in nursing homes and the management of the oversight of quality of care in the nursing homes by the Health Care Financing Administration. Let me say for the distinguished Presiding Officer, the previous administration helped us very much get that through so that we now are adequately enforcing overview of nursing homes, as one example.

Ted helped to raise the profile of many issues of importance not only to older Americans but to our society as a whole.

In January of 2001, I became chairman of the Senate Committee on Finance, and Ted was there again to provide valuable leadership. When I asked him to stay on, at a time he was thinking of retiring, as deputy staff director, he was an integral part of the success of the committee's work during the next 6 years and oversaw staff work on major initiatives, including the Medicare Modernization Act of 2003, the health provisions of the Deficit Reduction Act, the PRIDE Act, and the authorization of the Safe and Stable Families legislation.

Once again, Ted helped to ensure an active oversight program that focused on fraud and abuse in the health care system, problems in the process by which the Food and Drug Administration approves medications and devices, the quality of care in nursing homes, and the management by the Centers for Medicare and Medicaid Services of the survey and certification system for nursing homes. That was an ongoing issue back, as I referred to, when I was chairman of the Committee on Aging.

Ted's work on the staff of the Finance Committee is so highly respected that the members signed a resolution expressing gratitude and respect for Ted's service and dedication.

In addition to his 23 years of service in the U.S. Senate, Ted worked for 5 years for the U.S. Department of Health and Human Services and served 2 years in the military.

In the Senate, Ted's policy acumen and understanding of the complexities of the legislative process, insight into the executive branch of Government, political wit, as well as his strong work ethic and intellectual honesty and his evenhandedness and personal generosity have made him remarkably effective and universally regarded.

Ted is a true public servant who was committed in his work to the people of Iowa and of this great country. I am grateful for his loyalty and applaud his legacy of accomplishment. Ted has made a positive difference in the lives of so many Grassley staff members, and his daily presence will be greatly missed by all of us. We wish Ted well and look forward to continuing our friendship with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, I see my neighbor from across beautiful Lake Champlain, the State of New York, here. If the managers of the bill have no objection, I will speak for 4 or 5 minutes about a matter that has just come up. There has been a lot of interest in it.

I ask unanimous consent to speak for up to 7 minutes as in morning business.

Mr. BENNETT. I have no objection if we can add to that that following the presentation of the Senator from Vermont, I will be recognized.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Is there objection?

Without objection, it is so ordered.

THE FISA PROGRAM

Mr. LEAHY. Madam President, earlier today, I spoke with the Attorney General of the United States. He is going to be testifying before the Senate Judiciary Committee tomorrow morning. We anticipate it will be for much of the day. He wished to inform me, as he did Senator SPECTER, of some changes in the so-called FISA Program. I have been very critical of the administration's actions through the National Security Agency—their wiretapping of Americans, wiretapping of people throughout the country, and apparently doing so without obtaining any warrants.

Interestingly enough, the information about this spying on Americans came not from our administration reporting it either through the Intelligence Committee or the Judiciary Committee or the appropriate committees involved; it came out because, like so many other things we find out about, we read about it first in the newspaper.

Apparently, the administration has decided not to continue this warrantless spying program on Americans, but instead to seek approval for all wiretaps from the Foreign Intelligence Surveillance Court. I say this based on the letter sent to us. This is public; this is not a classified matter. The law has required for years that they do it this way.

I welcome the President's decision not to reauthorize the NSA's warrantless spying program because, as I have pointed out for some time, and as other Senators on both sides of the aisle have pointed out, the program was, at very best, of doubtful legality.

Since this program was first revealed, I have urged this administration to inform Congress of what the Government is doing and to comply with the checks and balances Congress wrote into law in the Foreign Intelligence Surveillance Act.

We know we must engage in all surveillance necessary to prevent acts of terrorism, but we can and we should do it in ways that protect the basic rights of all Americans, including the right to privacy.

The issue has never been whether to monitor suspected terrorists—everybody agrees with that; all Americans do. The question is whether we can do it legally and with proper checks and balances to prevent abuses. Providing efficient but meaningful court review is a major step toward addressing those concerns.

I continue to urge the President to fully inform Congress and the American people about the contours of the Foreign Intelligence Surveillance Court order authorizing the surveillance program and of the program itself. Only with meaningful oversight can we assure the balance necessary to achieve security with liberty.

I ask unanimous consent that a copy of a letter from the Attorney General, dated January 17, addressed to me and Senator SPECTER, which indicates copies to numerous other people, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL,
Washington, DC, January 17, 2007.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. ARLEN SPECTER,
Ranking Minority Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR SPECTER: I am writing to inform you that on January 10, 2007, a Judge of the Foreign Intelligence Surveillance Court issued orders authorizing the Government to target for collection international communications into or out of the United States where there is probable cause to believe that one of the communicants is a member or agent of al Qaeda or an associated terrorist organization. As a result of these orders, any electronic surveillance that was occurring as part of the Terrorist Surveillance Program will now be conducted subject to the approval of the Foreign Intelligence Surveillance Court.

In the spring of 2005—well before the first press account disclosing the existence of the Terrorist Surveillance Program—the Administration began exploring options for seeking such FISA Court Approval. Any court authorization had to ensure that the Intelligence Community would have the speed and agility necessary to protect the Nation from al Qaeda—the very speed and agility that was offered by the Terrorist Surveillance Program. These orders are innovative, they are complex, and it took considerable time and work for the Government to develop the approach that was proposed to the Court and for the Judge on the FISC to consider and approve these orders.

The President is committed to using all lawful tools to protect our Nation from the terrorist threat, including making maximum use of the authorities provided by FISA and taking full advantage of developments in the law. Although, as we have previously explained, the Terrorist Surveillance Program fully complies with the law, the orders the Government has obtained will allow the necessary speed and agility while providing substantial advantages. Accordingly, under these circumstances, the President has determined not to reauthorize the Terrorist Surveillance Program when the current authorization expires.

The Intelligence Committees have been briefed on the highly classified details of these orders. In addition, I have directed Steve Bradbury, Acting Assistant Attorney General for the Office of Legal Counsel, and Ken Wainstein, Assistant Attorney General for National Security, to provide a classified briefing to you on the details of these orders.

Sincerely,

ALBERTO R. GONZALES,
Attorney General.

Mr. LEAHY. Madam President, I was a prosecutor for 8 years. I enjoyed being a prosecutor. But I also was well aware that we acted within checks and balances. Courts had their role, prosecutors had their role, defense attorneys had their role. It only worked when everybody did what they were supposed to, including the executive.

I was also a prosecutor and on the board of the National District Attorneys Association at the time of COINTELPRO, a program of spying on Americans who disagreed with the war in Vietnam, and even, we found out later, spying on Martin Luther King because he was speaking so radically as to suggest that we might actually want equality between people, no matter what their color might be, in this country.

Our Government was spying on people who objected to war. Our Government was spying on people who wanted integration in America. I don't want us to go back to that point.

I shudder to think what might have happened if J. Edgar Hoover had had all the electronic capabilities we have today. The only way we stop this—it makes no difference if we have a Democratic or Republican administration—the only way we stop it is with the checks and balances we have built in.

FISA and the Foreign Intelligence Surveillance Court came about because of illegal spying on Americans who were not committing any unlawful act, but were simply questioning what their Government was doing. Many of us

worry that has happened now. We have seen, for example, that the Department of Defense has had surveillance, has even recorded movies, of Quakers protesting war. Quakers always protest wars.

Madam President, I ask for 2 additional minutes, under the same agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. They always do this. We heard in the press that there has been surveillance of Vermonters who protested the war. I can save them money. Turn on C–SPAN. I do it all the time on the Senate floor, if they want to find a Vermonter who may protest the war.

The question here is a greater one. What right does our Government—our Government, which is there to serve all of us—have to spy on individual Americans exercising their rights? Of course, go after terrorists, but to go after terrorists, you can do it within the law.

The distinguished occupant of the chair, the Presiding Officer, is also a former prosecutor. She knows how we have to go to court and follow the law for search warrants or anything else. In this area of foreign intelligence, we have made it very easy and very quick for the government to go before special courts, FISA courts. Let's do that, because when this administration or any administration says they are above the law, they don't have to follow the law, they can step outside the law, they don't have to follow checks and balances, then I say all Americans, no matter what your political leaning might be, all Americans ought to ask why are they doing this, why are they doing this. Because it doesn't in the long run protect us, not if we let them take away our liberties.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007—Continued

AMENDMENT NO. 20

Mr. BENNETT. Madam President, I have an amendment, No. 20, which I have offered and which I believe we will be voting on at some point, if not today then tomorrow. I rise to discuss the amendment and to share with my fellow Senators comments that have been made about the amendment by those groups in the Nation that would be most affected by it.

My amendment is very simple. It is a single sentence. It strikes section 220 of the underlying bill. So the whole focus of this discussion has to be on section 220 and what is it and what does it do and why do I think it should be stricken.

If I can go back to the history of this bill, back to the Senate-passed bill we dealt with in the previous Congress, I can tell you where section 220 came from. It was an attempt to deal with what the press has labeled ''the astroturf groups.'' That is a little bit hard to understand.

What does astroturf have to do with anything here? There are grassroots lobbyists and then there are groups the press has decided are phony groups pretending to be grassroots lobbyists. And it is these phony groups that they have labeled ''astroturf lobbyists'' and they think something ought to be done about it.

Here is the theoretical definition of an astroturf lobbyist: An astroturf lobbyist is someone who gets paid, presumably by a large organization—a labor union, a corporation, a trade association, whatever it might be—to pretend there is a groundswell of grassroots support or opposition for or to a particular piece of legislation. So this hired gun, if you will, sends out letters, e-mails, faxes—whatever it is—to stir up phony grassroots support for or against the particular piece of legislation.

The idea was that this hired gun, this individual who does this is, in fact, a lobbyist, even though he or she never talks to a Member of Congress, even though he or she may not live in Washington, DC, or even come here, even though he or she has no connection with any Member of Congress or the staff, because he or she is trying to stimulate communications to Congress that have the effect of putting pressure on Congress. He or she is a lobbyist and, therefore, must register, must report who pays him or her, must go through all of the procedures connected with a lobbyist under the Federal Lobbying Disclosure Act.

Put in that narrow context, there may be some justification for section 220.

Now let's step out of that hypothetical context and go to the real world, and we discover that section 220 is pernicious in its effect, which is why it is opposed all across the political spectrum by those who are involved in trying to put pressure on Congress by virtue of communicating with their Members.

On the right-hand side of the slate we have the Eagle Forum, on the left-hand side of the slate, if you will, we have the ACLU, and all across the spectrum we have a number of groups that are saying: Wait a minute, the prohibitions on astroturf lobbyists or grassroots lobbyists, as they are called in the bill, are prohibitions that cut to the heart of the constitutional right of Americans to petition the Government for redress of their grievances.

I have a letter, a copy of which was sent to every Senator, from the ACLU. Knowing what I know about senatorial offices, I think most Senators will not see the letter, so I will quote from it and at the end of my presentation ask unanimous consent that it be printed in the RECORD so that all Senators and their offices can read it.

Here is what the ACLU has to say about this particular provision:

> Section 220, entitled ''Disclosure of Paid Efforts to Stimulate Grassroots Lobbying'' imposes onerous reporting requirements that will chill constitutionally protected activity. Advocacy organizations large and small would now find their communications to the general public about policy matters redefined as lobbying and therefore subject to registration and quarterly reporting. Failure to register and report could have severe civil and potentially criminal sanctions.

If I can end the quote there and insert this fact: When we adopted the Vitter amendment on January 12, we raised that fine to $200,000. Someone who gets his neighbors together and says, let's all write our Congressmen on this issue, and then spends some money doing it, under this provision becomes a paid lobbyist, and if he does not report and register would be fined $200,000 for having done that. The ACLU does not overstate the case when they say this would have a chilling effect on constitutionally protected activity.

If I can go back to the ACLU letter and continue quoting:

> Section 220 would apply to even small, state grassroots organizations with no lobbying presence in Washington. When faced with burdensome registration and reporting requirements, some of these organizations may well decide that silence is the best option.

I guarantee you that if this small organization has a lawyer, the lawyer will advise them that silence is the best option. The lawyer will say: You are exposing yourself to a $200,000 fine if you don't do this right, and if you don't have the capacity to go through all of the paperwork and be sure you do this right, the best thing to do is simply not try to stimulate anybody to write his Congressman or go visit the local congressional office.

Back to the letter from the ACLU:

> It is well settled that lobbying, which embodies the separate and distinct political freedoms of petitioning, speech, and assembly enjoys the highest constitutional protection.

And for every statement they make here, as you will see when you get the letter inserted in the RECORD, the ACLU gives Supreme Court decisions in support of the position, and in many instances they are quoting directly from the Supreme Court opinion and not paraphrasing.

Back to their letter:

> Petitioning the government is—

and this is a subquote from the Supreme Court—''core political speech,''—the ACLU again—

> for which the First Amendment protection is—the Supreme Court—''at its zenith.''

So we are talking about something the Supreme Court has ruled is at the zenith of protected political speech under the first amendment.

Now, back to another Supreme Court position, quoting again from the ACLU:

> Constitutional protection of lobbying is not in the least diminished by the fact that it may be performed for others for a fee. Further—from the Supreme Court—''the First

Amendment protects the right not only to advocate one's cause, but also to select what one believes to be the most effective means of doing so.'' That is from the Supreme Court decision: The right to not only advocate for the cause, but to select what one believes to be the most effective means of doing so.

A grassroots lobbying group decides in its neighborhood that the most effective means of influencing and speaking up on legislation is to send out letters to its membership, or perhaps it may decide the most effective means would be to buy a mailing list and send out letters to the people on the mailing list. As soon as they spend the money to buy the mailing list, there is a paid lobbyist involved, and if the registration is not correct, there is a $200,000 fine against that group, if we leave this provision in the bill as it is.

The ACLU goes on to make other compelling arguments, but I would like to add a few other comments from other sources to show that this is from across the board.

The National Right To Life Committee—not usually associated with the ACLU in most people's minds as being on the same side of an issue—they say:

Section 220 defines the act of a constituent contacting a Member of Congress as an act of ''lobbying,'' specifically, ''grassroots lobbying.''

And then here is what section 220 has to say, quoting directly from the bill:

Grassroots lobbying means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials, or to encourage other members of the general public to do the same.

Let me stress that, again. This legislation says that grassroots lobbying is defined as members of the general public communicating with their Congressman or encouraging others to do the same.

I thought that is what we were all supposed to do. I was taught in civics class in high school that everyone had the right to do that, without being forced to register and report all of their connections if somebody pays for it. Again, the Supreme Court says, constitutional protection of lobbying is not in the least diminished by the fact that it may be performed for others for a fee. But if you mess up your forms, if you don't file them on time, if somehow they are confusing to you and you have contacted your neighbors or you have purchased a mailing list, whether you are Astroturf or grassroots, you are on the hook for $200,000, as the bill currently stands.

Bradley Smith, who is the former chairman of the FEC, along with Stephen Hoersting, who is Republican Senatorial Committee general counsel, two distinguished lawyers, had this to say on this issue:

''Grassroots lobbying'' is merely encouragement of average citizens to contact their representatives about issues of public concern. It is not ''lobbying'' at all, as that phrase is normally used outside the beltway, meaning paid, full-time advocates of special interests meeting in person with Members of Congress away from the public eye. Contact between ordinary citizens and Members of Congress, which is what grassroots lobbying seeks to bring about, is the antithesis of the lobbying at the heart of the Abramoff scandals. It is ordinary citizens expressing themselves. That they are ''stimulated'' to do so by ''grassroots lobbying activities'' is irrelevant. These are still individual citizens motivated to express themselves to Members of Congress.

The Right To Life letter goes on to say:

Poorly paid, activist employees of such organizations could receive penalties of up to $200,000 per infraction, or even face a threat of criminal prosecution, even if they never set foot in Washington, D.C., or speak to a Member of Congress or congressional staff.

Yes, Senator BENNETT, that is all very well and good, but what about these Astroturf lobbyists? We have to get to that terrible evil. The people who say that, quite frankly, probably have never, ever served in a congressional office or held public office. And if they have, they were pretty unconscious while that was going on.

I first came to this town as a congressional staffer over 40 years ago. I served on the House side; I have served on the Senate side. I have been a lobbyist downtown. Yes, I have been one of these paid professionals, and I reported all of the things I was required to report—went through the whole situation. I was in the executive branch as a lobbyist. We didn't call it that. We pretend the executive branch doesn't lobby the legislative branch, so it is called ''congressional liaison'' or ''congressional relations.'' I was the Director of Congressional Relations at the Department of Transportation. I had exquisite timing. I left just before they had title inflation, and if I had been there a little later, I could say I was an Assistant Secretary.

I understand this. People who have been involved in this understand this. When somebody tries to create a truly phony outburst of public opinion, the people in the front office of a congressional staff recognize it in about 3 nanoseconds. The letters come in. They are all identical. You know they are not stimulated by the position of the people at home. You know they were written by some professional who is taking a fee as an Astroturf lobbyist, if you will. You can see through it in an instant. They all come in, almost always in one of these simulated kinds of campaigns and somebody ruins it. I have seen these postcards, and on one of them is written: Senator, my organization told me to send you this. I hope it is helpful. And you know the person who wrote that doesn't know what is on it.

Sometimes they come in and they say: I don't know anything about this issue, but I am being asked to send you this postcard. I trust your judgment, Senator, and I hope you do the right thing.

There were times when these phony Astroturf kinds of campaigns were so overwhelming in volume that in the office where I was working, we didn't read any of it. You identified it immediately, you put them in a separate mail sack, and you threw them away. I tell people when they come to me and say, What is the best way to influence a Member of Congress, it is to stay away from these people because we are smart enough to see through it.

In order to protect the Congress from these kinds of Astroturf campaigns, do we have to put a potential $200,000 fine on someone who uses his church list to send out a letter and urge people who receive the letter to write their Congressman on a particular issue? Do we have to expose every group, right and left, that does its best to stimulate some kind of interest in an issue to this sort of penalty? What about the Internet? What happens if someone goes on the Internet and urges everybody who sees his blog to write Congress and then makes the mistake of hiring somebody and paying him to write that notice on the blog? Has that not created a lobbyist for hire? Somebody finds out the man who created the message on the blog got paid and files a complaint. I don't know what the lawyers would do with it, whether he would end up paying the $200,000, but I do know what he would run up in legal fees to protect himself against that kind of situation.

This is simply something that has been created by virtue of a perception of the way grassroots works, a perception that is wrong. This should be stricken from the bill. This should not go forward. I speak not from my own experience, not from how I feel after 40 years of contact with this place in one way or another, but I speak for a vast number of groups who are involved in this on the far right, on the far left, on every stage of the political spectrum in between, including those who are strongly for this bill and including those who say we need more transparency, we need to do something about earmarks, we need to do something about the more traditional definition of lobbyists having undue access. People who say we are for the bill, we are for all of these wonderful things, but if you do this, put this in the bill, you are on very shaky constitutional ground.

I have no doubt that if section 220 survives in the bill and ends up in the law, it will be struck down as unconstitutional. But in order to have it struck down, someone will have to file a lawsuit. Someone will have to fund hundreds of thousands and probably millions of dollars to take it through a district court and a circuit court and up to the Supreme Court, although maybe not. I would think any district judge would take one look at this and strike it down. But life being what it is, you can never tell about that. The Supreme Court has spoken often and repeatedly on this issue. The Supreme Court position is very clear. Let's hear them and save the money for the group

that would have to take this to the Supreme Court to try to get it reversed. Let's reverse it in the Senate so it does not ever see the light of day. I urge all of my colleagues to support my amendment that would strike section 220 and reaffirm that the zenith of the Bill of Rights is free speech, the right to petition your Government for redress of your grievances, and the right to peacefully assemble, all of which is involved in grassroots lobbying and none of which should be criminalized as a result of the legislation that we are considering today.

Madam President, I ask unanimous consent to include these letters in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, January 17, 2007.

DEAR SENATOR: On behalf of the ACLU, a non-partisan organization with hundreds of thousands of activists and members, and 53 affiliates nation-wide, we urge you to support Bennett Amendment S.A. 20 to S. 1, the ''Legislative Transparency and Accountability Act of 2007'' when it comes to the floor for a vote. This amendment would strike Section 220 of the underlying bill.

Section 220, entitled ''Disclosure of Paid Efforts to Stimulate Grassroots Lobbying'' imposes onerous reporting requirements that will chill constitutionally protected activity. Advocacy organizations large and small would now find their communications to the general public about policy matters redefined as lobbying and therefore subject to registration and quarterly reporting. Failure to register and report could have severe civil and potentially criminal sanctions. Section 220 would apply to even small, state grassroots organizations with no lobbying presence in Washington. When faced with burdensome registration and reporting requirements, some of these organizations may well decide that silence is the best option.

The right to petition the government is ''one of the most precious of the liberties safeguarded by the Bill of Rights.'' When viewed through this prism, the thrust of the grassroots lobbying regulation is at best misguided, and at worst would seriously undermine the basic freedom that is the cornerstone of our system of government.

It is well settled that lobbying, which embodies the separate and distinct political freedoms of petitioning, speech, and assembly, enjoys the highest constitutional protection. Petitioning the government is ''core political speech,'' for which First Amendment protection is ''at its zenith.''

Constitutional protection of lobbying is not in the least diminished by the fact that it may be performed for others for a fee. Further, ''the First Amendment protects [the] right not only to advocate [one's] cause but also to select what [one] believe[s] to be the most effective means of doing so.'' In Meyer, the Court emphasized that legislative restrictions on political advocacy or advocacy of the passage or defeat of legislation are ''wholly at odds with the guarantees of the First Amendment.''

Where the government seeks to regulate such First Amendment protected activity, the regulations must survive exacting scrutiny. To satisfy strict scrutiny, the government must establish: (a) a compelling governmental interest sufficient to override the burden on individual rights; (b) a substantial correlation between the regulation and the furtherance of that interest; and (c) that the least drastic means to achieve its goal have been employed.

A compelling governmental interest cannot be established on the basis of conjecture. There must be a factual record to sustain the government's assertion that burdens on fundamental rights are warranted. Here, there is little if any record to support the contention that grassroots lobbying needs to be regulated. Without this record, the government will be unable to sustain its assertion that grassroots lobbying should be regulated.

The grassroots lobbying provision is troubling for other reasons as well. First, the provision seems to assume Americans can be easily manipulated by advocacy organizations to take actions that do not reflect their own interests. To the contrary, Americans are highly independent and capable of making their own judgment. Whether or not they were informed of an issue through a grassroots campaign is irrelevant—their action in contacting their representative is based on their own belief in the importance of matters before Congress.

Second, it appears groups such as the ACLU may end up having to report their activities because of the grassroots lobbying provisions. A ''grassroots lobbying firm'' means a person or entity that is retained by one or more clients to engage in paid efforts to stimulate grassroots lobbying on behalf of such clients and receives income of, or spends or agrees to spend, an aggregate of $25,000 or more for such efforts in any quarterly period. ''Client'' under existing law includes the organization that employs an in-house staff person or person who lobbies. If, for example, the ACLU hires an individual to stimulate grassroots lobbying on behalf of the ACLU and pays that individual for her efforts in amounts exceeding $25,000, it appears that individual could be considered a grassroots lobbying firm, and have to register and report as such. The fact the ACLU employs that individual appears to be irrelevant to this provision. Unless this is the type of activity that the provision is intended to reach, there is no substantial correlation between the regulation and the furtherance of the government's alleged interest in regulating that activity.

Groups such as the ACLU could also be affected because of the definitions of ''paid efforts to stimulate grassroots lobbying'' employed in Section 220. For example, the ACLU maintains a list of activists who have signed up to be notified about pending issues in Congress. Not all of those activists are ''dues paying'' members who would be exempt from consideration for ''paid efforts to stimulate grassroots lobbying.'' Additionally, since there are 500 or more such individuals, sending out an action alert to ACLU activists could be deemed ''paid'' communication and subject to registration and quarterly reporting.

Because the grassroots lobbying provision is unsupported by any record of corruption, and because the provision is not narrowly tailored to achieve the government's asserted interest, the provision is constitutionally suspect. Requiring groups or individuals to report First Amendment activity to the government is antithetical to the values enshrined in our Constitution. If our government is truly one ''of the people, for the people, and by the people,'' then the people must be able to disseminate information, contact their representatives, and encourage others to do so as well.

Sincerely,

CAROLINE FREDRICKSON,
Director, Washington Legislative Office.
MARVIN JOHNSON,
Legislative Counsel.

NATIONAL RIGHT TO LIFE COMMITTEE, INC.,
Washington, DC, January 16, 2007.

Re Support Bennett Amendment No. 20 to avoid radical effects of Section 220 of S. 1 (substitute amendment)

DEAR SENATOR: The National Right to Life Committee (NRLC) urges you to support the Bennett Amendment (No. 20), which would strike Section 220 from the pending substitute amendment to S. 1. Because of the chilling effect that Section 220 could have on grassroots activism, NRLC may include any roll call on the Bennett Amendment in our scorecard of key votes for the 110th Congress.

While supporters of Section 220 say that it would only require ''disclosure'' of certain big-dollar lobbying campaigns, the actual language of Section 220 would place unprecedented burdens on issue-oriented citizen groups from coast to coast that seek to motivate the public on matters of federal policy. Any local activist who runs afoul of the new requirements could be subjected to crushing civil penalties, raised from $50,000 to $200,000 per infraction by adoption of the Vitter Amendment No. 10 on January 12, and even to intimidation by threat of the new criminal penalty of up to 10 years in prison created by Section 223 of the substitute bill. The net effect would be to chill activities that are essential to the healthy functioning of a representative system of government.

The reach of Section 220 would be far more expansive and drastic than has been acknowledged by any of the sponsors or advocacy-group backers of the provision. Some of the sweeping effects are clearly intended (if not acknowledged) by the provision's backers, but others may be the result of poor draftsmanship or poor understanding of the way Section 220 would alter the structure of the existing Lobbying Disclosure Act (2 U.S.C. Chapter 26).

CONSTITUTIONAL PRINCIPLE

Before discussing the specific regulatory burdens that would be imposed by Section 220, it is necessary to describe the pernicious premise that is at the heart of the proposal: Section 220 defines the act of a constituent contacting a member of Congress as an act of ''lobbying,'' specifically ''grassroots lobbying.'' In our view, petitioning elected representatives is at the very heart of representative democracy, is granted the highest degree of protection by the First Amendment, and ought to be encouraged rather than restricted and regulated. Yet Section 220 would enact into law a mind-set that encouraging citizens to contact their federal representatives is a type of influence-peddling, inherently suspect, and the proper subject for scrutiny regarding exactly how citizens were motivated to exercise their constitutional right to petition.

(We refer here to definition 17 in Section 220: ''GRASSROOTS LOBBYING. The term 'grassroots lobbying' means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials or to encourage other members of the general public to do the same.'' Note that this definition is so expansive that it covers not only verbal and written communications sent by a constituent to an officeholder, but also such activities as holding placards at public demonstrations, submitting letters for publication in local newspapers, or offering comments on an officeholder's position on a call-in radio program.)

Bradley Smith, former chairman of FEC, and Stephen Hoersting, former Republican Senatorial Committee general counsel, last year explained in detail why ''grassroots lobbying'' should be protected from Congressional scrutiny and regulation (see ''Let the

Grassroots 'Lobbying' Grow,'' www.nationalreview.com/comment/smith_hoersting_200602210809.asp), They wrote:

''Grassroots lobbying' is merely encouragement of average citizens to contact their representatives about issues of public concern. It is not 'lobbying' at all, as that phrase is normally used outside the beltway, meaning paid, full-time advocates of special interests meeting in person with members of Congress away from the public eye. . . . Contact between ordinary citizens and members of Congress, which is what 'grassroots lobbying' seeks to bring about, is the antithesis of the 'lobbying' at the heart of the Abramoff scandals. It is ordinary citizens expressing themselves. That they are 'stimulated' to do so by 'grassroots lobbying activities' is irrelevant. These are still individual citizens motivated to express themselves to members of Congress.''

We agree. We urge you to support the Bennett Amendment in order to reject the root concept that communications from constituents are a form of ''lobbying,'' or that what motivated a constituent is a proper subject for governmental inquiry—be it a mailing from an advocacy group, or a newspaper editorial, or a franked newsletter, or a conversation at a local gym.

SECTION 220—TWO DISTINCT WEBS OF NEW REGULATION

Beyond the fundamental constitutional objection, it is vital that you understand the actual legal effects of Section 220, which have been grossly understated (and are probably poorly understood) by many of the provision's supporters.

Section 220 would create many legal hazards for grassroots-based, actvist-staffed organizations throughout the country.

Section 220 creates two separate and distinct new webs of regulation. (These have been confused or conflated in some materials circulated by both supporters and opponents of the provision.) First, Section 220 greatly expands the universe of persons who must register and file detailed reports (henceforth, quarterly) as federal ''lobbyists,'' because Section 220 redefines ''lobbying activities'' to include ''paid efforts to stimulate grassroots lobbying.'' This would include many employees of state and local right-to-life organizations who are paid only small amounts and who seldom engage in true lobbying of members of Congress or their staffs. Second, Section 220 creates a new category, the ''grassroots lobbying firm,'' defined so broadly that even a single individual, employed by a state or local advocacy group and paid a nominal amount, could be forced to register as a ''grassroots lobbying firm'' if the organization purchased a single full-page ad in a newspaper on a federal legislative issue.

The primary impact of these regulations would not fall primarily on well-heeled ''K Street'' lobbyists or on professional public relations firms, which supporters of Section 220 claim are their targets. Most professional Washington lobbying firms and their vendors are well-equipped to deal with complex regulations—they can hire extra lawyers, bookkeepers, and support staff, and bill their clients for the additional expenses required to keep track of their centralized ''grassroots lobbying activities.''

The real burdens of Section 220 would fall on the thousands of low-paid employees of thousands of issue-oriented citizen groups across the land, of every ideological stripe, who try to motivate members of the general public to communicate with members of the U.S. Senate and House regarding pending legislation. If Section 220 is enacted, the activist will learn that she must register with the federal government as a ''lobbyist'' and file quarterly reports detailing her efforts to stimulate ''grassroots lobbying,'' of any dollar amount, if (1) she is paid any sort of salary, (2) spends more than 20 percent of her time on such grassroots activities, (3) presents the motivating communications to more than 500 persons who are not paying members of the organization, and (4) has communicated with a congressional office or Executive Branch official more than once during a calendar quarter (for example, by sending an e-mail or making a phone call advising a Senate office of the organization's position on a pending vote).

REGISTRATION/REPORTING BY ''GRASSROOTS LOBBYISTS'' WHO SPEND $1

Some defenders of Section 220 say that these requirements would apply only if the activist is an employee of an organization that spends more than $10,000 in a calendar quarter on such ''grassroots lobbying activity.'' Regrettably, they are mistaken—that may have been the intent, but it is not the language of Section 220. There is indeed a $10,000 minimum (per three-month period) threshold in the bill (which amends the $24,500 semi-annual threshold that applies under the current Lobbying Disclosure Act), but Section 220(b)(1) explicitly removes ''paid efforts to stimulate grassroots lobbying'' from the scope of this exemption. In other words, Section 220 creates an exception to the exemption. This means that under Section 220, even $1 per quarter spent to ''stimulate'' citizens to communicate with their representatives in Congress triggers the registration and reporting requirement, for an individual who meets the other four numbered criteria in our previous paragraph. (Note: The $10,000 minimum discussed here applies to registration as a ''lobbyist,'' and should not be confused with the $25,000 threshold that applies to the ''grassroots lobbying firm,'' the new entity created by Section 220, which is discussed on the final two pages of this letter.)

Some defenders of Section 220 also claim that the registration requirement would apply only to individuals or firms that are already required to register because they engage in extensive direct lobbying with members of Congress or congressional staff. In this, too, they are mistaken: Section 220(a)(1) explicitly adds ''paid efforts to stimulate grassroots lobbying'' to the list of activities that trigger the federal registration and reporting requirement Therefore, if a local issue-activist group has an employee who has spent any money to encourage more than 500 private citizens (not members of the organization) to write letters to their representatives, has spent 20% of his time on such activity, and has made as few as two contacts to congressional or Executive Branch offices urging action on a pending issue, that employee would be trapped by the registration and reporting requirements.

Defenders of Section 220 emphasize that communications to members of an organization (for example, members of a labor union) are exempt. But the First Amendment does not merely guarantee the right to communicate with those who pay dues for the privilege of receiving such communications. Even a small single-issue organization may have a large e-mail alert list (for example), made up of individuals who fall outside of the Section 220 definition of ''membership'' because they do not make contributions, but nevertheless have a strong desire to be kept informed of congressional legislative activities. In addition, the group may at times feel the need to reach out to the general public—for example, by purchasing an ad in a daily newspaper—to urge citizens to speak out on a timely issue.

''GRASSROOTS LOBBYING FIRM'' REGULATION WEB

The second and distinct web of regulation created by Section 220 applies to a new category of regulated entity, the so-called ''grassroots lobbying firm.'' Defenders of Section 220 talk about this provision in ''terms of so-called Astroturf'' operations, as if it applied to professional advertising or public relations firms, but the actual language is far more sweeping. Section 220 defines a ''grassroots lobbying firm'' as ''a person or entity'' [emphasis added] who is paid, by a ''client,'' to stimulate ''grassroots lobbying'' (as defined in Section 220), and who receives, spends, or agrees to spend $25,000 or more in a quarter for such activities. ''Client'' is defined in the existing law to include an organization that employs an in-house staff person who engages in ''lobbying activities,'' a definition that Section 220 would expand to include activities to motivate grassroots contacts to members of Congress.

(It is important to note that this $25,000-per-quarter threshold applies only to the new ''grassroots lobbying firm'' provision of Section 220, and not to the separate requirement that one engaged in ''paid efforts to stimulate grassroots lobbying'' must register and report as a ''lobbyist.'' As we have already explained, the lobbyist registration requirement is not confined by any dollar threshold with respect to ''paid efforts to stimulate grassroots lobbying.''

Thus, under Section 220, the executive director (for example) of a state or local affiliate of National Right to Life, even if she is part-time and paid only a nominal amount, and even if she seldom or never interacts directly with congressional offices, could be forced to register as a federal ''grassroots lobbying firm'' and file detailed reports on a quarterly basis, if she on behalf of the organization (the ''client'') spends more than $25,000/quarter on encouraging the general public to contact their federal elected representatives. Since a single full-page ad in a major metro newspaper typically costs more than $25,000, many part-time citizen activists would find themselves legally defined as ''grassroots lobbying firms.'' Note that in this scenario, it is not the organization that Section 220 defines as a ''grassroots lobbying firm,'' but the individual staff person as described. Also, note that this new regulation of ''grassroots lobbying firm(s)'' is not constrained by the language that limits the existing Lobbying Disclosure Act requirement to register as a ''lobbyist'' to persons who make at least two direct ''lobbying contacts'' and who spend more than 20% of their paid time on lobbying activities during a reporting period. Those limitations apply only to the Act's definition of ''lobbyist,'' and not to the new language of Section 220 defining ''grassroots lobbying firm.''

The ''grassroots lobbying firm'' provision of Section 220 has one additional side effect which has not been understood, or at least has not been acknowledged, by its supporters: The $25,000 threshold is an aggregate figure for a vendor, not a threshold that applies to each issue-oriented client organization. We illustrate the implications by the following scenario: In Anytown, 15 citizen-activist groups, none of which has any paid staff or engages in any direct contacts with members of Congress or congressional staff, all hire the same vendor to mail to various lists of citizens urging them to communicate with their elected representatives on different timely issues. No organization pays more than $2,000 for the use of any list, but the aggregate amount collected by the vendor for mailings to all lists exceeds $25,000 in a three-month period. Under Section 220, this local vendor would be required to register as

a ''grassroots lobbying firm'' and to report the details of his mailing activities for all 15 of his ''clients,'' even a group that merely paid $50 for the use of a list.

CONCLUSION

In summary, Section 220 is a poorly drafted provision. If enacted, it will disrupt the constitutionally protected activities of thousands of issue-oriented citizen groups from coast to coast, chill free speech by citizen activists on the issues of the day, and become a textbook example of the Law of Unintended Consequences.

We urge you to prevent these consequences by supporting the Bennett Amendment No. 20, which will strike Section 220 from the substitute to S. 1. Thank you for your consideration of our strong views on this issue.

Sincerely,

DOUGLAS JOHNSON,
NRLC Legislative Director.
SUSAN MUSKETT, J.D.,
Congressional Liaison.

JANUARY 16, 2007.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: As leaders of advocacy organizations active on a broad variety of issues, we write to express our strong concerns regarding certain proposals that are being advanced that would establish, for the first time, congressional oversight of grassroots activity that is intended to encourage members of the public to communicate with Members of Congress about pending legislative matters—so-called ''grassroots lobbying.''

We take no issue with proposals that may be legitimate responses to allegations of certain unethical actions by Members of Congress, congressional staff and lobbyists. But nothing in those allegations provide any justification whatsoever for the notion that incumbent Members of Congress should seize authority to scrutinize and regulate the constitutionally protected efforts of groups such as ours to alert citizens regarding legislative developments in Congress and to encourage them to communicate their views to their elected representatives. That citizens are ''stimulated'' to contact their representatives by so-called ''grassroots lobbying activities'' is irrelevant. Newspaper editorials, op-eds, grassroots advertisements and e-mail alerts are all ways to influence people to contact their elected representatives on an issue. Just as it would be unconstitutional to monitor the press because of their influence over their readership, the First Amendment also protects the right of the people to ''petition the government for a redress of grievances.'' To monitor motivation as to why a citizen would contact Members on an issue is attacking that First Amendment right.

A prominent example of the type of provisions that we strongly oppose are found in the Legislative Transparency and Accountability Act of 2007 (S.1). We strongly oppose Section 220 of this legislation and any other proposals along these lines.

Section 220 requires ''grassroots lobbying firms'' to report to Congress within 45 days of agreeing to provide services related to grass roots lobbying (including filing of quarterly reports listing disbursements made in connection with such activities).

Section 220 exempts communications of an organization to its members from direct application of these requirements, but the bill ensures that all private contractors and vendors which we retain to help communicate with the general public, in order to encourage these citizens to contact their elected representatives in Congress, would be subject to the burdensome recordkeeping and reporting requirements. Moreover, since these activities must be reported according to when they are arranged (even before communications to the public actually occur), they would in effect require that we provide our opposition on any given issue with detailed information about the scope and location of our planned grassroots efforts.

Reasoned attempts to address the concerns emerging from Congressional scandals should not be used as an excuse for incumbent officer-holders to encroach upon our most basic Constitutional liberties. Therefore, we urge you to strongly oppose any legislative proposals that would establish federal oversight over grassroots lobbying activities. We fully support Amendment 20 to S. 1 filed by Senator Robert Bennett which would strike the section relating to disclosure of paid efforts to stimulate grassroots lobbying.

Respectfully,
Family Research Council
Focus on the Family
Family Protection Lobby
The Family Action Council of Tennessee
American Family Association
Illinois Family Institute
The Family Research Institute of Wisconsin
Free Market Foundation
Christian Civic League of Maine
The Center for Arizona Policy
Corner Institute of Idaho
South Dakota Family Policy Council
Georgia Family Council
The Minnesota Family Council
Mississippi Center for Public Policy
Men's Health Network
Family Leader Network
National Council for Adoption
Institute on Religion and Public Policy
Catholic Family & Human Rights Institute
American Association of Christian Schools
National Rifle Association
Coalition for Marriage and Family
Judicial Action Group
Coalitions for America
American Shareholders Association
Americans for Tax Reform
American Values
Catholic Exchange
Traditional Values Coalition
Tradition, Family, Property, Inc.
Family Resource Network/Teen Pact
Grassfire.org Alliance
Eagle Forum
Concerned Women for America
Christian Coalition of America
Fidelis
Citizens for Community Values
Population Research Institute
Home School Legal Defense Association
Southern Baptist Ethics & Religious Liberty Commission
Advance USA
Americans United for Life
Massachusetts Family Institute

Mr. BENNETT. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Madam President, I would like to make a very few comments in response to the ranking member's comments, and then I know the Senator from Pennsylvania would like to speak on another matter, so I ask unanimous consent that he be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much. I know that Senator LIEBERMAN is going to speak on the specific provisions of section 220 in the base bill, S.1, at a later time. However, I would like to share with this body what I understand to be the facts. If I understand correctly what is attempted in the underlying bill, the goal is to compel disclosure, registration and reporting for those companies, individuals or organizations that say, We have a cause, this is the cause; we want to establish a grassroots lobbying organization. They go and hire organizations to get going and spent more than 25,000 a quarter. They say go ahead and organize a movement, but nobody ever knows who they are or who funds them. This is called astroturf lobbying. Some people refer these groups as ''sham'' or ''front'' organizations. I am not going to say they necessarily are, but they have been referred to as such. They seek to influence legislation through mass media, using campaign and issue ads, letters, phone calls, think-tank public policy papers, and public polls.

The problem is, these organizations are hired guns funded by undisclosed special interest corporations and public policy firms. They conduct grassroots organization lobbying efforts which are often very misleading or in some cases, deceptive. For example, an oil company hires a sham organization to promote the benefits of alternative fuels to big oil, or a cigarette company hires a front group to lobby for smoke-free environment—or whatever the popular cause may be. They go out to organize, make lobby contacts, and conduct other lobby activities on specific issues. Unlike genuine grassroots groups that tend to be money poor but people rich, astroturf campaigns are typically people poor and money rich.

Section 220 of the base bill contains the provisions on disclosure of paid efforts to stimulate grassroots lobbying. I am the first one to say these provisions could be more clearly written. Nonetheless, the section's goal is to close the loophole in current law that allows these groups to engage in lobbying contacts without any public disclosure or reporting whatsoever—like the paid lobbying contacts and efforts of Jack Abramoff and Ralph Reed.

The bill recognizes this increased type of lobbying—paid efforts to stimulate grassroots lobbying—and creates new disclosure and reporting rules for such activities. It makes clear that efforts by an organization to contact its own members as part of a grassroots lobbying campaign are not covered and are unaffected by these provisions unless some outside group paid the organization to do so.

The bill also requires a $50,000 quarterly threshold as a precondition of registration. This means that small and truly local efforts are not covered.

I do not agree with the comments made by the ranking member about this section 220. Non-profits will continue to be able to lobby under current

tax law that requires threshold disclosure and reporting. However, private sector groups and their paid lobbyists are not currently required to disclose, register or report and therefore would be under section 220. So this is the differentiation between the two groups.

The provisions would create a balanced playing field by opposing a sham grassroots lobbying operation while protecting legitimate grassroots lobbying organizations. This in essence is the purpose. If it does survive consideration here, we will take another look at it in conference with respect to narrow definitions, registration and the reporting trigger thresholds. I do believe if somebody goes out and creates one of these groups, pours a lot of money into it and then hires people for grassroots lobbying purposes, then this group should be required to disclose and report so the public knows exactly who the group is and who is financing the group. Is it an undisclosed oil company or is it really a legitimate Citizens for Alternative Fuels to Oil? I think that it is important to determine the credibility and legitimacy of these organizations involved in grassroots lobbying.

I know the ACLU is opposed to it. The ACLU is a group that has been around for a long time. I don't see them being affected by this at all because they would be covered under this other section of the law. I offer these comments in the interests of the purpose of section 220 in this legislation, which I think is bona fide, helpful, and overdue. Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I have a question of my distinguished friend from Pennsylvania. It is my understanding he is going to speak next; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPECTER. Madam President, my request is to speak for about 10 minutes.

Mr. REID. My only question was how long he is going to speak. I will come back after that time. I appreciate the Senator allowing me to ask that question.

Mr. BENNETT. Madam President, may I make a quick response to the Senator from California before we hear from the Senator from Pennsylvania? I will not take more than a minute or two.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. I simply want to make this point with respect to the threshold that causes people to come under the provisions of the bill. There is, indeed, a $10,000 minimum for a 3-month period threshold in the bill, but section 220(b)(1) explicitly removes ''paid efforts to stimulate grassroots lobbying'' from the scope of this exemption. In other words, $1 per quarter spent to stimulate citizens to communicate with their representatives in Congress triggers the registration and reporting requirement for an individual who meets the other four numbered criteria.

I agree with the Senator from California. This is very badly drafted and needs an awful lot of work, which is why I think the best thing to do with it is simply strike it.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

NEW FOREIGN SURVEILLANCE POLICY

Mr. SPECTER. Madam President, I thank my colleagues for yielding this time. I have sought recognition to express my approval—I am glad to see that the Attorney General of the United States, in telephone calls to Senator LEAHY and myself and now in letters, has advised that there is a new procedure to have the requests for wiretaps on al-Qaida members submitted to the Foreign Intelligence Surveillance Court. On December 16, the New York Times broke the story that there were wiretaps going on under a Presidential order without complying with the customary requirement that probable cause be established and submitted to the court, which would authorize the issuance of a warrant, to authorize the wiretap.

On that day, Friday, we were in the final stages of floor debate on the PATRIOT Act, and the disclosure that morning that there were warrantless recordings going on was quite a shock and quite a problem, because I was managing that bill in my capacity as chairman of the Judiciary Committee.

I said on the floor at that time that there was a clear-cut violation of the Foreign Intelligence Surveillance Act, which provides that the Act is the exclusive way for having a wiretap for foreign intelligence surveillance. The President has sought to justify the surveillance under his article II inherent powers. That raises a complicated issue, which can only be determined by the courts by weighing the invasiveness of the wiretapping—invasiveness into privacy—contrasted with the importance of national security.

Most of last year found this item as the No. 1 priority of the Judiciary Committee and my No. 1 priority as chairman. We had a series of hearings, four hearings. I introduced legislation to try to bring the program at that time under the Foreign Intelligence Surveillance Act.

The administration had refused to disclose the details of the program to the Judiciary Committee. They maintained that attitude consistently up until today. They finally did submit it, after a lot of pressure, to the Intelligence Committees—first a subcommittee of the Senate Intelligence Committee, then when the House resisted only a subcommittee, it was finally submitted to the full committees—really it was only submitted when the time came for the confirmation of General Hayden for Director of the CIA.

I have not been privy to what was disclosed to the Intelligence Committee, but based on my chairmanship of that committee during the 104th Congress, I have some doubts as to the adequacy of the disclosure. I know when I was chairman, the chairman was supposed to be informed about those classified and secret programs, but that was in fact not the case.

When the matter later moved into litigation and the Federal court in Detroit declared the surveillance program unconstitutional, and then the appeal was taken to the Sixth Circuit, I introduced substitute legislation—S. 4051 last year, and I've reintroduced it already this year—which would have provided for expedited review in the Federal courts and mandatory review by the Supreme Court. The bill also would have required individualized warrants for calls originating in the United States, because the administration had disclosed that, if there were changes made in the Foreign Intelligence Surveillance Act, there could be a warrant for all outgoing calls but not incoming calls because there were so many.

I am glad to see that we may now have all of that resolved. We are not sure. I want to know the details of this program.

Senator LEAHY has already spoken on the subject today and has put into the RECORD a letter that he and I received today from the Attorney General. The key parts are as follows:

> I am writing to inform you that on January 10, 2007, a Judge of the Foreign Intelligence Surveillance Court issued orders authorizing the Government to target for collection international communications into or out of the United States where there is probable cause to believe that one of the communicants is a member or agent of al Qaeda or an associated terrorist organization. As a result of these orders, any electronic surveillance that was occurring as part of the Terrorist Surveillance Program will now be conducted subject to approval of the Foreign Intelligence Surveillance Court.

That language says there will be probable cause established. I think we need to know more about the procedures for the determination of probable case, whether it is on individualized warrants or it is a group program. We will need to know more about the determination of an individual being an agent of al Qaeda, and we will need to know more about what is meant by an associated terrorist organization, to see that probable cause has been established under the customary standards.

The letter from the Attorney General goes on to say:

> In the spring of 2005—well before the first press account disclosing the existence of the Terrorist Surveillance Program—the Administration began exploring options for seeking such FISA Court approval.

It would have been my hope that the Attorney General, in our oversight hearings, where he was called and asked about this program, would have made that disclosure. A lot of time and effort went into the Judiciary Committee hearings and went into the

drafting of legislation. I personally met with the President last July 11 and secured his agreement to submit this program to the Foreign Intelligence Surveillance Court. For a variety of reasons, which I shall not detail now, that legislation did not move forward.

Then, as I've noted, there was substitute legislation when the Federal court in Detroit declared the program unconstitutional and the matter came before the Sixth Circuit.

The Attorney General's letter says, as is appropriate, that the program will have ''the speed and agility necessary to protect the Nation'' from terrorist attack—and that has always been a major concern: that we be protected, but that we be protected with an appropriate balance, so that there not be an intrusive wiretap without the customary court approval.

The Attorney General had advised me that there would be a meeting today, which I am just informed has been canceled, but there needs to be oversight beyond what has been disclosed in this letter. But at least there is a very significant first step. It is regrettable that these steps were not taken a long time ago. I would like to have an explanation as to why it took from the spring of 2005, and at least from December 16, 2005, until now, when there has been such public furor and public concern.

Further, the letter of the Attorney General says:

> Accordingly, under these circumstances, the President has determined not to reauthorize the Terrorist Surveillance Program when the current authorization expires.

It would be my hope that the program is terminated now, since there is an alternative method which the Attorney General has announced. I do not know when the program will expire. They have it in place for 45-day periods. We do not know when the last one started, so we do not know when this one will end. But, with an alternative program in place, it ought to be terminated now—to have the regular procedures for the establishment of probable cause, to protect civil liberties. And, as the Attorney General says, to address concerns in taking care of the protection of the country.

Again, Madam President, I thank my colleagues for yielding the time.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I have been in Government all my adult life. Until I came back here, all my jobs were part time, and I practiced law. I say as sincerely as I can to anyone within the sound of my voice, I am so disappointed in the conversation I had with my Republican counterpart, Senator MCCONNELL, a few minutes ago. I was told that this ethics bill is not going to get the support of the Republicans. They are going to bring this bill down, defeat this bill.

Why? Listen to this. Because they are not going to have a vote on line-item veto. I told the distinguished Republican leader yesterday that we were willing to give the Republicans a vote on this prior to the Easter recess—up-or-down vote. We would have their bill, our bill, two competing votes, with 60 vote margins.

It is very clear what is going on with this bill. Keep in mind, Madam President, that we have had in Washington a culture of corruption. For the first time in 131 years, someone was indicted working in the White House. He is now in trial as we speak. The head of Government contracting appointed by the President, Mr. Safavian, is led from his office in handcuffs for sweetheart deals he had with Abramoff and others.

The majority leader of the House of Representatives was convicted three times of ethics violations in the House within 1 year. And then, of course, he was indicted in Texas on more than one occasion.

A House Member from California is in prison now as we speak for accepting more than $2 million in bribes.

A Congressman now is awaiting trial.

Staff members have been convicted of crimes from the House.

Talk about a culture of corruption, the American people deserve ethics and lobbying reform. That is why I brought to the floor S. 1. It is very clear that the minority does not want a bill. They have tried a number of different things to defeat this bill, offered all kinds of amendments, thinking we would oppose them. We supported those amendments. The only one that was a little blip in the road was a DeMint amendment, but we thought it should be stronger rather than weaker, so we added tax provisions to that. That has now passed.

Line-item veto has nothing to do with ethics and lobbying reform—nothing, zero. If the majority felt so strongly about line-item veto, which I am sure they do, I have agreed to give them a vote. This is a pretext. They could not kill the bill by offering amendments, thinking we would oppose them, so now they have come up with a new idea: We cannot do this because you will not give us a vote on a nongermane, nonrelevant amendment—line-item veto.

Line-item veto has nothing to do with ethics and lobbying reform. If the line-item veto is so important to the minority, why didn't the Republicans get a vote on it last year when they controlled this Chamber? This is very difficult to comprehend.

The bill that is before the Senate was sponsored, for the first time in 30 years, by the two leaders. And then the substitute was sponsored by the two leaders. The two leaders agreed to bring this bill to the floor. Now they are going to bring down the bill that their leader cosponsored?

Mr. DURBIN. Will the Senator yield for a question?

Mr. REID. I will be happy to yield for a question.

Mr. DURBIN. Madam President, I would like to ask the distinguished majority leader if he would recount for us what happened 2 years ago when we faced passage of an ethics reform bill, with an overwhelming bipartisan vote, when the Republicans were in control of the House and Senate.

Mr. REID. They would not take it to conference. We never got it done.

Madam President, this bill is very strong. It is something the American people want. I say to my distinguished counterpart, and all the minority Senators, they are going to vote against cloture on this bill? We hear people say, in passing, here: Well, that is a 30-second spot. Voting against cloture on this is not a 30-second spot. It is a 30-minute spot.

This bill prohibits lobbyists from giving gifts to lawmakers and their staffs. It prohibits lobbyists from paying for trips or taking part in privately funded congressional travel. It requires public disclosure of earmarks. It slows the revolving door by extending to 2 years the ban on lobbying by former Members of Congress.

It makes pay-to-play schemes such as the K Street Project a violation of Senate rules. It makes lobbying more transparent by doubling the frequency of reporting and requiring a searchable electronic database.

It would require for the first time the disclosure of shadowy business coalitions that engage in so-called Astroturf lobbying campaigns. These big companies pay these people to come out and do grassroots stuff. You never know who is paying for it. Under this bill you would.

But even though we have under S. 1, as we introduced it, a lot of good things, it is even stronger because we offered a substitute amendment to make it even stronger. There are new protections to prevent dead-of-night additions to conference reports. We added new rules to say Members may not engage in job negotiations with the very industries they regulate.

There is fuller discloser by lobbyists. We ensure proper evaluation of tickets to sporting events. We make sure that Senate gift and travel rules are enforceable against lobbyists. And we toughen criminal penalties for corruption violations of the Lobbying Disclosure Act.

Since that was offered by me and the distinguished Republican leader, we have had a debate in the Senate that has strengthened the bill even more.

The Senate has adopted other amendments on a bipartisan basis: Senator KERRY's amendment to strip pensions from Members convicted of corruption; Senator SALAZAR's amendment to ensure public access to committee proceedings; and two amendments by Senator VITTER to strengthen enforcement of ethics rules. And I might add, there are other amendments out there waiting to be voted on if, in fact, cloture were invoked on the substitute.

Finally, we voted overwhelmingly to invoke cloture on an amendment to prevent the things that we did before

with airplanes. It strengthens the gift ban even further.

The underlying bill generally prohibits gifts from lobbyists. The amendment I offered broadens the gift ban to prevent gifts from companies and other entities that even hire or retain a lobbyist.

We did an excellent job, I repeat, on the travel. It is common sense. It broadens the provision by generally prohibiting congressional travel paid for by companies and other entities who hire or retain a lobbyist.

The amendment provides exceptions for 1-day participation at events—speech, conference, convention—and for de minimis lobbyist involvement. It requires advanced approval by the Ethics Committee for all privately funded travel, pursuant to guidelines issued by the committee.

Madam President, I believe we have done yeoman's work. I think it is so unfortunate that I have been told that the minority would not support cloture. We will find out. We have a vote scheduled for 12:38 tonight. And if the minority desires, we will certainly agree to an earlier vote. But I have been told we will not get the additional 16 votes required. We need 66 votes on this—66 votes on this.

But I want the world to know that this bill is being brought down not on a matter of principle because there is no one in the Senate I have more respect and admiration for than the Senator from New Hampshire, Senator JUDD GREGG. He is a wonderful man, a fine person, and he believes in this line-item veto. I understand that. But I have told the Republican leader that my friend from New Hampshire or whoever else is interested in this issue can have a full debate on it. We will give them time to do it.

But this is not the place. This is not the place. This has nothing to do—we are going to vote. If cloture were invoked, we would vote on I think it is 16 germane amendments. Those are germane. This is not germane. It falls. This has nothing to do with ethics and lobbying reform.

So I would hope that there would be another view taken of this. This bill is being brought down because people do not want to comply with ethics and lobbying reform. That is what it is all about. All the rest is game playing.

This is a tough bill. It would drastically change the way we do business in Washington for the better. The American public deserves this. I think they are going to demand this. And I think it is a sad day for the American people that this bill is going to be brought down. Because it will. We can only supply 50 votes. That is all we have. And we need 66.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, you are new to the Senate and, therefore, you were not here during this debate last year. But all this sounds quite familiar.

I remember last year we had this very bill on the floor, and our colleagues on the other side were voting against cloture on this very bill last year for the very same reason that we will now vote against cloture on the bill this year, in order to ensure that more amendments are voted upon.

How many times have we heard the distinguished majority leader and the distinguished majority whip remind us that the Senate is not the House. One of the frustrations of being in the majority here is that you have to give the minority votes in order to advance legislation.

No one seriously believes—no one—that Republicans do not want to pass this legislation. That is not credible, I would say to my good friend on the other side of the aisle. We passed it 90 to 8 last year when my party was in the majority. So no amount of spin is going to convince anyone that the Republicans do not want to pass this bill. We do. We want to pass it after a fair process. And having nongermane amendments on legislation in the Senate is about as common as the Sun coming up every 24 hours.

Now, we have been working, in fact, in a bipartisan fashion on this legislation. Our two managers, Senator BENNETT and Senator FEINSTEIN, have been working their way through this. We would like to finish the bill. We would like to finish it this week.

With respect to the senior Senator from New Hampshire, he is on the floor and would be glad to describe his amendment and how he believes that it is certainly related to this legislation. In fact, his amendment has been pending, since last Wednesday. A full week in the Senate, he has been waiting to get a vote.

I do not believe that cloture is necessary on this bill, and I am prepared to enter into a unanimous consent agreement which will limit the number of amendments and move us toward completion of the bill. We are not in favor of having an unlimited amount of amendments but a reasonable number. We have had 10 rollcall votes on the bill to this point, not an incredible number. And allowing us to process the remaining amendments is something that simply the minority frequently insists on in the Senate.

Mr. GREGG. Madam President, will the Republican leader yield for a question?

Mr. MCCONNELL. I yield for a question.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. MCCONNELL. I am sorry, I did not yield the floor.

The PRESIDING OFFICER. There is a question from the Senator from New Hampshire.

Mr. MCCONNELL. I did not yield the floor, Madam President.

Mrs. FEINSTEIN. I beg your pardon. I thought you did.

The PRESIDING OFFICER. I understand.

Mr. MCCONNELL. And I yield to the Senator from New Hampshire for a question.

Mr. GREGG. So I can understand the parliamentary situation, I did offer this amendment last Wednesday. It does deal with earmarks. We have, as I understand it, spent 8 days of legislative time on this bill, of which almost 4 days have been consumed in a discussion of earmarks with the majority—not the majority but the plurality of amendments that we have actually voted on dealing with earmarks.

Now, in that context, I guess my question would be this: Why would you have to pull the bill down in order to take this amendment up later?

Why in 15 minutes is it not possible to dispose of this amendment? It requires a supermajority because it is subject to a point of order. That saves the majority leader time wherever he wants to give us time later. Why do you have to pull a bill down to dispose of an amendment which is pretty relevant to what we have been discussing and you can do it in 15 minutes?

Mr. MCCONNELL. I say to the Senator from New Hampshire, there is no reason to take this bill down. In fact, Republicans hope the bill will not be taken down. What we are asking for is a vote on the Gregg amendment, not an unreasonable request to the Senate. We see on it virtually every piece of legislation week in and week out.

Mr. GREGG. If I may ask further, this amendment, which I call a second look at waste, and some people have characterized it as enhanced rescission and others have called it the line-item veto, essentially allows the President to send up a package of rescissions, which I presume he would have taken out of omnibus bills, which I presume will be mostly earmarks for us to take a vote on. Isn't that something we have been discussing, this concept of earmarks, throughout the debate on this lobbying bill? And isn't this lobbying bill very much tied into the earmark issue? Isn't one of the real issues of lobbying the ability to establish earmarks by using influence?

Mr. MCCONNELL. I say to the Senator from New Hampshire, he is precisely correct. We have spent a substantial amount of time during debate on this bill discussing that very issue.

Mr. GREGG. My final question would be, why don't we just vote on this amendment and get it over with? I presume the good leader from the Democratic Party, who is an exceptional leader and does a great job, will probably beat me on this amendment. It will be over in 15 minutes, because he has kept the votes to 15 minutes. And we can wrap this baby up.

Mr. MCCONNELL. I thank my friend.

I repeat, there is no good reason why we couldn't finish this bill tomorrow night. We are in the process now of surveying the number of amendments over here that need to be offered. Obviously,

at the top of that list is the Gregg amendment. I would hope we could continue our discussion about how we might wrap this bill up.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). The majority leader.

Mr. REID. The fallaciousness of this argument is astounding. Line-item veto, the last time it left this body, it went to the U.S. Supreme Court. It was argued before the Supreme Court, dealing with the separation of powers doctrine. Fifteen minutes dealing with the very fiber of our society, our constitutional requirement of separation of powers, the legislative, the executive, and judicial branches of Government? This has implications with the separation of powers between the administration, the White House, and this Congress. To think we could do this in 15 minutes is not fair. I have said, if we want to have a debate on this, I am willing to do that, but not on this bill. This is an effort to bring down this bill. To say that nongermane amendments come just like the sun comes up every day is not reasonable or rational or sound.

We have worked through this bill. We have worked on nongermane amendments, germane amendments, trying to work things out. We are now in a parliamentary structure where at 12:38 tonight, the Senate would dispose of the Reid amendment No. 4 and then vote to invoke cloture on the substitute amendment. At that time, if cloture were invoked, we would have a number of amendments. As I indicated, I think there are 16 that would require votes because they are germane. My friend from New Hampshire can talk about having laid this amendment down 5 days ago or whenever he wants to say he laid it down. I don't know when he did. But the fact is, it is a nongermane amendment. It is not on this bill. It should not be on this bill.

I have told the distinguished Republican leader, if they want some time to do this, we will set other things aside and do it. But this is an attempt to bring down this bill. To think that you could do this in 15 minutes is absolutely unreasonable. Senator LEVIN, Senator BYRD, and others filed the case. It went before the U.S. Supreme Court the last time the line-item veto came before this body. Senator BYRD gave 10 hours of speeches on the line-item veto here on the Senate floor.

To think we could do this in 15 minutes—

Mr. GREGG. Will the Senator yield for a question?

Mr. REID. I am happy to yield for a question.

Mr. GREGG. I wasn't referring to 15 minutes as the time for debate. I was referring to it as the time that you allow votes on the floor and that the votes on the floor have been condensed and they are efficient. I respect the leader's accomplishing that in such short order. The debate has actually occurred. Senator CONRAD gave a very impassioned response to the amendment. I understand Senator CARPER has an amendment similar to my amendment. So, yes, it might take a little time to debate it, but I believe we could still deal with it promptly.

Mr. REID. Mr. President, I direct, without my losing the floor, a question to the former chairman of the Budget Committee, someone who knows money as well as anybody in this body. Why couldn't we do this at a later time? I will give you whatever time you want that is reasonable. If you want to spend 2, 3, 4 days on this, I am happy to do that. We need time to prepare for this. This new in the session is not the time to do this. I wish to get this ethics bill done. I think I am being about as reasonable as I can be to set aside a significant amount of time prior to the Easter recess to give you an opportunity to do the line-item veto. And prior to that time, we could have a couple of hearings on this. I also recognize that we have a process in the Senate where bills can be amended. Sometimes they don't have to be relevant or germane. But I think you have to be in the ballpark.

We have a CR coming up. We have the supplemental coming up which is money matters that you could file this on. I think people would have trouble objecting to it procedurally being improper. But right now, this isn't the time to do it. We are talking about doing something to make this body and the House better places to look at from an ethics and morality standpoint. I think your forcing us to go forward on this, which we are not going to do, makes it very difficult. I say this without pointing at anyone in particular, Democrat or Republican. Anyone who votes against cloture is creating some real political problems for himself. I think the American people think that something should be done with this culture of corruption we have back here.

Mr. GREGG. Was that question directed at me initially?

Mr. REID. Yes, it was. Why can't we do this at a later time when you have all the time you need? I have told the distinguished Republican leader, we will have your amendment. We will have Carper or something like that. I am not sure Carper is what we want to go with but something like that, where we can debate it, have a good debate on it, have you and Senator CONRAD leading the debate. Others will want to join in, Senator BYRD and Senator LEVIN who were plaintiffs in the case. And we can move forward on it. Why couldn't we do that it way?

Mr. GREGG. I guess I would ask the inversion of that question which is why not do it now? The amendment has been pending. It has been debated. People are fairly sophisticated about this amendment since it has been an issue that has been around here for awhile. I think it could be easily moved forward and discussed and voted on in a very prompt way.

But independent of that, the reason why I think we should proceed is, I can't imagine bringing the bill down over an amendment like this which is not a partisan amendment. It has always been bipartisan and it has substance to it. It would seem appropriate. But independent of that, as you know, the ability to amend this vehicle gives me a vehicle with this amendment which, first off, the amendment is relevant. It may not be germane, but it is certainly relevant, considering the fact that it deals primarily with earmarks. But it gives me a vehicle with which to go to conference, and I want to at least get this thing to conference. Granted, the House will probably stand in disagreement, and you will control the conference. And you may decide that you are not going to take it and you will recede to the House. But at least I will have gotten to the conference with what I consider to be a fundamental reform, which goes to the issue of ethics, which is when the President sees something in a bill which he thinks inappropriate and it probably got in there through lobbying, he can send it back for another look by us. That is my primary concern.

If the position of the Democratic leader is that you will give us time on the floor and if we succeed, we will have a commitment to go to conference, assuming we can conference—I mean, is the House going to pass a bill that we get into a position where it can get to conference somehow—that is something I would consider.

Mr. REID. You are talking about if we do this at another, subsequent time?

Mr. GREGG. Yes, if I had a commitment that we would somehow get it to conference.

Mr. REID. I am going to meet the distinguished Speaker of the House in 20 minutes. I will be happy to visit with her about that. I don't see why we couldn't have some assurance that it would go to conference. As you know, I believe in conferences. I think they should go forward. I would work very hard to get that done. I would say to my friend and those who can hear me that you can see through this a thousand miles. I am sure there are Senators who are overjoyed that this matter won't become law; I mean the ethics legislation. This matter, the line-item veto, is not a simple procedure, as my friend indicates. I repeat, it has very difficult constitutional problems, as indicated when the Supreme Court knocked it out last time. We can't debate this in a few minutes. I am willing to spend whatever time and give the Senator whatever assurances I can that we will try to move this on, move this beyond where we are here to conference.

I say this: There are people who are Democrats who have some degree of confidence in being able to do something that is a line-item veto. Senator CARPER has something. You might not like what he has done. I am not an expert on what he has done, but he is

proud of it. Senator CONRAD had some other ideas. We would agree on one. We would match it with yours. It would take us a few weeks to come up with that. But as I told the distinguished Republican leader, we will bring this up at a specific time, not a hit-or-miss time, prior to the recess we are going to have for Easter. I think that is reasonable.

Mr. GREGG. If the Senator will yield for a further question. If the Senator could in the same unanimous consent give me some sort of safe harbor that I will get to conference with my language, I think we might be on to something.

Mr. REID. I can give you this assurance: I will do everything I can to get this to conference. I have not discussed this with the distinguished Speaker or anyone over there, but I will be happy to work to see that that is done. As the distinguished Senator knows, I will work to get it to conference, but as we have learned—and if we get it to conference, it will be a public conference. It will be one where Democrats will be there and Republicans will be there from both the House and the Senate. But as you know, we have more votes than you have, so I can't guarantee what would happen in conference. But I will do everything I can to get it to conference.

Mr. GREGG. If the leader would yield further, I don't think this should be characterized as an amendment to bring down the bill. That is sort of a unilateral authority of the leader, of course. But it is certainly not my intention with this amendment, nor was it my intention with this amendment. I simply want to move this item along. I think this is an appropriate vehicle. But it sounds to me as if there might be a framework here for some progress. I will leave it to the good leaders to discuss this.

Mr. REID. I want the record to reflect that the Senator from New Hampshire offered this—and I said this in my remarks—because he believes in it. This is something he believes in. It was not offered by the Senator from New Hampshire to bring down the bill. But that is what is happening. I am sorry to say there are other Senators who see this as an opportunity to bring down the bill. I would hope we can work something out on this. I want to move forward on this legislation. I want the Senator from New Hampshire to move forward on his legislation.

As the Senator from New Hampshire knows, I don't agree with your legislation. But I will work, as I have indicated before to whoever is watching this Senate proceeding, to do everything I can to get a conference and have an open public conference. If we pass something here, of course.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I want to point out, I was on the floor when this item was discussed, when the Senator from New Hampshire offered his line-item veto amendment. I was also on the floor when Senator CONRAD, who is our side's budget expert, came forward and debated it.

There was a rather fulsome debate. I want to recount what Senator CONRAD said about his belief about the amendment, that not only does it raise serious constitutional concerns, but it would allow the President to unilaterally block enacted funding, even if Congress rejects a proposed rescission. In addition, rather than strengthening fiscal discipline, the amendment could lead to more spending, not less. He pointed out how it could be used to eliminate entire new programs or improvements to benefits such as Medicare and Social Security. The President would have a year after a bill's enactment to propose a rescission. The President could package rescissions as he or she wishes and could combine rescissions that have been enacted in several different pieces of legislation. Senators would be forced to vote on the package with little opportunity for public notice or input and no opportunity to offer amendments, nor would there be any opportunity to filibuster proposed rescissions. The new power would make it much easier for a President to eliminate new Medicare or Social Security benefits to which he objects.

Now, I agree very much with what the majority leader said. This is a very problematic amendment. It was debated on the floor of the Senate. It needs further refinement if anybody is going to move ahead with it. Clearly, it is a major amendment. Clearly, it is a real problem for our side. But for the minority to take down the bill over this amendment when the amendment is not germane to the bill, when I have tried very hard to keep matters that are not within the scope of the bill off the bill, including a matter I myself very much wanted to present, I think makes no sense.

The minority leader pointed out that this bill passed before, 2 years ago, by a vote of 90 to 8. The whole point of this legislation is to show that the two sides can come together, be bipartisan, and enact a bill that will bring about ethics, lobbying, and earmark reform. And we have done that.

As Senator BENNETT, the ranking member, and I have sat on this floor, there has been ample time for Members to bring their amendments to the floor. I assure you that there has been a lot of time when we have just sat here in a quorum call. To allow this bill to be pulled down at this time is just a special matter of some kind of pique, when we know that the line-item veto amendment is extraordinarily problematic and deserves another venue, deserves more scrutiny, and should take some time before it is passed in any way, shape, or form.

So I am fully in support of what the majority leader had to say. It makes no sense for the other side to take down this bill over it. I hope the proposal made by the majority leader will be accepted. I believe he will keep his word. I will help in any way I possibly can to see that that is, in fact, the case. But we are so close to getting this bill done, and it has some momentous things in it that represent a total change of the way these bodies operate, and they are important, significant, and timely. We ought to pass this bill. We ought to show the American people that we can work together, Republicans and Democrats, for a common purpose. So I just want to say that after a week and a half, I am profoundly disappointed that this has come about. I really thought we were going to be able to work together and pass a strong, bipartisan bill. And, in fact, most of the amendments have passed by huge majorities. I think there have only been two that have been relatively close.

I urge the Republican side to reconsider. There are so many positive elements of this bill, and the American people will be so shortchanged if we cannot solve whatever problem there is between us and pass a bill that we voted on 90 to 8 some time ago, which has even been strengthened by some of the eight members who voted against it because they didn't think it was strong enough. This is a very strong measure.

Those of us who will work in conference will work to smooth out any bumps. We will work in an open way, and no side will be shut out of the conference. I pledge it will be a collegial conference. This is our opportunity to set an agenda for the 110th Congress. Please, please, please, let us not reject this.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, we have been working for a week and a half on this bill, S. 1, which is the highest priority of the Democratic majority in the new Congress because we believe, as it says, providing greater transparency in the legislative process is a starting point. Trying to restore public confidence in the way we work here is a starting point.

I was heartened by the fact that this bill, as well as the substitute amendment and other amendments offered, has largely been bipartisan. Most of the debate has been bipartisan in nature. With few exceptions, the rollcalls have been bipartisan. It troubles me that we have reached this procedural impasse with the minority that, with the power given to it in the Senate, is threatening to bring down this bill. I am searching my mind to understand why they would want to bring down a bill that would clean up this culture of corruption in Washington and make substantial ethical changes.

I have come to the conclusion that it has to do with indigestion. What I am referring to is this: For every decision in political life there is usually a good reason and a real reason. The good reason stated by the Republican side—or

one they portray as a good reason—is they want to offer an amendment, which is characterized as a simple amendment. The bill is 55 pages long; the amendment is 24 pages long—almost half the size of the bill. It is not simple; it is very complex. It is on the legislative line-item veto.

Senator REID, as majority leader, has already made a good-faith offering even before we came to the floor to the Republican minority and said that it is important and deserves its day on the Senate floor. We will guarantee you that we will debate this bill before the Easter recess, a like bill to be offered on the Democratic side. Let's bring it to a debate and a vote and see which, if either, prevails and take it from there. That was a good-faith offering.

So the so-called good reason the Republicans are threatening to bring down the ethics bill just doesn't hold. We have already made the best offer that the minority could ever expect, and I know that having served in the minority for most of my time in the Senate.

But there is also a real reason they are trying to insert line-item veto into this ethics bill. Sadly, I am afraid it is because as they sat together over lunch and read the provisions of this bill that will now likely pass, it caused indigestion among the Republican ranks and, as a consequence, they said we need a reason to stop this bill. Well, the reason turned out to be the legislative line-item veto.

For those who follow what happens in Washington, it is my belief that somewhere in the White House the President has a veto pen. I don't know if it is one pen or many pens, but my guess is if it is one pen, most of us know already that there is a lot of ink left in this pen. For over the 6 years the President has been in the White House he has only vetoed one bill, and that was the stem cell research bill. He has never vetoed a spending bill in the entire 6 years that he has served as President.

The suggestion by the Republicans now that this President has been longing for the chance to veto spending bills to show how fiscally conservative he is is not supported by the evidence. Time and again, this President signed appropriations bills without hesitation. Now we are being told if he just had this new power, he could bring spending under control. We know better. We know spending starts with the President's budget. We know that year after year, the President has taken us away from the surplus of the Clinton years into the deepest deficits in the history of the United States.

Now we are being told the reason we cannot address ethics is we need to give the President a new power to veto spending bills for the first time in over 6 years. It doesn't really stand the test of scrutiny for us to consider this as a suggestion that is based in fact. It clearly is a reason to stop the ethics bill.

I urge my colleagues on the other side of the aisle, let's not give up on this bipartisan effort and see this ethics bill go down. Yes, as the minority, you have the power to bring the bill down. Perhaps you believe the legislative line-item veto is the way to bring it down, but the American people are not going to buy it. They understand that strengthening disclosure on earmarks, eliminating dead-of-night provisions in conference reports, respecting minorities in conference committees, and ensuring proper valuation for gifts and meals and tickets that Members of Congress receive, closing the loophole and the revolving door as Members leave public life and go into the private sector, negotiating for lobbying jobs while still in Congress, enhancing the oversight of staff level job negotiations, enhancing fiscal transparency and lobbyist disclosure, lobbyist certification and compliance with gift rules—these are powerful. They are big changes and they are long overdue. We tried a year ago under Republican leadership and failed. I hope we don't fail again because the Republican minority wants to bring the bill down. I hope that my colleagues on the other side of the aisle will reconsider their position. I hope they will come back and join us in passing this bipartisan bill, making sure we do the people's work before we leave this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I don't want to get deep into this confrontation between the two leaders, but I say to my good friend from Illinois—and he is my good friend—that I was present at the Republican luncheon and there was no indigestion on this bill. I was asked by the Republican leader to present where we are on the floor to the members of the conference. By the way, our rule is that we don't discuss anything that happens in the Republican conference, so I am bending that rule. We are allowed to at least discuss what we personally say. So I will not disclose what anybody else said, but I will bend the rule a little to characterize it.

I made the presentation as to where we were on the floor. There was no pushback whatsoever to the idea that we should pass this bill. There was no suggestion from any Member of the Republican conference that this bill should be taken down by some subterfuge.

The Senator from New Hampshire has gone to the leader and made a request. The leader has responded to the request, feeling that the Senator from New Hampshire is entitled to a vote. We are where we are. The leaders will make their decision and have their discussion. I want to make the record as clear as I possibly can that any Republican who wants to use this as a subterfuge to take down the bill has not made his or her position known to me or to the leader. There is no suggestion of that at all of which I am aware.

Mr. GREGG. Will the Senator yield?

Mr. BENNETT. Yes, I yield the floor.

Mr. GREGG. If I may follow up on the Senator's comments, it is obvious that the only person who can bring the bill down is the Democratic leader, if that is his choice. His choice appears to be based on the fact that he doesn't want to vote on the second look at waste amendment or enhanced rescission, which is tied into this bill.

As I mentioned earlier, almost 30 percent of the amendments offered have dealt with earmarks, and half of the time of the debate here in the last 8 days has been on earmarks. So it is not as if this is something that is totally off track or truly outside the realm. This isn't a farm amendment on the lobbying bill; this is a lobbying amendment on the lobbying bill. It doesn't have germaneness because that is a very narrow test, but it is sure relevant and on point. It clearly deals with earmarks, and it also deals within appropriate actions from lobbyists who get earmarks into the bills and bury them in omnibus bills. That is the purpose.

So the idea that this amendment is some sort of poison pill to the bill, it wasn't offered for that purpose and doesn't have that as its purpose. The Republican membership is ready to go forward and vote and is ready to either win or lose on this amendment.

The language of the assistant Democratic leader is such that it sounds to me as if maybe they don't want the bill. Maybe they concluded they don't want the bill because they are the only ones talking about pulling the bill down. We are not talking about pulling the bill down. We are talking about getting a vote on a reasonable amendment. Independent of that, I have made an offer——

Mrs. FEINSTEIN. Mr. President, will the Senator yield for a question? Maybe I am misinterpreting something. Will the Senator yield for a question?

Mr. GREGG. Yes, I will.

Mrs. FEINSTEIN. Through the Chair, I thought what was said was that if the Senator from New Hampshire doesn't get a vote on his amendment, that his side will vote ''no'' on cloture. That was clearly what I heard. Am I wrong?

Mr. GREGG. No, that is absolutely true. We should have a vote on our amendment, and as soon as we get a vote on our amendment, we can go to final passage. What is wrong with that?

Mrs. FEINSTEIN. Mr. President, I will tell the Senator what is wrong with it.

Mr. GREGG. I have not yielded the floor.

Mrs. FEINSTEIN. The amendment is a very complicated amendment. It is impossible to understand, it is a lengthy amendment, and all of the reverberations. I contend and say that it is out of the scope of this bill, and we hope to keep the bill away from these kinds of contentious matters but pass those items within the scope of the bill. I thought there was general agreement with that position. I thought the

Senator would recognize, based on the debate Senator GREGG had with Senator CONRAD that there were real questions with the amendment that took further study. My impression was the Senator from New Hampshire was willing to go through that process at the time.

Mr. GREGG. Mr. President, if I may reclaim my time, I have actually suggested to the Democratic leader and have taken him up on his suggestion as a way we can pursue this issue. I hope it will be done that way and that will resolve the matter. But I continue to hear, even after making that suggestion to the assistant leader, that we on our side of the aisle are attempting to bring the bill down. That is not a defensible position because the only people who can bring this bill down are on your side. You can take it off the floor. We can insist on our right to a vote, which we have every right to do, and it is reasonable to do, and especially reasonable to do in the context of this amendment which the Senator claims is complicated. It is not; it is fairly straightforward. In fact, it is much more straightforward and less complicated than the substitute amendment which has never gone through committee. It came here as a substitute amendment, drafted by the two leaders out of their offices. It is a very complex amendment—in fact, so complex that I heard both sides of the leadership of the bill trying to explain certain sections of it and they had different explanations as to how it affected, for example, private citizens who happen to be married to Members of Congress. It is extremely complex language.

My language at least has pretty much been vetted. It has been vetted all the way to the Supreme Court. It has gone through subcommittee, committee, it has been on the floor, debated, it has been debated again, it has been debated, and it was offered—in fact, my language was actually offered, in essence, by the Democratic Party as their substitute to the original line-item bill. In fact, the Senator from California supported the language when it was offered back in 1995. The Senator from California said:

> I believe that what a line-item veto essentially does is encourage caution on the part of both the Chief Executive and the legislative branch. I think the time has come for fiscal discipline and, as I said, I sincerely believe the line-item veto can help us achieve that goal.

So this matter has been debated extensively on the floor. It has been voted on before. It is not a matter of first impression. It is a matter of considerable discussion, and it is not unique. It is related to this bill.

The Senator from California used the term ''scope.'' Were the term ''scope'' applied to postcloture standing of an amendment, this amendment would stand. But scope is not the operative language. Germaneness is, and germaneness is a much narrower test in postcloture, as we know it is extraordinarily difficult to get germaneness with any amendment that has any breadth to it. That is the reason it falls postcloture, and that is the reason why it should be taken up and voted on before cloture. But I am willing to push the vote off if we are guaranteed what the Democratic leader has suggested he will guarantee us. I won't put words in his mouth. I think what he said was: You will get the vote on your amendment; you will have an amendment from your side; they will both be subject to 60 votes, with time limit on debate, and it will go to conference.

In that context, I think we can resolve this matter. But I take a little bit of umbrage at the idea that the other side of the aisle continues to characterize, even after that presentation had been worked out, our side of the aisle as trying to bring this bill down because the only person who has the right to bring this bill down right now is the majority leader. He controls the floor, he decides what is on the floor, and he can bring it down if he wishes.

We do not wish to bring this bill down. We simply wish to get a vote on a reasonable amendment that won't survive germaneness postcloture; therefore, it has to be voted before cloture. It is an entirely reasonable position for the minority to take, especially since the amendment has been aggressively vetted by having been through this process so many times and actually has been pretty well defined by the Supreme Court as to what rights we have and what rights we don't have. That is why it is structured the way it is so it is constitutional.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, parliamentary inquiry: What is the pending business at this point?

The PRESIDING OFFICER. The pending amendment is the Nelson amendment No. 71.

Mr. LOTT. Mr. President, if I may proceed to speak on this overall issue that has been going back and forth for quite some time, I find myself somewhat amused. I don't quite understand what all the fuss is about. I have been through this before. I have been in the position of resisting an amendment such as this. I have been in the position of advocating an amendment such as this. Everybody is getting their press releases ready now to go out to put their spin on this issue. I wish to make a brief effort to try to put it into proper perspective.

First, the idea or the suggestion that Republicans don't want to get this to conclusion is not credible because I managed this bill last year. We did it in a bipartisan way. As Senator MCCONNELL has said, we got an overwhelming vote. I think it was 90 to 8, and it had tough provisions in there, including most of what is in this bill.

Keep in mind, the underlying bill from last year was introduced by a bipartisan group, leaders on both sides, to begin this debate. Then there was a substitute laid down with some additional changes. Then we went forward with the amendments.

I don't think it is fair to characterize this as one side or the other trying to stop a result. As a matter of fact, I thought our leaders were going to come together. It is OK, we are going to identify a number of amendments about which Members are serious, and we could have votes on them this afternoon and Thursday and finish up Thursday night or Friday. Now I guess there is a little bit of a manhood thing here where one side is going to show the other.

Again, having been through this, when Senators do feel strongly about an issue, who have done the kind of work Senator GREGG has done, they are going to get a vote and they should get a vote. It is very simple. We could get a time agreement. Obviously, Senator GREGG would be prepared to come up with a reasonable time agreement. It is an important issue, but it certainly has been debated.

I have been on all sides of this issue over the last 10 years or so, and we could have a vote on a few other amendments and complete our work and then await conference, by the way, which won't occur until some time in March or April because the House action which has been described basically as getting the job done was only a rules change in the House. They didn't do anything about lobby reform, and they are not going to do so until March. It is not that we are in a tear to catch up with the House. We are going to complete this in a reasonable time, and then we will wait, but we are going to get a result because there are things we need to do with ethics, lobbying reform.

We can do it. We should do it. Some have gotten out of control. Now we are in a long process of self-flagellation without getting to cleaning up some things that need to be changed.

With regard to the specifics of this amendment, I was involved in the process in the nineties when we passed the line-item veto. I was very much an advocate of it. I remember we had a bipartisan group that did that. I know Senator BYRD spoke vigorously against it. We got it done, and it went to the Supreme Court. Before it went to the Supreme Court, President Clinton used the line-item veto for the first time, and I was pretty shocked by the list he came up with. Then I thought: Well, maybe I was wrong after all to support this power of the President.

This is not the same thing. This has been developed by Senator GREGG specifically addressing questions or problems of the line-item veto. I don't want to give Presidents, as they have had, by the way, and used for years, a summary rescission. This is a process, and I looked at it carefully.

I had reservations about the draft we were talking about last year. I don't

particularly like giving the President four bites of the apple. But I do like the fact that if we have some rescissions that go to reduce the deficit, Presidents can't put the same rescission project multiple times. He gets a shot at it, and then he can come up with a different list.

I am a cosponsor of this legislation. I think it will help to bring spending under control. I do think it will allow the President, when there is a project that cannot be defended in the light of day, a chance to take it out, and then we have to vote on it. And, by the way, it is not in perpetuity. It is for 4 years. This President will have this authority for 2 years, and the next President will have this authority for 2 years. Is that the correct timing on this amendment?

It has a sunset. We will see how it works. If we don't like it, if we don't agree with it, if we are embarrassed by the result, it will sunset, and then that will be the end of it unless we extend it. Is that a correct interpretation?

Mr. GREGG. Mr. President, that is correct. This is 4 years, but this President probably won't get 2 years of it. He will probably get a year and a half.

Mr. LOTT. That is correct. I don't know why we have all this huffing and puffing. Let's set it up, have some debate, have a vote, and let's move on. By the way, I believe Senator REID has the majority, and as Senator GREGG pointed out, it takes 60 votes to get this through. I don't think it is going to happen.

Senator GREGG has been willing to work out any and all kinds of agreements. I don't know how in the world the leader could keep a commitment to get it in conference out of whole cloth. Maybe he has some plan afoot.

So far we have worked pretty good. I was a little embarrassed last week. We had one of our Members offer an amendment. I voted against it, but he won fair and square. And then we went through this exercise where we were going to strong-arm Members into switching their vote. Our Members said, wait a minute, including me. I was going to switch back the other way because I thought that a mistreatment. All he was trying to do on earmarks was put us in line or in sync with what the House had passed.

I still don't particularly like that language. I think it is going to create some problems, but I thought it was a very good amendment. Basically, that put us in a holding pattern for the rest of the week or 3 or 4 days.

Hopefully the Democratic leadership will quit trying to fix blame and come up with a way we can complete this good work. The managers have been dealing with it and moving it along. I looked at the list of amendments. I don't see too many amendments that will be a problem in terms of time and debate and completing the work. Let's find a way to get this done, then await further House action, and then see if we can come up with a good product that is in the best interest of this institution and the American people. I believe this rescission package would help us get to that point.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank my friend from Mississippi for that explanation. I simply want to add a little bit of history, which I did previously, to his comments. He said when he saw how President Clinton used the line-item veto he began to wonder if he hadn't, in fact, made a mistake by supporting it. I supported the line-item veto. When I saw how President Clinton used it, I was sure I had made a mistake. Here on the floor and in the debate with Senator Moynihan and Senator BYRD, I made the commitment that I would never support the line-item veto again because it was used in a way I had not anticipated. It was used in a way very different from the way State legislatures have dealt with the line-item vetoes that Governors had. That was my rationale for supporting it. I said: The Governors have it and it works; why shouldn't the President have it? That is because I didn't understand the way the Congress really works. So I said I will never support a line-item veto again.

When the White House called me and said, We need your vote on this, I said, You won't get it. And then when I saw the details of what the Senator from New Hampshire has crafted, I realized, as he has pointed out, that it is crafted with the Supreme Court rescission in mind, with the history of the experience with President Clinton in mind, and I am now willing to support the enhanced rescission legislation the Senator from New Hampshire has proposed because, as he has said, this is not the line-item veto.

Our friends in the press like a quick headline that they think everybody can understand, and they use the headline ''line-item veto,'' and then it sticks. In fact, that is not what it is, and a careful reading of the bill makes it clear that is not what it is. If, indeed, that were what it was, I would vote against it.

But I am hoping the Democratic leader, the majority leader, can work out something which can give the opportunity for this to be brought forward, debated, and then voted on. I do note, as the Senator from New Hampshire has noted, that in order for it to pass, it would require 60 votes. So if, indeed, there are 41 votes against it, the logical thing to do is bring it up, kill it, and let us move forward. But apparently there are not 41 votes against it. I don't know, but I am guessing. So we are where we are. I am hoping it all gets worked out because I think we are close to getting this bill done. I think it is a bill that both sides can vote for overwhelmingly. I have enjoyed working with the chairman of the committee in getting reasonable adjustments in the bill, and it would be a shame to see all of that hard work go down the drain if we can't get this resolved.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I understand we are having a discussion on the floor about the amendment being proposed by Senator GREGG from New Hampshire, known as the second look at wasteful spending amendment, to the pending legislation, which is called the Legislative Transparency Act of 2007. I spoke on this particular amendment offered by Senator GREGG last week, and I came to the Chamber and expressed my strong support for what Senator GREGG is trying to do. For the life of me, I don't understand why we would want to put an issue such as this off, because it adds transparency to the process. That is the name of the bill we have before us: the Legislative Transparency Act of 2007.

What the Gregg amendment would do is to allow the President to identify certain items in bills that are earmarks or may be classified as pork barrel spending. Then once those provisions have been identified, they would get singled out, and then, the President can bring those forward and allow the House and the Senate to vote on those separately.

What happens so many times in legislation that comes before the Congress is a process which is called logrolling. It is an old term; it has been around for a long time. You just keep adding issues in there and adding issues in there and make a piece of legislation bigger, and you pick up votes, and the bill gets so big and cumbersome that it is difficult to find people who are going to vote against it because there are so many issues in there they support. So what Senator GREGG does to bring transparency to this process is to take out those single issues, give the President an opportunity to pull those out and send them back to both the House and the Senate, and we vote on them as a separate issue. That creates a clear position on that particular issue from the House and the Senate. I daresay if we do that, we will cut back on a lot of spending, for those of us who are concerned about the mounting deficits in our Federal budget, who are concerned about accountability, and who are concerned about the process around here, both in setting up a budget and then the appropriations bills that come forward.

I think it is an accountability issue, and I hope we can bring this up and have a vote, in my view, the sooner the better because right now we are involved in an appropriations process that got bogged down from the last session because of earmarks and those

kinds of spending provisions, and we are getting ready to go into a budget process and then right back into appropriations. So the sooner we can deal with this type of legislation, the better.

I am hoping the leadership here in the Senate would consider and eventually allow us to bring this up, and as I say, the sooner the better because it brings accountability to the budget process. That is something we have all been talking about, those of us who are serious about getting the deficit under control, those of us who are serious about some accountability in the budgeting process. If I secure funding for a project in an appropriations bill, I don't have any problem letting people know about it because what I do is I go through the process of getting it authorized; that is, the authorizing committee has looked at it and they have verified that whatever it is that is in the amendment is legitimate, they have reached a consensus on what needs to be done to bring accountability to that particular project or program. Then you take it to the Appropriations Committee, and they allocate the money and they keep allocating the money, and by holding on to the purse strings, they continue to make that an accountable process. If we have any shortfall in what is going on, it is a lack of accountability in the budgeting process and in the appropriations process. I don't believe this makes it any more complicated. I myself think it is pretty straightforward, and I think it is constitutional.

Now, we had sort of a line-item rescission process this Congress passed a number of years back with a large reform. The courts looked at it and decided it was unconstitutional. But in this legislation the final decision is made by the Congress. We leave control of the purse strings here in the Congress. The President just delineates a few of these programs or projects and then brings them back to the Senate, and we vote on them separately.

So I just felt compelled to come to the floor and reemphasize how very important I believe it is that we step forward and we begin to act on these kinds of commonsense solutions Senator GREGG has offered. He was chairman of the Budget Committee. He has worked hard on this issue. I supported his Stop Overspending Act of 2006 when he introduced it in the last Congress. It had a similar provision in there. This is important. I hope we can get an opportunity to act on this particular provision before we move off of this piece of legislation. I ask my colleagues here in the Senate to join us in trying to bring excessive spending under control.

I yield the floor, Mr. President, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. OBAMA). Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I know we are in an unfortunate gridlock at the moment, but earlier in the afternoon my friend from Utah, Senator BENNETT, rose to indicate that he intended, at some point in the debate, to move to strike a section of the bill regarding so-called grassroots lobbying. It requires disclosure of people doing paid grassroots lobbying exceeding a certain threshold of spending every year. And this provision is part of the title of the bill before us that came out of the Homeland Security and Governmental Affairs Committee, of which I am privileged to chair and of which I am privileged to have the distinguished Presiding Officer as a new member of.

I wish to respond to several statements that Senator BENNETT made. We will have a fuller debate, I am sure, before he asks for a vote on his amendment. But for the record, for the information of my colleagues, I wish to speak in favor of what I believe is one of the most important elements of this lobbying reform legislation.

The original provision, sponsored in committee by my friend from Michigan, Senator LEVIN, and myself, requires, for the first time, disclosure of so-called paid grassroots lobbying. Much has been said—I fear, too much of it not on point—about this provision and its purported impact on free speech. I wish to reassure my colleagues that those claims about this provision are not true.

This grassroots lobbying provision would do nothing to stop, deter or interfere with individuals exercising their constitutional rights to petition our Government for redress. We are talking about disclosure, not censorship, not limits in any way on lobbying. We are talking about disclosure of large sums of money spent by professional organizations. We are not talking about barring any organization from conducting a grassroots lobbying campaign. And we are not talking about small grassroots lobbying efforts.

We are talking about major media campaigns, mass mailings, large phone banks, designed for the purpose of influencing Members of Congress or the executive branch on specific issues. There is nothing wrong with that. But it has become, as I will discuss in a moment, an ever-increasing, evermore expensive part of the way in which people use their constitutional right to petition their Government, and it has, unfortunately, been abused, particularly in the Abramoff case. This provision would shine the disinfecting, the edifying, the illuminating, the educating sunshine of public disclosure, but would impose no limitation on constitutional rights.

Our former colleague, the late Senator Lloyd Bentsen of Texas—a wonderful man and a great Senator—once referred to this kind of paid grassroots lobbying as ''astroturf lobbying'' because it was not real grassroots lobbying. It was generated, manufactured, and not self-grown. It, to me, defies logic to require a company to disclose—as we do in law now, and would even more according to the underlying bill, S. 1—to require a company to disclose its direct lobbying of Members of Congress, while giving that same company a pass by not requiring it to disclose anything with regard to its efforts to manufacture and generate thousands of pieces of mail and calls for the same purpose.

To avoid confusion, I want my colleagues to understand what this provision does and what it does not do. It does not ban or restrict grassroots lobbying of any kind in any way. That would be wrong. Grassroots lobbying is an important way for people to get involved and contact their Members of Congress or the executive branch. There is nothing wrong with astroturf lobbying, as Senator Bentsen described it, either. It is not self-generated grass, but it is appropriate, constitutional and legal and nothing in this provision of S. 1 would stop it.

This legislation simply requires disclosure of the amount of money spent on grassroots lobbying when it is conducted by professional organizations. The opponents of this measure would have us believe we are trying to amend the first amendment. That is not true. Our Senate phones are often jammed with callers expressing their points of view and all giving the exact same message. That comes from somewhere, is paid for by somebody and is part of an organized effort, and the public and the Members have a right to know who is paying and how much.

I wish to note this provision responds directly to one element of the Abramoff scandal. Mr. Abramoff funneled money from one of his clients, the Mississippi Choctaw Indians, to a grassroots lobbying firm run by Ralph Reed to oppose pro-gambling measures. The Choctaws were particularly interested in stifling competition to their gambling activities. Well, it seems to me in that case the public had a right to know the anti-gambling campaign was funded by those trying to protect—which is their right—their own position in the gambling industry from further competition.

Mr. Abramoff also directed his clients—and here is where we get into big problems—to pay millions of dollars to grassroots lobbying firms controlled by himself and his associate Michael Scanlon, fees that were in part directed back to Mr. Abramoff personally but never known by the public as direct fees. If the disclosure requirements that we are proposing here had been in place, Mr. Abramoff and Mr. Scanlon would have had to have disclosed these multimillion dollar fees they passed through this grassroots lobbying operation and, therefore, I believe they probably would not have been able to pull that particular scam off so easily.

In crafting this provision, Senator LEVIN and I have been careful to listen to grassroots organizations and have incorporated several safeguards to make sure we do nothing to inhibit their exercise of free speech. We make clear, for example, that the grassroots lobbying effort must be in support of a direct lobbying effort. Grassroots activities without connection to lobbying do not trigger a reporting requirement in and of themselves. So no matter what is being said here, I assure my colleagues that if this bill passes with this provision in it, anyone picking up their phone of their own free will to tell their Member of Congress how they feel about an issue is not going to face any requirements under our amendment.

Here is another threshold the amendment requires. Some people say: What if an organizational leader writes to his Members or a clergyman writes to his church to urge them to express an opinion on a particular matter to Members of Congress? It wouldn't be covered by this. We exclude efforts that are not professional, that are not paid for, and we exclude all efforts that cost less than $25,000 per quarter. That is a significant exemption, and it means that an organization can spend up to $100,000 a year on paid grassroots lobbying without triggering the disclosure requirement. Again, we also exclude communication made by organizations to their own members. And we exclude any communication directed at less than 500 members of the general public.

So what we are asking for is disclosure of spending over $25,000 per quarter to get others to engage in grassroots lobbying, and we are asking them to report just one number rounded to the nearest $20,000. Eleven years ago, Senator LEVIN unsuccessfully fought for a grassroots lobbying disclosure provision when Congress originally passed the Lobbying Disclosure Act. At the time he said, to the best of his knowledge, grassroots lobbying campaigns spent about $700 million a year. To the best of my knowledge, though obviously we don't know because there is no disclosure, that figure has multiplied probably into the billions per year, and the public has no accurate picture of who is spending what to influence others to lobby Congress. That is what this provision would do.

My friend from Utah, Senator BENNETT, pointed out that the first amendment protects the right of every American to petition Government for redress of grievances. Of course, that is true, and lobbying is part of that. As I said in my opening statement on this bill, it is a constitutionally protected right. The Senator further pointed out that the Supreme Court has said this right is not diminished if performed for others for a fee. That is also correct. I agree. Nothing about disclosure, however, is inconsistent with that first amendment right. Requiring disclosure under certain narrow circumstances is all our grassroots provision would try to do. The fact is, the Supreme Court has upheld disclosure requirements for direct lobbying. I am confident that the Court's reasoning applies equally to the disclosure we are proposing for paid efforts to stimulate grassroots lobbying.

In the leading case on lobbyist disclosure, which is U.S. v. Harriss, decided in 1954, the Supreme Court considered the Federal Regulation of Lobbying Act which at that time required every person ''receiving any contributions or expending any money for the purpose of influencing the passage or defeat of any legislation by Congress'' to report information about their clients, their contributions, and their expenditures. The Supreme Court upheld in that case disclosure requirements for the Court's narrow definition of lobbying, which included not only direct communications with legislators but also their artificially stimulated public letter campaigns to Congress. Two courts of appeals have also upheld grassroots lobbying disclosure requirements. In Minnesota State Ethical Practices Board v. the National Rifle Association, decided by the Eighth Circuit Court in 1985, that circuit upheld the State statute requiring disclosure of grassroots lobbying, even when the activity at issue was correspondence from a national organization to its members. In other words, the Eighth Circuit upheld a statute that goes even farther than we are going because we are exempting communications made by organizations to their own members.

In the other case, the 11th Circuit, in a case known as Florida League of Professional Lobbyists, Inc. v. Meggs, decided about 10 years ago in 1996, upheld a Florida law which required disclosure of expenditures both for direct lobbying and indirect lobbying activities.

Astroturf lobbyists who don't like this legislative provision may well challenge it in court. That could be said of most pieces of legislation that Congress considers. But I believe the weight of precedent of both the Supreme Court and the two explicit circuit court cases on grassroots lobbying should give us confidence that extending the essential disclosure requirements of lobbying to paid efforts to stimulate grassroots lobbying would be upheld as constitutional.

I hope more broadly that we can proceed with this bill. It is an important reaction to the voices of the people that we have all heard who are offended by the ethical scandals here in Congress over the last few years, as we all, each Member of Congress, are embarrassed by those scandals. This underlying bill, S. 1, is a very strong response to them. I hope it does not fall by the wayside in what may appear to observers to be the first partisan gridlock of this session of Congress. Surely we can figure out a way to proceed to consider the issue that is the subject of the gridlock at some point in the Senate and then proceed rapidly to consider the other amendments pending on S. 1, adopt the bill, and go forward.

I thank my colleagues.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I listened with interest on the television when my friend from Connecticut was responding to my amendment, talking about the grassroots or astroturf kinds of lobbyists. I was struck as usual with my friend's good intentions. I am reminded once again of a comment I made, which the Presiding Officer heard me make, which is hard cases make bad law.

The Abramoff situation was clearly a matter of money laundering. It had little or nothing to do with lobbyists. He found a way to use a particular activity in order to channel contributions from one of his clients back to himself in fees that would be hidden. That is being offered as a reason why we need to adopt this amendment with respect to grassroots organizations.

My friend from Connecticut talked about simply disclosure. Everybody who does this ought to say what they are doing, and we are not stopping them. Yes, they have their constitutional right to do this. And yes, it is a proper thing for them to do, so long as it all gets disclosed. Because if Abramoff had been forced to disclose, he wouldn't have been able to launder the money. That sounds enormously reasonable. But as I listened to the details, comparing them to my knowledge of the underlying bill, I realized, once again, this is being crafted with an eye toward the astroturf lobbyists, without an understanding of how chilling an effect it will have on genuine grassroots kinds of activities.

As the ACLU pointed out in its letter, the reporting requirements are so heavy and so onerous and now, as a result of an amendment we have previously adopted, carry with them a $200,000 fine, if they are inadvertently broken, that it will have a chilling effect on many groups who will decide they simply don't want to run the risk. We simply don't want to expose ourselves to this. Someone who inadvertently violates the law or violates the reporting requirements which we would be putting into the law, who accepts a relatively small amount of money for his services but somehow triggers the amount listed in the bill, finds himself or herself subject to a $200,000 fine for each incident. And even if that individual goes to court and gets it set aside, the legal costs will clearly go above $200,000.

To what end? Members of Congress are fully aware of how these astroturf campaigns are mounted. We understand when we are the target of one of

these. I don't know a single Member of Congress who can be swayed by this kind of thing, if, in fact, the underlying legislation is bad legislation in the opinion of the Member of Congress. I know many of these people do this to make a living, and they convince their Members that it is a worthwhile kind of thing. They will still continue to do that, the big ones. This is not something that is part of any culture of corruption. We cannot point to anybody who has been overwhelmed by these and, therefore, changed his mind on a particular piece of legislation.

Let's have a little understanding of the way the system works and a little common sense about how Congress responds, about how people try to bring particular pressure points upon them.

I respect my friend from Connecticut. I think his reading of the law is obviously very careful. But I come back to exactly the same position I did before in my earlier statement. This will have a chilling effect on honest, responsible, legitimate grassroots kind of activity, because the people who engage in that kind of activity will be afraid that their exposure to a $200,000 fine is too great. And it will be easier for them to say: Never mind.

People who do the astroturf kind of thing, where they are big enough and they have enough money, they have enough legal background, file all their reports and will continue to do it. The reports will be filed, and no one will pay any attention to them. I often say the best place to hide a leaf is on the floor of the forest surrounded by all of the other leaves. There will be a blizzard of reports coming from the big people who can afford to do this, and there will be a chilling effect on the little people who will be very nervous about the exposure we have built into this bill.

In the previous bill passed by the Senate that had this provision in it, the fine was $50,000. That was serious enough. Now that the fine is $200,000, I am getting all kinds of concern from all kinds of groups that are not professional astroturf lobbyists but legitimate grassroots groups that are very anxious that this is going to, in effect, hamper their ability to exercise their constitutional rights. Will it legally prevent them from exercising their rights? No, it won't. Will it practically prevent them from doing so? Yes, in all probability, it will. And the result is simply not worth that kind of risk to run.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I strongly oppose Senator BENNETT's amendment to strike section 220 from the bill. The debate about section 220 is essentially a debate about the openness of the legislative process. It is a debate about the right of the American people to know who is spending money to influence their elected representatives and how that money is being spent.

It is important not to be misled by the use of the term grassroots lobbying in section 220. We aren't talking here about constituents reading the newspaper and deciding to call their Member of Congress to weigh in on the issue of the day. No, what section 220 deals with is paid grassroots lobbying, the spending of money to try to get the public to contact Congress. It is estimated that grassroots lobbying is a billion dollar business. That is a billion undisclosed dollars spent by special interests to influence the legislative process. We should keep in mind as well that in 2005 a few million of those undisclosed dollars went to Grassroots Interactive, a so-called ''grassroots'' lobbying firm controlled by Jack Abramoff. E-mails made public by the Indian Affairs Committee indicate that Abramoff and his accomplice Michael Scanlon prided themselves on being able to make it appear as if there was significant public concern over an issue. Further, those e-mails suggest that Abramoff and Scanlon used the grassroots lobbying firm as a way to avoid public scrutiny of their activities because current law does not require disclosure for grassroots lobbying firms. For example, Jack Abramoff reportedly paid Ralph Reed $1.2 million to use his Christian Coalition network to stimulate public opposition to a tribal casino; under current law, Ralph Reed's supporters were completely in the dark about the fact that their antigambling efforts were being funded by a competing tribal casino.

The lobbying disclosure law, as it stands now, contains a billion dollar loophole. All section 220 does is close that loophole.

I am going to address some of the claims made by the Senator from Utah, but first let me explain what section 220 does. First, it requires registered lobbyists to report how much they spend on efforts to stimulate grassroots lobbying on the lobbying disclosure reports that they are already required to file. Second, it requires large professional so-called grass roots lobbying firms to report on the amount they receive for their services, just like any other lobbyist. And that is it, that is all section 220 does. Organizations do not have to report on the amounts they spend to communicate with their own members, and they only have to report on the cost of their communications with the general public if they are required to register and file under the Lobbying Disclosure Act.

By the way, communications to fewer than 500 people are not considered by section 220 to be communications to the general public. And here is the important thing private citizens can still call, write, e-mail, fax, or visit their Senators anytime they want, in response to a call from a telemarketer or an e-mail from an organization they belong to, or because they read something in the morning paper, without ever have to report anything at all. Citizens are completely unaffected by this provision.

Some groups, especially the ACLU, have raised concerns that section 220 will intrude on Americans' freedom of speech and right to petition the Government. I appreciate the ACLU's concerns and am grateful for its vigilance in protecting our civil liberties, but in this case its reservations are unfounded. In 1954, in United States v. Harriss, the Supreme Court upheld the constitutionality of disclosure requirements in the Federal Regulation of Lobbying Act, stating that Congress is entitled to require a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose. That is exactly what section 220 does. Without disclosure, the Court warned, ''the voice of the people may all too easily be drowned out by the voice of special interest groups seeking favored treatment while masquerading as proponents of the public weal.'' Paid grassroots lobbying is a billion dollar business. It will not be chilled or discouraged by the very reasonable disclosure requirements in section 220.

While the ACLU's opposition to section 220 is honest and heartfelt, the same cannot be said of attacks made by some other groups. Their claims are so outrageous, so manifestly untrue, so unhinged from any connection to the reality of this bill, that I would like to assume that they have been misinformed about the details of the section, or that perhaps they are mistakenly referring to an entirely different piece of legislation. Unfortunately, I think it is more likely that they are engaged in a campaign of deliberate misinformation about the details of section 220. And of course, because of the loophole they are trying to protect, we may never know who is spending big money to try to convince the public to tell us to oppose this provision.

I certainly would not claim that the Senator from Utah is deliberately trying to mislead the Senate. But his statement today shows a deep misunderstanding of how section 220 works. So let me address several of the claims he made.

First, the Senator from Utah said the following:

> Someone who gets his neighbors together and says, let's all write our congressmen on this issue and then spends some money doing it, under this provision, becomes a paid lobbyist and if he does not report and register, would be fined $200,000 for having done that.

That is simply not true. The definition of lobbyist and the requirements for registration are not changed by this bill or section 220. A lobbyist doesn't have to register under the Lobbying Disclosure Act unless he makes a lobbying contact on behalf of a client and

receives over $5,000 for lobbying activities engaged in for a particular client. So the person who gets his neighbors together as described by the Senator from Utah and spends some money getting them to write some letters is not a lobbyist and does not have to register—before this bill or afterwards. That is not just a matter of interpretation of the statute; it is the undisputed meaning of the Lobbying Disclosure Act.

The Senator from Utah also said the following in his statement yesterday:

> A grass-roots lobbying group decides in its neighborhood that the most effective means of influencing and speaking up on legislation is to send out letters to its membership. Or perhaps it may decide the most effective means would be to buy a mailing list and send out letters to the people on the mailing list. As soon as they spend the money to buy the mailing list, there is a paid lobbyist involved. And if the registration is not correct, there is a $200,000 fine against that group if we leave this—this provision in the bill as it is.

Again, that is not true. Unless an organization makes direct contact with a Member of Congress and spends more than $10,000 in a quarter on lobbying activities, then it does not have to register. And if it does not have to register, it does not have to report its spending on that mailing list. In addition, and this is very important, a group's spending to communicate with its own members is not considered grass roots lobbying at all.

The only way that this group would have to register is if it makes direct contact with a Member of Congress and spends over $10,000 in a quarter on lobbying activities, not including communicating with the general public to try to get the general public to contact the Congress. If the group does that, then it is not a small grassroots lobbying group. And yes, it has to register and report. I think that is the correct result.

I have taken a fair amount of time to respond to the Senator from Utah because this legislation is too important to let mistaken discussions of this provision stand without an answer.

Some of section 220's opponents have claimed that it is designed to keep the public in the dark about the legislative process, that it targets individual citizens and small grassroots organizations, that it will prevent organizations from communicating with the public, and that it will smother lobbyists in miles of redtape.

None of these claims are true. Not one. I suppose the groups spreading this information are so afraid of section 220 that they are willing to say anything to try to stop it. But I wonder exactly what they are afraid of. Section 220 only applies to registered lobbyists and large grassroots lobbying firms, and it does not prohibit or restrict their activities in any way. In fact, section 220 merely makes public how much money they spend and how they spend it. Surely these groups that have tried to convince people to contact their offices with mistaken claims about the bill aren't afraid of a little sunlight—or maybe they are.

We are so close to passing the kind of ethics bill that the public wants, that the 2006 elections endorsed, and that our democracy needs. Defeating this amendment will bring us closer to the day we can go back to our States and tell our constituents that we actually delivered real bipartisan lobbying reform. But what will our constituents say if this amendment succeeds and the Senate votes to reopen a billion-dollar loophole in the lobbying disclosure law?

I urge my colleagues not to be fooled by the phony arguments being advanced by the opponents of this provision. I ask my colleagues to please vote no on the amendment of the Senator from Utah.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. REID. Mr. President, to bring everyone up to date as to where we are, I made a good-faith offer to the minority that we will put the line-item veto off to another day. Senator BYRD was not agreeable to that. I talked to Senator BYRD on more than one occasion this evening, the last time for a significant amount of time, and he simply believes this line-item veto is a matter of great constitutional import, that for us to agree at this time to debate this would be wrong and that he simply will not do that.

Having said that, I still say I think it is a terribly unfortunate day for this Senate that a bipartisan piece of legislation dealing with ethics and lobbying reform that has been cosponsored for the first time in three decades as the first bill brought before the Senate by the two leaders, Democratic and Republican leader, is not going to be allowed to go forward based on the Republicans not being able to have a vote on a matter that is not germane or relevant to this legislation.

We have done so much with this legislation. We introduced the bill that passed this Senate last year by a vote of 98. We strengthened that significantly with the substitute. A number of amendments were offered by my Republican colleagues and Democratic colleagues. There are those who say that Senators thought those amendments would not be agreed to. They have been agreed to, with rare exception.

We have 15 or so amendments that would be postcloture germane on the substitute if cloture were invoked. We have agreed those amendments should go forward.

The point I am making is it is too bad that it appears this bill is not going to pass because of a line-item veto. That is what it is all about. Members can talk about things in here that may apply, and the Parliamentarian says it is not germane. To think we can dispose of this piece of legislation in a few minutes is not sensible. This is something that will take a lot of debate. Senator CONRAD, alone, would take a number of hours. Senator BYRD would take a number of hours. Senator LEVIN, who is one of the plaintiffs taking this to the Supreme Court, would take a significant amount of time.

I hope my friends on the other side of the aisle would reconsider. After what has gone on in Washington, in the courts alone, this requires our doing something. We, in good faith, have moved forward on this, playing by the Senate rules. I hope people of good will on the other side of the aisle vote to invoke cloture. If not, as I said earlier today, there is only one reason this bill is going to not pass. It is because the minority does not want it to pass, period, underscore, exclamation point.

So, Mr. President, I ask unanimous consent that the Lott amendments Nos. 78 and 79 be withdrawn, that at 9 o'clock p.m. tonight all time postcloture be yielded back, and without further intervening action or debate, the Senate proceed to vote in relation to the following: Feingold amendment No. 65; Bennett amendment No. 81, as modified; Reid amendment No. 4, as amended, if amended; motion to invoke cloture on the Reid substitute amendment; provided further that there be 2 minutes of debate equally divided between each vote.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, I might say in response to my good friend, the majority leader, there is no particular reason these votes could not be held in the morning. It is clear we are at an impasse. That frequently happens in the Senate. It is not at all unusual. It is also not at all unusual to have nongermane amendments offered on bills. They are offered on virtually every bill that goes through the Senate. So there is nothing extraordinary happening on this bill that we do not see in the Senate with great repetition on bill after bill after bill after bill.

We have been working in good faith to reach an agreement with respect to Senator GREGG's amendment on enhanced rescission. I wish to thank the Senator from New Hampshire for his patience in that regard. He was here early on this bill. He offered it a week ago—it has now been pending for an entire week—and is prepared for a vote.

Now, the majority leader, to his credit, was attempting to reach an agreement to allow for a vote on this issue at a later date. He mentioned it needed to be sufficiently debated. Of course, at a later date, in the context in which he

and I and Senator GREGG were discussing it, there would be plenty of time for debate, adequate time to make the arguments on both sides to fully consider this important measure, with plenty of time for everyone to have their fair say about it.

Unfortunately, the majority leader has an objection on his side, and therefore it appears we will not be able to finish this bill this week. I hope we can continue to work on a path toward finishing the underlying bill. It passed last year 90 to 8, after the then-minority defeated cloture on one occasion in order to do exactly what this minority is going to do to defeat cloture on one occasion, which is to guarantee consideration of additional amendments.

So I would have hoped we could have had these votes in the morning because not much progress will be made tonight in this regard.

Having said that, Mr. President, I yield the floor.

The PRESIDING OFFICER. Is there objection?

The Senator from New Hampshire.

Mr. GREGG. Mr. President, reserving the right to object, I just want to thank the Republican leader and the majority leader for their efforts to try to move forward with my amendment. There was a lot of work done, and we had, I thought, a reasonable understanding as to how to proceed, which was outlined on the floor earlier in a colloquy between myself and the Republican leader and the Democratic leader and the assistant Democratic leader.

I regret that there is an objection on the other side. But I appreciate the Republican leader's willingness to protect my rights by maintaining my ability to amend this bill, if I cannot get this amendment up at a later date under a time certain, as we had an understanding at least between the four of us.

I have no objection.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. Mr. President, the unanimous consent request is agreed to; is that right?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (Nos. 78 and 79) were withdrawn.

Mr. REID. Mr. President, what I want to say is, I do not want anyone to be disabused that the only problem we had with our conversations was the time. As I indicated, I thought it would be appropriate to have a time certain to do this, but there were other issues that became involved in this also about how we would get to conference and other matters that were somewhat complicating, which certainly I did not have an opportunity to even discuss with Senator BYRD. But there were other hurdles we had to jump through. So it is not just as simple as that.

The point is, it was not done. I think that is unfortunate. But the issue before this Senate tonight is whether we are going to move forward with the most significant lobbying and ethics reform, by a large margin, since Watergate. It would be historic legislation. I would remind everyone the legislation that passed last year, 90 to 8, was the original bill we laid down. So everyone understands, it was held up because of the Dubai Ports issue, which was resolved quite quickly.

Mr. President, I yield to my friend from Illinois.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, for the record, a year ago when we debated ethics reform, the cloture motion was opposed on the Democratic side after we considered one amendment—one amendment. We have considered 12 amendments to this bill to this point, plus there have been others that have been accepted by the managers. So our objection a year ago was the fact that we had not opened it to an amendment process. I do not think anyone can argue that point this evening when the minority decides, if they do, to oppose the motion to invoke cloture.

I do not want to read too much into this. I hope this is just a bump in the road. But this is going to be a long journey of 2 years, and it does not start well when a bipartisan bill sponsored by the two leaders—the Democratic and Republican leaders—a substitute cosponsored by both leaders, and amendments cosponsored on both sides of the aisle are not enough impetus for us to pass a bill which is long overdue.

We considered this bill a year ago. It has been set over and over again, but nothing happened. We were determined with the mandate of the last election to see some change on the floor of the Senate. I thought we were off to the right start with a bipartisan measure, an effort to cooperate, an effort to compromise—and there have been many compromises on the floor. To think it is going to break down this evening because we refuse to consider a measure which is not even part of this bill, not even relevant to this bill, not even germane to this bill, tells me that we have reached a bad spot in the road. I hope we can get beyond it. We have a lot of work we need to do in the time to come. I hope it starts off in the same bipartisan manner, but I hope it ends better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 81, AS MODIFIED

Mr. BENNETT. Mr. President, I am grateful to the majority leader for scheduling a vote on my amendment No. 81. I wish to inform the Members of the Senate that Senator FEINSTEIN and I have been working to get this worked out in such a fashion that a recorded vote would not be necessary.

I raised the issue because lawyers on our side examined the underlying legislation and said the way it was worded, it could, in fact, be interpreted to prevent the 501(c)(3) activity that is purely educational and not connected with lobbying in any way, in which many of us participate.

The flagship example of that is the Aspen Institute and their Congressional Program. I am told the Aspen Institute has approved the language that is in the underlying bill. But I am convinced from the analysis of the lawyers that someone who wanted to do that program harm could, in fact, take the language of the underlying bill and attack the Aspen Institute Congressional Program.

Furthermore, while the Aspen Institute is perhaps the best known and the best supported, there are a number of other purely educational programs conducted by groups that have some connection with lobbyists. They do not take lobbyists on the trip. The lobbyists do not use the trip in any way. But because the organization has some connection to a lobbyist—may have employed a lobbyist for some issue unrelated to the trip or may, as in the case of the Aspen Institute, have lobbyists on its board—I am told that someone who wanted to disrupt those programs could challenge them.

So we have tried to work out a way to carve out this area reasonably and clearly, and we thought we had a deal. We had approval from both sides of the aisle by Senators who looked at it and said: Yes, this is exactly right. This is something we can certainly live with. We were, frankly, within minutes of having a voice vote on this, and then an objection was raised. The Senator who raised the objection has refused to budge. He has refused to compromise.

I have modified our original proposal in an effort to get compromise and have been unable to get it. So we will be voting on it. I would hope everyone would understand, when the time comes to vote on the Bennett amendment No. 81, that we are not, in fact, as some might allege, creating any kind of a loophole. The Ethics Committee will be involved to review all of these programs in advance, to make sure they are, in fact, educational programs. Lobbyists will not be allowed to travel or be present at any of the meetings.

We are talking about the kinds of things we should have more of in the Congress rather than less—opportunities across the aisle to get together under the sponsorship of a neutral organization, in a neutral location, and talk through the various problems.

Again and again, as I have been involved in these things, people say to me: Why can't we have more of this in Congress? The way the underlying bill is written contains the potential of having less of it. My amendment is structured to see to it that we are able to preserve those connections and relationships we already have. And if some future foundation decides to fund a 501(c)(3) for an additional one, they will not be prohibited from doing so just because someone on the foundation's

board happens to be a lobbyist. They will not be prevented from doing so just because someone connected with the 501(c)(3) happens to be a lobbyist, totally removed and apart from anything the 501(c)(3) is trying to do.

I believe very strongly this is the way we ought to go. I am grateful to my chairman, Senator FEINSTEIN, for her willingness to cooperate in a compromise. I am sorry we have been unable to work it out so that it is necessary for us to have a vote.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

VOTE ON AMENDMENT NO. 65

Mr. REID. Mr. President, I ask unanimous consent that the vote begin now and be discontinued at 20 after the hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question occurs on agreeing to amendment No. 65 offered by the Senator from Wisconsin.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Missouri (Mr. BOND), the Senator from South Carolina (Mr. DEMINT), the Senator from Nebraska (Mr. HAGEL), and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 5, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—89

Akaka	Dodd	Lugar
Alexander	Dole	Martinez
Allard	Domenici	McCain
Baucus	Dorgan	McCaskill
Bayh	Durbin	McConnell
Bennett	Ensign	Menendez
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murkowski
Boxer	Graham	Murray
Brown	Grassley	Nelson (FL)
Brownback	Gregg	Nelson (NE)
Bunning	Harkin	Obama
Burr	Hatch	Pryor
Byrd	Hutchison	Reed
Cantwell	Inouye	Reid
Cardin	Isakson	Roberts
Carper	Kennedy	Rockefeller
Casey	Kerry	Salazar
Chambliss	Klobuchar	Sanders
Clinton	Kohl	Schumer
Cochran	Kyl	Shelby
Coleman	Landrieu	Smith
Collins	Lautenberg	Snowe
Conrad	Leahy	Specter
Corker	Levin	Stabenow
Cornyn	Lieberman	Stevens
Craig	Lincoln	Sununu
Crapo	Lott	
Tester	Vitter	Webb
Thune	Warner	Whitehouse

NAYS—5

Coburn	Inhofe	Voinovich
Enzi	Thomas	

NOT VOTING—6

Bond	Hagel	Sessions
DeMint	Johnson	Wyden

The amendment (no. 65) was agreed to.

Ms. STABENOW. Mr. President, I move to reconsider the vote.

Mr. SALAZAR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 81, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes equally divided prior to a vote in relation to amendment No. 81, offered by the Senator from Utah.

The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, for the information of Senators, on this amendment I wish to give them the names of the groups that would likely be prohibited from sponsoring educational travel, unless this amendment is adopted: Aspen Institute, Transatlantic Policy Network, Save the Children, CARE, Global Health Council, Population Action International.

For those who think this is a loophole that Jack Abramoff could drive through, I point out that the amendment requires the Ethics Committee to vet each program in advance, examine who is going, whether there would be a lobbyist present, and what the purpose is. If you vote against this amendment, in my view, you are expressing a vote of no confidence in the chairman and ranking member of the Ethics Committee, Senators BOXER and CORNYN. I urge adoption of the amendment.

Mr. REID. Mr. President, I yield 1 minute to the Senator from Wisconsin, Mr. FEINGOLD.

Mr. FEINGOLD. Mr. President, the Reid amendment draws a bright line. Groups that employ or retain lobbyists could not provide trips of over 1 day. The Bennett amendment allows 501(c)(3)s that lobby to provide trips. There is a limitation that will prevent this amendment from becoming a loophole that will lead to kinds of abuses we saw with Jack Abramoff and his trips to Scotland. If these groups don't lobby, there is no limitation; they can do this. That means, unlike what the Senator from Utah said, the Aspen Institute would not be prohibited under the Reid amendment. We must defeat this amendment to keep our rules parallel to the House rules and prevent lobbyists from funding these trips.

The PRESIDING OFFICER. All time is expired. The question is on agreeing to the amendment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Missouri (Mr. BOND) and the Senator from Nebraska (Mr. HAGEL).

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—51

Alexander	DeMint	McCain
Allard	Dole	McConnell
Bennett	Domenici	Mikulski
Brownback	Ensign	Murkowski
Bunning	Enzi	Nelson (NE)
Burr	Graham	Roberts
Carper	Gregg	Sessions
Chambliss	Hatch	Smith
Coburn	Hutchison	Snowe
Cochran	Inhofe	Specter
Coleman	Isakson	Stevens
Collins	Kyl	Sununu
Conrad	Landrieu	Thomas
Corker	Leahy	Thune
Cornyn	Lott	Vitter
Craig	Lugar	Voinovich
Crapo	Martinez	Warner

NAYS—46

Akaka	Feinstein	Obama
Baucus	Grassley	Pryor
Bayh	Harkin	Reed
Biden	Inouye	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Lautenberg	Shelby
Cardin	Levin	Stabenow
Casey	Lieberman	Tester
Clinton	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Murray	
Feingold	Nelson (FL)	

NOT VOTING—3

Bond	Hagel	Johnson

The amendment (No. 81), as modified, was agreed to.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, it is my understanding there are two more votes; is that right?

The PRESIDING OFFICER. There are two more votes.

Mr. REID. I ask unanimous consent that the votes be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I am sorry, I should have suggested that on the last vote, but I just didn't do it.

AMENDMENT NO. 4, AS MODIFIED AND AMENDED

The PRESIDING OFFICER. Under the previous order, there is 2 minutes equally divided before a vote on amendment No. 4, as modified and amended, offered by the Senator from Nevada, Mr. REID.

Mr. REID. I yield back my minute.

The PRESIDING OFFICER. The majority leader yields back his minute. Who seeks time in opposition?

Mr. BENNETT. I yield back my time.

The PRESIDING OFFICER. The Senator from Utah yields back his time. All time is yielded back.

The question is on agreeing to amendment No. 4, as modified and amended.

Ms. SNOWE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Missouri (Mr. BOND) and the Senator from Nebraska (Mr. HAGEL).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 9, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—88

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murray
Allard	Enzi	Nelson (FL)
Baucus	Feingold	Nelson (NE)
Bayh	Feinstein	Obama
Bennett	Graham	Pryor
Biden	Grassley	Reed
Bingaman	Gregg	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inouye	Sanders
Byrd	Isakson	Schumer
Cantwell	Kennedy	Sessions
Cardin	Kerry	Shelby
Carper	Klobuchar	Smith
Casey	Kohl	Snowe
Chambliss	Kyl	Specter
Clinton	Landrieu	Stabenow
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thune
Corker	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	Webb
DeMint	McCain	Whitehouse
Dodd	McCaskill	Wyden
Dole	McConnell	
Domenici	Menendez	

NAYS—9

Burr	Ensign	Murkowski
Coburn	Inhofe	Stevens
Cochran	Lott	Thomas

NOT VOTING—3

Bond	Hagel	Johnson

The amendment (No. 4), as modified and amended, was agreed to.

Mr. DURBIN. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided on the motion to invoke cloture on the Reid substitute. Who yields time?

Mr. REID. Mr. President, this is the vote. People who do not vote to invoke cloture are not in favor of doing away with the culture of corruption we have here in Washington. This is good legislation. It is the most significant reform since Watergate by many degrees. I hope people will vote for cloture.

Mr. MCCONNELL. Mr. President, the minority will hopefully vote against cloture, just like the minority last year voted against cloture on the very same bill, or a very similar bill for the very same reason: to guarantee the opportunity to offer additional amendments. I urge all of our colleagues to vote no.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, by unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule 22 of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the Reid substitute amendment No. 3 to Calendar No. 1, S. 1 Transparency in the Legislative Process.

Harry Reid, Dianne Feinstein, Joseph Lieberman, Tom Carper, Ken Salazar, Robert Menendez, Patty Murray, Jon Tester, Jack Reed, Joe Biden, Debbie Stabenow, Daniel K. Akaka, Barbara Mikulski, Benjamin L. Cardin, Dick Durbin, Ted Kennedy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3 offered by the Senator from Nevada, Mr. REID, an amendment in the nature of a substitute, shall be brought to a close?

The yeas and the nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Missouri (Mr. BOND) and the Senator from Nebraska (Mr. HAGEL).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 46, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—51

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Harkin	Nelson (NE)
Bingaman	Inouye	Obama
Boxer	Kennedy	Pryor
Brown	Kerry	Reed
Byrd	Klobuchar	Rockefeller
Cantwell	Kohl	Salazar
Cardin	Landrieu	Sanders
Carper	Lautenberg	Schumer
Casey	Leahy	Smith
Clinton	Levin	Stabenow
Coleman	Lieberman	Tester
Conrad	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden

NAYS—46

Alexander	Burr	Corker
Allard	Chambliss	Cornyn
Bennett	Coburn	Craig
Brownback	Cochran	Crapo
Bunning	Collins	DeMint
Dole	Kyl	Snowe
Domenici	Lott	Specter
Ensign	Lugar	Stevens
Enzi	Martinez	Sununu
Graham	McCain	Thomas
Grassley	McConnell	Thune
Gregg	Murkowski	Vitter
Hatch	Reid	Voinovich
Hutchison	Roberts	Warner
Inhofe	Sessions	
Isakson	Shelby	

NOT VOTING—3

Bond	Hagel	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 46. A quorum being present, two-thirds of the Senators voting not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, I enter a motion to reconsider that vote.

The PRESIDING OFFICER. The motion to reconsider is entered.

Mr. REID. I ask unanimous consent that the cloture vote on the bill be delayed to occur only if cloture is invoked on the substitute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I rise tonight at this late hour. The hour is late and the night is black. I rise tonight to shine a bright light on political chicanery that is playing out on the Senate floor.

In November, America voted for a change. The people sent a strong signal that they wanted less partisanship and more accountability in Washington. In response to the voters, Senator REID, Senator FEINSTEIN, and Senator MCCONNELL put before the Senate an ethics reform bill that would add transparency and accountability to the legislative process. They should be proud of their product, and the Senate has had a good debate thus far on the bill.

But wait, wait, wait 1 second. Before we can clear the way for greater accountability and sunshine into the way work gets done in these halls, the Senate is being blackmailed into an assault on the Congress's single most precious and most powerful authority—the power of the purse. That is the most powerful authority we have: the power of the purse.

Tonight, this reform bill is threatened by an effort by our colleagues on the other side of the aisle to give the President line-item veto authority. No vote on the line-item veto, they say,

and no ethics reform. That is nothing more than legislative blackmail, and I, for one, will not pay the price. No one should stand still when this Constitution, which I hold in my hand, is the hostage. No one should stand still, I repeat, when this Constitution, which I hold in my hand, is the hostage.

This line-item veto authority would grant tremendous and dangerous new power to the President. He would have unchecked authority to take from the Congress the power of the purse, a power that the constitutional Framers thought was absolutely vital to protecting the people's liberties.

It was just 8 years ago that the U.S. Supreme Court decided that the line-item veto was unconstitutional. Now our colleagues—some of them—on the other side of the aisle are threatening to hold up the ethics reform bill in an effort to hand the President another line-item veto authority. Are the memories around here so short?

Are the memories around here so short?

We have a President who already has asserted too much power. This is a blatantly gross attempt to take even more power for the President and strip away power from the people.

This President claimed the unconstitutional authority to tap into the telephone conversations of American citizens without a warrant or court approval.

This President claimed the unconstitutional authority to sneak and peek, to snoop and scoop, into the private lives of the American people.

This President has taken the Nation to a failed war based on faulty evidence and the misrepresentation of facts. And many Senators voted not realizing that was what was being done when we voted on the war resolution.

So I say, this President has taken the Nation to a failed war based on faulty evidence and an unconstitutional doctrine of preemptive strikes. More than 3,000 American sons and daughters have died in Iraq in this crazed Presidential misadventure.

And what is the response of the Senate? To give the President even more unfettered authority? To give him greater unchecked powers? We have seen the danger of the blank check. We have lived through the aftermath of a rubberstamp Congress. We should not continue to lie down for this President or any other President.

Of course, this President wants to take away Congress's power of the purse. When Congress has the sole ability to shut down these unconstitutional practices, when Congress is asking tough questions and demanding truthful answers about this war, when Congress is taking a hard look at finding ways to begin to bring our troops home, over the objections of this administration, the President's response is to demand that the Congress give away its most crucial power. Silence the Congress. Ignore the people. Strip away our constitutional protections and one may just as well strip away the people's liberties lock, stock, and barrel. Strip away the power of the Congress, the power of the people, and amass all power behind the fences and secret doors of the White House.

No Senator should vote to hand such power to the President. No American should stand for it—not now, not ever.

If our colleagues on the other side of the aisle want to stop the Senate's effort to add transparency and accountability to the legislative process, that is their right and their choice. But I will not blink. I cannot look the other way. We should get on with the business at hand and pass meaningful ethics reform legislation. But we should never, never, hand away those precious constitutional powers—the last protections of the people's liberties, vested in the people's representatives in this Congress—to any President.

We have each taken an oath to protect and defend this Constitution of the United States. Here it is. I hold it in my hand. I say again, we have each taken an oath to protect and defend this Constitution of the United States. And it is about time we did protect and defend that Constitution of the United States.

Mr. President, I thank the Chair. I thank all Senators.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that there now be a period of morning business with Senators allowed to speak therein for a period of up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARTIN LUTHER KING, JR.

Mr. DURBIN. Mr. President, I rise today to honor Dr. Martin Luther King, Jr., a great man who inspired ordinary African Americans to demand equal rights as American citizens. This year, we celebrate what would have been Dr. King's 78th birthday and his dream for equality and justice for all that remains our Nation's moral compass.

In honoring Dr. King on this particular anniversary of his birth, we remember that it has been a year since we lost his wife and indispensable partner, Coretta Scott King, who died on January 30, 2006. Mrs. King was a woman of quiet courage and great dignity who marched alongside her husband and became an international advocate for peace and human rights. She had been actively engaged in the civil rights movement as a politically and socially conscious young woman and continued after her husband's death to lead the country toward greater justice and equality for all, traveling the world on behalf of racial and economic justice, peace and nonviolence, women's and children's rights, gay rights, religious freedom, full employment, health care, and education.

Much has improved since 1966, when Martin Luther King, Jr., and Ralph Abernathy organized marches and protests in Chicago. Today, 80 percent of African Americans older than 25 have earned their high school diploma, and there are 2.3 million African American college students, an increase of 1 million from 15 years ago. In addition, there are 1.2 million African-American businesses across the country that generate $88.6 billion in revenues.

This important day calls us to recognize the challenges that remain and the work that still must be done to move closer to Dr. King's dream. If he were alive today, Dr. King would undoubtedly be dismayed by injustices large and small, including the violence in Iraq, the deepening divide between those who have and those who do not, and the prohibitive cost of higher education, which is now out of reach for many African-American and Hispanic families. In the wealthiest Nation on Earth, 37 million people live in poverty, 47 million people do not have health insurance, and millions more are underinsured.

Our Nation is a better one thanks to Dr. King and the sacrifices he and others made during the 1950s and 1960s. I remembered that as I walked in some of those same footsteps when I joined U.S. Representative JOHN LEWIS' pilgrimage to Selma and Montgomery, Alabama. Although there is much of Dr. King's dream that remains to be fulfilled, I have faith that we will continue to move toward the equality and justice that he sought. As a nation, we must and we shall.

Mr. KYL. Mr. President, on January 15, our Nation commemorated the birthday of the Reverend Dr. Martin Luther King, Jr. Every year we pay tribute to the life of this great American. But, in honoring Dr. King, we celebrate more than his life; we celebrate the legacy of his words and deeds, and the virtues that he embodied.

Today, we remember Dr. King because he represents the best of the American spirit: someone who is compassionate, devoted, courageous, and hopeful. His compassion drew him to the plights of the poor and oppressed, and his devotion led him to champion their cause. His courage led him to act on this devotion, countless times placing himself in harm's way. Indeed, it was because of his courage that he fell to an assassin's bullet in 1968. And, his hope sustained him, even in the face of bitter racism.

All of these virtues—compassion, devotion, courage, and hope—propelled

Dr. King to the esteemed place he occupies today.

Perhaps Dr. King's most enduring virtue was his hope. It surely was on display when he delivered his most famous oration. In 1963, on the steps of the Lincoln Memorial, gazing out at the Washington Monument and beyond to the Capitol, he delivered his ''I Have a Dream'' speech, which is familiar to all Americans.

As Dr. King looked upon these impressive symbols of America, he reflected upon the glaring shortcoming of our democracy. For all its successes, America had failed to realize the truth put forth in our Declaration of Independence: ''that all men are created equal.'' Amid these monuments to the promise of America, he told hundreds of thousands of the Nation's greatest injustice: racial inequality. Yet he still maintained hope, speaking in terms dreams and freedom.

In 1964, President Lyndon Johnson signed the Civil Rights Act, and the Voting Rights Act became law the following year. Despite these legislative gains, Dr. King realized that achieving equality of opportunity required something much greater, and far more difficult, than mere legislation. It required a change in the hearts and minds of citizens.

Despite this challenge, his optimism did not waver. In 1967, he appeared on ''Meet the Press'' where he was asked if he believed ''the American racial problem can be solved.''

''Yes, I do,'' he replied. ''I refuse to give up. I refuse to despair it in this moment. I refuse to allow myself to fall into the dark chambers of pessimism, because I think in any social revolution, the one thing that keeps it going is hope.''

King's hope survived him, and today we are closer to the world that he envisioned.

We honor historical figures not merely because they achieved or said great things. We honor them because their lives continue to offer insight that we might use to improve our world.

''[T]he goal of America is freedom,'' he wrote as he sat in a Birmingham, AL, jail cell. Only a man with great hope and faith in the triumph of good could write those words in those circumstances. It is with similar hope that we as Americans should proceed today, whatever the challenges that confront us.

NATIVE HAWAIIAN REORGANIZATION ACT

Mr. ALEXANDER. Mr. President, today the Senator from Hawaii, Mr. AKAKA, reintroduced the Native Hawaiian Reorganization Act, a bill that would create a new, race-based government within the borders of the United States. I strongly oppose this bill. This legislation was considered and rejected by the Senate last year; we ought not waste one moment of the Senate's time on it this year. Instead, we should consider legislation that unites us all as Americans. Our Nation must remain ''one Nation, under God, indivisible, with liberty and justice for all''—''not many Nations, divided by race, with special privileges for some.'' Here are four reasons this bill should be stopped in its tracks: 1. It would create a new, sovereign government within our borders. 2. As noted by the U.S. Civil Rights Commission, the bill ''would discriminate on the basis of race or national origin.'' 3. The bill is really about transferring control over ''land'' and ''other assets'' to this new, race-based government. 4. Native Hawaiians are not just ''another Indian tribe'' since they do not meet the requirements under current law of being sovereign for the last 100 years, living as a separate and distinct community, and having a preexisting political organization.

I hope my colleagues will join me in opposing this dangerous piece of legislation.

GRAND VALLEY STATE UNIVERSITY LAKERS

Mr. LEVIN. Mr. President, I would like to congratulate the Grand Valley State Lakers on winning the 2006 Division II National Championship. Grand Valley completed a highly entertaining and rewarding season on December 16, 2006, when they defeated Northwest Missouri State 17–14 in the championship game. This victory is a great source of pride for all those affiliated with Grand Valley State University and for the State of Michigan.

It was a record breaking year on many fronts for the Grand Valley State Football team. This victory was the culmination of a perfect 15–0 season for the Lakers. Under the guidance of Coach Chuck Martin, Grand Valley State won their fourth Division II Championship in the last 5 years. During this time, the Lakers have become a powerhouse in Division II football and have a .709 winning percentage. Since 1999, they have an extraordinary 86–9 record, which is the second highest in all of college football. Moreover, quarterback Cullen Finnerty became the most prolific offensive player in college football history this year. In his 4-year career, Finnerty amassed a 51–4 record and led the Lakers to three national championships. As quarterback of the Lakers, Finnerty finished his career with over 10,000 total yards, including over 2,000 yards rushing.

The championship game provided its share of excitement. The thousands of GVSU fans and supporters who made the trip from the campus in Allendale to the stadium in Florence, AL, were not disappointed with the result. It proved to be a hard fought contest between two great teams. Grand Valley State eventually forced three crucial turnovers in the game, which included a NW Missouri St. fumble in the Grand Valley end zone late in the fourth quarter. Junior cornerback Bill Brenchin made significant contributions on all three plays. Brenchin ended the game with two interceptions and recovered the fumble in the end zone as NW Missouri St. attempted to tie or win the game. Overall, the Grand Valley defense was too much for NW Missouri St. to overcome, and, the Laker offense, under Finnerty's direction had more than enough weapons to stifle the opposing defense.

I am proud to recognize the Grand Valley State football team for their remarkable achievements on the field this year. They have proven that hard work, dedication and commitment can produce great results. The members of the team should be proud of their efforts and should savor their recent success. They have been a tremendous source of inspiration for both the Grand Valley State community and the entire State of Michigan.

Each member of the Grand Valley State team, including Anthony Adams, Sam Allen, Matt Bakker, Lyle Banks, Brandon Barnes, Ryan Bass, Matt Beaty, Nate Beebe, P.J. Beuke, Chad Biggar, Scott Blasko, Cameron Bradfield, Bill Brechin, Drew Burton, Tory Buter, Samad Cain, Robert Carlisle, Brandon Carr, Tony Carr, Tony Carreri, Kirk Carruth, Todd Carter, Mark Catlin, Carlos Clark, Aaron Conti, Greg Copeland, Mendalson Covington, Anthony Crump, Joe Davis, Corey Edwards, Jeremy Ehinger, Billy Eisenhardt, Ian Evans, Eric Ewing, Gary Fant, Chris Favors, Cullen Finnerty, Matt Flutur, Dan Foster, Eric Fowler, Preston Garris, Ryan Gaydosh, Alex Gilde, Brennen Blass, John Godush, Maurice Gore, Mike Graham, D.D. Hardy, James Hardy, Brett Harris, Jacob Henige, Brett Hines, Drew Hinkle, Tyler Holtz, Nick Hopkins, Brad Hull, Brad Iciek, Jay Jandasek, Nate John, Blake Johncock, Derrick Jones, Sam Jones, Zach Jones, Lamar Keith, Mike Koster, Buster Larkins, Mike Leiffers, Astin Martin, John Matthews, Nick McDonald, Mike McFadden, Jacob McGuckin, Byron Miles, David Misiewicz, Terry Mitchell, Jaquon Morrison, Mike Mukuna, Frank Mulder, Jordan Munson, Doug Neumeyer, Courtney Partee, Denny Pittman, Justin Pollock, Danny Richard, Chad Richardson, Sean Roland, Matt Russell, Brandon Ryan, Mike Scherpenberg, Felix Sharpe, Dan Skuta, Blake Smolen, Chad Somerville, Derek Stansbery, Bretty Stengele, Sean Stevens, Alex Szarenski, Joey Teague, Bryan Thomas, Tony Thompson, Jacob Topp, Lance Travis, Antoine Trent, Justin Trumble, Justin Ulberg, Justin Victor, Matt Wade, John Wasmund, Collin Williams, Justin Winsor, Joe Wohlscheid, and James Wojiechowski, made meaningful contributions to the success of the football team and proved once again the strength of teamwork and commitment.

I know my colleagues in the Senate join me in congratulating Coach Martin and the 2006 Grand Valley State

Lakers on their Division II National Championship.

ADDITIONAL STATEMENTS

RECOGNIZING WILLIAM T. ''BILL'' McLAUGHLIN

• Mr. CARPER. Mr. President, today I wish to recognize Mayor William T. McLaughlin. Bill, as he is affectionately called by his friends—and Bill has a lot of friends—celebrated his 90th birthday on December 22, 2006. During the 90 years that the world has been blessed with Bill's presence, he and his late wife Mary have touched many lives and helped countless people. His contributions have ranged from serving his country during World War II, serving the city of Wilmington for two terms as the city's mayor and for 12 years on the city council before that, and offering continued service with numerous community projects both before and after his tenure in elected office.

William T. McLaughlin was born on December 22, 1916, on Wilmington's east side. One of 12 children, Bill often joked that the Great Depression helped to raise his family's standard of living. When Bill was 16 years old, his father lost his job. Bill's devotion to his family led to his dropping out of high school in order to accept a job cleaning the Boy's Club in Wilmington's Browntown neighborhood. He then went to work at a linoleum plant where, after being turned down for a two-cent raise, he helped organize a union for the plant employees. This type of initiative would be a hallmark of Bill's life.

At the age of 22, Bill signed up for the National Youth Administration, a Federal program he hoped would send him to California. Instead, he was assigned to a swamp drainage program in southern Delaware.

After helping to reduce Delaware's mosquito population, Bill decided to seek more adventurous endeavors and joined the Army Air Force during World War II. He trained as an electrical technician and saw action as a radio operator and tail gunner. He was shot down over the skies of New Guinea but managed to survive and went on to complete 50 missions before returning home to Wilmington.

Upon his return, Bill attended night school on the GI bill. During this time, Bill went to work for DuPont, where he would work for 30 years, mostly as a supervisor in the company's business machines section.

It was during this time that Bill would meet the woman who would become the love of his life. Mary's enthusiasm and outgoing personality were a good counterpoint to Bill's soft-spoken manner and she would have a huge influence on both his future and the future of Wilmington. Together, they raised two sons, William and Donald.

Unlike many elected officials, Bill did not enter politics until the later years of his life. In 1964, Mary encouraged him to run for Wilmington's 9th ward city council seat. Bill won the election and continued to serve on the city council for 12 years. During this time, he became the council's finance chairman. In 1976, he agreed to seek election as Wilmington's mayor after then-Mayor Tom Maloney decided to run for the U.S. Senate.

Bill was elected as Wilmington's mayor and served two terms in that capacity, serving from 1977 until 1984. During this time, his openness and compassion helped him cultivate a renaissance for the city. He held weekly ''open door'' sessions where any citizen could come by his office and voice their concerns or simply chat about local issues.

As mayor, he worked with Governor Pete DuPont and other State leaders to develop the Financial Center Development Act, which laid the foundation for Delaware's rebirth as a financial services center. He also helped lead the efforts to recruit dozens of out-of-State banks to set up shop in Delaware, creating more than 30,000 jobs for the First State.

During his time in office, Mayor McLaughlin helped implement the desegregation of Delaware's public school system in northern Delaware. Bill never forgot the obstacles that he had to overcome during his lifetime and sought to level the playing field for all Delawareans, regardless of the color of their skin. He also increased housing opportunities for people with low incomes, and he worked tirelessly to create new jobs by recruiting potential employers to settle in Wilmington and the surrounding areas.

Bill also played a pivotal role in promoting the Delaware arts community, helping to create the Delaware Theatre Company and the Delaware Center for Contemporary Arts.

What stands out most to me—and for a generation of Delaware's political leaders—is Bill's willingness to mentor young people seeking elected office. When I first ran for State treasurer in 1976, Bill was among the first public officials I reached out to. His support and kindness were instrumental in my first campaign and continue to be a source of inspiration for many of Delaware's elected officials.

After leaving office in 1984, Bill continued to play a vital role in the lives of countless Delawareans. He championed the disadvantaged through his involvement with numerous community service efforts. In 1996, he and Mary founded the William T. and Mary McLaughlin Education Fund, which continues to provide academic support for deserving students in Wilmington and New Castle County. After Mary's passing in 2002, Bill continued their work to help better the lives of their fellow Delawareans.

Bill's hard work and devotion to service have led to countless community service awards. In 1985, on his last day as Wilmington's mayor, Bill was awarded the Josiah Marvel Cup for public service, the Delaware State Chamber of Commerce's most prestigious award. Many people would have seen that award as a capstone, but Bill seemed to view it as a foundation upon which he continues to build his legacy.

Bill is a true friend of Delaware. His compassion, integrity, warm sense of humor and vitality of spirit are a true inspiration for us all. I rise today to commend his hard work, to applaud his devotion to community service and to wish him many more happy birthdays in the years to come.•

MESSAGES FROM THE HOUSE

At 12:21 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 188. An act to provide a new effective date for the applicability of certain provisions of law to Public Law 105–331.

H.R. 391. An act to authorize the Secretary of Housing and Urban Development to continue to insure, and to enter into commitments to insure, home equity conversion mortgages under section 255 of the National Housing Act.

At 5:55 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5. A bill to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5. An act to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers; to the Committee on Health, Education, Labor, and Pensions.

H.R. 188. An act to provide a new effective date for the applicability of certain provisions of law to Public Law 105–331; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 391. An act to authorize the Secretary of Housing and Urban Development to continue to insure, and to enter into commitments to insure, home equity conversion mortgages under section 255 of the National Housing Act.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–358. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of HFE–7300'' (FRL No. 8270–6) received on January 16, 2007; to the Committee on Environment and Public Works.

EC–359. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Correction'' (FRL No. 8269–2) received on January 16, 2007; to the Committee on Environment and Public Works.

EC–360. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Environmental Protection Agency Implementation of OMB Guidance on Nonprocurement Debarment and Suspension'' ((RIN2030–AA94)(FRL No. 8270–6)) received on January 16, 2007; to the Committee on Environment and Public Works.

EC–361. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a document recently issued by the Agency that is related to its regulatory programs; to the Committee on Environment and Public Works.

EC–362. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–536 , ''Organ and Bone Marrow Donor Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–363. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–539 , ''Child Abuse and Neglect Investigation Record Access Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–364. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–540 , ''Department of Small and Local Business Development Subcontracting Clarification Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–365. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–541 , ''Office and Commission on African Affairs Clarification Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–366. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–542 , ''Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–367. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–543 , ''Commercial Exception Clarification Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–368. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–544 , ''Mayor and Chairman of the Council Transition Revised Temporary Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–369. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–545 , ''Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Temporary Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–370. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–546 , ''Good Samaritan Use of Automated External Defibrillators Clarification Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–371. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–547 , ''Consumer Education on Video and Computer Games for Minors Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–372. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–548 , ''Audiology and Speech-Language Pathology Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–373. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–549 , ''Physical Therapy Assistant Licensure Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–374. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–550 , ''Physical Therapy Practice Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–375. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–551 , ''Licensed Health Professional Criminal Background Check Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–376. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–552 , ''Metropolitan Police Department Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–377. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–553 , ''Personal Mobility Device Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–378. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–554 , ''District Department of Transportation DC Circular Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–379. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–555, ''Square 2910 Residential Development Stimulus Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–380. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–556, ''Wisconsin Avenue Bridge Project and Noise Control Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–381. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–557, ''Surgical Assistant Licensure Amendment Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–382. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–558, ''Closing of Public Alleys in Square 776, S.O. 06–9227, Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–383. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–559, ''Closing of Public Alleys in Square 701, S.O. 06–9889, Act of 2006'' received on January 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–384. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, a report relative to the Gallery's competitive sourcing efforts for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–385. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, the Gallery's Inventory of Commercial and Inherently Governmental Activities Report for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–386. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a report relative to the Corporation's category rating system; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. DORGAN, Ms. CANTWELL, Mr. COLEMAN, Mr. STEVENS, Ms. MURKOWSKI, Mr. SMITH, and Mr. DODD):

S. 310. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Indian Affairs.

By Ms. LANDRIEU (for herself, Mr. ENSIGN, Mrs. BOXER, Mr. KERRY, Mr. REED, Mr. LEVIN, Mr. CARPER, Mr. GRAHAM, Ms. COLLINS, Mr. MENENDEZ, Ms. SNOWE, and Mr. BYRD):

S. 311. A bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. 312. A bill to authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion; to the Committee on Energy and Natural Resources.

By Mr. LEVIN:

S. 313. A bill for the relief of Ibrahim Parlak; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 314. A bill for the relief of Josephina Valera Lopez; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. WEBB, Mr. GRASSLEY, Mr. CORNYN, Mr. THUNE, and Mr. GRAHAM):

S. 315. A bill to establish a digital and wireless network technology program, and for other purposes; to the Committee on Commerce , Science, and Transportation.

By Mr. KOHL (for himself, Mr. GRASSLEY, Mr. LEAHY, Mr. SCHUMER, and Mr. FEINGOLD):

S. 316. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. CARPER):

S. 317. A bill to amend the Clean Air Act to establish a program to regulate the emission of greenhouse gases from electric utilities; to the Committee on Environment and Public Works.

By Mrs. DOLE:

S. 318. A bill to redesignate the Special Textile Negotiator of the United States Trade Representative as the Chief Textile Negotiator and confer the rank of Ambassador upon that position, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR:

S. 319. A bill to amend the Internal Revenue Code of 1986 to reduce the incentive to purchase larger and luxury motor vehicles; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. WYDEN, Mr. BUNNING, Mr. INOUYE, and Mr. DURBIN):

S. 320. A bill to provide for the protection of paleontological resources on Federal lands, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Ms. KLOBUCHAR):

S. 321. A bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies; to the Committee on Finance.

By Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. MCCAIN, Mr. CONRAD, Mr. BINGAMAN, Mr. BAUCUS, Mr. SMITH, and Mr. INOUYE):

S. 322. A bill to establish an Indian youth telemental health demonstration project; to the Committee on Indian Affairs.

By Mrs. BOXER:

S. 323. A bill to require persons seeking approval for a liquefied natural gas facility to identify employees and agents engaged in activities to persuade communities of the benefits of the approval; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 324. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself and Mr. VOINOVICH):

S. 325. A bill to provide for innovation in health care through State initiatives that expand coverage and access and improve quality and efficiency in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Mr. THOMAS, Mr. BINGAMAN, Mr. DURBIN, Ms. MIKULSKI, Mr. AKAKA, Mr. PRYOR, Ms. KLOBUCHAR, Mr. ENZI, Mr. HARKIN, Mr. ROCKEFELLER, and Mr. KERRY):

S. 326. A bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. SALAZAR):

S. 327. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 328. A bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VOINOVICH (for himself, Mr. LUGAR, Mr. HAGEL, and Mr. LIEBERMAN):

S. Res. 31. A resolution expressing support for democratic forces in Serbia and encouraging the people of Serbia to remain committed to a democratic path; considered and agreed to.

By Mr. KERRY (for himself and Ms. SNOWE):

S. Res. 32. A resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Mr. BIDEN (for himself, Mr. HAGEL, Mr. LEVIN, and Ms. SNOWE):

S. Con. Res. 2. A concurrent resolution expressing the bipartisan resolution on Iraq; to the Committee on Foreign Relations.

By Mr. SALAZAR (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. LUGAR, Mr. OBAMA, Mr. HAGEL, Mr. DORGAN, Mr. COLEMAN, Mr. KERRY, Mr. THUNE, Mr. NELSON of Nebraska, Mr. BROWNBACK, Ms. CANTWELL, Mr. ALLARD, Mr. KOHL, Mr. MENENDEZ, Mr. TESTER, Mrs. CLINTON, Mr. BROWN, Mr. BAUCUS, Mr. DURBIN, Mr. FEINGOLD, and Mr. COCHRAN):

S. Con. Res. 3. A concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of S. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 2, supra.

S. 5

At the request of Mr. REID, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 21

At the request of Mr. REID, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 113

At the request of Mr. INHOFE, the names of the Senator from North Carolina (Mr. BURR), the Senator from Alabama (Mr. SESSIONS), the Senator from Mississippi (Mr. LOTT) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. 113, a bill to make appropriations for military construction and family housing projects for the Department of Defense for fiscal year 2007.

S. 156

At the request of Mr. WYDEN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from South Carolina (Mr. DEMINT), the Senator from Virginia (Mr. WARNER), the Senator from Nevada (Mr. ENSIGN) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 156, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 267

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 267, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

S. 291

At the request of Mr. SMITH, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 291, a bill to establish a digital and

wireless network technology program, and for other purposes.

S. 308

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 308, a bill to prohibit an escalation in United States military forces in Iraq without prior authorization by Congress.

S. RES. 22

At the request of Mr. LEAHY, his name was added as a cosponsor of S. Res. 22, a resolution reaffirming the constitutional and statutory protections accorded sealed domestic mail, and for other purposes.

AMENDMENT NO. 14

At the request of Mr. DEMINT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 14 proposed to S. 1, a bill to provide greater transparency in the legislative process.

AMENDMENT NO. 20

At the request of Mr. BENNETT, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of amendment No. 20 proposed to S. 1, a bill to provide greater transparency in the legislative process.

AMENDMENT NO. 51

At the request of Mr. COBURN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 51 proposed to S. 1, a bill to provide greater transparency in the legislative process.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. DORGAN, Ms. CANTWELL, Mr. COLEMAN, Mr. STEVENS, Ms. MURKOWSKI, Mr. SMITH, and Mr. DODD):

S. 310. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, I rise today with the senior Senator from Hawaii to introduce the Native Hawaiian Government Reorganization Act of 2007. This bill, which is of great importance to the people of Hawaii, establishes a process to extend the Federal policy of self-governance and self-determination to Hawaii's indigenous people. The bill provides parity in Federal policies that empower our country's other indigenous people—merican Indians and Alaska Natives—to participate in a government-to-government relationship with the United States.

January 17, 2007, commemorates the 114th anniversary of Hawaii's beloved Queen Liliuokalani being deposed. Although this event may seem like a distant memory, it is a poignant event that expedited the decline of a proud and self-governing people. The overthrow facilitated Native Hawaiians being disenfranchised from not only their culture and land, but from their way of life. Native Hawaiians had to endure the forced imprisonment of their Queen and witness the deterioration and near eradication of their culture and tradition in their own homeland, at the hands of foreigners committed exclusively to propagating Western values and conventions.

While Congress has traditionally treated Native Hawaiians in a manner parallel to American Indians and Alaska Natives, the Federal policy of self-governance and self-determination has not been formally extended to Native Hawaiians. The bill itself does not extend Federal recognition—it authorizes the process for Federal recognition.

The Native Hawaiian Government Reorganization Act of 2007 does three things: (1) It authorizes an office in the Department of the Interior to serve as a liaison between Native Hawaiians and the United States; (2) It forms an interagency coordinating group composed of officials from Federal agencies who currently administer programs and services impacting Native Hawaiians; and (3) It authorizes a process for the reorganization of the Native Hawaiian governing entity for the purposes of a federally recognized government-to-government relationship.

Once the Native Hawaiian governing entity is recognized, the bill establishes an inclusive, democratic negotiations process representing both Native Hawaiians and non-Native Hawaiians. Negotiations between the Native Hawaiian entity and the Federal and State governments may address issues such as the transfer of lands, assets, and natural resources and jurisdiction over such lands, assets, and natural resources, as well as other longstanding issues resulting from the overthrow of the Kingdom of Hawaii. Any transfers of governmental authority or power will require implementing legislation at the State and Federal levels.

The Hawaii congressional delegation has devoted much time and careful consideration into crafting this legislation. When I first started this process in 1999, our congressional delegation created five working groups to assist with the drafting of this legislation. The working groups were composed of individuals from the Native Hawaiian community, the State of Hawaii, Federal Government, Indian country, Members of Congress, and experts in constitutional law. Collectively, more than 100 people worked together on the initial draft of this legislation. The meetings held with the Native Hawaiian community were open to the public and a number of individuals who had differing views attended the meetings and provided their alternative views on the legislation.

In August 2000, the Senate Committee on Indian Affairs and the House Committee on Resources held joint field hearings on the legislation in Hawaii for 5 days. While the bill passed the U.S. House of Representatives in the 106th Congress, the Senate failed to take action. The bill was subsequently considered by the 107th, 108th, and 109th Congresses. In each Congress, the bill has been favorably reported by the Senate Committee on Indian Affairs and its companion measure has been favorably reported by the House Committee on Resources in the 106th through the 108th Congress.

Most recently in the 109th Congress clarifications were made to the bill. I want to inform my colleagues to the fact that this bill is identical to legislative language negotiated between Senator INOUYE and myself, and officials from the Department of Justice, Office of Management and Budget, and the White House. The language satisfactorily addresses concerns expressed in July 2005 by the Bush administration regarding the liability of the United States in land claims, the impact of the bill on military readiness, gaming, and civil and criminal jurisdiction in Hawaii.

With respect to liability of the United States as it relates to land claims, as the author of the Apology Resolution, P.L. 103–150, as well as the Native Hawaiian Government Reorganization Act, I have always maintained that this legislation is not intended to serve as a settlement of any claims nor as a cause of action for any claims. The negotiated language makes clear that any grievances regarding historical wrongs committed against Native Hawaiians by the United States or by the State of Hawaii are to be addressed in the negotiations process between the Native Hawaiian governing entity and Federal and State governments.

As a senior member of the Senate Committee on Homeland Security and Governmental Affairs, as well as the incoming Chairman on the Subcommittee on Readiness and Management of the Senate Committee on Armed Services, military readiness for our Armed Forces is of great importance to me. Due to concerns raised by the Department of Defense to the consultation requirements expected to be facilitated by the Office of Native Hawaiian Relations in the Department of the Interior and the Native Hawaiian Interagency Coordinating Group; negotiated language exempts the Department from these consultation requirements. However, these exemptions do not alter nor terminate requirements of the DoD to consult with Native Hawaiians under the Native Graves Protection and Repatriation Act, NAGPRA, National Historic Preservation Act, NHPA, and other existing statutes.

The bill does not authorize gaming by the Native Hawaiian governing entity. Negotiated language clarifies that gaming may not be conducted by Native Hawaiians or the Native Hawaiian governing entity as a matter of

claimed inherent authority or under the authority of any Federal laws or regulations promulgated by the Secretary of the Interior or the National Indian Gaming Commission. The bill also makes clear that the prohibition applies to any efforts to establish gaming by Native Hawaiians and the Native Hawaiian governing entity in Hawaii and in any other State or Territory. This language only applies to efforts to establish gaming operations as a matter of inherent authority as indigenous peoples or under federal laws pertaining to gaming by native peoples.

The bill makes clear that civil and criminal jurisdiction currently held by the Federal and State governments will remain with the Federal and State governments unless otherwise negotiated and implementing legislation is enacted.

I have described the clarifications that have been made so my colleagues know that our negotiations with the administration have been successful. This language has been publicly available since September 2005 and has been widely distributed. Although such clarifications have been made, I am proud to report that the bill remains true to its intent and purpose—to clarify the existing legal and political relationship between Hawaii's indigenous people, Native Hawaiians and the United States.

Along with our efforts to work with the Bush administration, during the past 4 years, we have worked closely with Hawaii's first Republican governor in 40 years, Governor Linda Lingle to enact this legislation. We have also worked closely with the Hawaii State legislature which has passed three resolutions unanimously in support of federal recognition for Native Hawaiians. I am pleased to announce today that I am again joined by members from both sides of the aisle to introduce this important measure. I mention this, to underscore the fact that this is bipartisan legislation.

In addition to its widespread support by both Native Hawaiians and non-Native Hawaiians in Hawaii, in resolutions adopted by the oldest and largest national Indian organization, the National Congress of American Indians, and the largest organization representing the Native people of Alaska, the Alaska Federation of Natives, the members of both groups have consistently expressed their strong support for enactment of a bill to provide for recognition by the United States of a Native Hawaiian governing entity. Organizations such as the American Bar Association, Japanese American Citizen League, and the National Indian Education Association have also passed resolutions in support of federal recognition for Hawaii's indigenous peoples.

Today I provide my colleagues with a framework to understand the need for this legislation by briefly reviewing (1) Hawaii's past, ancient Hawaiian society prior to Western contact, (2) Hawaii's present, the far reaching consequences of the overthrow, and (3) Hawaii's future.

Hawaii was originally settled by Polynesian voyagers arriving as early as 300 A.D, 1200 years before Europe's great explorers Magellan and Columbus. The Hawaiians braved immense distances guided by their extensive knowledge of navigation and understanding of the marine environment. Isolation followed the era of long voyages, enabling Native Hawaiians to develop distinct political, economic, and social structures which were mutually supportive. As stewards of the land and sea, Native Hawaiians were intimately linked to the environment and they developed innovative methods of agriculture, aquaculture, navigation and irrigation.

With an influx of foreigners into Hawaii, Native Hawaiian populations plummeted due to death from common Western diseases. Those that survived witnessed foreign interest and involvement in their government grow until Queen Liliuokalani was forced by American citizens to abdicate her right to the throne. This devastated the Native Hawaiian people, forever tainting the waters of their identity and tattering the very fabric of their society. For some this injustice, this wound has never healed, manifesting itself in a sense of inferiority and hopelessness leaving many Native Hawaiians at the lowest levels of achievement by all social and economic measures.

Mr. President, 14 years ago the United States enacted the Apology Resolution, 103–150, which acknowledged the 100th anniversary of the overthrow of the Kingdom of Hawaii in which the United States offered an apology to Native Hawaiians and declared its policy to support reconciliation efforts. This is a landmark declaration for it recognizes not only are Native Hawaiians the indigenous people of Hawaii, but of the urgent need for the U.S. to actively engage in reconciliation efforts. This acknowledgment played a crucial role in initiating a healing process and although progress has been made, the path ahead is uncertain.

Frustration has led to anger and festered in the hearts of Hawaii's younger generations, with each child that is taught about this period of Hawaiian history, a loss is relived. It is a burden that Native Hawaiians since the overthrow continue to carry, to know that they were violated in their own homeland and their governance was ripped away unjustly. Despite the perceived harmony, it is the generation of my grandchildren that is growing impatient and frustrated with the lack of progress being made. Influenced by a deep sadness and growing intolerance, an active minority within this generation seeks independence from the United States.

It is for this generation that I work to enact this bill so that there is the structured process to deal with these emotional issues. It is important that discussions are held and that there is a framework to guide appropriate action. For Hawaii is the homeland of the Native Hawaiian people.

A lack of action by the U.S. will only incite and fuel us down a path to a divided Hawaii. A Hawaii where lines and boundaries are drawn and unity severed. However, the legislation I introduce today seeks to build upon the foundation of reconciliation. It provides a structured process to bring together the people of Hawaii, along a path of healing to a Hawaii where its indigenous people are respected and culture is embraced.

Respecting the rights of America's first people—American Indians, Alaska Natives, and Native Hawaiians is not un-American. Through enactment of this legislation, we have the opportunity to demonstrate that our country does not just preach its ideas, but lives according to its founding principles. That the United States will admit when it has trespassed against a people and remain resolute to make amends. We demonstrate our character to ourselves and to the world by respecting the rights of our country's indigenous people. As it has for America's other indigenous peoples, I believe the United States must fulfill its responsibility to Native Hawaiians.

I am proud of the fact that this bill respects the rights of Hawaii's indigenous peoples through a process that is consistent with Federal law, and it provides the structured process for the people of Hawaii to address the longstanding issues which have plagued both Native Hawaiians and non-Native Hawaiians since the overthrow of the Kingdom of Hawaii. We have an established record of the United States' commitment to the reconciliation with Native Hawaiians. This legislation is another step building upon that foundation and honoring that commitment.

I ask my colleagues to join me in enacting this legislation which is of great importance to all the people of Hawaii.

Mr. President, I ask unanimous consent that the text of this measure be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 310

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 ''Native Hawaiian Government Reorganization Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution vests Congress with the authority to address the conditions of the indigenous, native people of the United States;

(2) Native Hawaiians, the native people of the Hawaiian archipelago that is now part of the United States, are indigenous, native people of the United States;

(3) the United States has a special political and legal relationship to promote the welfare of the native people of the United States, including Native Hawaiians;

(4) under the treaty making power of the United States, Congress exercised its constitutional authority to confirm treaties between the United States and the Kingdom of Hawaii, and from 1826 until 1893, the United States—

(A) recognized the sovereignty of the Kingdom of Hawaii;

(B) accorded full diplomatic recognition to the Kingdom of Hawaii; and

(C) entered into treaties and conventions with the Kingdom of Hawaii to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

(5) pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land to address the conditions of Native Hawaiians in the Federal territory that later became the State of Hawaii;

(6) by setting aside 203,500 acres of land for Native Hawaiian homesteads and farms, the Hawaiian Homes Commission Act assists the members of the Native Hawaiian community in maintaining distinct native settlements throughout the State of Hawaii;

(7) approximately 6,800 Native Hawaiian families reside on the Hawaiian Home Lands and approximately 18,000 Native Hawaiians who are eligible to reside on the Hawaiian Home Lands are on a waiting list to receive assignments of Hawaiian Home Lands;

(8)(A) in 1959, as part of the compact with the United States admitting Hawaii into the Union, Congress established a public trust (commonly known as the ''ceded lands trust''), for 5 purposes, 1 of which is the betterment of the conditions of Native Hawaiians;

(B) the public trust consists of lands, including submerged lands, natural resources, and the revenues derived from the lands; and

(C) the assets of this public trust have never been completely inventoried or segregated;

(9) Native Hawaiians have continuously sought access to the ceded lands in order to establish and maintain native settlements and distinct native communities throughout the State;

(10) the Hawaiian Home Lands and other ceded lands provide an important foundation for the ability of the Native Hawaiian community to maintain the practice of Native Hawaiian culture, language, and traditions, and for the survival and economic self-sufficiency of the Native Hawaiian people;

(11) Native Hawaiians continue to maintain other distinctly native areas in Hawaii;

(12) on November 23, 1993, Public Law 103–150 (107 Stat. 1510) (commonly known as the ''Apology Resolution'') was enacted into law, extending an apology on behalf of the United States to the native people of Hawaii for the United States' role in the overthrow of the Kingdom of Hawaii;

(13) the Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States and further acknowledges that the Native Hawaiian people never directly relinquished to the United States their claims to their inherent sovereignty as a people over their national lands, either through the Kingdom of Hawaii or through a plebiscite or referendum;

(14) the Apology Resolution expresses the commitment of Congress and the President—

(A) to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii;

(B) to support reconciliation efforts between the United States and Native Hawaiians; and

(C) to consult with Native Hawaiians on the reconciliation process as called for in the Apology Resolution;

(15) despite the overthrow of the government of the Kingdom of Hawaii, Native Hawaiians have continued to maintain their separate identity as a single distinct native community through cultural, social, and political institutions, and to give expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency;

(16) Native Hawaiians have also given expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency—

(A) through the provision of governmental services to Native Hawaiians, including the provision of—

(i) health care services;

(ii) educational programs;

(iii) employment and training programs;

(iv) economic development assistance programs;

(v) children's services;

(vi) conservation programs;

(vii) fish and wildlife protection;

(viii) agricultural programs;

(ix) native language immersion programs;

(x) native language immersion schools from kindergarten through high school;

(xi) college and master's degree programs in native language immersion instruction; and

(xii) traditional justice programs, and

(B) by continuing their efforts to enhance Native Hawaiian self-determination and local control;

(17) Native Hawaiians are actively engaged in Native Hawaiian cultural practices, traditional agricultural methods, fishing and subsistence practices, maintenance of cultural use areas and sacred sites, protection of burial sites, and the exercise of their traditional rights to gather medicinal plants and herbs, and food sources;

(18) the Native Hawaiian people wish to preserve, develop, and transmit to future generations of Native Hawaiians their lands and Native Hawaiian political and cultural identity in accordance with their traditions, beliefs, customs and practices, language, and social and political institutions, to control and manage their own lands, including ceded lands, and to achieve greater self-determination over their own affairs;

(19) this Act provides a process within the framework of Federal law for the Native Hawaiian people to exercise their inherent rights as a distinct, indigenous, native community to reorganize a single Native Hawaiian governing entity for the purpose of giving expression to their rights as native people to self-determination and self-governance;

(20) Congress—

(A) has declared that the United States has a special political and legal relationship for the welfare of the native peoples of the United States, including Native Hawaiians;

(B) has identified Native Hawaiians as a distinct group of indigenous, native people of the United States within the scope of its authority under the Constitution, and has enacted scores of statutes on their behalf ; and

(C) has delegated broad authority to the State of Hawaii to administer some of the United States' responsibilities as they relate to the Native Hawaiian people and their lands;

(21) the United States has recognized and reaffirmed the special political and legal relationship with the Native Hawaiian people through the enactment of the Act entitled, ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), by—

(A) ceding to the State of Hawaii title to the public lands formerly held by the United States, and mandating that those lands be held as a public trust for 5 purposes, 1 of which is for the betterment of the conditions of Native Hawaiians; and

(B) transferring the United States' responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii, but retaining the exclusive right of the United States to consent to any actions affecting the lands included in the trust and any amendments to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42) that are enacted by the legislature of the State of Hawaii affecting the beneficiaries under the Act;

(22) the United States has continually recognized and reaffirmed that—

(A) Native Hawaiians have a cultural, historic, and land-based link to the aboriginal, indigenous, native people who exercised sovereignty over the Hawaiian Islands;

(B) Native Hawaiians have never relinquished their claims to sovereignty or their sovereign lands;

(C) the United States extends services to Native Hawaiians because of their unique status as the indigenous, native people of a once-sovereign nation with whom the United States has a special political and legal relationship; and

(D) the special relationship of American Indians, Alaska Natives, and Native Hawaiians to the United States arises out of their status as aboriginal, indigenous, native people of the United States; and

(23) the State of Hawaii supports the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States as evidenced by 2 unanimous resolutions enacted by the Hawaii State Legislature in the 2000 and 2001 sessions of the Legislature and by the testimony of the Governor of the State of Hawaii before the Committee on Indian Affairs of the Senate on February 25, 2003, and March 1, 2005.

SEC. 3. DEFINITIONS.

In this Act:

(1) ABORIGINAL, INDIGENOUS, NATIVE PEOPLE.—The term ''aboriginal, indigenous, native people'' means people whom Congress has recognized as the original inhabitants of the lands that later became part of the United States and who exercised sovereignty in the areas that later became part of the United States.

(2) ADULT MEMBER.—The term ''adult member'' means a Native Hawaiian who has attained the age of 18 and who elects to participate in the reorganization of the Native Hawaiian governing entity.

(3) APOLOGY RESOLUTION.—The term ''Apology Resolution'' means Public Law 103–150 (107 Stat. 1510), a Joint Resolution extending an apology to Native Hawaiians on behalf of the United States for the participation of agents of the United States in the January 17, 1893, overthrow of the Kingdom of Hawaii.

(4) COMMISSION.—The term ''commission'' means the Commission established under section 7(b) to provide for the certification that those adult members of the Native Hawaiian community listed on the roll meet the definition of Native Hawaiian set forth in paragraph (10).

(5) COUNCIL.—The term ''council'' means the Native Hawaiian Interim Governing Council established under section 7(c)(2).

(6) INDIAN PROGRAM OR SERVICE.—

(A) IN GENERAL.—The term ''Indian program or service'' means any federally funded or authorized program or service provided to an Indian tribe (or member of an Indian tribe) because of the status of the members of the Indian tribe as Indians.

(B) INCLUSIONS.—The term ''Indian program or service'' includes a program or service provided by the Bureau of Indian Affairs, the Indian Health Service, or any other Federal agency.

(7) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) INDIGENOUS, NATIVE PEOPLE.—The term ''indigenous, native people'' means the lineal descendants of the aboriginal, indigenous, native people of the United States.

(9) INTERAGENCY COORDINATING GROUP.—The term ''Interagency Coordinating Group'' means the Native Hawaiian Interagency Coordinating Group established under section 6.

(10) NATIVE HAWAIIAN.—

(A) IN GENERAL.—Subject to subparagraph (B), for the purpose of establishing the roll authorized under section 7(c)(1) and before the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the term ''Native Hawaiian'' means—

(i) an individual who is 1 of the indigenous, native people of Hawaii and who is a direct lineal descendant of the aboriginal, indigenous, native people who—

(I) resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(II) occupied and exercised sovereignty in the Hawaiian archipelago, including the area that now constitutes the State of Hawaii; or

(ii) an individual who is 1 of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs authorized by the Hawaiian Homes Commission Act (42 Stat. 108, chapter 42) or a direct lineal descendant of that individual.

(B) NO EFFECT ON OTHER DEFINITIONS.—Nothing in this paragraph affects the definition of the term ''Native Hawaiian'' under any other Federal or State law (including a regulation).

(11) NATIVE HAWAIIAN GOVERNING ENTITY.—The term ''Native Hawaiian Governing Entity'' means the governing entity organized by the Native Hawaiian people pursuant to this Act.

(12) NATIVE HAWAIIAN PROGRAM OR SERVICE.—The term ''Native Hawaiian program or service'' means any program or service provided to Native Hawaiians because of their status as Native Hawaiians.

(13) OFFICE.—The term ''Office'' means the United States Office for Native Hawaiian Relations established by section 5(a).

(14) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(15) SPECIAL POLITICAL AND LEGAL RELATIONSHIP.—The term ''special political and legal relationship'' shall refer, except where differences are specifically indicated elsewhere in the Act, to the type of and nature of relationship the United States has with the several federally recognized Indian tribes.

SEC. 4. UNITED STATES POLICY AND PURPOSE.

(a) POLICY.—The United States reaffirms that—

(1) Native Hawaiians are a unique and distinct, indigenous, native people with whom the United States has a special political and legal relationship;

(2) the United States has a special political and legal relationship with the Native Hawaiian people which includes promoting the welfare of Native Hawaiians;

(3) Congress possesses the authority under the Constitution, including but not limited to Article I, section 8, clause 3, to enact legislation to address the conditions of Native Hawaiians and has exercised this authority through the enactment of—

(A) the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42);

(B) the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3, 73 Stat. 4); and

(C) more than 150 other Federal laws addressing the conditions of Native Hawaiians;

(4) Native Hawaiians have—

(A) an inherent right to autonomy in their internal affairs;

(B) an inherent right of self-determination and self-governance;

(C) the right to reorganize a Native Hawaiian governing entity; and

(D) the right to become economically self-sufficient; and

(5) the United States shall continue to engage in a process of reconciliation and political relations with the Native Hawaiian people.

(b) PURPOSE.—The purpose of this Act is to provide a process for the reorganization of the single Native Hawaiian governing entity and the reaffirmation of the special political and legal relationship between the United States and that Native Hawaiian governing entity for purposes of continuing a government-to-government relationship.

SEC. 5. UNITED STATES OFFICE FOR NATIVE HAWAIIAN RELATIONS.

(a) ESTABLISHMENT.—There is established within the Office of the Secretary, the United States Office for Native Hawaiian Relations.

(b) DUTIES.—The Office shall—

(1) continue the process of reconciliation with the Native Hawaiian people in furtherance of the Apology Resolution;

(2) upon the reaffirmation of the special political and legal relationship between the single Native Hawaiian governing entity and the United States, effectuate and coordinate the special political and legal relationship between the Native Hawaiian governing entity and the United States through the Secretary, and with all other Federal agencies;

(3) fully integrate the principle and practice of meaningful, regular, and appropriate consultation with the Native Hawaiian governing entity by providing timely notice to, and consulting with, the Native Hawaiian people and the Native Hawaiian governing entity before taking any actions that may have the potential to significantly affect Native Hawaiian resources, rights, or lands;

(4) consult with the Interagency Coordinating Group, other Federal agencies, and the State of Hawaii on policies, practices, and proposed actions affecting Native Hawaiian resources, rights, or lands; and

(5) prepare and submit to the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives an annual report detailing the activities of the Interagency Coordinating Group that are undertaken with respect to the continuing process of reconciliation and to effect meaningful consultation with the Native Hawaiian governing entity and providing recommendations for any necessary changes to Federal law or regulations promulgated under the authority of Federal law.

(c) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Office.

SEC. 6. NATIVE HAWAIIAN INTERAGENCY COORDINATING GROUP.

(a) ESTABLISHMENT.—In recognition that Federal programs authorized to address the conditions of Native Hawaiians are largely administered by Federal agencies other than the Department of the Interior, there is established an interagency coordinating group to be known as the ''Native Hawaiian Interagency Coordinating Group''.

(b) COMPOSITION.—The Interagency Coordinating Group shall be composed of officials, to be designated by the President, from—

(1) each Federal agency that administers Native Hawaiian programs, establishes or implements policies that affect Native Hawaiians, or whose actions may significantly or uniquely impact Native Hawaiian resources, rights, or lands; and

(2) the Office.

(c) LEAD AGENCY.—

(1) IN GENERAL.—The Department of the Interior shall serve as the lead agency of the Interagency Coordinating Group.

(2) MEETINGS.—The Secretary shall convene meetings of the Interagency Coordinating Group.

(d) DUTIES.—The Interagency Coordinating Group shall—

(1) coordinate Federal programs and policies that affect Native Hawaiians or actions by any agency or agencies of the Federal Government that may significantly or uniquely affect Native Hawaiian resources, rights, or lands;

(2) consult with the Native Hawaiian governing entity, through the coordination referred to in section 6(d)(1), but the consultation obligation established in this provision shall apply only after the satisfaction of all of the conditions referred to in section 7(c)(6); and

(3) ensure the participation of each Federal agency in the development of the report to Congress authorized in section 5(b)(5).

(e) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Interagency Coordinating Group.

SEC. 7. PROCESS FOR THE REORGANIZATION OF THE NATIVE HAWAIIAN GOVERNING ENTITY AND THE REAFFIRMATION OF THE SPECIAL POLITICAL AND LEGAL RELATIONSHIP BETWEEN THE UNITED STATES AND THE NATIVE HAWAIIAN GOVERNING ENTITY.

(a) RECOGNITION OF THE NATIVE HAWAIIAN GOVERNING ENTITY.—The right of the Native Hawaiian people to reorganize the single Native Hawaiian governing entity to provide for their common welfare and to adopt appropriate organic governing documents is recognized by the United States.

(b) COMMISSION.—

(1) IN GENERAL.—There is authorized to be established a Commission to be composed of 9 members for the purposes of—

(A) preparing and maintaining a roll of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the single Native Hawaiian governing entity; and

(B) certifying that the adult members of the Native Hawaiian community proposed for inclusion on the roll meet the definition of Native Hawaiian in section 3(10).

(2) MEMBERSHIP.—

(A) APPOINTMENT.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the members of the Commission in accordance with subparagraph (B).

(ii) CONSIDERATION.—In making an appointment under clause (i), the Secretary may take into consideration a recommendation made by any Native Hawaiian organization.

(B) REQUIREMENTS.—Each member of the Commission shall demonstrate, as determined by the Secretary—

(i) not less than 10 years of experience in the study and determination of Native Hawaiian genealogy; and

(ii) an ability to read and translate into English documents written in the Hawaiian language.

(C) VACANCIES.—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

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

(4) DUTIES.—The Commission shall—

(A) prepare and maintain a roll of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the Native Hawaiian governing entity; and

(B) certify that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10).

(5) STAFF.—

(A) IN GENERAL.—The Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(6) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(7) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(8) EXPIRATION.—The Secretary shall dissolve the Commission upon the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States.

(c) PROCESS FOR THE REORGANIZATION OF THE NATIVE HAWAIIAN GOVERNING ENTITY.—

(1) ROLL.—

(A) CONTENTS.—The roll shall include the names of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the Native Hawaiian governing entity and are certified to be Native Hawaiian as defined in section 3(10) by the Commission.

(B) FORMATION OF ROLL.—Each adult member of the Native Hawaiian community who elects to participate in the reorganization of the Native Hawaiian governing entity shall submit to the Commission documentation in the form established by the Commission that is sufficient to enable the Commission to determine whether the individual meets the definition of Native Hawaiian in section 3(10).

(C) DOCUMENTATION.—The Commission shall—

(i) identify the types of documentation that may be submitted to the Commission that would enable the Commission to determine whether an individual meets the definition of Native Hawaiian in section 3(10);

(ii) establish a standard format for the submission of documentation; and

(iii) publish information related to clauses (i) and (ii) in the Federal Register.

(D) CONSULTATION.—In making determinations that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10), the Commission may consult with Native Hawaiian organizations, agencies of the State of Hawaii including but not limited to the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the State Department of Health, and other entities with expertise and experience in the determination of Native Hawaiian ancestry and lineal descendancy.

(E) CERTIFICATION AND SUBMITTAL OF ROLL TO SECRETARY.—The Commission shall—

(i) submit the roll containing the names of the adult members of the Native Hawaiian community who meet the definition of Native Hawaiian in section 3(10) to the Secretary within two years from the date on which the Commission is fully composed; and

(ii) certify to the Secretary that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10).

(F) PUBLICATION.—Upon certification by the Commission to the Secretary that those listed on the roll meet the definition of Native Hawaiian in section 3(10), the Secretary shall publish the roll in the Federal Register.

(G) APPEAL.—The Secretary may establish a mechanism for an appeal for any person whose name is excluded from the roll who claims to meet the definition of Native Hawaiian in section 3(10) and to be 18 years of age or older.

(H) PUBLICATION; UPDATE.—The Secretary shall—

(i) publish the roll regardless of whether appeals are pending;

(ii) update the roll and the publication of the roll on the final disposition of any appeal; and

(iii) update the roll to include any Native Hawaiian who has attained the age of 18 and who has been certified by the Commission as meeting the definition of Native Hawaiian in section 3(10) after the initial publication of the roll or after any subsequent publications of the roll.

(I) FAILURE TO ACT.—If the Secretary fails to publish the roll, not later than 90 days after the date on which the roll is submitted to the Secretary, the Commission shall publish the roll notwithstanding any order or directive issued by the Secretary or any other official of the Department of the Interior to the contrary.

(J) EFFECT OF PUBLICATION.—The publication of the initial and updated roll shall serve as the basis for the eligibility of adult members of the Native Hawaiian community whose names are listed on those rolls to participate in the reorganization of the Native Hawaiian governing entity.

(2) ORGANIZATION OF THE NATIVE HAWAIIAN INTERIM GOVERNING COUNCIL.—

(A) ORGANIZATION.—The adult members of the Native Hawaiian community listed on the roll published under this section may—

(i) develop criteria for candidates to be elected to serve on the Native Hawaiian Interim Governing Council;

(ii) determine the structure of the Council; and

(iii) elect members from individuals listed on the roll published under this subsection to the Council.

(B) POWERS.—

(i) IN GENERAL.—The Council—

(I) may represent those listed on the roll published under this section in the implementation of this Act; and

(II) shall have no powers other than powers given to the Council under this Act.

(ii) FUNDING.—The Council may enter into a contract with, or obtain a grant from, any Federal or State agency to carry out clause (iii).

(iii) ACTIVITIES.—

(I) IN GENERAL.—The Council may conduct a referendum among the adult members of the Native Hawaiian community listed on the roll published under this subsection for the purpose of determining the proposed elements of the organic governing documents of the Native Hawaiian governing entity, including but not limited to—

(aa) the proposed criteria for citizenship of the Native Hawaiian governing entity;

(bb) the proposed powers and authorities to be exercised by the Native Hawaiian governing entity, as well as the proposed privileges and immunities of the Native Hawaiian governing entity;

(cc) the proposed civil rights and protection of the rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities of the Native Hawaiian governing entity; and

(dd) other issues determined appropriate by the Council.

(II) DEVELOPMENT OF ORGANIC GOVERNING DOCUMENTS.—Based on the referendum, the Council may develop proposed organic governing documents for the Native Hawaiian governing entity.

(III) DISTRIBUTION.—The Council may distribute to all adult members of the Native Hawaiian community listed on the roll published under this subsection—

(aa) a copy of the proposed organic governing documents, as drafted by the Council; and

(bb) a brief impartial description of the proposed organic governing documents;

(IV) ELECTIONS.—The Council may hold elections for the purpose of ratifying the proposed organic governing documents, and on certification of the organic governing documents by the Secretary in accordance with paragraph (4), hold elections of the officers of the Native Hawaiian governing entity pursuant to paragraph (5).

(3) SUBMITTAL OF ORGANIC GOVERNING DOCUMENTS.—Following the reorganization of the Native Hawaiian governing entity and the adoption of organic governing documents, the Council shall submit the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(4) CERTIFICATIONS.—

(A) IN GENERAL.—Within the context of the future negotiations to be conducted under the authority of section 8(b)(1), and the subsequent actions by the Congress and the State of Hawaii to enact legislation to implement the agreements of the 3 governments, not later than 90 days after the date on which the Council submits the organic governing documents to the Secretary, the Secretary shall certify that the organic governing documents—

(i) establish the criteria for citizenship in the Native Hawaiian governing entity;

(ii) were adopted by a majority vote of the adult members of the Native Hawaiian community whose names are listed on the roll published by the Secretary;

(iii) provide authority for the Native Hawaiian governing entity to negotiate with Federal, State, and local governments, and other entities;

(iv) provide for the exercise of governmental authorities by the Native Hawaiian governing entity, including any authorities that may be delegated to the Native Hawaiian governing entity by the United States and the State of Hawaii following negotiations authorized in section 8(b)(1) and the enactment of legislation to implement the agreements of the 3 governments;

(v) prevent the sale, disposition, lease, or encumbrance of lands, interests in lands, or other assets of the Native Hawaiian governing entity without the consent of the Native Hawaiian governing entity;

(vi) provide for the protection of the civil rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities by the Native Hawaiian governing entity; and

(vii) are consistent with applicable Federal law and the special political and legal relationship between the United States and the indigenous, native people of the United States; provided that the provisions of Public Law 103–454, 25 U.S.C. 479a, shall not apply.

(B) RESUBMISSION IN CASE OF NONCOMPLIANCE WITH THE REQUIREMENTS OF SUBPARAGRAPH (a).—

(i) RESUBMISSION BY THE SECRETARY.—If the Secretary determines that the organic governing documents, or any part of the documents, do not meet all of the requirements set forth in subparagraph (A), the Secretary shall resubmit the organic governing documents to the Council, along with a justification for each of the Secretary's findings as to why the provisions are not in full compliance.

(ii) AMENDMENT AND RESUBMISSION OF ORGANIC GOVERNING DOCUMENTS.—If the organic governing documents are resubmitted to the Council by the Secretary under clause (i), the Council shall—

(I) amend the organic governing documents to ensure that the documents meet all the requirements set forth in subparagraph (A); and

(II) resubmit the amended organic governing documents to the Secretary for certification in accordance with this paragraph.

(C) CERTIFICATIONS DEEMED MADE.—The certifications under paragraph (4) shall be deemed to have been made if the Secretary has not acted within 90 days after the date on which the Council has submitted the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(5) ELECTIONS.—On completion of the certifications by the Secretary under paragraph (4), the Council may hold elections of the officers of the Native Hawaiian governing entity.

(6) REAFFIRMATION.—Notwithstanding any other provision of law, upon the certifications required under paragraph (4) and the election of the officers of the Native Hawaiian governing entity, the special political and legal relationship between the United States and the Native Hawaiian governing entity is hereby reaffirmed and the United States extends Federal recognition to the Native Hawaiian governing entity as the representative governing body of the Native Hawaiian people.

SEC. 8. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY; NEGOTIATIONS; CLAIMS.

(a) REAFFIRMATION.—The delegation by the United States of authority to the State of Hawaii to address the conditions of the indigenous, native people of Hawaii contained in the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'' approved March 18, 1959 (Public Law 86–3, 73 Stat. 4), is reaffirmed.

(b) NEGOTIATIONS.—

(1) IN GENERAL.—Upon the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the United States and the State of Hawaii may enter into negotiations with the Native Hawaiian governing entity designed to lead to an agreement addressing such matters as—

(A) the transfer of lands, natural resources, and other assets, and the protection of existing rights related to such lands or resources;

(B) the exercise of governmental authority over any transferred lands, natural resources, and other assets, including land use;

(C) the exercise of civil and criminal jurisdiction;

(D) the delegation of governmental powers and authorities to the Native Hawaiian governing entity by the United States and the State of Hawaii;

(E) any residual responsibilities of the United States and the State of Hawaii; and

(F) grievances regarding assertions of historical wrongs committed against Native Hawaiians by the United States or by the State of Hawaii.

(2) AMENDMENTS TO EXISTING LAWS.—Upon agreement on any matter or matters negotiated with the United States, the State of Hawaii, and the Native Hawaiian governing entity, the parties are authorized to submit—

(A) to the Committee on Indian Affairs of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources of the House of Representatives, recommendations for proposed amendments to Federal law that will enable the implementation of agreements reached between the 3 governments; and

(B) to the Governor and the legislature of the State of Hawaii, recommendations for proposed amendments to State law that will enable the implementation of agreements reached between the 3 governments.

(3) GOVERNMENTAL AUTHORITY AND POWER.—Any governmental authority or power to be exercised by the Native Hawaiian governing entity which is currently exercised by the State or Federal Governments shall be exercised by the Native Hawaiian governing entity only as agreed to in negotiations pursuant to section 8(b)(1) of this Act and beginning on the date on which legislation to implement such agreement has been enacted by the United States Congress, when applicable, and by the State of Hawaii, when applicable. This includes any required modifications to the Hawaii State Constitution in accordance with the Hawaii Revised Statutes.

(c) CLAIMS.—

(1) DISCLAIMERS.—Nothing in this Act—

(A) creates a cause of action against the United States or any other entity or person;

(B) alters existing law, including existing case law, regarding obligations on the part of the United States or the State of Hawaii with regard to Native Hawaiians or any Native Hawaiian entity;

(C) creates obligations that did not exist in any source of Federal law prior to the date of enactment of this Act; or

(D) establishes authority for the recognition of Native Hawaiian groups other than the single Native Hawaiian Governing Entity.

(2) FEDERAL SOVEREIGN IMMUNITY.—

(A) SPECIFIC PURPOSE.—Nothing in this Act is intended to create or allow to be maintained in any court any potential breach-of-trust actions, land claims, resource-protection or resource-management claims, or similar types of claims brought by or on behalf of Native Hawaiians or the Native Hawaiian governing entity for equitable, monetary, or Administrative Procedure Act-based relief against the United States or the State of Hawaii, whether or not such claims specifically assert an alleged breach of trust, call for an accounting, seek declaratory relief, or seek the recovery of or compensation for lands once held by Native Hawaiians.

(B) ESTABLISHMENT AND RETENTION OF SOVEREIGN IMMUNITY.—To effectuate the ends expressed in section 8(c)(1) and 8(c)(2)(A), and notwithstanding any other provision of Federal law, the United States retains its sovereign immunity to any claim that existed prior to the enactment of this Act (including, but not limited to, any claim based in whole or in part on past events), and which could be brought by Native Hawaiians or any Native Hawaiian governing entity. Nor shall any preexisting waiver of sovereign immunity (including, but not limited to, waivers set forth in chapter 7 of part I of title 5, United States Code, and sections 1505 and 2409a of title 28, United States Code) be applicable to any such claims. This complete retention or reclaiming of sovereign immunity also applies to every claim that might attempt to rely on this Act for support, without regard to the source of law under which any such claim might be asserted.

(C) EFFECT.—It is the general effect of section 8(c)(2)(B) that any claims that may already have accrued and might be brought against the United States, including any claims of the types specifically referred to in section 8(c)(2)(A), along with both claims of a similar nature and claims arising out of the same nucleus of operative facts as could give rise to claims of the specific types referred to in section 8(c)(2)(A), be rendered nonjusticiable in suits brought by plaintiffs other than the Federal Government.

(3) STATE SOVEREIGNTY IMMUNITY.—

(A) Notwithstanding any other provision of Federal law, the State retains its sovereign immunity, unless waived in accord with State law, to any claim, established under any source of law, regarding Native Hawaiians, that existed prior to the enactment of this Act.

(B) Nothing in this Act shall be construed to constitute an override pursuant to section 5 of the Fourteenth Amendment of State sovereign immunity held under the Eleventh Amendment.

SEC. 9. APPLICABILITY OF CERTAIN FEDERAL LAWS.

(a) INDIAN GAMING REGULATORY ACT.—

(1) The Native Hawaiian governing entity and Native Hawaiians may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

(2) The foregoing prohibition in section 9(a)(1) on the use of Indian Gaming Regulatory Act and inherent authority to game apply regardless of whether gaming by Native Hawaiians or the Native Hawaiian governing entity would be located on land within the State of Hawaii or within any other State or Territory of the United States.

(b) TAKING LAND INTO TRUST.—Notwithstanding any other provision of law, including but not limited to part 151 of title 25, Code of Federal Regulations, the Secretary

shall not take land into trust on behalf of individuals or groups claiming to be Native Hawaiian or on behalf of the native Hawaiian governing entity.

(c) REAL PROPERTY TRANSFERS.—The Indian Trade and Intercourse Act (25 U.S.C. 177), does not, has never, and will not apply after enactment to lands or lands transfers present, past, or future, in the State of Hawaii. If despite the expression of this intent herein, a court were to construe the Trade and Intercourse Act to apply to lands or land transfers in Hawaii before the date of enactment of this Act, then any transfer of land or natural resources located within the State of Hawaii prior to the date of enactment of this Act, by or on behalf of the Native Hawaiian people, or individual Native Hawaiians, shall be deemed to have been made in accordance with the Indian Trade and Intercourse Act and any other provision of Federal law that specifically applies to transfers of land or natural resources from, by, or on behalf of an Indian tribe, Native Hawaiians, or Native Hawaiian entities.

(d) SINGLE GOVERNING ENTITY.—This Act will result in the recognition of the single Native Hawaiian governing entity. Additional Native Hawaiian groups shall not be eligible for acknowledgment pursuant to the Federal Acknowledgment Process set forth in part 83 of title 25 of the Code of Federal Regulations or any other administrative acknowledgment or recognition process.

(e) JURISDICTION.—Nothing in this Act alters the civil or criminal jurisdiction of the United States or the State of Hawaii over lands and persons within the State of Hawaii. The status quo of Federal and State jurisdiction can change only as a result of further legislation, if any, enacted after the conclusion, in relevant part, of the negotiation process established in section 8(b).

(f) INDIAN PROGRAMS AND SERVICES.—Notwithstanding section 7(c)(6), because of the eligibility of the Native Hawaiian governing entity and its citizens for Native Hawaiian programs and services in accordance with subsection (g), nothing in this Act provides an authorization for eligibility to participate in any Indian program or service to any individual or entity not otherwise eligible for the program or service under applicable Federal law.

(g) NATIVE HAWAIIAN PROGRAMS AND SERVICES.—The Native Hawaiian governing entity and its citizens shall be eligible for Native Hawaiian programs and services to the extent and in the manner provided by other applicable laws.

SEC. 10. SEVERABILITY.

If any section or provision of this Act is held invalid, it is the intent of Congress that the remaining sections or provisions shall continue in full force and effect.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Mr. INOUYE. Mr. President, I am pleased to join my colleague, Senator AKAKA, as a cosponsor of the Native Hawaiian Government Reorganization Act of 2007.

During the 109th Congress, the Administration expressed concerns with this legislation that stem from its experience with Indian tribes. The history of the Native Hawaiians and their treatment by the United States is similar to that of Indian tribes and Alaska Natives. I want to commend the Administration for devoting staff to work with us to achieve consensus on mutually agreeable language. I am confident that this measure not only addresses the Administration's concerns but also the concerns of some of our colleagues.

Having served on the Indian Affairs Committee for the past 28 years, I know that most of our colleagues are more familiar with conditions and circumstances in Indian country, and naturally, they bring their experience with Indian country to bear in considering this measure, which has been pending in the Senate for the past eight years.

Accordingly, I believe it is important that our colleagues understand what this bill seeks to accomplish as well as how it differs from legislation affecting Indian country.

It is a little known fact that beginning in 1910 and since that time, the Congress has passed and the President has signed into law over 160 Federal laws designed to address the conditions of Native Hawaiians.

Thus, Federal laws which authorize the provision of health care, education, housing, and job training and employment services, as well as programs to provide for the preservation of the Native Hawaiian language, Native language immersion, Native cultural and grave protections and repatriation of Native sacred objects have been in place for decades.

The Native Hawaiian programs do not draw upon funding that is appropriated for American Indians or Alaska Natives—there are separate authorizations for programs that are administered by different Federal agencies—not the Bureau of Indian Affairs or the Indian Health Service, for instance—and the Native Hawaiian program funds are not drawn from the Interior Appropriations Subcommittee account. Thus, they have no impact on the funding that is provided for the other indigenous, native people of the United States.

However, unlike the native people residing on the mainland, Native Hawaiians have not been able to exercise their rights as Native people to self-determination or self-governance because their government was overthrown on January 17, 1893.

This bill would provide a process for the reorganization of the Native Hawaiian government and the resumption of a political and legal relationship between that government and the government of the United States.

Because the Native Hawaiian government is not an Indian tribe, the body of Federal Indian law that would otherwise customarily apply when the United States extends Federal recognition to an Indian tribal group does not apply.

Thus, the bill provides authority for a process of negotiations amongst the United States, the State of Hawaii, and the reorganized Native Hawaiian government to address such matters as the exercise of civil and criminal jurisdiction by the respective governments, the transfer of land and natural resources and other assets, and the exercise of governmental authority over those lands, natural resources and other assets.

Upon reaching agreement, the U.S. Congress and the legislature of the State of Hawaii would have to enact legislation implementing the agreements of the three governments, including amendments that will necessarily have to be made to existing Federal law, such as the Hawaii Admissions Act and the Hawaiian Homes Commission Act, and to State law, including amendments to the Hawaii State Constitution, before any of the new governmental relationships and authorities can take effect.

That is why concerns which are premised on the manner in which Federal Indian law provides for the respective governmental authorities of the State governments and Indian tribal governments simply do not apply in Hawaii.

We have every confidence that consistent with the Federal policy for over 35 years, the restoration of the rights to self-determination and self-governance will enable the Native Hawaiian people, as the direct, lineal descendants of the aboriginal, indigenous native people of what has become our nation's fiftieth state, to take their rightful place in the family of governments that makes up our constitutional system of governance.

By Mr. WARNER (for himself, Mr. WEBB, Mr. GRASSLEY, Mr. CORNYN, Mr. THUNE, and Mr. GRAHAM):

S. 315. A bill to establish a digital and wireless network technology program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. WARNER. Mr. President, I rise today to reintroduce the Minority Serving Institution Digital and Wireless Technology Opportunity Act. This legislation, which was crafted by Senator Allen and I in years past, will provide vital resources to address the technology gap that exists at many Minority Serving Institutions, MSIs.

In the past, Senator Allen took the role of lead sponsor on this important bill. With his leadership, this exact legislation has passed twice unanimously. Unfortunately, the 109th Congress adjourned before the House of Representatives considered the bill. Accordingly, today I am privileged to serve as the lead sponsor of this legislation in the 110th Congress. I am pleased to have my Virginia colleague Senator JIM WEBB as an original cosponsor of this bill. I hope this important bill will soon become law.

Over 60 percent of all jobs require information technology skills. Jobs in the information technology field pay significantly higher salaries than jobs in non-information technology fields. At the same time, many of our Minority Serving Institutions lack the capital to offer assistance to their students to bridge the ''Digital Divide'' between students who are able to develop the skills necessary to succeed in

a technology based economy and those who are not.

This legislation will establish a grant program for these institutions of higher education to bring increased access to computers, technology, and the Internet to their student populations. Specifically, this legislation authorizes $250 million in Federal grants for Minority Serving Institutions to acquire equipment, instrumentation, networking capability, hardware and software, digital network technology and wireless technology and infrastructure to develop and provide educational services. In addition, the grants could be used for such activities as campus wiring, equipment upgrades, and technology training. Finally, Minority Serving Institutions could use these funds to offer their students universal access to campus networks, increase connectivity rates, or make infrastructure improvements.

I am proud to say that Virginia is home to five Historically Black Colleges and Universities, HBCUs—Norfolk State University, St. Paul's College, Virginia Union University, Hampton University, and Virginia State University—that are eligible for these technology grants. There are over 200 Hispanic Serving Institutions, over 100 Historically Black Colleges and Universities and over 30 Tribal Colleges throughout the United States.

Again, in 2005, this bill passed in the Senate by unanimous consent. In 2003, this bill passed in the Senate with a roll call vote of 97–0. I am pleased to support this legislation, as I have done in the past, and I look forward to strengthening the technology provided to students at Minority Serving Institutions.

By Mr. KOHL (for himself, Mr. GRASSLEY, Mr. LEAHY, Mr. SCHUMER, and Mr. FEINGOLD):

S. 316. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the Preserve Access to Affordable Generics Act. This legislation will stop one of the most egregious tactics used by the brand-name pharmaceutical industry to keep generic competitors off the market, leaving consumers with unnecessary high drug prices.

The way it is done is simple—a drug company that holds a patent on a blockbuster brand-name drug, pays a generic drug maker off to delay the sale of a competing generic product that might dip into their profits. The brand name company profits so much by delaying competition that it can easily afford to pay off the generic company, leaving consumers the big losers who continue to pay unnecessarily high drug prices.

Last year, the Supreme Court refused to consider an appeal by the Federal Trade Commission to reinstate antitrust charges against a brand-name drugs maker. Since the recent court decisions allowing these backroom deals, there has been a sharp rise in the number of settlements in which brand-name companies pay off generic competitors to keep their cheaper drugs off the market. In a report issued last year, the FTC found that more than two-thirds of the 10 settlement agreements made in 2006 included a pay-off from the brand in exchange for a promise by the generic company to delay entry into the market.

The decision by the Supreme Court is a blow to consumers who save billions of dollars on generics every year. When brand, name drugs lose patent rights, this opens the door for consumers, employers, third-party payers, and other purchasers to save billions—63 percent on average—by using generic versions of these drugs. A recent study released earlier this year by Pharmaceutical Care Management Association, showed that health plans and consumers could save $26.4 billion over the next 5 years by using the generic versions of 14 popular drugs that are scheduled to lose their patent protections before 2010.

Last year, I was successful in including an additional $10 million in the fiscal year 07 Agriculture Appropriations bill for the Food and Drug Administration's Office of Generic Drugs, an effort to help reduce the growing backlog of generic drug applications. The FDA Office of Generic Drugs has reported a backlog of more than 800 generic drug applications with more applications for new generics being received than ever before.

But even approval by the FDA doesn't always guarantee that consumers will have access to these affordable drugs. Brand-name pharmaceutical manufacturers have learned to circumvent the Drug Price Competition and Patent Term Restoration Act, commonly referred to as Hatch-Waxman, using litigation and other means to extend the life of patents and keep generics from entering the market Of the six approved first generics for LA popular brand-name drugs taken by seniors over the last year, only two have actually reached the market, while the others are being kept of the shelves by patent disputes.

We cannot profess to care about the high cost of prescription drugs while turning a blind eye to anticompetitive backroom deals between brand and generic drug companies. It's time to stop these drug company pay-offs that only serve the companies involved and deny consumers to affordable generic drugs. I urge my colleagues to join me in this effort.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 316

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 ''Preserve Access to Affordable Generics Act''.

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) prescription drugs make up 11 percent of the national health care spending but are 1 of the largest and fastest growing health care expenditures;

(2) 56 percent of all prescriptions dispensed in the United States are generic drugs, yet they account for only 13percent of all expenditures;

(3) generic drugs, on average, cost 63 percent less than their brand-name counterparts;

(4) consumers and the health care system would benefit from free and open competition in the pharmaceutical market and the removal of obstacles to the introduction of generic drugs;

(5) full and free competition in the pharmaceutical industry, and the full enforcement of antitrust law to prevent anticompetitive practices in this industry, will lead to lower prices, greater innovation, and inure to the general benefit of consumers.

(6) the Federal Trade Commission has determined that some brand name pharmaceutical manufacturers collude with generic drug manufacturers to delay the marketing of competing, low-cost, generic drugs;

(7) collusion by the brand name pharmaceutical manufacturers is contrary to free competition, to the interests of consumers, and to the principles underlying antitrust law;

(8) in 2005, 2 appellate court decisions reversed the Federal Trade Commission's longstanding position, and upheld settlements that include pay-offs by brand name pharmaceutical manufacturers to generic manufacturers designed to keep generic competition off the market;

(9) in the 6 months following the March 2005 court decisions, the Federal Trade Commission found there were three settlement agreements in which the generic received compensation and agreed to a restriction on its ability to market the product;

(10) the FTC found that more than ⅔ of the approximately ten settlement agreements made in 2006 include a pay-off from the brand in exchange for a promise by the generic company to delay entry into the market; and

(11) settlements which include a payment from a brand name manufacturer to a generic manufacturer to delay entry by generic drugs are anti-competitive and contrary to the interests of consumers.

(b) PURPOSES.—The purposes of this Act are—

(1) to enhance competition in the pharmaceutical market by prohibiting anticompetitive agreements and collusion between brand name and generic drug manufacturers intended to keep generic drugs off the market;

(2) to support the purpose and intent of antitrust law by prohibiting anticompetitive agreements and collusion in the pharmaceutical industry; and

(3) to clarify the law to prohibit payments from brand name to generic drug manufacturers with the purpose to prevent or delay the entry of competition from generic drugs.

SEC. 3. UNLAWFUL COMPENSATION FOR DELAY.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by redesignating section 25 as section 29; and

(2) by inserting after section 27 the following:

"SEC. 28. UNLAWFUL INTERFERENCE WITH GENERIC MARKETING.

''(a) It shall be unlawful under this Act for any person, in connection with the sale of a drug product, to directly or indirectly be a party to any agreement resolving or settling a patent infringement claim which—

''(1) an ANDA filer receives anything of value; and

''(2) the ANDA filer agrees not to research, develop, manufacture, market, or sell the ANDA product for any period of time.

''(b) Nothing in this section shall prohibit a resolution or settlement of patent infringement claim in which the value paid by the NDA holder to the ANDA filer as a part of the resolution or settlement of the patent infringement claim includes no more than the right to market the ANDA product prior to the expiration of the patent that is the basis for the patent infringement claim.

''(c) In this section:

''(1) The term 'agreement' means anything that would constitute an agreement under section 1 of the Sherman Act (15 U.S.C. 1) or section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

''(2) The term 'agreement resolving or settling a patent infringement claim' includes, any agreement that is contingent upon, provides a contingent condition for, or is otherwise related to the resolution or settlement of the claim.

''(3) The term 'ANDA' means an abbreviated new drug application, as defined under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

''(4) The term 'ANDA filer' means a party who has filed an ANDA with the Federal Drug Administration.

''(5) The term 'ANDA product' means the product to be manufactured under the ANDA that is the subject of the patent infringement claim.

''(6) The term 'drug product' means a finished dosage form (e.g., tablet, capsule, or solution) that contains a drug substance, generally, but not necessarily, in association with 1 or more other ingredients, as defined in section 314.3(b) of title 21, Code of Federal Regulations.

''(7) The term 'NDA' means a new drug application, as defined under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)).

''(8) The term 'NDA holder' means—

''(A) the party that received FDA approval to market a drug product pursuant to an NDA;

''(B) a party owning or controlling enforcement of the patent listed in the Approved Drug Products With Therapeutic Equivalence Evaluations (commonly known as the 'FDA Orange Book') in connection with the NDA; or

''(C) the predecessors, subsidiaries, divisions, groups, and affiliates controlled by, controlling, or under common control with any of the entities described in subclauses (i) and (ii) (such control to be presumed by direct or indirect share ownership of 50 percent or greater), as well as the licensees, licensors, successors, and assigns of each of the entities.

''(9) The term 'patent infringement' means infringement of any patent or of any filed patent application, extension, reissue, renewal, division, continuation, continuation in part, reexamination, patent term restoration, patents of addition and extensions thereof.

''(10) The term 'patent infringement claim' means any allegation made to an ANDA filer, whether or not included in a complaint filed with a court of law, that its ANDA or ANDA product may infringe any patent held by, or exclusively licensed to, the NDA holder of the drug product.''.

SEC. 4. NOTICE AND CERTIFICATION OF AGREEMENTS.

(a) NOTICE OF ALL AGREEMENTS.—Section 1112(c)(2) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 3155 note) is amended by—

(1) striking ''the Commission the'' and inserting ''the Commission (1) the''; and

(2) inserting before the period at the end the following: ''; and (2) a description of the subject matter of any other agreement the parties enter into within 30 days of an entering into an agreement covered by subsection (a) or (b)''.

(b) CERTIFICATION OF AGREEMENTS.—Section 1112 of such Act is amended by adding at the end the following:

''(d) CERTIFICATION.—The Chief Executive Officer or the company official responsible for negotiating any agreement required to be filed under subsection (a), (b), or (c) shall execute and file with the Assistant Attorney General and the Commission a certification as follows: 'I declare under penalty of perjury that the following is true and correct: The materials filed with the Federal Trade Commission and the Department of Justice under section 1112 of subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, with respect to the agreement referenced in this certification: (1) represent the complete, final, and exclusive agreement between the parties; (2) include any ancillary agreements that are contingent upon, provide a contingent condition for, or are otherwise related to, the referenced agreement; and (3) include written descriptions of any oral agreements, representations, commitments, or promises between the parties that are responsive to subsection (a) or (b) of such section 1112 and have not been reduced to writing.'.''.

SEC. 5. FORFEITURE OF 180-DAY EXCLUSIVITY PERIOD.

Section 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 355(j)(5)(D)(i)(V)) is amended by inserting ''section 28 of the Clayton Act or'' after ''that the agreement has violated''.

SEC. 6. STUDY BY THE FEDERAL TRADE COMMISSION.

(a) REQUIREMENT FOR A STUDY.—Not later than 180 days after the date of enactment of this Act and pursuant to its authority under section 6(a) of the Federal Trade Commission Act (15 U.S.C. 46(a)) and its jurisdiction to prevent unfair methods of competition, the Federal Trade Commission shall conduct a study regarding—

(1) the prevalence of agreements in patent infringement suits of the type described in section 28 of the Clayton Act, as added by this Act, during the last 5 years;

(2) the impact of such agreements on competition in the pharmaceutical market; and

(3) the prevalence in the pharmaceutical industry of other anticompetitive agreements among competitors or other practices that are contrary to the antitrust laws, and the impact of such agreements or practices on competition in the pharmaceutical market during the last 5 years.

(b) CONSULTATION.—In conducting the study required under this section, the Federal Trade Commission shall consult with the Antitrust Division of the Department of Justice regarding the Justice Department's findings and investigations regarding anticompetitive practices in the pharmaceutical market, including criminal antitrust investigations completed by the Justice Department with respect to practices or conduct in the pharmaceutical market.

(c) REQUIREMENT FOR A REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Trade Commission shall submit a report to the Judiciary Committees of Senate and House of Representatives, and to the Department of Justice regarding the findings of the study conducted under subsection (a). This report shall contain the Federal Trade Commission's recommendation as to whether any amendment to the antitrust laws should be enacted to correct any substantial lessening of competition found during the study.

(d) FEDERAL AGENCY CONSIDERATION.—Upon receipt of the report required by subsection (c), the Attorney General or the Chairman of the Federal Trade Commission, as appropriate, shall consider whether any additional enforcement action is required to restore competition or prevent a substantial lessening of competition occurring as a result of the conduct or practices that were the subject of the study conducted under subsection (b).

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Federal Trade Commission such sums as may be necessary to carry out the provisions of this Act.

Mr. LEAHY. Mr. President, I am pleased to join Senators KOHL, FEINGOLD, GRASSLEY and SCHUMER in introducing the Preserve Access to Affordable Generics Act of 2007. This legislation is a continuation of a longstanding, bipartisan effort to provide consumers with more choices for medications at lower costs. Better access to affordable prescription medication is of vital importance to seniors, families, and consumers across the Nation who are struggling to keep up with the ever increasing costs of health care.

This legislation builds on the Drug Competition Act, which I authored in 2001 and which became law in 2003 in the Medicare Modernization Act. Recently, two Federal courts undermined the intent of this law; the legislation we introduce today will address that problem. The Preserve Access to Affordable Generics Act will result in lower prescription drug costs for all Americans by preventing a pernicious practice in which brand-name pharmaceutical companies pay other drug companies not to produce and market generic drugs—which can be 80 percent less expensive than their brand-name counterparts—as part of private patent settlement agreements.

The Hatch-Waxman Act was intended to facilitate the entry of lower-cost generic drugs into the market, making medication more affordable, while protecting patent rights to foster innovation. It created a process, known as the Abbreviated New Drug Application, ANDA, to speed approval of generics. Under ANDA, an applicant can receive expedited approval from the FDA to market a generic product. An applicant using ANDA may certify that the manufacturing of its new drug will either not infringe on a previously patented drug on which it is based, or that the existing patent is invalid. After certifying an ANDA, the generic applicant must give notice to the patent-holder, at which point the patent-holder has 45 days to file a patent infringement against the applicant.

More times than not, disputes over an ANDA are resolved through private settlements. Unfortunately, the

underpinnings of these private settlements are becoming more and more questionable; drug companies are abusing Hatch-Waxman provisions, and using settlement opportunities to limit consumer choices and keep consumer prices artificially high. The FTC had been policing these deals to ensure they were not anticompetitive until two recent appellate court decisions limited it's role.

Hatch-Waxman created a good framework for promoting innovation while speeding the market entry of affordable drugs. The trend of anticompetitive agreements between brand-name pharmaceutical companies and generic companies to delay entry into the market is a troubling abuse of that good law. Some drug firms have colluded to pad their profits by forcing consumers to pay higher prices than they would pay for lower-cost generics. Congress never intended for brand-name drug companies to be able to grease the palms of generic companies by paying them not to produce generic medicines.

Rarely do we have such a clear-cut opportunity as this to remove obvious impediments that prevent the marketplace from working as it should—to the benefit of consumers. Congress should seize this opportunity and enact legislation that plainly makes anticompetitive deals, such as those I have outlined, illegal.

The Preserve Access to Affordable Generics Act will accomplish this goal. I look forward to working with my colleagues on both sides of the aisle to pass this timely and needed legislation.

By Mrs. FEINSTEIN (for herself and Mr. CARPER):

S. 317. A bill to amend the Clean Air Act to establish a program to regulate the emission of greenhouse gases from electric utilities; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I am pleased to join with Senator CARPER to introduce the Electric Utility Cap and Trade Act.

Today, we are introducing the first of five bills to address the number one environmental issue facing this planet—global warming.

This bill establishes a national cap and trade system over the electricity sector. It will reduce emissions from this sector by 25 percent by 2020.

What distinguishes this bill is that it has the support of 6 major energy companies.

Together, these companies operate in 42 States and produce approximately 150,000 megawatts of energy. This is greater than 15 percent of the U.S. electricity market.

These companies include, first, Pacific Gas & Electric (PG&E) Corporation, which is the parent of Pacific Gas and Electric Company. PG&E is California's largest utility and serves approximately 1 in every 20 Americans. PG&E Corporation currently owns approximately 6,500 megawatts of generation.

Second, Calpine, which operates in 20 States and Canada, generating 26,000 megawatts of energy.

Third, Florida Power & Light, which operates in 26 States, generating more than 30,000 megawatts.

Fourth, Entergy, which operates in Arkansas, Louisiana, Mississippi, and Texas, generating approximately 30,000 megawatts.

Fifth, Exelon, which operates in Illinois and Pennsylvania, generating 38,000 megawatts of energy.

Sixth, Public Service Enterprise Group, which is the largest provider of energy in New Jersey, generating approximately 15,000 megawatts.

These companies' support is greatly appreciated, and I think it signals a new willingness in the energy industry to seriously tackle global warming.

This bill is just the beginning of a major program. Over the next weeks and months, we will also be introducing a cap and trade bill for the industrial sector; a bill that increases fuel economy standards by ten miles per gallon over the next ten years; a bill to promote bio-diesel and E–85; and other low carbon fuels and an energy efficiency bill modeled after California's program.

This is an ambitious agenda, but I believe it is the right way to go if we are to slow global warming.

A great debate has raged in the halls of Congress, in academia, and in the field over the past two decades.

At issue were three fundamental questions: First, is the earth warming? Second, if so, is the warming caused by human activity? And third, can it be stopped?

Over the past few years, a consensus has been forged. An overwhelming body of evidence has been gathered. And, an inescapable conclusion has been reached: The earth is warming. The warming is caused by human activity, namely the combustion of fossil fuels.

It cannot be stopped, because carbon dioxide does not dissipate. It stays in the atmosphere for 30, 40, or 50 years or more.

When we pick up the newspaper each day we see the results. We read about ice sheets the size of small nations breaking off the ice shelves in the Arctic and Antarctic. We read about polar bears committing acts of cannibalism, something unknown in recent memory. We read about species disappearing, seas rising, coral reefs dying, and glaciers melting.

But, all this dire news does not mean we should throw up our hands and do nothing. If we act now, and if we act with purpose, the most serious consequences can be averted. Global warming can be contained to 1–2 degrees Fahrenheit.

But if we do not act, and temperatures spike by 5 degrees or more, the world around us will change forever. There's no going back.

The question becomes what can we do? I've spent the last year trying to answer this question. And the conclusion I've reached is that there is no single answer, no silver bullet, no one thing to turn the tide. But rather, we need many answers in many different areas.

And more importantly, we need people of common purpose, working together, to find innovative solutions. And that's why we're here today.

As I was searching for answers, I picked up the phone and called PG&E Corporation's CEO, Peter Darbee. I said, ''Peter, would you help me out on Global Warming legislation?''

To his immense credit, Peter went back, studied the issue, and said ''You're right. Something must be done.'' And he's been terrific. He's helped at every step of the way.

It means so much to me that PG&E, Calpine, Florida Power and Light, and all the companies that comprise the Clean Energy Group's Clean Air Policy Initiative have endorsed the legislation we are introducing today.

This is the most aggressive global warming bill that industry has supported to date. And I want to thank the CEOs of these companies today for their courage and leadership in taking this step.

Here's what the bill would do. The bill would establish a cap and trade program for the electricity sector, which is the single largest piece of the global warming puzzle, accounting for 33 percent of all U.S. emissions.

First, the bill would a cap at 2006 levels in 2011—a 6 percent reduction from anticipated levels of greenhouse gases from the electric sector.

In 2015, it would ratchet the cap down to 2001 levels—a 16 percent reduction from anticipated levels.

In 2016, the bill would reduce the cap further to 1 percent below 2001 levels. And, from 2017 to 2019 it would require additional annual 1 percent reductions.

By 2020, emissions would be reduced 25 percent below anticipated levels.

And after that, emissions will be reduced even further—by an additional 1.5 percent a year and potentially more, if the EPA, based on scientific evidence, believes that more needs to be done to avert the most dire consequences of global warming.

That's the cap.

The trade part of the bill gives companies flexibility to embrace new technologies, encourage innovation, and promote green practices—not just in this area, but across the economy.

As I said, this bill is only one part of the answer. One piece of the puzzle.

Congress has a window of opportunity to act. If we act boldly and quickly, then perhaps we can make a difference.

But if we resort to the feuding which has characterized past Congresses, our world will be the poorer for it. I think there is but one choice.

I urge my colleagues to join me in supporting this legislation and I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 317

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 ''Electric Utility Cap and Trade Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GLOBAL CLIMATE CHANGE

Sec. 101. Global climate change.

''TITLE VII—GLOBAL CLIMATE CHANGE

''Sec. 701. Definitions.

''Subtitle A—Stopping and Reversing Greenhouse Gas Emissions

''Sec. 711. Regulations; greenhouse gas tonnage limitation.

''Sec. 712. Scientific review of the safe climate level.

''Sec. 713. Required review of emission reductions needed to maintain the safe climate level.

''Sec. 714. Distribution of allowances between auctions and allocations; nature of allowances.

''Sec. 715. Auction of allowances.

''Sec. 716. Allocation of allowances.

''Sec. 717. Climate Action Trust Fund.

''Sec. 718. Early reduction credits.

''Sec. 719. Recognition and use of international credits.

''Sec. 720. Avoiding significant economic harm.

''Sec. 721. Use and transfer of credits.

''Sec. 722. Compliance and enforcement.

''Subtitle B—Offset Credits

''Sec. 731. Outreach initiative on revenue enhancement for agricultural producers.

''Sec. 732. Offset measurement for agricultural, forestry, wetlands, and other land use-related sequestration projects.

''Sec. 733. Categories of agricultural offset practices.

''Sec. 734. Offset credits from forest management, grazing management, and wetlands management.

''Sec. 735. Offset credits from the avoided conversion of forested land or wetland.

''Sec. 736. Offset credits from greenhouse gas emissions reduction projects.

''Sec. 737. Borrowing at program start-up based on contracts to purchase offset credits.

''Sec. 738. Review and correction of accounting for offset credits.

''Subtitle C—National Registry for Credits

''Sec. 741. Establishment and operation of national registry.

''Sec. 742. Monitoring and reporting.

TITLE II—CLIMATE CHANGE RESEARCH INITIATIVES

Sec. 201. Research grants through National Science Foundation.

Sec. 202. Abrupt climate change research.

Sec. 203. Development of new measurement technologies.

Sec. 204. Technology development and diffusion.

Sec. 205. Public land.

Sec. 206. Sea level rise from polar ice sheet melting.

TITLE I—GLOBAL CLIMATE CHANGE

SEC. 101. GLOBAL CLIMATE CHANGE.

(a) IN GENERAL.—The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by adding at the end the following:

''TITLE VII—GLOBAL CLIMATE CHANGE

''SEC. 701. DEFINITIONS.

''In this title:

''(1) AFFECTED UNIT.—

''(A) IN GENERAL.—The term 'affected unit' means an electric generating facility that—

''(i) has a nameplate capacity greater than 25 megawatts;

''(ii) combusts greenhouse gas-emitting fuels; and

''(iii) generates electricity for sale.

''(B) INCLUSIONS.—The term 'affected unit' includes—

''(i) a cogeneration facility; and

''(ii) a facility owned or operated by any instrumentality of—

''(I) the Federal Government; or

''(II) any State, local, or tribal government.

''(2) AFFORESTATION.—The term 'afforestation' means the conversion to a forested condition of land that has been in a nonforested condition for at least 15 years.

''(3) ALLOCATION.—The term 'allocation', with respect to an allowance, means the issuance of an allowance directly to covered units, at no cost, under this title.

''(4) ALLOWANCE.—The term 'allowance' means an authorization under this title to emit 1 metric ton of carbon dioxide (or a carbon dioxide equivalent), as allocated to a covered unit pursuant to section 716.

''(5) CARBON DIOXIDE EQUIVALENT.—The term 'carbon dioxide equivalent' means, with respect to a greenhouse gas, the quantity of the greenhouse gas that makes the same contribution to global warming as 1 metric ton of carbon dioxide, as determined by the Administrator.

''(6) COGENERATION FACILITY.—The term 'cogeneration facility' means a facility that—

''(A) cogenerates steam and electricity; and

''(B) supplies, on a net annual basis, to the electric power grid—

''(i) more than ⅓ of the potential electric output capacity of the facility; and

''(ii) more than 25 megawatts of electrical output from the facility.

''(7) COVERED UNIT.—The term 'covered unit' means—

''(A) an affected unit;

''(B) a nuclear generating unit (including a facility owned or operated by any instrumentality of the Federal Government or of any State, local, or tribal government), but only to the extent of incremental nuclear generation of the unit; and

''(C) a renewable energy unit (including a facility owned or operated by any instrumentality of the Federal Government or of any State, local, or tribal government).

''(8) CREDIT.—

''(A) IN GENERAL.—The term 'credit' means an authorization under this title to emit greenhouse gases equivalent to 1 metric ton of carbon dioxide.

''(B) INCLUSIONS.—The term 'credit' includes—

''(i) an allowance;

''(ii) an offset credit;

''(iii) an early reduction credit; or

''(iv) an international credit.

''(9) EARLY REDUCTION CREDIT.—The term 'early reduction credit' means a credit issued under section 718 for a reduction in the quantity of emissions or an increase in sequestration equivalent to 1 metric ton of carbon dioxide.

''(10) FUND.—The term 'Fund' means the Climate Action Trust Fund established by section 717(a)(1).

''(11) GREENHOUSE GAS.—The term 'greenhouse gas' means—

''(A) carbon dioxide;

''(B) methane;

''(C) nitrous oxide;

''(D) hydrofluorocarbons;

''(E) perfluorocarbons; and

''(F) sulfur hexafluoride.

''(12) GREENHOUSE GAS AUTHORIZED ACCOUNT REPRESENTATIVE.—The term 'greenhouse gas authorized account representative' means, for a covered unit, an individual who is authorized by the owner and operator of the covered unit to represent and legally bind the owner and operator in matters pertaining to this title.

''(13) GREENHOUSE GAS-EMITTING FUEL.—

''(A) IN GENERAL.—The term 'greenhouse gas-emitting fuel' means any fuel that produces a greenhouse gas as a combustion product.

''(B) INCLUSIONS.—The term 'greenhouse gas-emitting fuel' includes—

''(i) fossil fuels;

''(ii) municipal waste;

''(iii) industrial waste;

''(iv) agricultural waste; and

''(v) biomass that is not grown using sustainable techniques.

''(C) EXCLUSION.—The term 'greenhouse gas-emitting fuel' does not include biomass that is grown using sustainable techniques.

''(14) INCREMENTAL NUCLEAR GENERATION.—The term 'incremental nuclear generation' means, as determined by the Administrator and measured in megawatt hours, the difference between—

''(A) the quantity of electricity generated by a nuclear generating unit in a calendar year; and

''(B) the quantity of electricity generated by the nuclear generating unit in calendar year 1990.

''(15) INDUSTRY SECTOR.—The term 'industry sector' means any sector of the economy of a country (including, where applicable, the forestry sector) that is responsible for significant quantities of greenhouse gas emissions.

''(16) INTERNATIONAL CREDIT.—The term 'international credit' means a credit recognized for a reduction in the quantity of emissions or an increase in sequestration equivalent to 1 metric ton of carbon dioxide that—

''(A) arises from activities outside the United States; and

''(B) is authorized for use under section 719.

''(17) INVASIVE SPECIES.—The term 'invasive species' means a species (including pathogens, seeds, spores, or any other biological material relating to a species) the introduction of which causes or is likely to cause economic or environmental harm or harm to human health.

''(18) LAND-GRANT COLLEGES AND UNIVERSITIES.—The term 'land-grant colleges and universities' has the meaning given the term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).

''(19) LEAKAGE.—The term 'leakage' means an increase in greenhouse gas emissions or a decrease in sequestration of greenhouse gases that is—

''(A) outside the area of a project; and

''(B) attributable to the project.

''(20) NATIVE PLANT.—The term 'native plant' means an indigenous, terrestrial, or aquatic plant species that evolved naturally in an ecosystem.

''(21) NEW AFFECTED UNIT.—The term 'new affected unit' means an affected unit that has operated for not more than 3 years.

''(22) NEW COVERED UNIT.—The term 'new covered unit' means a covered unit that has operated for not more than 3 years.

''(23) NOXIOUS WEED.—The term 'noxious weed' means a plant species that is—

''(A) characterized by being—

''(i) aggressive and difficult to manage;

''(ii) poisonous, toxic, parasitic, or a carrier or host of insects or disease representing a serious threat to native species or crops; or

''(iii) nonnative to, new to, or not common to, the United States (or a region of the United States); or

''(B) otherwise designated as a noxious weed by the Secretary of Agriculture or an appropriate State official.

''(24) NUCLEAR GENERATING UNIT.—The term 'nuclear generating unit' means an electric generating facility that uses nuclear energy to generate electricity for sale.

''(25) OFFSET CREDIT.—The term 'offset credit' means a credit issued for an offset project pursuant to subtitle B certifying a reduction in the quantity of emissions or an increase in sequestration equivalent to 1 metric ton of carbon dioxide.

''(26) OFFSET PRACTICE.—The term 'offset practice' means a practice that—

''(A) reduces greenhouse gas emissions or increases sequestration other than by reducing the combustion of greenhouse gas-emitting fuel at an affected unit; and

''(B) may be eligible to create an offset credit under this title.

''(27) OFFSET PROJECT.—The term 'offset project' means a project that reduces greenhouse gas emissions or increases sequestration of carbon dioxide or a carbon dioxide equivalent by a method other than reduction of combustion of greenhouse gas-emitting fuel at an affected unit.

''(28) PANEL.—The term 'Panel' means the Climate Science Advisory Panel established by section 712(b)(1).

''(29) PLANT MATERIAL.—The term 'plant material' means—

''(A) a seed;

''(B) a part of a plant; or

''(C) a whole plant.

''(30) RENEWABLE ENERGY.—The term 'renewable energy' means electricity generated from—

''(A) wind;

''(B) organic waste (excluding incinerated municipal solid waste);

''(C) biomass (including anaerobic digestion from farm systems and landfill gas recovery); or

''(D) a hydroelectric, geothermal, solar thermal, photovoltaic, tidal, wave, or other nonfossil fuel, nonnuclear source.

''(31) RENEWABLE ENERGY UNIT.—The term 'renewable energy unit' means an electric generating unit that exclusively uses renewable energy to generate electricity for sale.

''(32) RESTORATION.—

''(A) IN GENERAL.—The term 'restoration' means assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed.

''(B) INCLUSION.—The term 'restoration' includes the reestablishment in an ecosystem of preexisting biotic integrity with respect to species composition and community structure.

''(33) SEQUESTRATION.—The term 'sequestration' means the separation, isolation, or removal of greenhouse gases from the atmosphere.

''(34) SEQUESTRATION FLOW.—The term 'sequestration flow' means the uptake of greenhouse gases each year from sequestration practices, as calculated under section 732.

''(35) SUSTAINABLE TECHNIQUE.—The term 'sustainable technique' means an agricultural, forestry, or animal husbandry technique that does not result in—

''(A) a long-term net depletion of natural resources; or

''(B) a net emission of greenhouse gas during the lifecycle of biomass production, harvest, processing, and consumption.

''(36) UNFCCC.—The term 'UNFCCC' means the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992.

"Subtitle A—Stopping and Reversing Greenhouse Gas Emissions

"SEC. 711. REGULATIONS; GREENHOUSE GAS TONNAGE LIMITATION.

''(a) REGULATIONS.—Not later than 18 months after the date of enactment of this title, the Administrator shall promulgate regulations to establish an allowance trading program to address emissions of greenhouse gases from affected units in the United States.

''(b) GREENHOUSE GAS TONNAGE LIMITATION.—Beginning in calendar year 2011, the annual tonnage limitation for the aggregate quantity of emissions of greenhouse gases from affected units in the United States shall be equal to—

''(1) for each of calendar years 2011 through 2014, the aggregate quantity of emissions emitted from affected units in calendar year 2006, as determined by the Administrator based on certified and quality-assured continuous emissions monitoring data for greenhouse gases, or data that the Administrator determines to be of similar reliability for affected units without continuous monitoring systems, reported to the Administrator by affected units in accordance with this subtitle;

''(2) for calendar year 2015, the aggregate quantity of emissions emitted from affected units in calendar year 2001, as determined by the Administrator based on certified and quality-assured continuous emissions monitoring data for greenhouse gases, or data that the Administrator determines to be of similar reliability for affected units without continuous monitoring systems, reported to the Administrator by affected units in accordance with this subtitle;

''(3) for each of calendar years 2016 through 2019, the aggregate quantity of emissions emitted from affected units during the calendar year that is 1 percent less than the aggregate quantity of emissions from affected units allowed pursuant to this section during the preceding calendar year; and

''(4) for calendar year 2020 and each calendar year thereafter, the aggregate quantity of emissions emitted during the calendar year that is 1.5 percent less than the aggregate quantity of emissions from affected units allowed pursuant to this section during the preceding calendar year, except as modified by the Administrator pursuant to section 713.

"SEC. 712. SCIENTIFIC REVIEW OF THE SAFE CLIMATE LEVEL.

''(a) DEFINITION AND OBJECTIVE OF MAINTAINING THE SAFE CLIMATE LEVEL.—

''(1) FINDING.—Congress finds that ratification by the Senate in 1992 of the UNFCCC, commitments which were affirmed by the President in 2002, established for the United States an objective of 'stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system'.

''(2) DEFINITION OF SAFE CLIMATE LEVEL.—In this section, the term 'safe climate level' means the climate level referred to in paragraph (1).

''(b) CLIMATE SCIENCE ADVISORY PANEL.—

''(1) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this title, the Administrator shall establish an advisory panel, to be known as the 'Climate Science Advisory Panel'.

''(2) DUTIES.—The Panel shall—

''(A) inform Congress and the Administrator of the state of climate science;

''(B) not later than December 31, 2011, and not less frequently than every 4 years thereafter, issue a report that is endorsed by at least 7 members of the Panel that describes recommendations for the Administrator, based on the best available information in the fields of climate science, including reports from the Intergovernmental Panel on Climate Change, relating to—

''(i) the specific concentration, in parts per million, of all greenhouse gases in carbon dioxide equivalents at or below which constitutes the safe climate level; and

''(ii) the projected timeframe for achieving the safe climate level.

''(3) COMPOSITION.—

''(A) IN GENERAL.—The Panel shall be composed of 8 climate scientists and 3 former Federal officials, as described in subparagraphs (B) through (D).

''(B) CLIMATE SCIENTISTS.—Not later than 270 days after the date of enactment of this title, the President of the National Academy of Sciences shall appoint to serve on the Panel 8 climate scientists from among individuals who—

''(i) have earned doctorate degrees;

''(ii) have performed research in physical, biological, or social sciences, mathematics, economics, or related fields, with a particular focus on or link to 1 or more aspects of climate science;

''(iii) have records of peer-reviewed publications that include—

''(I) publications in main-stream, high-quality scientific journals (such as journals associated with respected scientific societies or those with a high impact factor, as determined by the Institute for Scientific Information);

''(II) recent publications relating to earth systems, and particularly relating to the climate system; and

''(III) a high publication rate, typically at least 2 or 3 papers per year; and

''(iv) have participated in high-level committees, such as those formed by the National Academy of Sciences or by leading scientific societies.

''(C) RESTRICTION.—A majority of climate scientists appointed to the Panel under subparagraph (B) shall be participating, as of the date of appointment to the Panel, in active research in the physical or biological sciences, with a particular focus on or link to 1 or more aspects of climate science.

''(D) FEDERAL OFFICIALS.—

''(i) IN GENERAL.—Subject to clause (ii), the Administrator shall appoint as members of the Panel, the longest-serving former Administrators of the Environmental Protection Agency for each of the 3 most recent former Presidents.

''(ii) TIMING.—The 3 most recent former Presidents described in clause (i) shall be identified as of the deadline for appointments to the Panel under subparagraph (B) or (E)(ii), whichever is applicable.

''(iii) SUBSTITUTES.—If a former Administrator described in clause (i) declines appointment, or is unable to serve, as a member of the Panel, the Administrator shall appoint in place of the former Administrator—

''(I) the longest-serving former Administrator for the applicable President who agrees to serve; or

''(II) if no individual described in subclause (I) accepts appointment as a member of the Panel, the longest-serving Assistant Administrator for Air and Radiation for the applicable President who agrees to serve.

''(E) TERMS OF SERVICE AND VACANCIES.—

''(i) TERMS.—The initial term of a member of the Panel shall be—

''(I) to the maximum extent practicable, the period covered by, and extending through the date of issuance of, each report under paragraph (2)(B); but

''(II) not longer than 4 years.

''(ii) SUBSEQUENT PANELS AND REPORTS.—On the issuance of each report under paragraph (2)(B)—

''(I) the Panel that submitted the report shall terminate; and

''(II)(aa) pursuant to subparagraphs (B) and (C), the President of the National Academy of Sciences shall appoint climate scientists (including at least 3 climate scientists who served as members of the preceding Panel) to serve as members of a new Panel by not later than 15 months after the deadline for issuance of the report under paragraph (2)(B); and

''(bb) pursuant to subparagraph (D), the Administrator shall appoint 3 Federal officials as members of the new Panel by the deadline described in item (aa).

''(iii) VACANCIES.—Vacancies in the membership of the Panel—

''(I) shall not affect the power of the remaining members to execute the functions of the Panel; and

''(II) shall be filled in the same manner in which the original appointment was made.

''(F) CHAIRPERSON AND VICE CHAIRPERSON.—The Panel shall elect a Chairperson and Vice Chairperson as soon as practicable.

''(G) COMPENSATION OF MEMBERS.—A member of the Panel shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

''(H) TRAVEL EXPENSES.—A member of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Panel.

''(4) STAFF.—

''(A) IN GENERAL.—The Chairperson of the Panel may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Panel to perform the duties of the Panel.

''(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Panel.

''(C) COMPENSATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Chairperson of the Panel may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

''(ii) EXCEPTION.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(D) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

''(i) IN GENERAL.—An employee of the Federal Government may be detailed to the staff of the Panel without reimbursement.

''(ii) TREATMENT OF DETAILEES.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

''(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson or executive director of the Panel may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

''(5) HEARINGS.—The Panel may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Panel considers advisable to carry out this section.

''(6) INFORMATION FROM FEDERAL AGENCIES.—

''(A) IN GENERAL.—The Panel may secure directly from a Federal agency such information as the Panel considers necessary to carry out this section.

''(B) PROVISION OF INFORMATION.—On request of the Chairperson of the Panel, the head of the agency shall provide the information to the Panel.

''(7) POSTAL SERVICES.—The Panel may use the United States mail in the same manner and under the same conditions as other agencies of the Federal Government.

''SEC. 713. REQUIRED REVIEW OF EMISSION REDUCTIONS NEEDED TO MAINTAIN THE SAFE CLIMATE LEVEL.

''(a) REVIEW AND DETERMINATION REGARDING REDUCTION RATE.—Not later than December 31, 2015, the Administrator, after providing public notice and opportunity to comment, shall promulgate a final rule pursuant to which the Administrator shall review the reduction rate for greenhouse gas emissions required under section 711(b)(4) and determine—

''(1) whether to—

''(A) accept the recommendations of the Panel under section 712(b)(2)(B) regarding the safe climate level and the timeframe for achieving the safe climate level; or

''(B) establish a different safe climate level or timeframe, together with a detailed explanation of the justification of the Administrator for rejection of the recommendations of the Panel; and

''(2) whether, in order to achieve the safe climate level within the timeframe described in paragraph (1), the reduction rate under section 711(b)(4) is most accurately characterized as requiring—

''(A) the appropriate level of emission reductions;

''(B) lesser emission reductions than are necessary; or

''(C) greater emission reductions than are necessary.

''(b) MODIFICATION OF REDUCTION RATE.—

''(1) IN GENERAL.—If the Administrator makes a determination described in subparagraph (B) or (C) of subsection (a)(2), the final rule promulgated pursuant to subsection (a) shall establish a required level of emissions reductions for each calendar year, beginning with calendar year 2020, based on the considerations described in paragraph (2).

''(2) CONSIDERATIONS.—

''(A) PRIMARY CONSIDERATION.—In establishing the required level of emission reductions pursuant to paragraph (1), the Administrator shall take into consideration primarily the emission reductions necessary to stabilize atmospheric greenhouse gas concentrations at the safe climate level within the timeframe specified under section 712(b)(2)(B).

''(B) SECONDARY CONSIDERATIONS.—In establishing the required level of emission reductions pursuant to paragraph (1), in addition to the primary consideration described in paragraph (1), the Administrator shall take into consideration—

''(i) technological capability to reduce greenhouse gas emissions;

''(ii) the progress that foreign countries have made toward reducing their greenhouse gas emissions;

''(iii) the economic impacts within the United States of implementing this subtitle, including impacts on the major emitting sectors; and

''(iv) the economic impacts within the United States of inadequate action.

''(c) ENFORCEMENT PROVISION.—

''(1) IN GENERAL.—If the Administrator fails to meet a deadline for promulgation of any regulation under subsection (a), the Administrator shall withhold from allocation to covered units that would otherwise be entitled to an allocation of allowances under this subtitle a total of 10 percent of the allowances for each covered unit for each year after the deadline until the Administrator promulgates the applicable regulation.

''(2) RETURN OF ALLOWANCES.—On promulgation of a delayed regulation described in paragraph (1), the Administrator shall distribute any allowances withheld under that paragraph—

''(A) among the covered units from which the allowances were withheld; and

''(B) in accordance with the applicable formula under section 716.

''(d) SUBSEQUENT RULEMAKINGS.—

''(1) IN GENERAL.—Not later than December 31, 2019, and every 4 years thereafter, the Administrator shall promulgate a new final rule described in subsection (a) in accordance with this section.

''(2) EFFECTIVE DATE.—If a new final rule promulgated pursuant to paragraph (1) changes a level of emission reductions required under the preceding final rule, the effective date of the new final rule shall be January 1 of the calendar year that is 5 years after the deadline for promulgation of the new final rule under paragraph (1).

''SEC. 714. DISTRIBUTION OF ALLOWANCES BETWEEN AUCTIONS AND ALLOCATIONS; NATURE OF ALLOWANCES.

''(a) DISTRIBUTION OF ALLOWANCES BETWEEN AUCTIONS AND ALLOCATIONS.—

''(1) IN GENERAL.—For each calendar year, the total quantity of allowances to be auctioned and allocated under this subtitle shall be equal to the annual tonnage limitation for emissions of greenhouse gases from affected units specified in section 711 for the calendar year.

''(2) DISTRIBUTION.—The proportion of allowances to be auctioned pursuant to section 715 and allocated pursuant to section 716 for each calendar year beginning in calendar year 2011 shall be as follows:

''Percentages of Allowances to be Auctioned and Allocated

Calendar Year	Percentage to be Auctioned	Percentage to be Allocated
2011	15	85
2012	18	82
2013	21	79
2014	24	76
2015	27	73
2016	30	70
2017	33	67

''Percentages of Allowances to be Auctioned and Allocated—Continued

Calendar Year	Percentage to be Auctioned	Percentage to be Allocated
2018	36	64
2019	39	61
2020	42	58
2021	45	55
2022	48	52
2023	51	49
2024	54	46
2025	57	43
2026	60	40
2027	63	37
2028	66	34
2029	69	41
2030	72	28
2031	75	25
2032	80	20
2033	85	15
2034	90	10
2035	95	5
2036 and thereafter	100	0

''(b) NATURE OF ALLOWANCES.—An allowance—

''(1) shall not be considered to be a property right; and

''(2) may be terminated or limited by the Administrator.

''(c) NO JUDICIAL REVIEW.—An auction or allocation of an allowance by the Administrator shall not be subject to judicial review.

''SEC. 715. AUCTION OF ALLOWANCES.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Administrator shall promulgate regulations establishing a procedure for the auction of the quantity of allowances specified in section 714(a) for each calendar year.

''(b) DEPOSIT OF PROCEEDS.—The Administrator shall deposit all proceeds from auctions conducted under this section in the Fund for use in accordance with section 717.

''SEC. 716. ALLOCATION OF ALLOWANCES.

''(a) ALLOCATION TO NEW COVERED UNITS.—

''(1) ESTABLISHMENT.—For each calendar year, the Administrator, in consultation with the Secretary of Energy, shall, based on projections of electricity output for new covered units, promulgate regulations establishing—

''(A) a reserve of allowances to be allocated among new covered units for the calendar year; and

''(B) the methodology for allocating those allowances among new covered units.

''(2) LIMITATION.—The number of allowances allocated under paragraph (1) during a calendar year shall be not more than 3 percent of the total number of allowances allocated among covered units for the calendar year.

''(3) UNUSED ALLOWANCES.—For each calendar year, the Administrator shall reallocate to each covered unit any unused allowances from the new unit reserve established under paragraph (1) in the proportion that—

''(A) the number of allowances allocated to each covered unit for the calendar year; bears to

''(B) the number of allowances allocated to all covered units for the calendar year.

''(b) ALLOCATION TO COVERED UNITS THAT ARE NOT NEW COVERED UNITS.—

''(1) TIMING OF ALLOCATIONS.—Subject to subsection (c), the Administrator shall allocate allowances among covered units that are not new covered units—

''(A) not later than December 31, 2007, for calendar year 2011; and

''(B) not later than December 31 of calendar year 2008 and of each calendar year thereafter, for each fourth calendar year that begins after that December 31.

''(2) ALLOCATIONS.—

''(A) IN GENERAL.—Subject to subsection (c), the Administrator shall allocate to each covered unit that is not a new covered unit a quantity of allowances that is equal to the product obtained by multiplying—

''(i) the quantity of allowances available for allocation under this subsection; and

''(ii) the quotient obtained by dividing—

''(I) the annual average quantity of electricity generated by the unit (including only incremental nuclear generation for nuclear generating units) during the most recent 3-calendar year period for which data is available, updated each calendar year and measured in megawatt hours; by

''(II) the difference between—

''(aa) the total of the average quantities calculated under subclause (I) for all covered units; and

''(bb) the quantity of electricity generated by all affected units and new affected units that, pursuant to subsection (c), do not receive any allowances.

''(B) QUANTITY TO BE ALLOCATED.—For each calendar year, the quantity of allowances allocated under subparagraph (A) to covered units that are not new covered units shall be equal to the difference between—

''(i) the annual tonnage limitation for emissions of greenhouse gases from affected units specified in section 711 for the calendar year, as modified, if applicable, under section 713; and

''(ii) the quantity of allowances reserved under subsection (a) for the calendar year.

''(c) COAL-FIRED AFFECTED UNITS AND NEW AFFECTED UNITS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this subtitle, no allowance shall be allocated under this subtitle to a coal-fired affected unit or a coal-fired new affected unit unless the affected unit or new affected unit—

''(A) is powered by qualifying advanced clean coal technology, as defined pursuant to paragraph (2); or

''(B) entered operation before January 1, 2007.

''(2) DEFINITION OF QUALIFYING ADVANCED CLEAN COAL TECHNOLOGY.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of this title, the Administrator, by regulation, shall define the term 'qualifying advanced clean coal technology' with respect to electric power generation.

''(B) REQUIREMENT.—In promulgating a definition pursuant to subparagraph (A), the Administrator shall ensure that the term 'qualifying advanced clean coal technology' reflects advances in available technology, taking into consideration—

''(i) net thermal efficiency;

''(ii) measures to capture and sequester carbon dioxide; and

''(iii) output-based emission rates for—

''(I) carbon dioxide;

''(II) sulfur dioxide;

''(III) oxides of nitrogen;

''(IV) filterable and condensable particulate matter; and

''(V) mercury.

''(C) REVIEW AND REVISION.—

''(i) IN GENERAL.—Not later than July 1, 2009, and each July 1 of every second year thereafter, the Administrator shall review and, if appropriate, revise the definition under subparagraph (A) based on technological advances during the preceding 2 calendar years.

''(ii) NOTICE AND COMMENT REQUIRED.—Subject to clause (iii), after the initial definition is established under subparagraph (A), no subsequent review or revision under this subparagraph shall be subject to the notice and comment provisions of section 307 of this Act or of section 553 of title 5, United States Code.

''(iii) EFFECT.—Nothing in clause (ii) precludes the application of the notice and comment provisions of section 307 of this Act or of section 553 of title 5, United States Code, as the Administrator determines to be practicable.

''SEC. 717. CLIMATE ACTION TRUST FUND.

''(a) ESTABLISHMENT AND ADMINISTRATION.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a fund, to be known as the 'Climate Action Trust Fund', consisting of—

''(A) such amounts as are deposited in the Fund under paragraph (2); and

''(B) any interest earned on investment of amounts in the Fund under paragraph (4).

''(2) TRANSFERS TO FUND.—The Secretary of the Treasury shall deposit in the Fund amounts equivalent to the proceeds received by the Administrator as a result of the conduct of auctions of allowances under section 715.

''(3) EXPENDITURES FROM FUND.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Administrator shall use amounts in the Fund to carry out the programs described in this section.

''(B) ADMINISTRATIVE EXPENSES.—Of amounts in the Fund, there shall be made available to pay the administrative expenses necessary to carry out this title, as adjusted for changes beginning on January 1, 2007, in accordance with the Consumer Price Index for All-Urban Consumers published by the Department of Labor—

''(i) $90,000,000 for each fiscal year, to the Administrator; and

''(ii) $30,000,000 for each fiscal year, to the Secretary of Agriculture.

''(C) PANEL.—Of amounts in the Fund, there shall be made available to pay the expenses of the Panel under section 712 $7,000,000 for each fiscal year, as adjusted for changes beginning on January 1, 2007, in accordance with the Consumer Price Index for All-Urban Consumers published by the Department of Labor.

''(4) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—The Secretary of Treasury shall invest such portion of the Fund as

is not, in the judgment of the Administrator, required to meet current withdrawals.

''(B) INTEREST-BEARING OBLIGATIONS.—Investments may be made only in interest-bearing obligations of the United States.

''(C) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

''(i) on original issue at the issue price; or

''(ii) by purchase of outstanding obligations at the market price.

''(D) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Administrator at the market price.

''(E) RETURN OF PROCEEDS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

''(5) REGULATIONS.—Not later than 2 years after the date of enactment of this title, the Administrator, in consultation with the Secretary of Energy, shall promulgate such regulations as are necessary to administer the Fund in accordance with this section.

''(b) USES OF FUND.—

''(1) NO FURTHER APPROPRIATION.—The Administrator shall distribute amounts in the Fund for use in accordance with this section, without further appropriation.

''(2) REGULATIONS.—

''(A) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the Administrator, in consultation with the Secretary of Energy, shall promulgate regulations establishing an innovative low- and zero-emitting carbon technologies program, a clean coal technologies program, and an energy efficiency technology program that include—

''(i) the funding mechanisms that will be available to support the development and deployment of the technologies addressed by each program, including low-interest loans, loan guarantees, grants, and financial awards; and

''(ii) the criteria for the methods by which proposals will be funded to develop and deploy the technologies.

''(B) REVISION OF CRITERIA.—Not later than January 1, 2014, and every 3 years thereafter, the Administrator shall review and, if appropriate, revise, based on technological advances, the criteria referred to in subparagraph (A)(ii).

''(C) ADAPTATION ASSISTANCE FOR WORKERS AND COMMUNITIES.—Not later than 3 years after the date of enactment of this title, the Administrator, in consultation with the Secretary of Energy, shall promulgate regulations governing the distribution of funds pursuant to subsection (g).

''(c) INNOVATIVE LOW- AND ZERO-EMITTING CARBON ELECTRICITY GENERATION TECHNOLOGIES PROGRAM.—

''(1) IN GENERAL.—For each calendar year, of amounts remaining in the Fund after making the expenditures described in subparagraphs (B) and (C) of subsection (a)(3), the Administrator shall use not more than 35 percent to support the development and deployment of low- and zero-emitting carbon electricity generation technologies.

''(2) REGULATIONS.—The regulations establishing the innovative low- and zero-emitting carbon electricity generation technologies program referred to in subsection (b)(2)(A) shall establish the areas of technology development that will qualify for funding under that program, including technologies for the generation of electricity from renewable energy sources.

''(d) CLEAN COAL TECHNOLOGIES PROGRAM.—

''(1) IN GENERAL.—For each calendar year, of amounts remaining in the Fund after making the expenditures described in subparagraphs (B) and (C) of subsection (a)(3), the Administrator shall use not more than 20 percent to support the development and deployment of clean coal technologies.

''(2) REGULATIONS.—The regulations establishing the clean coal technologies program referred to in subsection (b)(2)(A) shall establish the criteria for use in defining qualifying clean coal technologies for electric power generation, while ensuring that those technologies represent an advance in available technology, taking into consideration net thermal efficiency and measures to capture and sequester carbon dioxide.

''(e) ENERGY EFFICIENCY TECHNOLOGY PROGRAM.—

''(1) IN GENERAL.—For each calendar year, of amounts remaining in the Fund after making the expenditures described in subparagraphs (B) and (C) of subsection (a)(3), the Administrator shall use not more than 15 percent to support the development and deployment of technologies for increasing the efficiency of energy end use in buildings and industry.

''(2) REGULATIONS.—The regulations establishing the energy efficiency program referred to in subsection (b)(2)(A) shall establish the areas of technology development that will qualify for funding under the energy efficiency program.

''(f) FEDERAL FUNDING OF RESEARCH INTO AND DEVELOPMENT OF ENERGY AND EFFICIENCY TECHNOLOGIES.—For each calendar year, the Administrator shall use not more than 10 percent of the amounts in the Fund to support research into and development of energy and efficiency technologies.

''(g) ADAPTATION ASSISTANCE FOR WORKERS AND COMMUNITIES NEGATIVELY AFFECTED BY CLIMATE CHANGE AND GREENHOUSE GAS REGULATION.—For each calendar year, of amounts remaining in the Fund after making the expenditures described in subparagraphs (B) and (C) of subsection (a)(3), the Administrator shall use at least 10 percent to provide adaptation assistance for workers and communities—

''(1) to address local or regional impacts of climate change and the impacts, if any, from greenhouse gas regulation, including by providing assistance to displaced workers and disproportionately affected communities; and

''(2) to mitigate impacts of climate change and the impacts, in any, from greenhouse gas regulation on low-income energy consumers.

''(h) FISH AND WILDLIFE HABITAT.—

''(1) IN GENERAL.—For each calendar year, of amounts remaining in the Fund after making the expenditures described in subparagraphs (B) and (C) of subsection (a)(3), the Administrator shall use at least 10 percent to mitigate the impacts of climate change on fish and wildlife habitat in accordance with this subsection.

''(2) WILDLIFE RESTORATION FUND.—

''(A) IN GENERAL.—For each calendar year, the Administrator shall transfer not less than 70 percent of the amounts made available under paragraph (1) to the Federal aid to wildlife restoration fund established under section 3(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(a)(1))—

''(i) to carry out climate change impact mitigation actions pursuant to comprehensive wildlife conservation strategies; and

''(ii) to provide relevant information, training, monitoring, and other assistance to develop climate change impact mitigation and adaptation plans and integrate the plans into State comprehensive wildlife conservation strategies.

''(B) AVAILABILITY.—Amounts transferred to the Federal aid to wildlife restoration fund under this paragraph shall—

''(i) be available, without further appropriation, for obligation and expenditure; and

''(ii) remain available until expended.

''(3) PROTECTION OF NATURAL RESOURCES.—

''(A) IN GENERAL.—For each calendar year, the Administrator, in consultation with the Secretary of Agriculture, the Secretary of Commerce, the Chief of Engineers, and State and national wildlife conservation organizations, shall transfer not more than 30 percent of the funds made available under paragraph (1) to the Secretary of the Interior for use in carrying out Federal and State programs and projects—

''(i) to protect natural communities that are most vulnerable to climate change;

''(ii) to restore and protect natural resources that directly guard against damages from climate change events; and

''(iii) to restore and protect ecosystem services that are most vulnerable to climate change.

''(B) ADMINISTRATION.—Amounts transferred to the Secretary of the Interior under this paragraph shall—

''(i) be available, without further appropriation, for obligation and expenditure;

''(ii) remain available until expended;

''(iii)(I) be obligated not later than 2 years after the date of transfer; or

''(II) if the amounts are not obligated in accordance with subclause (I), be transferred to the Federal aid to wildlife restoration fund for use in accordance with paragraph (2); and

''(iv) supplement, and not supplant, the amount of Federal, State, and local funds otherwise expended to carry out programs and projects described in subparagraph (A).

''(C) PROGRAMS AND PROJECTS.—Programs and projects for which funds may be used under this paragraph include—

''(i) Federal programs and projects—

''(I) to identify Federal land and water at greatest risk of being damaged or depleted by climate change;

''(II) to monitor Federal land and water to allow for early detection of impacts;

''(III) to develop adaptation strategies to minimize the damage; and

''(IV) to restore and protect Federal land and water at the greatest risk of being damaged or depleted by climate change;

''(ii) Federal programs and projects to identify climate change risks and develop adaptation strategies for natural grassland, wetlands, migratory corridors, and other habitats vulnerable to climate change on private land enrolled in—

''(I) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

''(II) the grassland reserve program established under subchapter C of chapter 2 of subtitle D of title XII of that Act (16 U.S.C. 3838n et seq.); and

''(III) the wildlife habitat incentive program established under section 1240N of that Act (16 U.S.C. 3839bb–1);

''(iii) programs and projects under the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), the North American Bird Conservation Initiative, and the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.) to protect habitat for migratory birds that are vulnerable to climate change impacts;

''(iv) programs and projects—

''(I) to identify coastal and marine resources (such as coastal wetlands, coral reefs, submerged aquatic vegetation, shellfish beds, and other coastal or marine ecosystems) at the greatest risk of being damaged by climate change;

''(II) to monitor those resources to allow for early detection of impacts;

''(III) to develop adaptation strategies;

''(IV) to protect and restore those resources; and

''(V) to integrate climate change adaptation requirements into State plans developed under the coastal zone management program established under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), the national estuary program established under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330), the Coastal and Estuarine Land Conservation Program established under the fourth proviso of the matter under the heading 'PROCUREMENT, ACQUISITION, AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)' of title II of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (16 U.S.C. 1456d), or other comparable State programs;

''(v) programs and projects to conserve habitat for endangered species and species of conservation concern that are vulnerable to the impact of climate change;

''(vi) programs and projects under the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act (16 U.S.C. 2103c), to support State efforts to protect environmentally sensitive forest land through conservation easements to provide refuges for wildlife;

''(vii) other Federal or State programs and projects identified by the heads of agencies described in subparagraph (A) as high priorities—

''(I) to protect natural communities that are most vulnerable to climate change;

''(II) to restore and protect natural resources that directly guard against damages from climate change events; and

''(III) to restore and protect ecosystem services that are most vulnerable to climate change;

''(viii) to address climate change in Federal land use planning and plan implementation and to integrate climate change adaptation strategies into—

''(I) comprehensive conservation plans prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

''(II) general management plans for units of the National Park System;

''(III) resource management plans of the Bureau of Land Management; and

''(IV) land and resource management plans under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) and the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); and

''(ix) projects to promote sharing of information on climate change wildlife impacts and mitigation strategies across agencies, including funding efforts to strengthen and restore habitat that improves the ability of fish and wildlife to adapt successfully to climate change through the Wildlife Conservation and Restoration Account established by section 3(a)(2) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(a)(2)).

''SEC. 718. EARLY REDUCTION CREDITS.

''(a) REGULATIONS.—Not later than 2 years after the date of enactment of this title, the Administrator shall promulgate regulations that provide for the issuance on a 1-time basis, certification, and use of early reduction credits for greenhouse gas reduction or sequestration projects carried out during any of calendar years 2000 through 2010.

''(b) ELIGIBLE PROJECTS.—A greenhouse gas reduction or sequestration project shall be eligible for early reduction credits if the project—

''(1) is carried out in the United States;

''(2) meets the standards contained in regulations promulgated by the Administrator under subsection (a) that the Administrator determines to be applicable to the project, including consistency with the requirements of—

''(A) paragraphs (2) through (5) of section 736(a), with respect to greenhouse gas reduction projects; and

''(B) section 732(a), with respect to sequestration projects; and

''(3) was reported—

''(A) under section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)); or

''(B) to a State or regional greenhouse gas registry.

''(c) LIMITATION.—

''(1) IN GENERAL.—The aggregate quantity of early reduction credits available for greenhouse gas reduction or sequestration projects for the period of calendar years 2000 through 2010 shall not exceed 10 percent of the tonnage limitation for calendar year 2011 for emissions of greenhouse gases from affected units under section 711.

''(2) NO OTHER EXCEEDANCE OF TONNAGE LIMITATION.—No provision of this subtitle (other than paragraph (1)) or any regulation promulgated under this subtitle authorizes the issuance or use of a quantity of credits greater than the annual tonnage limitation for emissions of greenhouse gases from affected units for a calendar year.

''SEC. 719. RECOGNITION AND USE OF INTERNATIONAL CREDITS.

''(a) USE OF INTERNATIONAL CREDITS.—

''(1) IN GENERAL.—Except as provided in this section and section 720, the owner of each affected unit may satisfy the obligation of the affected unit under section 722 to surrender a quantity of credits associated with the greenhouse gas emissions of the affected unit by submitting international credits representing up to 25 percent of the total annual submission requirements of the affected unit.

''(2) NEW AFFECTED UNITS.—The owner of a new affected unit may satisfy up to 50 percent of the obligation of the new affected unit under section 722 to surrender a quantity of credits associated with the greenhouse gas emissions of the new affected unit by submitting international credits.

''(b) FACILITY CERTIFICATION.—The owner of an affected unit who submits an international credit under this section shall certify that the international credit—

''(1) has not been retired from use in the registry of the applicable foreign country; and

''(2) satisfies the requirements of subsection (c) or (d).

''(c) INTERNATIONAL CREDITS FROM COUNTRIES WITH MANDATORY GREENHOUSE GAS LIMITS.—The owner of an affected unit may submit an international credit under this subsection if—

''(1) the international credit is issued by a foreign country pursuant to a governmental program that imposes mandatory absolute tonnage limits on greenhouse gas emissions from the country or 1 or more industry sectors pursuant to protocols adopted through the UNFCCC process; and

''(2) the Administrator has promulgated regulations, taking into consideration applicable UNFCCC protocols, approving for use under this subsection international credits from such categories of countries as the regulations establish, and the regulations permit the use of international credits from the foreign country that issued the credit.

''(d) INTERNATIONAL CREDITS FROM COUNTRIES WITHOUT MANDATORY GREENHOUSE GAS LIMITS.—

''(1) IN GENERAL.—Subject to paragraph (2), the owner of an affected unit may submit an international credit under this subsection if—

''(A) the international credit is issued by a foreign country that has not imposed mandatory absolute tonnage limits on greenhouse gas emissions from the country or 1 or more industry sectors pursuant to protocols adopted through the UNFCCC process;

''(B) the international credit is issued pursuant to protocols adopted through the UNFCCC process; and

''(C) the Administrator has promulgated regulations, taking into consideration applicable UNFCCC protocols, approving for use under this subsection international credits from such categories of countries as the regulations establish, and the regulations permit the use of international credits from the foreign country that issued the credit.

''(2) DECISION ON CONTINUED APPROVAL.—Not later than December 31, 2015, the Administrator shall determine, pursuant to the regulations promulgated under paragraph (1)(C), whether to continue to approve for use under this subsection international credits from any country that—

''(A) has not imposed mandatory absolute tonnage limits on greenhouse gas emissions from the country or 1 or more industry sectors pursuant to protocols adopted through the UNFCCC process; and

''(B) generates more than 0.5 percent of global greenhouse gas emissions as of 2010 or as of the most recent year for which data are available.

''SEC. 720. AVOIDING SIGNIFICANT ECONOMIC HARM.

''(a) IN GENERAL.—Pursuant to the regulations promulgated under this section, the Administrator may permit affected units—

''(1) to use allowances in a calendar year before the calendar year for which the allowances were allocated; and

''(2) to increase the use by the affected units of international credits up to 50 percent of the total annual submission requirements of the affected units under section 722.

''(b) REGULATIONS.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the Administrator, in coordination with the Secretary of the Treasury, shall promulgate regulations requiring the continuous monitoring of the operation of the carbon market and the effect of that market on the economy of the United States.

''(2) REQUIREMENTS.—The regulations shall—

''(A) establish the criteria for determining whether allowance prices have reached and sustained a level that is causing or will cause significant harm to the economy of the United States; and

''(B) take into consideration—

''(i) the obligation of the United States under this subtitle to stabilize greenhouse gas concentrations in the atmosphere at the safe climate level; and

''(ii) the costs of the anticipated impacts of climate change in the United States.

''(3) PREVENTION OF ECONOMIC HARM.—If the Administrator determines that allowance prices have reached and sustained a level that is causing or will cause significant harm to the economy of the United States, the regulations shall establish—

''(A) a program under which an affected unit may use allowances in a calendar year before the calendar year for which the allowances were allocated, including—

''(i) a requirement that allowances borrowed from the allocation of a future year reduce the allocation of allowances to the affected unit for the future year on a 1-to-1 basis;

''(ii) a requirement for payment of interest on borrowed allowances requiring the submission of additional credits upon repayment of the allowances equal to the product obtained by multiplying—

''(I) the number of years between the advance use of allowances by an affected unit under clause (i) and the submission of additional credits under this clause; and

''(II) the sum obtained by adding—

''(aa) the Federal short-term rate, as defined pursuant to section 1274(d)(1)(C)(i) of the Internal Revenue Code of 1986; and

''(bb) 2 percent; and

''(iii) a limitation that in no event may an affected unit—

''(I) satisfy more than 10 percent of the obligation of the affected unit under section 722 to surrender allowances by submitting allowances in a calendar year before the calendar year for which the allowances were allocated; and

''(II) use allowances in a calendar year that is more than 5 years before the calendar year for which the allowances were allocated; and

''(B) a program under which the owner of an affected unit may satisfy the obligation of the affected unit under section 722 to surrender allowances for the calendar year in which the determination is made by submitting international credits representing up to 50 percent of the total annual submission requirements of the affected unit.

''SEC. 721. USE AND TRANSFER OF CREDITS.

''(a) USE IN OTHER GREENHOUSE GAS ALLOWANCE TRADING PROGRAMS.—

''(1) IN GENERAL.—A credit obtained under this subtitle may be used in any other greenhouse gas allowance trading program, including a program of 1 or more States or subdivisions of States, that is approved by the Administrator and an authorized official for the other program for use of the allowance.

''(2) RECIPROCITY.—A credit obtained from another greenhouse gas trading program, including a program of 1 or more States or subdivisions of States, that is approved by the Administrator and an authorized official for the other program may be used in the trading program under this title.

''(b) ALLOWANCE USE BEFORE APPLICABLE CALENDAR YEAR.—Except as provided in section 720, an allowance auctioned or allocated under this subtitle may not be used before the calendar year for which the allowance was auctioned or allocated.

''(c) TRANSFER.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the transfer of a credit shall not take effect until receipt and recording by the Administrator of a written certification of the transfer that is executed by an authorized official of the person making the transfer.

''(2) SPECIAL RULE FOR ALLOWANCES.—Notwithstanding paragraph (1), the transfer of an allowance auctioned or allocated under this subtitle may take effect before the calendar year for which the allowance was auctioned or allocated.

''(d) BANKING OF CREDITS.—Any affected unit may use a credit obtained under this subtitle in the calendar year for which the credit was auctioned or allocated, or in a subsequent calendar year, to demonstrate compliance with section 722.

''SEC. 722. COMPLIANCE AND ENFORCEMENT.

''(a) IN GENERAL.—For calendar year 2011 and each calendar year thereafter, the owner of each affected unit shall surrender to the Administrator a quantity of credits that is equal to the total tons of carbon dioxide or, with respect to other greenhouse gases, tons in carbon dioxide equivalent, associated with the combustion by the affected unit of greenhouse gas-emitting fuels during the calendar year.

''(b) REGULATIONS.—Not later than 2 years after the date of enactment of this title, the Administrator shall promulgate regulations establishing the procedures for the surrender of credits.

''(c) PENALTY.—The owner of an affected unit that emits greenhouse gases associated with the combustion by the affected unit of a greenhouse gas-emitting fuel in excess of the number of credits that the owner of the affected unit holds for use of the affected unit for the calendar year shall—

''(1) submit to the Administrator 1.3 credits for each metric ton of excess greenhouse gas emissions of the affected unit; and

''(2) pay an excess emissions penalty equal to the product obtained by multiplying—

''(A) the number of tons of carbon dioxide, or the carbon dioxide equivalent of other greenhouse gases, emitted in excess of the total quantity of credits held by the affected unit; and

''(B)(i) except as provided in clause (ii), $100, as adjusted for changes beginning on January 1, 2007, in accordance with the Consumer Price Index for All-Urban Consumers published by the Department of Labor; or

''(ii) if the average market price for a metric ton of carbon dioxide equivalent during a calendar year exceeds $60, $200, as adjusted for changes beginning on January 1, 2007, in accordance with the Consumer Price Index for All-Urban Consumers published by the Department of Labor.

''Subtitle B—Offset Credits

''SEC. 731. OUTREACH INITIATIVE ON REVENUE ENHANCEMENT FOR AGRICULTURAL PRODUCERS.

''(a) PURPOSES.—The purposes of this subtitle are to achieve climate benefits, reduce overall costs to the United States economy, and enhance revenue for domestic agricultural producers, foresters, and other landowners by—

''(1) establishing procedures by which domestic agricultural producers, foresters, and other landowners can measure and report reductions in greenhouse gas emissions and increases in sequestration; and

''(2) publishing a handbook of guidance for domestic agricultural producers, foresters, and other landowners to market emission reductions to companies.

''(b) ESTABLISHMENT.—The Secretary of Agriculture, acting through the Chief of the Natural Resources Conservation Service, the Chief of the Forest Service, the Administrator of the Cooperative State Research, Education, and Extension Service, and land-grant colleges and universities, in consultation with the Administrator and the heads of other appropriate departments and agencies, shall establish an outreach initiative to provide information to agricultural producers, agricultural organizations, foresters, and other landowners about opportunities under this subtitle to earn new revenue.

''(c) COMPONENTS.—The initiative under this section—

''(1) shall be designed to ensure that, to the maximum extent practicable, agricultural organizations and individual agricultural producers, foresters, and other landowners receive detailed practical information about—

''(A) opportunities to earn new revenue under this subtitle;

''(B) measurement protocols, monitoring, verifying, inventorying, registering, insuring, and marketing offsets under this title;

''(C) emerging domestic and international markets for energy crops, allowances, and offsets; and

''(D) local, regional, and national databases and aggregation networks to facilitate achievement, measurement, registration, and sales of offsets;

''(2) shall provide—

''(A) outreach materials, including the handbook published under subsection (d)(1), to interested parties;

''(B) workshops; and

''(C) technical assistance; and

''(3) may include the creation and development of regional marketing centers or coordination with existing centers (including centers within the Natural Resources Conservation Service or the Cooperative State Research, Education, and Extension Service or at land-grant colleges and universities).

''(d) HANDBOOK.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Secretary of Agriculture, in consultation with the Administrator and after public input, shall publish a handbook for use by agricultural producers, agricultural cooperatives, foresters, other landowners, offset buyers, and other stakeholders that provides easy-to-use guidance on achieving, reporting, registering, and marketing offsets.

''(2) DISTRIBUTION.—The Secretary of Agriculture shall ensure, to the maximum extent practicable, that the handbook is distributed widely through land-grant colleges and universities and other appropriate institutions.

''SEC. 732. OFFSET MEASUREMENT FOR AGRICULTURAL, FORESTRY, WETLANDS, AND OTHER LAND USE-RELATED SEQUESTRATION PROJECTS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Secretary of Agriculture, in consultation with the Administrator, shall promulgate regulations establishing the requirements regarding the issuance, certification, and use of offset credits for greenhouse gas reductions from agricultural, forestry, wetlands, and other land use-related sequestration projects, including requirements—

''(1) for a region-specific discount factor for business-as-usual practices for specific types of sequestration projects, in accordance with subsection (c);

''(2) that ensure that the reductions are real, additional, verifiable, and enforceable;

''(3) that address leakage;

''(4) that the reductions are not otherwise required by any law (including a regulation) or other legally binding requirement;

''(5) for the quantification, monitoring, reporting, and verification of the reductions;

''(6) that ensure that offset credits are limited in duration to the period of sequestration of greenhouse gases, and rectify any loss of sequestration other than a loss caused by an error in calculation identified under this subtitle, by requiring the submission of additional credits of an equivalent quantity to the lost sequestration; and

''(7) that quantify sequestration flow.

''(b) ELIGIBILITY TO CREATE OFFSET CREDITS.—

''(1) IN GENERAL.—A sequestration project that commences operation on or after January 1, 2011, is eligible to create offset credits under this subtitle if the sequestration project satisfies the other applicable requirements of this subtitle.

''(2) EXCEPTION FOR AGRICULTURAL PROJECTS.—Notwithstanding paragraph (1), sequestration flow from an agricultural project that occurs on or after January 1, 2011, may provide the basis for offset credits under this subtitle regardless of the date on which the agricultural sequestration project to which the sequestration flow is attributable commenced, if the project satisfies the other applicable requirements of this subtitle.

''(c) DISCOUNTING FOR BUSINESS-AS-USUAL PRACTICES.—

''(1) IN GENERAL.—In order to streamline the availability of offset credits for agricultural and other land use-related sequestration projects, the regulations promulgated under subsection (a) shall provide for the calculation and reporting of region-specific discount factors by the Secretary of Agriculture—

''(A) to be used by developers of agricultural projects and other land use-related sequestration projects; and

''(B) to account for business-as-usual practices for specific types of sequestration projects.

''(2) CALCULATION.—Unless otherwise provided in this subtitle, the region-specific discount factor for business-as-usual practices for sequestration projects shall be calculated by dividing—

''(A) the difference between—

''(i) the quantity of greenhouse gases sequestered in the region as a result of the offset practice under this subtitle; and

''(ii) the quantity of greenhouse gases sequestered in the region as a result of the projected business-as-usual implementation of the applicable offset practice; by

''(B) the quantity of greenhouse gases sequestered in the region as a result of the offset practice under this subtitle.

''(3) REQUIREMENTS.—

''(A) IN GENERAL.—The regulations promulgated under this section shall, to the maximum extent practicable—

''(i) define geographic regions with reference to land that has similar agricultural characteristics; and

''(ii) subject to subparagraph (B), define baseline historical reference periods for each category of sequestration practice, using the most recent period of sufficient length for which there are reasonably comprehensive data available.

''(B) EXCEPTION.—If the Secretary of Agriculture determines that entities have increased implementation of the relevant offset practice during the most recent period in anticipation of legislation granting credit for the offsets, the regulations described in subparagraph (A)(ii) may define baseline historical reference periods for each category of sequestration practice using an earlier period.

''(d) QUANTIFYING SEQUESTRATION FLOW.—The regulations that quantify sequestration flow shall include—

''(1) a default rate of sequestration flow, regionally specific to the maximum extent practicable, for each offset practice or combination of offset practices, that is estimated conservatively to allow for site-specific variations and data uncertainties;

''(2) a downward adjustment factor for any offset practice or combination of practices for which, in the judgment of the Secretary of Agriculture, there are substantial uncertainties in the sequestration flows estimated in paragraph (1), but still reasonably sufficient data to calculate a default rate of flow; and

''(3) offset practice- or project-specific measurement, monitoring, and verification requirements for—

''(A) offset practices or projects for which there are insufficiently reliable data to calculate a default rate of sequestration flow; or

''(B) projects for which the project proponent chooses to use project-specific requirements.

''(e) USE OF NATIVE PLANT SPECIES IN OFFSET PROJECTS.—

''(1) REGULATIONS.—Not later than 18 months after the date of enactment of this title, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate regulations for selection, use, and storage of native and nonnative plant materials in the offset projects described in paragraph (2)—

''(A) to ensure native plant materials are given primary consideration, in accordance with applicable Department of Agriculture guidance for use of native plant materials;

''(B) to prohibit the use of Federal- or State-designated noxious weeds; and

''(C) to prohibit the use of a species listed by a regional or State invasive plant council within the applicable region or State.

''(2) APPLICABILITY.—The regulations under paragraph (1) shall apply to qualifying offset projects described in sections 733(b)(2), 734(a)(2), and 734(b)(1).

''SEC. 733. CATEGORIES OF AGRICULTURAL OFFSET PRACTICES.

''(a) REGULATIONS.—Not later than 2 years after the date of enactment of this title, the Secretary of Agriculture, in consultation with the Administrator, shall promulgate regulations establishing the categories of offset practices that—

''(1) reduce greenhouse gases as a result of agricultural sequestration projects; and

''(2) are eligible to receive offset credits under this subtitle.

''(b) OFFSET PRACTICES.—Offset practices described in subsection (a) shall include—

''(1) agricultural sequestration practices, including—

''(A) no-till agriculture;

''(B) conservation tillage (ridge till or minimum till);

''(C) winter cover cropping;

''(D) switching from a cycle of—

''(i) planting wheat or other crops and then fallowing land; to

''(ii) continuous cropping;

''(E) any other offset practices identified by the Administrator, in consultation with the Secretary of Agriculture; and

''(F) combinations of any of the offset practices described in subparagraphs (A) through (E); and

''(2) conversion of cropland to rangeland or grassland.

''SEC. 734. OFFSET CREDITS FROM FOREST MANAGEMENT, GRAZING MANAGEMENT, AND WETLANDS MANAGEMENT.

''(a) FOREST MANAGEMENT OFFSETS.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the Secretary of Agriculture, in consultation with the Administrator, shall promulgate regulations providing for the issuance of offset credits for forest management projects that provide durable, long-term reductions in greenhouse gases as a result of sequestration.

''(2) FOREST MANAGEMENT OFFSETS.—Forest management offset projects under this section may include activities that reduce greenhouse gases as a result of forest management sequestration projects (including afforestation), other than avoided forest land conversion as described in section 735.

''(3) PROHIBITIONS.—

''(A) IN GENERAL.—In accordance with section 732(e), no afforestation project may involve the planting of invasive species or noxious weeds.

''(B) EXISTING NATIVE GRASSLAND AND ECOSYSTEMS.—No afforestation project may involve planting trees on existing native grassland or other existing native non-forested ecosystems that the Secretary of Agriculture determines should be protected in their existing native condition.

''(b) WETLANDS MANAGEMENT OFFSETS.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the Administrator, in consultation with the Chief of Engineers, shall promulgate regulations providing for the issuance of offset credits for wetlands management projects that provide durable, long-term reductions in greenhouse gases as a result of sequestration.

''(2) PROHIBITIONS.—

''(A) IN GENERAL.—In accordance with section 732(e), no wetlands restoration project may involve the planting of invasive species or noxious weeds.

''(B) NO NEW WETLANDS.—No wetlands offset project may be carried out in an area in which underlying local hydrologic processes will not support a wetland.

''(c) GRAZING MANAGEMENT OFFSETS.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the Secretary of Agriculture, in consultation with the Administrator, shall promulgate regulations providing for the issuance of offset credits for grazing management projects that provide durable, long-term reductions in greenhouse gases as a result of sequestration.

''(2) GRAZING MANAGEMENT OFFSETS.—Grazing management offset projects under this section may include activities that reduce greenhouse gases as a result of grazing management sequestration projects other than conversion of cropland to grassland or rangeland under section 733.

''(d) USE OF OFFSETS.—

''(1) IN GENERAL.—For each calendar year, an affected unit may satisfy not more than 5 percent of the total allowance submission requirements of the affected unit under section 722 by using forest management offset credits under this section.

''(2) EXCEPTIONS.—The limitation in paragraph (1) does not apply to grazing management, afforestation, or wetland offset projects.

''SEC. 735. OFFSET CREDITS FROM THE AVOIDED CONVERSION OF FORESTED LAND OR WETLAND.

''(a) IN GENERAL.—Offset credits for avoided conversion of forested land or wetland shall be awarded to any State that reduces the conversion below expected levels for all or a significant portion of the State.

''(b) REGULATIONS.—Not later than 3 years after the date of enactment of this title, the Administrator, in conjunction with the Secretary of Agriculture, shall promulgate regulations that address the eligibility of offset practices that avoid the conversion of forested land or wetland to nonforested land uses or drained or converted wetland to receive offset credits under this subtitle, including requirements that address—

''(1) the methodology for measuring the avoided conversion of forest land or wetland, including—

''(A) measurement of presently on-going rates of forest land conversion or wetland conversion;

''(B) calculation of business-as-usual rates of forest land conversion or wetland conversion by reference to the historical rate of conversion of forested land or wetland; and

''(C) comparison of the rates in subparagraph (A) and subparagraph (B); and

''(2) leakage, including—

''(A) adjustments for leakage using standardized regional leakage factors for afforestation and wetland restoration; and

''(B) the magnitude of the forested region or wetlands region in a State in which the rate of conversion of forest land or wetland must be reduced to ensure that leakage of forest land or wetlands conversion is minimized.

''(c) PRECONDITION.—For an offset to be creditable under this section, the State must certify that the State has reduced its rate of conversion of forest land or wetland over a period of 5 or more consecutive years for the entire State or a significant forested or wetland region in the State.

''(d) AWARD BY STATES OF OFFSET CREDITS.—States that participate in the program under this section shall establish transparent and equitable rules by which offset credits will be awarded to owners of forested land or wetland.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator, in consultation with the Secretary of Agriculture, for use in awarding grants to States to carry out this section $5,000,000 for each fiscal year.

"SEC. 736. OFFSET CREDITS FROM GREENHOUSE GAS EMISSIONS REDUCTION PROJECTS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Administrator shall promulgate regulations establishing the requirements regarding the issuance, certification, and use of offset credits for greenhouse gas emissions reduction offset projects, including requirements—

''(1) for performance standards for specific types of offset projects, which represent significant improvements compared to recent practices in the geographic area, to be reviewed, and updated if the Administrator determines updating is appropriate, every 5 years;

''(2) that ensure that the reductions are real, additional, verifiable, enforceable, and permanent;

''(3) that address leakage;

''(4) that the reductions are not otherwise required by any law (including a regulation) or other legally binding requirement;

''(5) for the quantification, monitoring, reporting, and verification of the reductions; and

''(6) that specify the duration of offset credits for greenhouse gas emissions reduction projects under this section.

''(b) ELIGIBILITY TO CREATE OFFSET CREDITS.—Greenhouse gas emissions reduction offset projects that commence operation on or after January 1, 2007, are eligible to create offset credits under this subtitle if the projects satisfy the other applicable requirements of this subtitle.

''(c) APPROVED CATEGORIES OF GREENHOUSE GAS EMISSIONS REDUCTION OFFSET PROJECTS.—Greenhouse gas emission reductions from the following types of operations shall be eligible to create offsets for use under this section:

''(1) Landfill operations.

''(2) Agricultural manure management projects.

''(3) Wastewater treatment facilities.

''(4) Coal mining operations.

''(5) Natural gas transmission and distribution systems.

''(6) Electrical transmission and distribution systems.

''(7) Elimination or reduction in use of chemicals that substitute for ozone-depleting substances.

''(8) Cement manufacturing.

''(9) Lime manufacturing.

''(10) Iron and steel production.

''(11) Aluminum production.

''(12) Adipic acid production.

''(13) Nitric acid production.

''(14) Semiconductor manufacturing.

''(15) Magnesium production and processing.

''(16) Fossil fuel combustion at commercial and residential buildings.

''(d) CREATION OF ADDITIONAL CATEGORIES OF GREENHOUSE GAS EMISSIONS REDUCTION OFFSET PROJECTS.—The Administrator may, by regulation, create additional categories of greenhouse gas emissions reduction offset projects for types of projects for which the Administrator determines that compliance with the regulations promulgated under subsection (a) is feasible.

''(e) PROHIBITION ON USE.—Notwithstanding the eligibility of greenhouse gas emission reduction projects to create offset credits in accordance with subsection (c) or (d), greenhouse gas emissions reduction offset projects shall not be eligible to create offset credits for use under this section beginning on the date on which the reductions are required by law (including regulations) or other legally binding requirement.

"SEC. 737. BORROWING AT PROGRAM START-UP BASED ON CONTRACTS TO PURCHASE OFFSET CREDITS.

''(a) IN GENERAL.—During calendar years 2011, 2012, and 2013, an affected unit may satisfy not more than 5 percent of the allowance submission requirements of section 722 by submitting to the Administrator contractual commitments to purchase offset credits that will implement an equivalent quantity of emission reductions or sequestration not later than December 31, 2015.

''(b) APPROVAL OF QUALIFYING OFFSET PROJECTS.—Offset projects that may be appropriately carried out under this section shall be approved by the Administrator in accordance with this subtitle.

''(c) REPAYMENT BY 2015.—

''(1) IN GENERAL.—If an affected unit uses subsection (a) to comply with section 722, not later than the deadline in that section for allowance submissions for calendar year 2015, the affected unit shall submit additional credits of a quantity equivalent to the sum obtained by adding—

''(A) the value of credits submitted to comply with credit submission requirements described in subsection (a); and

''(B) interest calculated in accordance with paragraph (2).

''(2) INTEREST.—Interest referred to in paragraph (1)(B) shall be equal to the product obtained by multiplying—

''(A) the number of years between—

''(i) the use by an affected unit of the method of compliance described in subsection (a); and

''(ii) the submission by the affected unit of additional credits under this subsection; and

''(B) the sum obtained by adding—

''(i) the Federal short-term rate, as defined pursuant to section 1274(d)(1)(C)(i) of the Internal Revenue Code of 1986; and

''(ii) 2 percent.

"SEC. 738. REVIEW AND CORRECTION OF ACCOUNTING FOR OFFSET CREDITS.

''(a) DUTY TO MONITOR.—The Secretary of Agriculture and the Administrator shall monitor regularly whether offset credits under the respective jurisdiction of each agency head under this subtitle are being awarded only for real and additional sequestration of greenhouse gases and reductions in greenhouse gas emissions, including—

''(1) the accuracy of default calculations of sequestration flow and greenhouse gas emission reductions achieved by the use of offset practices;

''(2) the calculation of region-specific discount factors; and

''(3) the accuracy of leakage calculations.

''(b) PERIODIC REVIEW.—Not later than December 31, 2013, and every 5 years thereafter, the Secretary of Agriculture and the Administrator shall review the issuance of offset credits under the respective jurisdiction of each agency head under this subtitle to determine—

''(1) whether offset credits are being awarded only for real and additional sequestration of greenhouse gases or reductions in greenhouse gas emissions, as described in subsection (a);

''(2) the amount of excessive award of any offset credits;

''(3) the volume of offset credits that have been or are expected to be approved;

''(4) the impact of the offset credits on market prices; and

''(5) the impact of the offset credits on the trajectory of emissions from affected units.

''(c) DUTY TO CORRECT.—If the Secretary of Agriculture or the Administrator determines that offset credits under the respective jurisdictions of the agency head have been awarded under this subtitle in excess of real and additional sequestration of greenhouse gases or reductions in emissions of greenhouse gases, the Secretary of Agriculture or the Administrator shall—

''(1) promptly correct on a prospective basis the sources of the errors, including correcting leakage factors, region-specific discount factors, default rates of sequestration flow, and other relevant information for the offset practices involved; and

''(2) quantify and publicly disclose the quantity of offset credits that have been awarded in excess of real and additional sequestration or emissions reductions.

"Subtitle C—National Registry for Credits

"SEC. 741. ESTABLISHMENT AND OPERATION OF NATIONAL REGISTRY.

''(a) IN GENERAL.—Except as provided in subsection (b), not later than July 1 of the year immediately prior to the first calendar year in which an annual tonnage limitation on the emission of greenhouse gases applies under section 711(b), the Administrator shall promulgate regulations to establish, operate, and maintain a national registry through which the Administrator shall—

''(1) record allocations of allowances, the issuance of offset credits or early reduction credits, and the recognition of international credits;

''(2) track transfers of credits;

''(3) retire all credits used for compliance;

''(4) subject to subsection (b), maintain transparent availability of registry information to the public, including the quarterly reports submitted under section 742(a);

''(5) prepare an annual assessment of the emission data in the quarterly reports submitted under section 742(a); and

''(6) take such action as is necessary to maintain the integrity of the registry, including adjustments to correct for—

''(A) errors or omissions in the reporting of data; and

''(B) the prevention of counterfeiting, double-counting, multiple registrations, multiple sales, and multiple retirements of credits.

''(b) EXCEPTION TO PUBLIC AVAILABILITY OF DATA.—

''(1) IN GENERAL.—Subsection (a)(4) shall not apply in any case in which the Administrator, in consultation with the Secretary of Defense, determines that publishing or otherwise making available information in accordance with that paragraph poses a risk to national security.

''(2) STATEMENT OF REASONS.—In a case described in paragraph (1), the Administrator shall publish a description of the determination and the reasons for the determination.

"SEC. 742. MONITORING AND REPORTING.

''(a) REQUIREMENTS.—Each owner or operator of an affected unit, or to the extent applicable, the greenhouse gas authorized account representative for the affected unit, shall—

''(1) comply with the monitoring, recordkeeping, and reporting requirements of part 75 of title 40, Code of Federal Regulations (or successor regulations); and

''(2) submit to the Administrator electronic quarterly reports that describe the greenhouse gas mass emission data, fuel input data, and electricity output data for the affected unit.

''(b) BIOMASS COFIRING.—Not later than 18 months after the date of enactment of this title, the Administrator shall promulgate regulations that provide monitoring, recordkeeping, and reporting requirements for biomass cofiring at affected units.''.

(b) CONFORMING AMENDMENTS.—

(1) FEDERAL ENFORCEMENT.—Section 113 of the Clean Air Act (42 U.S.C. 7413) is amended—

(A) in subsection (a)(3), by striking ''or title VI,'' and inserting ''title VI, or title VII,'';

(B) in subsection (b)—

(i) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(ii) by striking ''The Administrator shall'' and inserting the following:

''(1) IN GENERAL.—The Administrator shall'';

(iii) in paragraph (1) (as designated by clause (ii)), in the matter preceding subparagraph (A) (as redesignated by clause (i)), by striking ''or a major stationary source'' and inserting ''a major stationary source, or an affected unit under title VII''; and

(iv) in subparagraph (B) (as redesignated by clause (i)), by striking ''or title VI'' and inserting ''title VI, or title VII'';

(v) in the matter following subparagraph (C) of paragraph (1) (as designated by clauses (i) and (ii))—

(I) by striking ''Any action'' and inserting the following:

''(2) JUDICIAL ENFORCEMENT.—

''(A) IN GENERAL.—Any action'';

(II) by striking ''Notice'' and inserting the following:

''(B) NOTICE.—Notice''; and

(III) by striking ''In the case'' and inserting the following:

''(C) ACTIONS BROUGHT BY ADMINISTRATOR.—In the case'';

(C) in subsection (c)—

(i) in the first sentence of paragraph (1), by striking ''or title VI (relating to stratospheric ozone control),'' and inserting ''title VI (relating to stratospheric ozone control), or title VII (relating to global warming pollution emission reductions),''; and

(ii) in the first sentence of paragraph (3), by striking ''or VI'' and inserting ''VI, or VII'';

(D) in subsection (d)(1)(B), by striking ''or VI'' and inserting ''VI, or VII''; and

(E) in subsection (f), in the first sentence, by striking ''or VI'' and inserting ''VI, or VII''.

(2) INSPECTIONS, MONITORING, AND ENTRY.—Section 114(a) of the Clean Air Act (42 U.S.C. 7414(a)) is amended by striking ''section 112,'' and all that follows through ''(ii)'' and inserting the following: ''section 112, any regulation of solid waste combustion under section 129, or any regulation of greenhouse gas emissions under title VII, (ii)''.

(3) ADMINISTRATIVE PROCEEDINGS AND JUDICIAL REVIEW.—Section 307 of the Clean Air Act (42 U.S.C. 7607) is amended—

(A) in subsection (a), by striking '', or section 306'' and inserting ''section 306, or title VII'';

(B) in subsection (b)(1)—

(i) by striking ''section 111,,'' and inserting ''section 111,'';

(ii) by striking ''section 120,'' each place it appears and inserting ''section 120, any action under title VII,''; and

(iii) by striking ''112,,'' and inserting ''112,''; and

(C) in subsection (d)(1)—

(i) by striking subparagraph (S);

(ii) by redesignating the second subparagraph (N) and subparagraphs (O) through (R) as subparagraphs (O), (P), (Q), (R), and (S), respectively;

(iii) by redesignating subparagraphs (T) and (U) as subparagraphs (U) and (V), respectively; and

(iv) by inserting after subparagraph (S) (as redesignated by clause (ii)) the following:

''(T) the promulgation or revision of any regulation under title VII,''.

(4) UNAVAILABILITY OF EMISSIONS DATA.—Section 412(d) of the Clean Air Act (42 U.S.C. 7651k(d)) is amended in the first sentence—

(A) by inserting ''or title VII'' after ''under subsection (a)''; and

(B) by inserting ''or title VII'' after ''this title''.

TITLE II—CLIMATE CHANGE RESEARCH INITIATIVES

SEC. 201. RESEARCH GRANTS THROUGH NATIONAL SCIENCE FOUNDATION.

Section 105 of the Global Change Research Act of 1990 (15 U.S.C. 2935) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) RESEARCH GRANTS.—

''(1) LIST OF PRIORITY RESEARCH AREAS.—The Committee shall develop a list of priority areas for research and development on climate change that are not being adequately addressed by Federal agencies.

''(2) TRANSMISSION OF LIST.—The Director of the Office of Science and Technology Policy shall submit the list developed under paragraph (1) to the National Science Foundation.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation such sums as are necessary to carry out this subsection, to be made available through the Science and Technology Policy Institute, for research in the priority areas.''.

SEC. 202. ABRUPT CLIMATE CHANGE RESEARCH.

(a) IN GENERAL.—The Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration, shall carry out a program of scientific research on abrupt climate change designed to provide timely warnings of the potential likelihood, magnitude, and consequences of, and measures to avoid, abrupt human-induced climate change.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce such sums as are necessary to carry out this section.

SEC. 203. DEVELOPMENT OF NEW MEASUREMENT TECHNOLOGIES.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall carry out a program to develop, with technical assistance from appropriate Federal agencies, innovative standards and measurement technologies to calculate greenhouse gas emissions or reductions for which no accurate, reliable, low-cost measurement technology exists.

(b) ADMINISTRATION.—The program shall include technologies (including remote sensing technologies) to measure carbon changes and other greenhouse gas emissions and reductions from agriculture, forestry, wetlands, and other land use practices.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as are necessary to carry out this section.

SEC. 204. TECHNOLOGY DEVELOPMENT AND DIFFUSION.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology, acting through the Manufacturing Extension Partnership program, may develop a program to promote the use, by small manufacturers, of technologies and techniques that result in reduced emissions of greenhouse gases or increased sequestration of greenhouse gases.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Institute of Standards and Technology such sums as are necessary to carry out this section.

SEC. 205. PUBLIC LAND.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall prepare a joint assessment or separate assessments setting forth recommendations for increased sequestration of greenhouse gases and reduction of greenhouse gas emissions on public land that is—

(1) managed forestland;

(2) managed rangeland or grassland; or

(3) protected land, including national parks and designated wilderness areas.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Agriculture and the Secretary of the Interior such sums as are necessary to carry out this section.

SEC. 206. SEA LEVEL RISE FROM POLAR ICE SHEET MELTING.

(a) IN GENERAL.—The Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration and in cooperation with the Administrator of the National Aeronautics and Space Administration, shall carry out a program of scientific research to support modeling and observations into the potential role of the Greenland, west Antarctic, and east Antarctic ice sheets in any future increase in sea levels.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce and the Administrator of the National Aeronautics and Space Administration such sums as are necessary to carry out this section.

By Mr. AKAKA (for himself, Mr. WYDEN, Mr. BUNNING, Mr. INOUYE, and Mr. DURBIN):

S. 320. A bill to provide for the protection of paleontological resources on Federal lands, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. AKAKA. Mr. President, I rise today along with my distinguished colleagues, Senator WYDEN, Senator BUNNING, Senator INOUYE, and Senator DURBIN, to introduce the Paleontological Resources Preservation Act in order to protect and preserve the Nation's important fossil record for the benefit of our citizens. Vertebrate fossils are rare and important natural resources that have become increasingly endangered due to an increase in the illegal collection of fossil specimens for commercial sale. However, at this time there is no unified policy regarding the treatment of fossils by Federal land management agencies which would help protect and conserve fossil specimens. Consequently, we risk the deterioration or loss of these valuable scientific resources. This Act will correct that omission by providing uniformity to the patchwork of statutes and regulations that currently exist. By creating a comprehensive national policy for preserving and managing paleontological resources found on Federal land, this Act will also be instrumental in curtailing and preventing future illegal trade thereby ensuring that many generations to come will have access to these invaluable records of our past. I would like to emphasize that this bill covers only paleontological remains on Federal lands and in no way affects archaeological or cultural resources under the Archaeological Resources Protection Act of 1979 or the Native American Graves Protection and Rehabilitation Act.

I would also mention that this bill is exactly the same bill that I introduced

in the 109th Congress. This bill was heard and marked up by the Senate Energy and Natural Resources Committee, and was passed by the Senate.

As a senior member of the Senate Energy and Natural Resources Committee and Chair of the Subcommittee on National Parks, I am very concerned about the preservation of fossils as records of earth's past upheavals and struggles. While I recognize the value of amateur collecting—and casual collecting—of fossils is protected in this bill—fossil theft has become an increasing problem. New fossil fields and insights into the earth's past are discovered nearly every month. Paleontological resources can be sold on the market for a hefty price. For example, the complete skeleton of a T-Rex was sold for $8.6 million at auction to the Field Museum of Chicago. Consequently, they are being stolen from public lands without regard to science and education. The protections I offer in this Act are not new. Federal and management agencies have individual regulations prohibiting theft of government property. However, Congress has not provided a clear statute stating the value of paleontological resources to our Nation, as we have for archeological resources. We need to work together to make sure that we fulfill our responsibility as stewards of public lands, and as protectors of our Nation's natural resources.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 320

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 ''Paleontological Resources Preservation Act''.

SEC. 2. DEFINITIONS.

As used in this Act:

(1) CASUAL COLLECTING.—The term ''casual collecting'' means the collecting of a reasonable amount of common invertebrate and plant paleontological resources for non-commercial personal use, either by surface collection or the use of non-powered hand tools resulting in only negligible disturbance to the Earth's surface and other resources. As used in this paragraph, the terms ''reasonable amount'', ''common invertebrate and plant paleontological resources'' and ''negligible disturbance'' shall be determined by the Secretary.

(2) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) lands controlled or administered by the Secretary of the Interior, except Indian lands; or

(B) National Forest System lands controlled or administered by the Secretary of Agriculture.

(3) INDIAN LANDS.—The term ''Indian Land'' means lands of Indian tribes, or Indian individuals, which are either held in trust by the United States or subject to a restriction against alienation imposed by the United States.

(4) PALEONTOLOGICAL RESOURCE.—The term ''paleontological resource'' means any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include—

(A) any materials associated with an archaeological resource (as defined in section 3(1) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb(1)); or

(B) any cultural item (as defined in section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001)).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior with respect to lands controlled or administered by the Secretary of the Interior or the Secretary of Agriculture with respect to National Forest System Lands controlled or administered by the Secretary of Agriculture.

(6) STATE.—The term ''State'' means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

SEC. 3. MANAGEMENT.

(a) IN GENERAL.—The Secretary shall manage and protect paleontological resources on Federal lands using scientific principles and expertise. The Secretary shall develop appropriate plans for inventory, monitoring, and the scientific and educational use of paleontological resources, in accordance with applicable agency laws, regulations, and policies. These plans shall emphasize interagency coordination and collaborative efforts where possible with non-Federal partners, the scientific community, and the general public.

(b) COORDINATION.—To the extent possible, the Secretary of the Interior and the Secretary of Agriculture shall coordinate in the implementation of this Act.

SEC. 4. PUBLIC AWARENESS AND EDUCATION PROGRAM.

The Secretary shall establish a program to increase public awareness about the significance of paleontological resources.

SEC. 5. COLLECTION OF PALEONTOLOGICAL RESOURCES.

(a) PERMIT REQUIREMENT.—

(1) IN GENERAL.—Except as provided in this Act, a paleontological resource may not be collected from Federal lands without a permit issued under this Act by the Secretary.

(2) CASUAL COLLECTING EXCEPTION.—The Secretary may allow casual collecting without a permit on Federal lands controlled or administered by the Bureau of Land Management, the Bureau of Reclamation, and the Forest Service, where such collection is consistent with the laws governing the management of those Federal lands and this Act.

(3) PREVIOUS PERMIT EXCEPTION.—Nothing in this section shall affect a valid permit issued prior to the date of enactment of this Act.

(b) CRITERIA FOR ISSUANCE OF A PERMIT.—The Secretary may issue a permit for the collection of a paleontological resource pursuant to an application if the Secretary determines that—

(1) the applicant is qualified to carry out the permitted activity;

(2) the permitted activity is undertaken for the purpose of furthering paleontological knowledge or for public education;

(3) the permitted activity is consistent with any management plan applicable to the Federal lands concerned; and

(4) the proposed methods of collecting will not threaten significant natural or cultural resources.

(c) PERMIT SPECIFICATIONS.—A permit for the collection of a paleontological resource issued under this section shall contain such terms and conditions as the Secretary deems necessary to carry out the purposes of this Act. Every permit shall include requirements that—

(1) the paleontological resource that is collected from Federal lands under the permit will remain the property of the United States;

(2) the paleontological resource and copies of associated records will be preserved for the public in an approved repository, to be made available for scientific research and public education; and

(3) specific locality data will not be released by the permittee or repository without the written permission of the Secretary.

(d) MODIFICATION, SUSPENSION, AND REVOCATION OF PERMITS.—

(1) The Secretary may modify, suspend, or revoke a permit issued under this section—

(A) for resource, safety, or other management considerations; or

(B) when there is a violation of term or condition of a permit issued pursuant to this section.

(2) The permit shall be revoked if any person working under the authority of the permit is convicted under section 7 or is assessed a civil penalty under section 8.

(e) AREA CLOSURES.—In order to protect paleontological or other resources and to provide for public safety, the Secretary may restrict access to or close areas under the Secretary's jurisdiction to the collection of paleontological resources.

SEC. 6. CURATION OF RESOURCES.

Any paleontological resource, and any data and records associated with the resource, collected under a permit, shall be deposited in an approved repository. The Secretary may enter into agreements with non-Federal repositories regarding the curation of these resources, data, and records.

SEC. 7. PROHIBITED ACTS; CRIMINAL PENALTIES.

(a) IN GENERAL.—A person may not—

(1) excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage, or otherwise alter or deface any paleontological resources located on Federal lands unless such activity is conducted in accordance with this Act;

(2) exchange, transport, export, receive, or offer to exchange, transport, export, or receive any paleontological resource if, in the exercise of due care, the person knew or should have known such resource to have been excavated or removed from Federal lands in violation of any provisions, rule, regulation, law, ordinance, or permit in effect under Federal law, including this Act; or

(3) sell or purchase or offer to sell or purchase any paleontological resource if, in the exercise of due care, the person knew or should have known such resource to have been excavated, removed, sold, purchased, exchanged, transported, or received from Federal lands.

(b) FALSE LABELING OFFENSES.—A person may not make or submit any false record, account, or label for, or any false identification of, any paleontological resource excavated or removed from Federal lands.

(c) PENALTIES.—A person who knowingly violates or counsels, procures, solicits, or employs another person to violate subsection (a) or (b) shall, upon conviction, be fined in accordance with title 18, United States Code, or imprisoned not more than 10 years, or both; but if the sum of the commercial and paleontological value of the paleontological resources involved and the cost of restoration and repair of such resources does not exceed $500, such person shall be fined in accordance with title 18, United States Code, or imprisoned not more than one year, or both.

(d) GENERAL EXCEPTION.—Nothing in subsection (a) shall apply to any person with respect to any paleontological resource which

was in the lawful possession of such person prior to the date of the enactment of this Act.

SEC. 8. CIVIL PENALTIES.

(a) IN GENERAL.—

(1) HEARING.—A person who violates any prohibition contained in an applicable regulation or permit issued under this Act may be assessed a penalty by the Secretary after the person is given notice and opportunity for a hearing with respect to the violation. Each violation shall be considered a separate offense for purposes of this section.

(2) AMOUNT OF PENALTY.—The amount of such penalty assessed under paragraph (1) shall be determined under regulations promulgated pursuant to this Act, taking into account the following factors:

(A) The scientific or fair market value, whichever is greater, of the paleontological resource involved, as determined by the Secretary.

(B) The cost of response, restoration, and repair of the resource and the paleontological site involved.

(C) Any other factors considered relevant by the Secretary assessing the penalty.

(3) MULTIPLE OFFENSES.—In the case of a second or subsequent violation by the same person, the amount of a penalty assessed under paragraph (2) may be doubled.

(4) LIMITATION.—The amount of any penalty assessed under this subsection for any one violation shall not exceed an amount equal to double the cost of response, restoration, and repair of resources and paleontological site damage plus double the scientific or fair market value of resources destroyed or not recovered.

(b) PETITION FOR JUDICIAL REVIEW; COLLECTION OF UNPAID ASSESSMENTS.—

(1) JUDICIAL REVIEW.—Any person against whom an order is issued assessing a penalty under subsection (a) may file a petition for judicial review of the order in the United States District Court for the District of Columbia or in the district in which the violation is alleged to have occurred within the 30-day period beginning on the date the order making the assessment was issued. Upon notice of such filing, the Secretary shall promptly file such a certified copy of the record on which the order was issued. The court shall hear the action on the record made before the Secretary and shall sustain the action if it is supported by substantial evidence on the record considered as a whole.

(2) FAILURE TO PAY.—If any person fails to pay a penalty under this section within 30 days—

(A) after the order making assessment has become final and the person has not filed a petition for judicial review of the order in accordance with paragraph (1); or

(B) after a court in an action brought in paragraph (1) has entered a final judgment upholding the assessment of the penalty, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which the person if found, resides, or transacts business, to collect the penalty (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). The district court shall have jurisdiction to hear and decide any such action. In such action, the validity, amount, and appropriateness of such penalty shall not be subject to review. Any person who fails to pay on a timely basis the amount of an assessment of a civil penalty as described in the first sentence of this paragraph shall be required to pay, in addition to such amount and interest, attorneys fees and costs for collection proceedings.

(c) HEARINGS.—Hearings held during proceedings instituted under subsection (a) shall be conducted in accordance with section 554 of title 5, United States Code.

(d) USE OF RECOVERED AMOUNTS.—Penalties collected under this section shall be available to the Secretary and without further appropriation may be used only as follows:

(1) To protect, restore, or repair the paleontological resources and sites which were the subject of the action, or to acquire sites with equivalent resources, and to protect, monitor, and study the resources and sites. Any acquisition shall be subject to any limitations contained in the organic legislation for such Federal lands.

(2) To provide educational materials to the public about paleontological resources and sites.

(3) To provide for the payment of rewards as provided in section 9.

SEC. 9. REWARDS AND FORFEITURE.

(a) REWARDS.—The Secretary may pay from penalties collected under section 7 or 8—

(1) consistent with amounts established in regulations by the Secretary; or

(2) if no such regulation exists, an amount equal to the lesser of one-half of the penalty or $500, to any person who furnishes information which leads to the finding of a civil violation, or the conviction of criminal violation, with respect to which the penalty was paid. If several persons provided the information, the amount shall be divided among the persons. No officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall be eligible for payment under this subsection.

(b) FORFEITURE.—All paleontological resources with respect to which a violation under section 7 or 8 occurred and which are in the possession of any person, and all vehicles and equipment of any person that were used in connection with the violation, shall be subject to civil forfeiture, or upon conviction, to criminal forfeiture. All provisions of law relating to the seizure, forfeiture, and condemnation of property for a violation of this Act, the disposition of such property or the proceeds from the sale thereof, and remission or mitigation of such forfeiture, as well as the procedural provisions of chapter 46 of title 18, United States Code, shall apply to the seizures and forfeitures incurred or alleged to have incurred under the provisions of this Act.

(c) TRANSFER OF SEIZED RESOURCES.—The Secretary may transfer administration of seized paleontological resources to Federal or non-Federal educational institutions to be used for scientific or educational purposes.

SEC. 10. CONFIDENTIALITY.

Information concerning the nature and specific location of a paleontological resource the collection of which requires a permit under this Act or under any other provision of Federal law shall be exempt from disclosure under section 552 of title 5, United States Code, and any other law unless the Secretary determines that disclosure would—

(1) further the purposes of this Act;

(2) not create risk of harm to or theft or destruction of the resource or the site containing the resource; and

(3) be in accordance with other applicable laws.

SEC. 11. REGULATIONS.

As soon as practical after the date of the enactment of this Act, the Secretary shall issue such regulations as are appropriate to carry out this Act, providing opportunities for public notice and comment.

SEC. 12. SAVINGS PROVISIONS.

Nothing in this Act shall be construed to—

(1) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under the general mining laws, the mineral or geothermal leasing laws, laws providing for minerals materials disposal, or laws providing for the management or regulation of the activities authorized by the aforementioned laws including but not limited to the Federal Land Policy Management Act (43 U.S.C. 1701–1784), Public Law 94–429 (commonly known as the ''Mining in the Parks Act'') (16 U.S.C. 1901 et seq.), the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201–1358), and the Organic Administration Act (16 U.S.C. 478, 482, 551);

(2) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under existing laws and authorities relating to reclamation and multiple uses of Federal lands;

(3) apply to, or require a permit for, casual collecting of a rock, mineral, or invertebrate or plant fossil that is not protected under this Act;

(4) affect any lands other than Federal lands or affect the lawful recovery, collection, or sale of paleontological resources from lands other than Federal lands;

(5) alter or diminish the authority of a Federal agency under any other law to provide protection for paleontological resources on Federal lands in addition to the protection provided under this Act; or

(6) create any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in that capacity. No person who is not an officer or employee of the United States acting in that capacity shall have standing to file any civil action in a court of the United States to enforce any provision or amendment made by this Act.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

By Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. MCCAIN, Mr. CONRAD, Mr. BINGAMAN, Mr. BAUCUS, Mr. SMITH, and Mr. INOUYE):

S. 322. A bill to establish an Indian youth telemental health demonstration project; to the Committee on Indian Affairs.

Mr. DORGAN. Mr. President, I rise today to re-introduce legislation which would provide a first important step in dealing with the crisis of youth suicide in Indian Country.

The legislation I am introducing today is almost identical to legislation that the Senate passed in May, 2006, to establish an Indian youth telemental health demonstration project. The Indian Youth Telemental Health Demonstration Project Act of 2007 would authorize the Secretary of Health and Human Services to carry out a 4-year demonstration project under which five tribes and tribal organizations with telehealth capabilities could use telemental health services in youth suicide prevention, intervention, and treatment. Demonstration project grantees would provide services through telemental health for such purposes as counseling of Indian youth; providing medical advice and other assistance to frontline tribal health providers; training for community members, tribal

elected officials, tribal educators, and health workers and others who work with Indian youth; developing culturally sensitive materials on suicide prevention and intervention; and collecting and reporting of data.

The Committee on Indian Affairs held three hearings during the 109th Congress on the issue of Indian youth suicide, including one hearing that I convened in Bismarck, ND. Although on the Indian reservations of the northern Great Plains, the rate of Indian youth suicide is 10 times higher than it is anywhere else in the country, this tragic issue is not limited to these locations. The committee has heard testimony from people from tribal communities in Arizona, Oregon, Washington, Alaska, New Mexico, and Wyoming, as well.

According to 2004 statistics from the National Center for Injury Prevention and Control, suicide is the second leading cause of death, behind unintentional injury, for American Indian and Alaska Native young adults 15 to 24 years old, of both sexes—a statistic that has sadly been true for the past 20 years. For North Dakota Indian girls 15 to 24 years old in 2004, suicide was the number one leading cause of death.

I am grateful for the efforts of the Indian Health Service and the Substance Abuse and Mental Health Services Administration, in particular, both of which have, in a host of ways, sought to address the reservation youth suicide crisis. SAMHSA is providing a 4-year grant to the Standing Rock Sioux Tribe of North and South Dakota—a tribe that had 12 Indian youth die by suicide over a 6-month period—to provide mental health outreach workers. In addition, across the country, tribal leaders, tribal health professionals, and service providers and family members are working together to implement early intervention plans, improve access to prevention programs, promote community training and awareness, and reinstate traditional tribal practices and culture-based interventions to address Native youth suicides.

Many Indian reservations and Native villages in Alaska are remote and isolated, and everyone who lives in those communities experiences much more limited access to mental health services than in our Nation's metropolitan areas. The testimony received by the Indian Affairs Committee indicates that it is particularly in these remote Native communities that there is a crisis among the youth. I believe that the use of telemedicine—or, for purposes of this legislation, telemental health—will prove a useful resource for the several tribes or tribal organizations that will participate in this demonstration project in assisting their youth.

In addition to introducing this legislation, I will include authorization of this Indian Youth Telemental Health Demonstration Project in legislation to reauthorize and amend the Indian Health Care Improvement Act, which I intend to introduce soon.

I thank my colleagues who have joined me in sponsoring this legislation and in being willing to talk and think hard about an issue that many believe should be kept hidden. We must find ways to prevent the needless loss of young Native American boys and girls whose whole lives lie ahead of them, and from whom their tribal communities and all of this country stand to benefit as these youth blossom in to their potential as adults. I look forward to continuing our efforts to address this sensitive and very important issue. I urge my colleagues to support this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 322

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 ''Indian Youth Telemental Health Demonstration Project Act of 2007''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) suicide for Indians and Alaska Natives is 2½ times higher than the national average and the highest for all ethnic groups in the United States, at a rate of more than 16 per 100,000 males of all age groups, and 27.9 per 100,000 for males aged 15 through 24, according to data for 2002;

(2) according to national data for 2004, suicide was the second-leading cause of death for Indians and Alaska Natives of both sexes aged 10 through 34;

(3) the suicide rates of Indian and Alaska Native males aged 15 through 24 are nearly 4 times greater than suicide rates of Indian and Alaska Native females of that age group;

(4)(A) 90 percent of all teens who die by suicide suffer from a diagnosable mental illness at the time of death; and

(B) more than ½ of the people who commit suicide in Indian Country have never been seen by a mental health provider;

(5) death rates for Indians and Alaska Natives are statistically underestimated;

(6) suicide clustering in Indian Country affects entire tribal communities; and

(7) since 2003, the Indian Health Service has carried out a National Suicide Prevention Initiative to work with Service, tribal, and urban Indian health programs.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to carry out a demonstration project to test the use of telemental health services in suicide prevention, intervention, and treatment of Indian youth, including through—

(1) the use of psychotherapy, psychiatric assessments, diagnostic interviews, therapies for mental health conditions predisposing to suicide, and alcohol and substance abuse treatment;

(2) the provision of clinical expertise to, consultation services with, and medical advice and training for frontline health care providers working with Indian youth;

(3) training and related support for community leaders, family members and health and education workers who work with Indian youth;

(4) the development of culturally-relevant educational materials on suicide; and

(5) data collection and reporting.

SEC. 3. DEFINITIONS.

In this Act:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means the Indian youth telemental health demonstration project authorized under section 4(a).

(2) DEPARTMENT.—The term ''Department'' means the Department of Health and Human Services.

(3) INDIAN.—The term ''Indian'' means any individual who is a member of an Indian tribe or is eligible for health services under the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.).

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SERVICE.—The term ''Service'' means the Indian Health Service.

(7) TELEMENTAL HEALTH.—The term ''telemental health'' means the use of electronic information and telecommunications technologies to support long distance mental health care, patient and professional-related education, public health, and health administration.

(8) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 4. INDIAN YOUTH TELEMENTAL HEALTH DEMONSTRATION PROJECT.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary is authorized to carry out a demonstration project to award grants for the provision of telemental health services to Indian youth who—

(A) have expressed suicidal ideas;

(B) have attempted suicide; or

(C) have mental health conditions that increase or could increase the risk of suicide.

(2) ELIGIBILITY FOR GRANTS.—Grants described in paragraph (1) shall be awarded to Indian tribes and tribal organizations that operate 1 or more facilities—

(A) located in Alaska and part of the Alaska Federal Health Care Access Network;

(B) reporting active clinical telehealth capabilities; or

(C) offering school-based telemental health services relating to psychiatry to Indian youth.

(3) GRANT PERIOD.—The Secretary shall award grants under this section for a period of up to 4 years.

(4) MAXIMUM NUMBER OF GRANTS.—Not more than 5 grants shall be provided under paragraph (1), with priority consideration given to Indian tribes and tribal organizations that—

(A) serve a particular community or geographic area in which there is a demonstrated need to address Indian youth suicide;

(B) enter into collaborative partnerships with Service or other tribal health programs or facilities to provide services under this demonstration project;

(C) serve an isolated community or geographic area which has limited or no access to behavioral health services; or

(D) operate a detention facility at which Indian youth are detained.

(b) USE OF FUNDS.—

(1) IN GENERAL.—An Indian tribe or tribal organization shall use a grant received under subsection (a) for the following purposes:

(A) To provide telemental health services to Indian youth, including the provision of—

(i) psychotherapy;

(ii) psychiatric assessments and diagnostic interviews, therapies for mental health conditions predisposing to suicide, and treatment; and

(iii) alcohol and substance abuse treatment.

(B) To provide clinician-interactive medical advice, guidance and training, assistance in diagnosis and interpretation, crisis counseling and intervention, and related assistance to Service or tribal clinicians and health services providers working with youth being served under the demonstration project.

(C) To assist, educate, and train community leaders, health education professionals and paraprofessionals, tribal outreach workers, and family members who work with the youth receiving telemental health services under the demonstration project, including with identification of suicidal tendencies, crisis intervention and suicide prevention, emergency skill development, and building and expanding networks among those individuals and with State and local health services providers.

(D) To develop and distribute culturally-appropriate community educational materials on—

(i) suicide prevention;

(ii) suicide education;

(iii) suicide screening;

(iv) suicide intervention; and

(v) ways to mobilize communities with respect to the identification of risk factors for suicide.

(E) To conduct data collection and reporting relating to Indian youth suicide prevention efforts.

(2) TRADITIONAL HEALTH CARE PRACTICES.—In carrying out the purposes described in paragraph (1), an Indian tribe or tribal organization may use and promote the traditional health care practices of the Indian tribes of the youth to be served.

(c) APPLICATIONS.—To be eligible to receive a grant under subsection (a), an Indian tribe or tribal organization shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, including—

(1) a description of the project that the Indian tribe or tribal organization will carry out using the funds provided under the grant;

(2) a description of the manner in which the project funded under the grant would—

(A) meet the telemental health care needs of the Indian youth population to be served by the project; or

(B) improve the access of the Indian youth population to be served to suicide prevention and treatment services;

(3) evidence of support for the project from the local community to be served by the project;

(4) a description of how the families and leadership of the communities or populations to be served by the project would be involved in the development and ongoing operations of the project;

(5) a plan to involve the tribal community of the youth who are provided services by the project in planning and evaluating the mental health care and suicide prevention efforts provided, in order to ensure the integration of community, clinical, environmental, and cultural components of the treatment; and

(6) a plan for sustaining the project after Federal assistance for the demonstration project has terminated.

(d) COLLABORATION.—The Secretary, acting through the Service, shall encourage Indian tribes and tribal organizations receiving grants under this section to collaborate to enable comparisons about best practices across projects.

(e) ANNUAL REPORT.—Each grant recipient shall submit to the Secretary an annual report that—

(1) describes the number of telemental health services provided; and

(2) includes any other information that the Secretary may require.

(f) REPORT TO CONGRESS.—Not later than 270 days after the date of termination of the demonstration project, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committee on Resources and the Committee on Energy and Commerce of the House of Representatives a final report that—

(1) describes the results of the projects funded by grants awarded under this section, including any data available that indicate the number of attempted suicides;

(2) evaluates the impact of the telemental health services funded by the grants in reducing the number of completed suicides among Indian youth;

(3) evaluates whether the demonstration project should be—

(A) expanded to provide more than 5 grants; and

(B) designated a permanent program; and

(4) evaluates the benefits of expanding the demonstration project to include urban Indian organizations.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000 for each of fiscal years 2008 through 2011.

By Mrs. BOXER:

S. 323. A bill to require persons seeking approval for a liquefied natural gas facility to identify employees and agents engaged in activities to persuade communities of the benefits of the approval; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I rise to discuss liquified natural gas projects in California. As of August of last year, there are five potential liquified natural gas projects in California. The projects include the Cabrillo Deepwater Port LNG Facility, Clearwater Port LNG Project, Long Beach LNG Facility, Ocean Way LNG Terminal, and the Pacific Gateway LNG Facility.

LNG is natural gas in its liquid form. When natural gas is cooled to minus 259 degrees Fahrenheit, it becomes a clear, colorless, odorless liquid. Natural gas is transferred into LNG to transport it more easily.

Although there is a need for natural gas, there are potential safety concerns with the siting of new LNG facilities. According to the California Energy Commission, ''LNG hazards result from three of its properties: cryogenic temperatures, dispersion characteristics, and flammability characteristics. The extremely cold LNG can directly cause injury or damage. A vapor cloud, formed by an LNG spill, could drift downwind into populated areas. It can ignite if the concentration of natural gas is between five and 15 percent in air and it encounters an ignition source. An LNG fire gives off a tremendous amount of heat.''

This is why many people who live near a potential LNG facility have safety concerns. As a result, many companies try to ''sell'' the projects to communities.

That is why today I am introducing this common sense bill. This bill is identical to legislation that I introduced in the 109th Congress.

It would require any company seeking Federal Government approval to submit, as part or its application, the names of employees and business agents who are trying to persuade communities of the benefits of the LNG facility.

This bill does not stop anyone from reaching out to local communities. What this bill says is that if you are trying to get approval for an LNG facility, whether on- or off-shore, you have to be public about it. Today, if someone lobbies the federal government, he or she needs to register so their affiliation and interests before the government are publicly known. We should do the same for these projects. As I said, it is common sense.

I urge my colleagues to support this bill. I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 323

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

SECTION 1. IDENTIFICATION OF PROPONENTS OF APPROVAL OF LIQUIFIED NATURAL GAS FACILITIES.

(a) LIQUEFIED NATURAL GAS FACILITIES REQUIRING FERC APPROVAL.—The Federal Energy Regulatory Commission shall—

(1) require an applicant for approval, by the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.), of the siting, construction, expansion, or operation of a liquefied natural gas facility to identify each of the employees and agents of the applicant that are engaged, directly or indirectly, in activities to persuade communities of the benefits of the approval; and

(2) maintain a publicly available database listing the names of the employees and agents.

(b) OFF-SHORE LIQUIFIED NATURAL GAS FACILITIES.—The Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating shall—

(1) require an applicant for approval, by the appropriate Secretary under the Deepwater Port Act of 1974 (33 U.S.C. 1501 et seq.), of the siting, construction, expansion, or operation of a liquefied natural gas facility to identify each of the employees and agents of the applicant that are engaged, directly or indirectly, in activities to persuade communities of the benefits of the approval; and

(2) maintain a publicly available database listing the names of the employees and agents.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 324. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, above-average rainfall in New Mexico last summer and recent snow fall have led many to turn a blind eye to the grim water situation faced by our State only months ago. New Mexico was fast approaching a disaster due to drought. Many of our municipalities' wells were running dry and reservoirs were at dangerously low levels. Providence intervened, narrowly averting a crisis resulting from water scarcity.

The development of the centrifugal pump was an event of great significance in the history of the West. Windmill driven pumps provided enough water for a family and several livestock. The centrifugal pump, on the other hand, was capable of pumping eight hundred gallons of water a minute, making possible the habitation of what was previously barren desert. To a large extent, this invention provided the water for growing towns and agricultural industry. However, it also resulted in a great dependence on groundwater. As such, we need to fully understand the nature and extent of our groundwater resources. This bill will provide us with the information necessary to ensure that the water on which we have come to rely is available for years to come.

During times of drought, when surface water is scarce, we must be able to reliably turn to groundwater reserves. Approximately 90 percent of New Mexicans depend on groundwater for drinking water and 77 percent of New Mexicans obtain water exclusively from groundwater sources. While groundwater supplies throughout the State are coming under increasing competition, not enough is known about these resources in order to make sound decisions regarding their use.

Nearly 40 percent of the State's population resides in the Middle Rio Grande Basin. Once thought to contain vast quantities of water, we are now faced with the reality the Middle Rio Grande Basin contains far less water than originally thought. Between 1995 and 2001, the United States Geological Survey undertook a study of the Basin which added greatly to our knowledge regarding the primary source of water for our largest population center. Had we proceeded with our water planning without the information provided by this study, I have little doubt that we would ultimately find ourselves in a dire situation. However, there is much more to be learned about this Basin.

Roughly 65 percent of the State's population lives along the Rio Grande. Also located along the river are the four largest cities in New Mexico: Santa Fe, Albuquerque, Rio Rancho and Las Cruces. While the completion of the San Juan-Chama Diversion by the Albuquerque Bernalillo County Water Utility Authority will allow the County of Bernalillo and City of Albuquerque to take advantage of their allocation of San JuanChama water, the remainder of the cities and counties located along the Rio Grande will continue to receive the majority of their water from aquifers beneath the Rio Grande. Aside from the Middle Rio Grande Basin, we have limited knowledge of the amount of water contained in the aquifers below the Rio Grande, the rate at which they recharge, aquifer contamination, and the interaction between surface flows and ground water.

Elsewhere in the State, even less is understood regarding groundwater resources. While there is limited unallocated surface water in the State, there are significant quantities of untapped underground water in the Tularosa and Salt Basins. The Tularosa Basin is approximately 60 miles wide and 200 miles long. Making the conservative estimate that 10 percent of the water contained in that aquifer is available for use through desalination, it would provide 100 years of water for a city the size of Albuquerque. With the development of desalination technology, I anticipate that even a greater amount of the brackish water contained in the Tularosa Basin will be available for human use.

Another untapped water supply is the Salt Basin located in southern New Mexico. The Basin lies in a geologically complex area and our understanding of the total resource is incomplete. However, initial estimates predict sustainable withdrawals on the order of 100,000 acre-feet per year of potable water from the New Mexico portion of the aquifer. This is enough water to support a city the size of our largest municipal area. Additional brackish resources in that Basin are highly likely. Because the Basin is located near expanding metropolitan areas near the U.S.-Mexico Border, it is a resource of critical importance.

The bill I introduce today would direct the United States Geological Survey, in collaboration with the State of New Mexico, to undertake a groundwater resources study in the State of New Mexico. A comprehensive study of the State's water resources is critical to effective water planning. Absent such a study, I fear that there is a significant likelihood that we may be depleting aquifers at an unsustainable rate.

I thank Senator BINGAMAN for being an original co-sponsor of this legislation. I look forward to working with him to ensure the bill's passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 324

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 ''New Mexico Aquifer Assessment Act of 2007''.

SEC. 2. NEW MEXICO WATER RESOURCES STUDY.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Geological Survey (referred to in this Act as the ''Secretary''), in coordination with the State of New Mexico (referred to in this Act as the ''State'') and any other entities that the Secretary determines to be appropriate (including other Federal agencies and institutions of higher education), shall, in accordance with this Act and any other applicable law, conduct a study of water resources in the State, including—

(1) a survey of groundwater resources, including an analysis of—

(A) aquifers in the State, including the quantity of water in the aquifers;

(B) the availability of groundwater resources for human use;

(C) the salinity of groundwater resources;

(D) the potential of the groundwater resources to recharge;

(E) the interaction between groundwater and surface water;

(F) the susceptibility of the aquifers to contamination; and

(G) any other relevant criteria; and

(2) a characterization of surface and bedrock geology, including the effect of the geology on groundwater yield and quality.

(b) STUDY AREAS.—The study carried out under subsection (a) shall include the Estancia Basin, Salt Basin, Tularosa Basin, Hueco Basin, and middle Rio Grande Basin in the State.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report that describes the results of the study.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. BINGAMAN (for himself and Mr. VOINOVICH):

S. 325. A bill to provide for innovation in heath care through State initiatives that expand coverage and access and improve quality and efficiency in the health care system; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today to introduce bipartisan legislation with Senator VOINOVICH entitled the ''Health Partnership Act of 2007,'' which along with a companion House bill introduced by Representatives TAMMY BALDWIN, JOHN TIERNEY, and TOM PRICE, intends to set us on a path toward affordable, quality health care for all Americans. The Health Partnership Act creates partnerships between the Federal Government, State and local governments, tribes and tribal organizations, private payers, and health care providers to seek innovation in health care systems.

Under this Act, States, local governments, and tribes and tribal governments would be invited to submit applications to the Federal Government for funding to implement expansion and improvements to current health programs for review by a bipartisan ''State Health Innovation Commission.'' Based on funding available through the Federal budget process, the Commission would approve a variety of reform options and innovative approaches.

This federalist approach to health reform would encourage a broad array of reform options subject to monitoring, to determine what is and is not successful. As Supreme Court Justice Louis D. Brandeis wrote in 1932, ''It is one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.''

Our bipartisan legislation, the ''Health Partnership Act,'' encourages

this type of State-based innovation and will help the Nation better address both the policy and the politics of health care reform. Currently, we do not have a ''one-size-fits-all'' model of reform, so encouraging States, local governments, and tribes to adopt a variety of approaches will help us better understand what may or may not work.

Inaction on the growing and related problems of the uninsured and increasing health care costs is unacceptable and unconscionable.

In fact, while spending on health care in our country has reached $2 trillion annually, the number of uninsured has increased to nearly 47 million people, seven million more than in 2000. The consequences are staggering, as uninsured citizens get about half the medical care they need compared to those with health insurance and, according to the Institute of Medicine, about 18,000 unnecessary deaths occur each year in the U.S. because of lack of health insurance.

While gridlock continues to permeate Washington, DC, in regards to this issue, a number of States and local governments are moving ahead with health reform. The ''Health Partnership Act'' would provide support, in the form of grants, to States, groups of States, local governments, and Indian tribes and tribal organizations to carry out any of a broad range of strategies intended to reduce the number of uninsured, reduce costs, and improve the quality of care.

Responding to urgent needs, State and local governments have not been able to wait for Federal action. We observed this in the early 1990s as States such as New Mexico, Massachusetts, Pennsylvania, Florida, Rhode Island, Hawaii, Maryland, Tennessee, Vermont, and Washington led the way to expanding coverage to children through the enactment of a variety of health reforms. Evaluation proved that some of these programs worked better than others, so the Federal Government took note and responded in 1997 with passage of the ''State Children's Health Insurance Program'' or SCHIP. This legislation, built upon experiences of the States, enjoyed broad bipartisan support. SCHIP is a popular and successful State-based model that covers millions of children and continues to have broad-based bipartisan support across this Nation.

So, why not use that successful model and build upon it? In fact, State and local governments are already taking up that challenge and the Federal Government should, through the enactment of the ''Health Partnership Act,'' do what it can to be helpful with those efforts. For example—

On November 15, 2005, Illinois Governor Rod Blagojevich signed into law the ''Covering All Kids Health Insurance Act'' which, beginning in July 2006, intended to make insurance coverage available to all uninsured children.

In April, Massachusetts Governor Mitt Romney signed into law legislation that requires all Bay State residents to have health insurance. Their State experiment involves partnerships between the State Medicaid, employer groups, and insurance companies.

Now California's Governor Schwarzenegger proposes health reform to include health promotion and wellness services for all, insurance coverage, and cost containment measures.

Other States, including New Mexico, Vermont, Tennessee, Maine, West Virginia, Oklahoma, and New York have enacted other health reforms that have had mixed success.

All of these efforts add importantly to our knowledge base, and can then lead to a national solution to our uninsured and affordability crisis. We can learn from each and every one of these efforts, including those which failed.

Commonwealth Fund President Karen Davis said it well by noting that State-based reforms, such as that passed in Massachusetts, are very good news. As she notes, ''First, any substantive effort to expand access to coverage is worthwhile, given the growing number of uninsured in this country and the large body of evidence showing the dangerous health implications of lacking coverage.''

She adds, ''But something more important is at work here. While we urgently need a national solution so that all Americans have insurance, it doesn't appear that we'll be getting one at the Federal level any time soon. So what Massachusetts has done potentially holds lessons for every State.'' I would add that it holds lessons for the Federal Government as well and not just for the mechanics of implementing health reform policy but also to the politics of health reform.

As she concludes, ''One particularly cogent lesson is the manner in which the measure was crafted—via a civil process that successfully brought together numerous players from across the political business, health care delivery, and policy sectors.''

Senator VOINOVICH and I have worked together and reached out to like minded colleagues in the House of Representatives via a process much like that described by Karen Davis. The legislation stems from past legislative efforts by Senators such as Bob Graham, Mark Hatfield, and Paul Wellstone, but also from work across ideological lines by Henry Aaron of the Brookings Institution and Stuart Butler of the Heritage Foundation.

The legislation also benefits from advice and support from health care providers. Dr. Tim Garson who, as Dean of the University of Virginia, brought a much needed provider perspective, ensuring support from the House of Medicine. Supporters include the American Medical Association, the American Academy of Pediatrics, the American College of Physicians, the American College of Cardiology, American Gastroenterological Association, the Visiting Nurses Association, the National Association of Community Health Centers, and from state-based health providers such as the New Mexico Medical Society and Ohio Association of Community Health Centers.

The Health Partnership Act supports providers.

The Health Partnership Act received much comment and support from consumer-based groups advocating for national health reform, including that by Dr. Ken Frisof of the Universal Health Care Action Network, Bill Vaughan at Consumers Union, and from numerous health care advocates in New Mexico, including Community Action New Mexico, Health Action New Mexico, Health Care for All Campaign of New Mexico, New Mexico Center on Law and Poverty, New Mexico Health Choices Initiative, New Mexico POZ Coalition, New Mexico Public Health Association, New Mexico Religious Coalition for Reproductive Choice, New Mexico Progressive Alliance for Community Empowerment, and the Health Security for New Mexicans Campaign, which includes 115 State-based organizations.

The Health Partnership Act supports consumers.

Support from stakeholders throughout our Nation's health care system has been sought and I would like to thank the many organizations from New Mexico for their support and input to this legislation. There is great urgency in New Mexico because our State, like all of those along the U.S.-Mexico border, faces a severe health care crisis. Over one in five New Mexicans does not have insurance coverage. In fact, only one State, Texas, has more uninsured. New Mexico is also the only State in the country with greater than half of its population covered by State or federally funded health programs.

A rather shocking statistic, which also continues to worsen, is that one out of every three Hispanic citizens are uninsured. In fact, less than 41 percent of the Hispanic population now has employer-based coverage nationwide, which is in sharp comparison to the 66 percent of non-Hispanic whites who have employer-based coverage.

Because so few New Mexicans have employer-based health insurance, the State of New Mexico has enacted its own health reform plan called the State Coverage Initiative, or SCI, in July 2005. SCI is a public/private partnership intended to expand employer-sponsored insurance, developed in part with grant funding from the Robert Wood Johnson Foundation. As of December 2006, there were 4,256 people covered by this initiative and there are efforts to expand this effort to cover over 20,000 individuals. With Federal support for my State, the hope would be to further expand coverage to as many New Mexicans as possible.

The Health Partnership Act encourages reforms at both the state and local levels of government. Senator VOINOVICH, as former mayor of Cleveland, suggested language that would capture community-based efforts as well. Illinois, Georgia, Michigan, and

Oregon have all initiated efforts at the local level for reform, including so-called ''three-share'' programs in Illinois and Michigan. Under these initiatives, employers, employees, and the community each pick up about one-third of the cost of programs.

Jeaneane Smith, deputy administrator in the Office of Oregon Health Policy and Research was recently quoted by an Academy Health publication stating, ''In recent years it has become apparent that there is a need to consider both state- and community-level approaches to improved access. We want to learn how best to support communities as they play an integral part in addressing the gaps in coverage.''

The Health Partnership Act supports communities.

Our hope is to spawn innovation. Brookings Institution senior health fellow Henry Aaron and Heritage Foundation vice president Stuart Butler wrote a Health Affairs article in March 2004 that lays out the foundation for this legislative effort. They argue that while we remain unable to reconcile how best to expand coverage at the Federal level, we can agree to support states in their efforts to try widely differing solutions to health coverage, cost containment, and quality improvement. As they write, ''this approach offers both a way to improve knowledge about how to reform health care and a practical way to initiate a process of reform. Such a pluralist approach respects the real, abiding differences in politics, preferences, traditions, and institutions across the nation. It also implies a willingness to accept differences over an extended period in order to make progress. And it recognizes that permitting wide diversity can foster consensus by revealing the strengths and exposing the weaknesses of rival approaches.''

In addition to Dr. Garson, Mr. Aaron, Mr. Butler, and Dr. Frisof, I would like to express my appreciation to Dan Hawkins at the National Association of Community Health Centers, Bill Vaughan at Consumers Union, and both Jack Meyer and Stan Dorn at ESRI for their counsel and guidance on health reform and this legislation.

I would also like to commend the American College of Physicians, or ACP, for their outstanding leadership on the issue of the uninsured and for their willingness to support a variety of efforts to expand health coverage. ACP has been a longstanding advocate for expanding health coverage and has authored landmark reports on the important role that health insurance has in reducing people's morbidity and mortality. In fact, to cite the conclusion of one of those studies, ''Lack of insurance contributes to the endangerment of the health of each uninsured American as well as the collective health of the Nation.''

And finally, I would also thank the many people at the Robert Wood Johnson Foundation on their forethought and knowledge on all the issues confronting the uninsured. Their efforts to continue the dialogue on the uninsured has successfully kept the issue alive for many years.

I urge my colleagues to break the gridlock and support this legislation, which offers financial support to states, communities, providers, and consumers, as they adopt important innovations in healthcare coverage and expansion.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 325

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 ''Health Partnership Act''.

SEC. 2. STATE HEALTH REFORM PROJECTS.

(a) PURPOSE; ESTABLISHMENT OF STATE HEALTH CARE EXPANSION AND IMPROVEMENT PROGRAM.—The purposes of the programs approved under this section shall include, but not be limited to—

(1) achieving the goals of increased health coverage and access;

(2) ensuring that patients receive high-quality, appropriate health care;

(3) improving the efficiency of health care spending; and

(4) testing alternative reforms, such as building on the public or private health systems, or creating new systems, to achieve the objectives of this Act.

(b) APPLICATIONS BY STATES, LOCAL GOVERNMENTS, AND TRIBES.—

(1) ENTITIES THAT MAY APPLY.—

(A) IN GENERAL.—A State, in consultation with local governments, Indian tribes, and Indian organizations involved in the provision of health care, may apply for a State health care expansion and improvement program for the entire State (or for regions of the State) under paragraph (2).

(B) REGIONAL GROUPS.—A regional entity consisting of more than one State may apply for a multi-State health care expansion and improvement program for the entire region involved under paragraph (2).

(C) DEFINITION.—In this Act, the term ''State'' means the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. Such term shall include a regional entity described in subparagraph (B).

(2) SUBMISSION OF APPLICATION.—In accordance with this section, each State desiring to implement a State health care expansion and improvement program may submit an application to the State Health Innovation Commission under subsection (c) (referred to in this section as the ''Commission'') for approval.

(3) LOCAL GOVERNMENT APPLICATIONS.—

(A) IN GENERAL.—Where a State declines to submit an application under this section, a unit of local government of such State, or a consortium of such units of local governments, may submit an application directly to the Commission for programs or projects under this subsection. Such an application shall be subject to the requirements of this section.

(B) OTHER APPLICATIONS.—Subject to such additional guidelines as the Secretary may prescribe, a unit of local government, Indian tribe, or Indian health organization may submit an application under this section, whether or not the State submits such an application, if such unit of local government can demonstrate unique demographic needs or a significant population size that warrants a substate program under this subsection.

(c) STATE HEALTH INNOVATION COMMISSION.—

(1) IN GENERAL.—Within 90 days after the date of the enactment of this Act, the Secretary shall establish a State Health Innovation Commission that shall—

(A) be comprised of—

(i) the Secretary;

(ii) four State governors to be appointed by the National Governors Association on a bipartisan basis;

(iii) two members of a State legislature to be appointed by the National Conference of State Legislators on a bipartisan basis;

(iv) two county officials to be appointed by the National Association of Counties on a bipartisan basis;

(v) two mayors to be appointed by the United States Conference of Mayors and the National League of Cities on a joint and bipartisan basis;

(vi) two individuals to be appointed by the Speaker of the House of Representatives;

(vii) two individuals to be appointed by the Minority Leader of the House of Representatives;

(viii) two individuals to be appointed by the Majority Leader of the Senate;

(ix) two individuals to be appointed by the Minority Leader of the Senate; and

(x) two individuals who are members of federally-recognized Indian tribes to be appointed on a bipartisan basis by the National Congress of American Indians;

(B) upon approval of ⅔ of the members of the Commission, provide the States with a variety of reform options for their applications, such as tax credit approaches, expansions of public programs such as medicaid and the State Children's Health Insurance Program, the creation of purchasing pooling arrangements similar to the Federal Employees Health Benefits Program, individual market purchasing options, single risk pool or single payer systems, health savings accounts, a combination of the options described in this clause, or other alternatives determined appropriate by the Commission, including options suggested by States, Indian tribes, or the public;

(C) establish, in collaboration with a qualified and independent organization such as the Institute of Medicine, minimum performance measures and goals with respect to coverage, quality, and cost of State programs, as described under subsection (d)(1);

(D) conduct a thorough review of the grant application from a State and carry on a dialogue with all State applicants concerning possible modifications and adjustments;

(E) submit the recommendations and legislative proposal described in subsection (d)(4)(B);

(F) be responsible for monitoring the status and progress achieved under program or projects granted under this section;

(G) report to the public concerning progress made by States with respect to the performance measures and goals established under this Act, the periodic progress of the State relative to its State performance measures and goals, and the State program application procedures, by region and State jurisdiction;

(H) promote information exchange between States and the Federal Government; and

(I) be responsible for making recommendations to the Secretary and the Congress, using equivalency or minimum standards, for minimizing the negative effect of State program on national employer groups, provider organizations, and insurers because of

differing State requirements under the programs.

(2) PERIOD OF APPOINTMENT; REPRESENTATION REQUIREMENTS; VACANCIES.—Members shall be appointed for a term of 5 years. In appointing such members under paragraph (1)(A), the designated appointing individuals shall ensure the representation of urban and rural areas and an appropriate geographic distribution of such members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(3) CHAIRPERSON, MEETINGS.—

(A) CHAIRPERSON.—The Commission shall select a Chairperson from among its members.

(B) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(C) MEETINGS.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting. The Commission shall meet at the call of the Chairperson.

(4) POWERS OF THE COMMISSION.—

(A) NEGOTIATIONS WITH STATES.—The Commission may conduct detailed discussions and negotiations with States submitting applications under this section, either individually or in groups, to facilitate a final set of recommendations for purposes of subsection (d)(4)(B). Such negotiations shall include consultations with Indian tribes, and be conducted in a public forum.

(B) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the purposes of this subsection.

(C) MEETINGS.—In addition to other meetings the Commission may hold, the Commission shall hold an annual meeting with the participating States under this section for the purpose of having States report progress toward the purposes in subsection (a)(1) and for an exchange of information.

(D) INFORMATION.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this subsection. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission if the head of the department or agency involved determines it appropriate.

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

(5) PERSONNEL MATTERS.—

(A) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government or of a State or local government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

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

(C) STAFF.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(6) FUNDING.—For the purpose of carrying out this subsection, there are authorized to be appropriated $3,000,000 for fiscal year 2007 and each fiscal year thereafter.

(d) REQUIREMENTS FOR PROGRAMS.—

(1) STATE PLAN.—A State that seeks to receive a grant under subsection (f) to operate a program under this section shall prepare and submit to the Commission, as part of the application under subsection (b), a State health care plan that shall have as its goal improvements in coverage, quality and costs. To achieve such goal, the State plan shall comply with the following:

(A) COVERAGE.—With respect to coverage, the State plan shall—

(i) provide and describe the manner in which the State will ensure that an increased number of individuals residing within the State will have expanded access to health care coverage with a specific 5-year target for reduction in the number of uninsured individuals through either private or public program expansion, or both, in accordance with the options established by the Commission;

(ii) describe the number and percentage of current uninsured individuals who will achieve coverage under the State health program;

(iii) describe the minimum benefits package that will be provided to all classes of beneficiaries under the State health program;

(iv) identify Federal, State, or local and private programs that currently provide health care services in the State and describe how such programs could be coordinated with the State health program, to the extent practicable; and

(v) provide for improvements in the availability of appropriate health care services that will increase access to care in urban, rural, and frontier areas of the State with medically underserved populations or where there is an inadequate supply of health care providers.

(B) QUALITY.—With respect to quality, the State plan shall—

(i) provide a plan to improve health care quality in the State, including increasing effectiveness, efficiency, timeliness, patient focused, equity while reducing health disparities, and medical errors; and

(ii) contain appropriate results-based quality indicators established by the Commission that will be addressed by the State as well as State-specific quality indicators.

(C) COSTS.—With respect to costs, the State plan shall—

(i) provide that the State will develop and implement systems to improve the efficiency of health care, including a specific 5-year target for reducing administrative costs (including paperwork burdens);

(ii) describe the public and private sector financing to be provided for the State health program;

(iii) estimate the amount of Federal, State, and local expenditures, as well as, the costs to business and individuals under the State health program;

(iv) describe how the State plan will ensure the financial solvency of the State health program; and

(v) provide that the State will prepare and submit to the Secretary and the Commission such reports as the Secretary or Commission may require to carry out program evaluations.

(D) HEALTH INFORMATION TECHNOLOGY.—With respect to health information technology, the State plan shall provide methodology for the appropriate use of health information technology to improve infrastructure, such as improving the availability of evidence-based medical and outcomes data to providers and patients, as well as other health information (such as electronic health records, electronic billing, and electronic prescribing).

(2) TECHNICAL ASSISTANCE.—The Secretary shall, if requested, provide technical assistance to States to assist such States in developing applications and plans under this section, including technical assistance by private sector entities if determined appropriate by the Commission.

(3) INITIAL REVIEW.—With respect to a State application for a grant under subsection (b), the Secretary and the Commission shall complete an initial review of such State application within 60 days of the receipt of such application, analyze the scope of the proposal, and determine whether additional information is needed from the State. The Commission shall advise the State within such period of the need to submit additional information.

(4) FINAL DETERMINATION.—

(A) IN GENERAL.—Not later than 90 days after completion of the initial review under paragraph (3), the Commission shall determine whether to submit a State proposal to Congress for approval.

(B) VOTING.—

(i) IN GENERAL.—The determination to submit a State proposal to Congress under subparagraph (A) shall be approved by ⅔ of the members of the Commission who are eligible to participate in such determination subject to clause (ii).

(ii) ELIGIBILITY.—A member of the Commission shall not participate in a determination under subparagraph (A) if—

(I) in the case of a member who is a Governor, such determination relates to the State of which the member is the Governor; or

(II) in the case of member not described in subclause (I), such determination relates to the geographic area of a State of which such member serves as a State or local official.

(C) SUBMISSION.—Not later than 90 days prior to October 1 of each fiscal year, the Commission shall submit to Congress a list, in the form of a legislative proposal, of the State applications that the Commission recommends for approval under this section.

(D) APPROVAL.—With respect to a fiscal year, a State proposal that has been recommended under subparagraph (B) shall be deemed to be approved, and subject to the availability of appropriations, Federal funds shall be provided to such program, unless a joint resolution has been enacted disapproving such proposal as provided for in

subsection (e). Nothing in the preceding sentence shall be construed to include the approval of State proposals that involve waivers or modifications in applicable Federal law.

(5) PROGRAM OR PROJECT PERIOD.—A State program or project may be approved for a period of 5 years and may be extended for subsequent 5-year periods upon approval by the Commission and the Secretary, based upon achievement of targets, except that a shorter period may be requested by a State and granted by the Secretary.

(e) EXPEDITED CONGRESSIONAL CONSIDERATION.—

(1) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(A) INTRODUCTION.—The legislative proposal submitted pursuant to subsection (d)(4)(B) shall be in the form of a joint resolution (in this subsection referred to as the ''resolution''). Such resolution shall be introduced in the House of Representatives by the Speaker, and in the Senate, by the Majority Leader, immediately upon receipt of the language and shall be referred to the appropriate committee of Congress. If the resolution is not introduced in accordance with the preceding sentence, the resolution may be introduced in either House of Congress by any member thereof.

(B) COMMITTEE CONSIDERATION.—A resolution introduced in the House of Representatives shall be referred to the Committee on Ways and Means of the House of Representatives. A resolution introduced in the Senate shall be referred to the Committee on Finance of the Senate. Not later than 15 calendar days after the introduction of the resolution, the committee of Congress to which the resolution was referred shall report the resolution or a committee amendment thereto. If the committee has not reported such resolution (or an identical resolution) at the end of 15 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a resolution, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such reform bill and such reform bill shall be placed on the appropriate calendar of the House involved.

(2) EXPEDITED PROCEDURE.—

(A) CONSIDERATION.—Not later than 5 days after the date on which a committee has been discharged from consideration of a resolution, the Speaker of the House of Representatives, or the Speaker's designee, or the Majority Leader of the Senate, or the Leader's designee, shall move to proceed to the consideration of the committee amendment to the resolution, and if there is no such amendment, to the resolution. It shall also be in order for any member of the House of Representatives or the Senate, respectively, to move to proceed to the consideration of the resolution at any time after the conclusion of such 5-day period. All points of order against the resolution (and against consideration of the resolution) are waived. A motion to proceed to the consideration of the resolution is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the resolution, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the House of Representatives or the Senate, as the case may be, shall immediately proceed to consideration of the resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the House of Representatives or the Senate, as the case may be, until disposed of.

(B) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the resolution that was introduced in such House, such House receives from the other House a resolution as passed by such other House—

(i) the resolution of the other House shall not be referred to a committee and may only be considered for final passage in the House that receives it under clause (iii);

(ii) the procedure in the House in receipt of the resolution of the other House, with respect to the resolution that was introduced in the House in receipt of the resolution of the other House, shall be the same as if no resolution had been received from the other House; and

(iii) notwithstanding clause (ii), the vote on final passage shall be on the reform bill of the other House.

Upon disposition of a resolution that is received by one House from the other House, it shall no longer be in order to consider the resolution bill that was introduced in the receiving House.

(C) CONSIDERATION IN CONFERENCE.—Immediately upon a final passage of the resolution that results in a disagreement between the two Houses of Congress with respect to the resolution, conferees shall be appointed and a conference convened. Not later than 10 days after the date on which conferees are appointed, the conferees shall file a report with the House of Representatives and the Senate resolving the differences between the Houses on the resolution. Notwithstanding any other rule of the House of Representatives or the Senate, it shall be in order to immediately consider a report of a committee of conference on the resolution filed in accordance with this subclause. Debate in the House of Representatives and the Senate on the conference report shall be limited to 10 hours, equally divided and controlled by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives or their designees and the Majority and Minority Leaders of the Senate or their designees. A vote on final passage of the conference report shall occur immediately at the conclusion or yielding back of all time for debate on the conference report.

(3) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(4) LIMITATION.—The amount of Federal funds provided with respect to any State proposal that is deemed approved under subsection (d)(3) shall not exceed the cost provided for such proposals within the concurrent resolution on the budget as enacted by Congress for the fiscal year involved.

(f) FUNDING.—

(1) IN GENERAL.—The Secretary shall provide a grant to a State that has an application approved under subsection (b) to enable such State to carry out an innovative State health program in the State.

(2) AMOUNT OF GRANT.—The amount of a grant provided to a State under paragraph (1) shall be determined based upon the recommendations of the Commission, subject to the amount appropriated under subsection (k).

(3) PERFORMANCE-BASED FUNDING ALLOCATION AND PRIORITIZATION.—In awarding grants under paragraph (1), the Secretary shall—

(A) fund a diversity of approaches as provided for by the Commission in subsection (c)(1)(B);

(B) give priority to those State programs that the Commission determines have the greatest opportunity to succeed in providing expanded health insurance coverage and in providing children, youth, and other vulnerable populations with improved access to health care items and services; and

(C) link allocations to the State to the meeting of the goals and performance measures relating to health care coverage, quality, and health care costs established under this Act through the State project application process.

(4) MAINTENANCE OF EFFORT.—A State, in utilizing the proceeds of a grant received under paragraph (1), shall maintain the expenditures of the State for health care coverage purposes for the support of direct health care delivery at a level equal to not less than the level of such expenditures maintained by the State for the fiscal year preceding the fiscal year for which the grant is received.

(5) REPORT.—At the end of the 5-year period beginning on the date on which the Secretary awards the first grant under paragraph (1), the State Health Innovation Advisory Commission established under subsection (c) shall prepare and submit to the appropriate committees of Congress, a report on the progress made by States receiving grants under paragraph (1) in meeting the goals of expanded coverage, improved quality, and cost containment through performance measures established during the 5-year period of the grant. Such report shall contain the recommendation of the Commission concerning any future action that Congress should take concerning health care reform, including whether or not to extend the program established under this subsection.

(g) MONITORING AND EVALUATION.—

(1) ANNUAL REPORTS AND PARTICIPATION BY STATES.—Each State that has received a program approval shall—

(A) submit to the Commission an annual report based on the period representing the respective State's fiscal year, detailing compliance with the requirements established by the Commission and the Secretary in the approval and in this section; and

(B) participate in the annual meeting under subsection (c)(4)(B).

(2) EVALUATIONS BY COMMISSION.—The Commission, in consultation with a qualified and independent organization such as the Institute of Medicine, shall prepare and submit to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce, the Committee on Education and Labor, and the Committee on Ways and Means of the House of Representatives annual reports that shall contain—

(A) a description of the effects of the reforms undertaken in States receiving approvals under this section;

(B) a description of the recommendations of the Commission and actions taken based on these recommendations;

(C) an evaluation of the effectiveness of such reforms in—

(i) expanding health care coverage for State residents;

(ii) improving the quality of health care provided in the States; and

(iii) reducing or containing health care costs in the States;

(D) recommendations regarding the advisability of increasing Federal financial assistance for State ongoing or future health program initiatives, including the amount and source of such assistance; and

(E) as required by the Commission or the Secretary under subsection (f)(5), a periodic, independent evaluation of the program.

(h) NONCOMPLIANCE.—

(1) CORRECTIVE ACTION PLANS.—If a State is not in compliance with a requirements of this section, the Secretary shall develop a corrective action plan for such State.

(2) TERMINATION.—For good cause and in consultation with the Commission, the Secretary may revoke any program granted under this section. Such decisions shall be subject to a petition for reconsideration and appeal pursuant to regulations established by the Secretary.

(i) RELATIONSHIP TO FEDERAL PROGRAMS.—

(1) IN GENERAL.—Nothing in this Act, or in section 1115 of the Social Security Act (42 U.S.C. 1315) shall be construed as authorizing the Secretary, the Commission, a State, or any other person or entity to alter or affect in any way the provisions of title XIX of such Act (42 U.S.C. 1396 et seq.) or the regulations implementing such title.

(2) MAINTENANCE OF EFFORT.—No payment may be made under this section if the State adopts criteria for benefits, income, and resource standards and methodologies for purposes of determining an individual's eligibility for medical assistance under the State plan under title XIX that are more restrictive than those applied as of the date of enactment of this Act.

(j) MISCELLANEOUS PROVISIONS.—

(1) APPLICATION OF CERTAIN REQUIREMENTS.—

(A) RESTRICTION ON APPLICATION OF PREEXISTING CONDITION EXCLUSIONS.—

(i) IN GENERAL.—Subject to subparagraph (B), a State shall not permit the imposition of any preexisting condition exclusion for covered benefits under a program or project under this section.

(ii) GROUP HEALTH PLANS AND GROUP HEALTH INSURANCE COVERAGE.—If the State program or project provides for benefits through payment for, or a contract with, a group health plan or group health insurance coverage, the program or project may permit the imposition of a preexisting condition exclusion but only insofar and to the extent that such exclusion is permitted under the applicable provisions of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 and title XXVII of the Public Health Service Act.

(B) COMPLIANCE WITH OTHER REQUIREMENTS.—Coverage offered under the program or project shall comply with the requirements of subpart 2 of part A of title XXVII of the Public Health Service Act insofar as such requirements apply with respect to a health insurance issuer that offers group health insurance coverage.

(2) PREVENTION OF DUPLICATIVE PAYMENTS.—

(A) OTHER HEALTH PLANS.—No payment shall be made to a State under this section for expenditures for health assistance provided for an individual to the extent that a private insurer (as defined by the Secretary by regulation and including a group health plan (as defined in section 607(1) of the Employee Retirement Income Security Act of 1974), a service benefit plan, and a health maintenance organization) would have been obligated to provide such assistance but for a provision of its insurance contract which has the effect of limiting or excluding such obligation because the individual is eligible for or is provided health assistance under the plan.

(B) OTHER FEDERAL GOVERNMENTAL PROGRAMS.—Except as provided in any other provision of law, no payment shall be made to a State under this section for expenditures for health assistance provided for an individual to the extent that payment has been made or can reasonably be expected to be made promptly (as determined in accordance with regulations) under any other federally operated or financed health care insurance program, other than an insurance program operated or financed by the Indian Health Service, as identified by the Secretary. For purposes of this paragraph, rules similar to the rules for overpayments under section 1903(d)(2) of the Social Security Act shall apply.

(3) APPLICATION OF CERTAIN GENERAL PROVISIONS.—The following sections of the Social Security Act shall apply to States under this section in the same manner as they apply to a State under such title XIX:

(A) TITLE xix PROVISIONS.—

(i) Section 1902(a)(4)(C) (relating to conflict of interest standards).

(ii) Paragraphs (2), (16), and (17) of section 1903(i) (relating to limitations on payment).

(iii) Section 1903(w) (relating to limitations on provider taxes and donations).

(iv) Section 1920A (relating to presumptive eligibility for children).

(B) TITLE xi PROVISIONS.—

(i) Section 1116 (relating to administrative and judicial review), but only insofar as consistent with this title.

(ii) Section 1124 (relating to disclosure of ownership and related information).

(iii) Section 1126 (relating to disclosure of information about certain convicted individuals).

(iv) Section 1128A (relating to civil monetary penalties).

(v) Section 1128B(d) (relating to criminal penalties for certain additional charges).

(vi) Section 1132 (relating to periods within which claims must be filed).

(4) RELATION TO OTHER LAWS.—

(A) HIPAA.—Health benefits coverage provided under a State program or project under this section shall be treated as creditable coverage for purposes of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and subtitle K of the Internal Revenue Code of 1986.

(B) ERISA.—Nothing in this section shall be construed as affecting or modifying section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) with respect to a group health plan (as defined in section 2791(a)(1) of the Public Health Service Act (42 U.S.C. 300gg–91(a)(1))).

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary in each fiscal year. Amounts appropriated for a fiscal year under this subsection and not expended may be used in subsequent fiscal years to carry out this section.

Mr. VOINOVICH. Mr. President, I rise to speak about a bill my colleague Senator BINGAMAN and I introduced today, the Health Care Partnership Act. For too many years, I have listened to my colleagues on both sides of the aisle talk about the rising cost of health care and the growing number of uninsured Americans. Yet, at the Federal level we have made little progress toward a solution for improving access to quality, affordable health care. I believe it is the greatest domestic challenge facing our Nation. In fact, the rising cost of health care is a major part of what is hurting our competitiveness in the global marketplace.

While surveys have indicated that health insurance premiums have stabilized—a 9.2 percent increase in 2006 the same increase as in 2005 and compared with; 12.3 percent in 2004; 14.7 percent in 2003 and 15.2 percent in 2002—health insurance costs continue to be a significant factor impacting American competitiveness. In addition, the share of costs that individuals have paid for employer sponsored insurance has risen roughly 2 percent each year, from 31.4 percent of health care costs in 2001 to 38.4 percent this year.

In fact, spending on health care in the United States reached $2 trillion in 2005—16 percent of our GDP—the largest share ever.

Yet, despite all the spending some 45 million Americans—15 percent of the population—had no health insurance at some point last year. This number has increased steadily. In 2000, that number was 39.8 million. In 2002 it was 43.6 million.

These statistics are startling, and it is beyond time that we do something about them.

The bill Senator BINGAMAN and I are introducing today aims to break the log-jam here in Washington and allows States to experiment the way we did with welfare reform when I was Governor of Ohio. This bill would support State-based efforts to reduce the uninsured, reduce costs, improve quality, improve access to care, and expand information technology.

I have been in this situation before. As Governor of Ohio, I had to work creatively to expand coverage and deal with increasing health care costs for a growing number of uninsured Ohioans. I am happy to report that we were able to make some progress toward reducing the number of uninsured during my time as the head of the State by negotiating with the State unions to move to managed care; by controlling Medicaid costs to the point where from 1995 to 1998, due to good stewardship and management, Ohio ended up underspending on Medicaid without harming families; and implementing the S–CHIP program to provide coverage for uninsured children. In fact, I recently learned from the Cuyahoga Commissioners that in our county, 98 percent of eligible children are currently enrolled in this program.

Like we did in Ohio, a number of States are already actively pursuing efforts to reduce the number of their residents who lack adequate health care coverage. This bill will build on the goals of States like Massachusetts, California and others, while providing a mechanism to analyze results and make recommendations for future action on the Federal level.

Under the Health Partnership Act, Congress would authorize grants to individual States, groups of States, and Indian tribes and organizations to carry out any of a broad range of strategies to improve our Nation's health

care delivery. The bill creates a mechanism for States to apply for grants to a bipartisan ''State Health Innovation Commission'' housed at the Department of Health and Human Services, HHS. After reviewing the State proposals, the Commission would submit to Congress a list of recommended State applications. The Commission would also recommend the amount of Federal grant money each State should receive to carry out the actions described in their plan.

Most importantly, at the end of the 5-year period, the Commission would be required to report to Congress whether the States are meeting the goals of the act and recommend future action Congress should take concerning overall reform, including whether or not to extend the program.

I believe it is important that we pass this legislation and provide a platform from which we can have a thoughtful conversation about health care reform at the Federal level.

Since I have been in the Senate, Congress has made some progress toward improving health care, most notably for our 43 million seniors with the passage of the Medicare Modernization Act.

Yet, we have been at this too long here in Washington without comprehensive, meaningful results. It is my hope that we will have bipartisan support for this very bipartisan comprehensive bill that I hope will move us closer toward a solution to the uninsured.

By Mrs. LINCOLN (for herself, Mr. THOMAS, Mr. BINGAMAN, Mr. DURBIN, Ms. MIKULSKI, Mr. AKAKA, Mr. PRYOR, Ms. KLOBUCHAR, Mr. ENZI, Mr. HARKIN, Mr. ROCKEFELLER, and Mr. KERRY):

S. 326. A bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I rise today with my colleague, Senator CRAIG THOMAS, to introduce the Disabled Veterans Tax Fairness Act of 2007. This much-needed legislation would protect disabled veterans from being unfairly taxed on the benefits to which they are entitled, simply because their disability claims were not processed in a timely manner. This legislation is supported by the Military Coalition, a group representing more than 5.5 million members of the uniformed services and their families.

While the Department of Veterans Affairs, VA, resolves most of its filed disability claims in less than a year, there are also instances of lost paperwork, administrative errors, and appeals of rejected claims that often delay thousands of disability awards for years on end. When this occurs, disability compensation is awarded retroactively and for tax purposes, a disabled veteran's previously received taxable military retiree pay is re-designated as nontaxable disability compensation. Thereby, the disabled veteran is entitled to a refund of taxes paid and must file an amended tax return for each applicable year.

However, under current law the IRS Code bars the filing of amended returns beyond the last 3 tax years. As a result, many of our disabled veterans are denied the opportunity to file a claim for repayment of additional years of back taxes already paid—through no fault of their own—even though the IRS owes them a refund for the taxes that were originally paid on their retiree pay.

The Disabled Veterans Tax Fairness Act of 2007 would add an exception to the IRS statute of limitations for amending returns. This exception would allow disabled veterans whose disability claims have been pending for more than 3 years to receive refunds on previous taxes paid for up to 5 years—the length of time the IRS keeps these records. Affected veterans would have 1 year from the date the VA determination is issued to go back and amend previous years' tax returns.

My father and grandfather both served our Nation in uniform and they taught me from an early age about the sacrifices our troops and their families have made to keep our Nation free. This is particularly true for our disabled veterans. During a time when a grateful nation should be doing everything it can to honor those who have sacrificed so greatly on our behalf, the very least it can do is ensure they and their families are not unjustly penalized simply because of bureaucratic inefficiencies or administrative delays which are beyond their control. This situation is unacceptable and our veterans deserve better.

That is why I am proud to reintroduce this legislation today to provide relief to our Nation's veterans. It is the least we can do for those whom we owe so much, and it is the least we can do to reassure future generations that a grateful nation will not forget them when their military service is complete.

By Mr. MCCAIN (for himself and Mr. SALAZAR):

S. 327. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; to the Committee on Energy and Natural Resources.

Mr. MCCAIN. Mr. President, I am pleased to be joined today by Senator SALAZAR in reintroducing the Cesar Estrada Chavez Study Act. A similar version of this bill was introduced by Congresswoman HILDA SOLIS last week. This legislation, which is identical to the bill we introduced in the 109th Congress and passed the Senate by unanimous consent during the 108th Congress, would authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Chavez. The bill would direct the Secretary of the Interior to determine whether any of the sites significant to Chavez's life meet the criteria for being listed on the National Register of Historic Landmarks. The goal of this legislation is to establish a foundation for future legislation that would then designate land for the appropriate sites to become historic landmarks.

Mr. Chavez's legacy is an inspiration to us all and he will be remembered for helping Americans to transcend distinctions of experience and share equally in the rights and responsibilities of freedom. It is important that we honor his struggle and do what we can to preserve appropriate landmarks that are significant to his life. This legislation has received an overwhelming positive response, not only from my fellow Arizonans, but from Americans all across the Nation. It has also received an endorsement from the Congressional Hispanic Caucus.

Cesar Chavez, an Arizonan born in Yuma, was the son of migrant farm workers. While his formal education ended in the eighth grade, his insatiable intellectual curiosity and determination helped make him known as one of the great American leaders for his successes in ensuring migrant farm workers were treated fairly and honestly. His efforts on behalf of some of the most oppressed individuals in our society is an inspiration, and through his work he made America a bigger and better nation.

While Chavez and his family migrated across the southwest looking for farm work, he evolved into a advocate of migrant farm workers. He founded the National Farm Workers Association in 1962, which later became the United Farm Workers of America. He gave a voice to those who had no voice. In his words, ''We cannot seek achievement for ourselves and forget about progress and prosperity for our community . . . our ambitions must be broad enough to include the aspirations and needs of others, for their sakes and for our own.''

Cesar Chavez was a humble man of deep conviction who understood what it meant to serve and sacrifice for others. His motto in life ''It Can Be Done,'' epitomizes his life's work and continues to be a positive influence on so many of us. Honoring the places of his life will enable his legacy to inspire and serve as an example for our future leaders.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—EXPRESSING SUPPORT FOR DEMOCRATIC FORCES IN SERBIA AND ENCOURAGING THE PEOPLE OF SERBIA TO REMAIN COMMITTED TO A DEMOCRATIC PATH

Mr. VOINOVICH (for himself, Mr. LUGAR, Mr. HAGEL, and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 31

Whereas, in September 2000, the people of Serbia fought for democracy by going to the streets to hold protests and rallies until President Slobodan Milosevic was removed from power and the Government of Serbia was handed over to democratic forces;

Whereas, in the following years, the democratic leadership of Serbia worked to establish a democratic society, functional rule of law, a free market economy, and respect for human and minority rights;

Whereas the President of Serbia, Boris Tadic, has expressed publicly his commitment to the principles of democracy and the dream of leading Serbia forward on this path;

Whereas Serbia is a member of several international organizations and has voiced its desire to become a member of the European Union (EU);

Whereas Serbia has enacted several military and defense reforms to strengthen ties to its Western allies and the North Atlantic Treaty Organisation (NATO) Alliance;

Whereas, on September 7, 2006, Serbia signed a Status of Forces Agreement with the United States Government to facilitate Serbia's participation in joint military exercises and training;

Whereas, on September 8, 2006, President Tadic commemorated the beginning of Serbia's participation in the National Guard State Partnership Program with the Ohio National Guard;

Whereas, on December 14, 2006, Serbia was granted accession to the NATO Partnership for Peace (PfP) program, along with its neighbors, Bosnia and Herzegovina and Montenegro, initiating formal cooperation between NATO and Serbia;

Whereas Serbia has transferred 36 individuals indicted for war crimes to the International Criminal Tribunal for the former Yugoslavia (ICTY), including Milosevic and some of his top officials, and provided thousands of documents to the Office of the Prosecutor of the ICTY;

Whereas Serbia has taken some additional steps, under the supervision of the ICTY and the international community, to enact judicial reforms and establish special courts to try individuals indicted for war crimes in Kosovo, Bosnia, and Croatia;

Whereas Serbia has failed to arrest war criminal Ratko Mladic for the horrific crimes he committed at Srebrenica in Bosnia and Herzegovina, which prevented Serbia's earlier participation in the PfP program and its progression in EU accession talks;

Whereas, on January 21, 2007, Serbia will hold democratic parliamentary elections to determine Serbia's future leadership at this critical juncture in Serbia's history;

Whereas Albanian parties in southern Serbia will participate in the parliamentary elections for the first time in over 15 years; and

Whereas a strong, stable, and democratic Serbia is critical to the future of the region: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States should be committed to a strong relationship with a democratic Serbia as Serbia moves toward its goals of membership in the European Union (EU) and cooperation with the North Atlantic Treaty Organisation (NATO);

(2) the inclusion of Serbia in the NATO Partnership for Peace Program was a critical step in bringing Serbia closer to the Euro-Atlantic Alliance;

(3) Serbia will now have the opportunity to enact defense reforms and apply for a Membership Action Plan for NATO;

(4) Serbia should continue its progress on reform, including defense and judiciary reforms and reforms in the area of human and minority rights;

(5) Serbia should move quickly to fulfill its obligations to the International Criminal Tribunal for the former Yugoslavia, including by immediately arresting Ratko Mladic and transferring him to the Hague because this step is essential for Serbia to be admitted into the EU and NATO;

(6) as Serbia continues to work toward integration in Euro-Atlantic institutions, the United States should continue and increase its defense and security cooperation with the Government of Serbia, including through education, training, and technical cooperation, to assist Serbia in the reform process and in fulfilling the requirements for membership in NATO; and

(7) the United States should remain a friend to the people of Serbia as they continue on the path of democracy.

SENATE RESOLUTION 32—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 32

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2007, through September 30, 2007, and October 1, 2007, through September 30, 2008, and October 1, 2008, through February 28, 2009, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2.

(a) The expense of the committee for the period March 1, 2007, through September 30, 2007, under this resolution shall not exceed $1,373,063, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period of October 1, 2007, through September 30, 2008, expenses of the committee under this resolution shall not exceed $2,405,349, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, organizations thereof (as authorized by section 292(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period of October 1, 2008, through February 28, 2009, expenses of the committee under this resolution shall not exceed $1,021,186, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3.

The committee may report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2007.

SEC. 4.

Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5.

There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2007, through September 30, 2007, October 1, 2007, through September 30, 2008, and October 1, 2008, through February 28, 2009, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations''.

SENATE CONCURRENT RESOLUTION 2—EXPRESSING THE BIPARTISAN RESOLUTION ON IRAQ

Mr. BIDEN (for himself, Mr. HAGEL, Mr. LEVIN, and Ms. SNOWE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 2

Whereas the United States strategy and presence on the ground in Iraq can only be sustained with the support of the American people and bipartisan support from Congress;

Whereas maximizing chances of success in Iraq should be our goal, and the best chance

of success requires a change in current strategy;

Whereas the situation in Iraq is damaging the standing, influence, and interests of the United States in Iraq, the Middle East, and around the world;

Whereas more than 137,000 United States military personnel are bravely and honorably serving in Iraq and deserve the support of all Americans;

Whereas more than 3,000 United States military personnel have already lost their lives in Iraq, and more than 22,500 have been wounded in Iraq;

Whereas on January 10, 2007, President George W. Bush announced his plan to deepen the United States military involvement in Iraq by deploying approximately 21,000 additional United States combat forces to Iraq;

Whereas Iraq is witnessing widening sectarian and intra-sectarian violence;

Whereas Iraqis must reach a political settlement if there is going to be a reconciliation in Iraq, and the failure of the Iraqis to achieve such a settlement has led to the increase in violence in Iraq;

Whereas Iraq Prime Minister Nouri al-Maliki stated on November 27, 2006, that ''[t]he crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians.'';

Whereas an open-ended commitment of United States forces in Iraq is unsustainable and a deterrent to the Iraqis making the political compromises and providing the personnel and resources that are needed for violence to end and for stability and security to be achieved in Iraq;

Whereas the responsibility for internal security and halting sectarian violence in Iraq must rest primarily with the Government of Iraq and Iraqi security forces;

Whereas there have been repeated promises by the Government of Iraq to assume a greater share of security responsibilities, disband militias, consider amendments to the Iraq constitution, enact laws to reconcile sectarian differences, and improve the quality of life for the Iraqi people, but those promises have not been kept;

Whereas a successful strategy in Iraq is dependent upon the Iraqi leaders fulfilling their promises;

Whereas the commander of the United States Central Command, General John Abizaid, testified to Congress on November 15, 2006, that ''[i]t's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from taking more responsibility for their own future'';

Whereas the Iraq Study Group suggested a comprehensive strategy to ''enable the United States to begin to move its combat forces out of Iraq responsibly'' based on ''new and enhanced diplomatic and political efforts in Iraq and the region'';

Whereas the United States Army and Marine Corps, including their Reserves and the Army National Guard, their personnel, and their families, are under enormous strain from multiple, extended deployments to Iraq and Afghanistan;

Whereas the majority of nondeployed Army and Marine Corps units are no longer combat ready due to a lack of equipment and insufficient time to train; and

Whereas the United States strategy in Iraq must not compromise the ability of the United States to address other vital national security priorities, in particular global terror networks, proliferation of weapons of mass destruction, regional stability in the Middle East, the nuclear program of Iran, the nuclear weapons of North Korea, and stability and security in Afghanistan: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) it is not in the national interest of the United States to deepen its military involvement in Iraq, particularly by escalating the United States military force presence in Iraq;

(2) the primary objective of United States strategy in Iraq should be to have the Iraqi political leaders make the political compromises necessary to end the violence in Iraq;

(3) greater concerted regional, and international support would assist the Iraqis in achieving a political solution and national reconciliation;

(4) main elements of the mission of United States forces in Iraq should transition to helping ensure the territorial integrity of Iraq, conduct counterterrorism activities, reduce regional interference in the internal affairs of Iraq, and accelerate training of Iraqi troops;

(5) the United States should transfer, under an appropriately expedited timeline, responsibility for internal security and halting sectarian violence in Iraq to the Government of Iraq and Iraqi security forces; and

(6) the United States should engage nations in the Middle East to develop a regional, internationally-sponsored peace and reconciliation process for Iraq.

Mr. BIDEN. Mr. President, today, Senator HAGEL, Senator LEVIN, and I are submitting a bipartisan resolution that opposes the President's plan to escalate the war in Iraq.

This resolution says what we and many of our colleagues, Democrats and Republicans, are against: deepening America's military involvement in Iraq by escalating our troop presence.

Just as important, it says what we and many of our colleagues are for: a strategy that can produce a political settlement in Iraq.

That's the only way to stop Shiites and Sunnis from killing each other and allow our troops to leave Iraq without leaving chaos behind.

Last week, when Secretary of State Rice presented the President's plan to escalate our troop presence in Iraq to the Foreign Relations Committee, the reaction from Democrats and Republicans alike ranged from profound skepticism to outright opposition.

This resolution will give every Senator a chance to say where he or she stands on the President's plan.

I believe that when a President goes way off course on something as important as Iraq, the single most effective way to get him to change course is to demonstrate that his policy has waning or no support—from both parties.

The more we make Iraq a partisan issue, the more the President is likely to dig in. The more we show that Americans across the board don't want to go down the path of escalation, the better our chance to stop it.

Iraq is not a partisan issue. It's a challenge we must meet as Americans.

The very first sentence of our resolution says something the three of us believe profoundly: ''U.S. strategy and presence on the ground in Iraq can only be sustained with the support of the American people and the bipartisan support of Congress.''

This resolution will demonstrate that, right now, the support is not there for the President's policy in Iraq. The sooner he recognizes that reality and acts on it, the better off all of us will be.

Mr. HAGEL. Mr. President, we have before us one of the most important issues that has ever faced our country, certainly in modern times. The future of Iraq will affect the United States, the Middle East, and the world for decades to come.

No one in Congress and no one in the United States wants to see America humiliated, defeated, or in any way lose its purpose. The issue of Iraq involves all of us. The Congress of the United States must have a role to play.

Our responsibility is to join together in a bipartisan effort to work to develop a consensus to deal with the great challenges of our time. I know of no challenge that is greater today, before this country, than Iraq. When a Nation commits its men and women to war, it is the greatest challenge that any of us will ever deal with in our time in the Congress.

We owe it to the American people to help find a bipartisan consensus of purpose, to help develop a policy worthy of our men and women in uniform. The American people not only deserve but they expect a consensus. This resolution is not about trying to assign blame on the Administration. It is not about replaying past mistakes. This resolution is about moving forward. It is difficult but it is our responsibility.

Some of us believe that the course that the President announced Wednesday was not the appropriate course. I do not believe that the United States should be sending more American troops into the middle of the tribal, sectarian civil war that is occurring in Iraq.

Senators BIDEN, LEVIN, and I have focused personally on writing this resolution because we felt it must reflect a responsible, forward-looking, and constructive approach. We must remain focused on a strategy which seeks to advance America's national interests and allow America to leave Iraq honorably.

The American people look to its government for responsible policy. A policy that can be sustained. A policy that reflects a clear consensus of purpose regarding our objectives, our strategy and our policies. This is what our resolution seeks to achieve.

Mr. LEVIN. Mr. President, the primary objective of the bipartisan resolution my colleagues and I are introducing today is to convince a bipartisan majority of Senators to oppose deeper military involvement in Iraq by the United States and to get the Iraqis to reach a political settlement among themselves as the only way to end the violence in Iraq.

The resolution would send a clear message that Congress does not support the plan to increase the number of U.S. troops in Iraq because it is based on the false premise that there is a

military solution to the violence and instability in Iraq, when what is needed is a political solution among the Iraqi leaders and factions.

Iraq's own Prime Minister Maliki acknowledged recently that ''The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians.''

The resolution states that it is not in the national security interests of the United States to deepen our military involvement in Iraq by increasing the number of U.S. troops.

The resolution calls for the transition of our military mission in Iraq to a more limited one of training, counterterrorism, and protecting the territorial integrity of Iraq. It also calls for greater engagement of other countries in the region in the stabilization and reconstruction of Iraq.

Last week the President said that he had made clear to Iraq's leaders that America's commitment is not open-ended. I welcome these words. But the reality behind the President's new rhetoric is that the open-ended commitment continues—more American military men and women would be sent into the chaos of Iraq's sectarian violence without condition or limitation.

President Bush also indicated that the Iraqi government needs ''breathing space'' to make political progress. The opposite is true. The Iraqi leaders don't need breathing space—they must feel real pressure to reach a political settlement. Increasing our military presence in Iraq takes more pressure off. The Iraq Study Group put it this way last month: ''An open-ended commitment of American forces would not provide the Iraqi government the incentive it needs to take the political actions that give Iraq its best chance of quelling sectarian violence.''

President Bush also said that the Iraqis have set benchmarks for themselves. But look at the track record of the Iraqi government in meeting some of its past benchmarks and promises: Iraqi President Talibani said in August 2006 that Iraqi forces would ''take over security in all Iraqi provinces by the end of 2006.'' That pledge has not been kept. Prime Minister Maliki said last June that he would disband the militias and illegal armed groups as part of his national reconciliation plan, and in October he set the timetable for disbanding the militias as the end of 2006. That commitment has not been kept. The Iraqi Constitutional Review Commission was to present its recommendations for changes in the Constitution to the Council of Representatives within four months of the formation of the Government last May. The Commission has yet to formulate any recommendations. Prime Minister Maliki put forward a series of reconciliation milestones to be completed by the end of 2006 or early 2007, including approval of the Provincial Election Law, the Petroleum Law, a new De-Baathification Law, and the Militia Law. Not one of these laws has been enacted. The Iraqi army pledged six battalions in support of American and Coalition efforts during Operation Forward Together last summer. In fact, Iraqis provided only two battalions.

This is not a track record that inspires confidence in Iraqi pledges and commitments.

The President said that ''America will hold the Iraqi government to the benchmarks it has announced.'' How did the President say we are going to do that? What will the consequences be if the Iraqis continue to fail to meet these benchmarks, particularly since some of them have been established and missed in the past? The President said ''If the Iraqi government does not follow through on its promises, it will lose the support of the American people . . . '' That is an empty threat given the fact that the Iraqi Government has already lost the support of the American people, and it hasn't affected their behavior. The President's most recent plan, like previous ones, includes no mechanism to hold the Iraqis to their commitments.

Just two months ago General Abizaid testified before our Committee against increasing the number of U.S. troops in Iraq. He told us: ''I met with every divisional commander, General Casey, the corps commander, General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.''

Deepening our involvement in Iraq would be a mistake. Deepening our involvement in Iraq on the assumption that the Iraqis will meet future benchmarks and commitments given their track record would compound the mistake.

For America to supply more troops while the Iraqi leaders simply supply more promises is not a recipe for success in Iraq. Telling the Iraqis that we will increase our troops to give them yet more breathing space will only postpone the day when Iraqis take their future into their own hands and decide whether they want to continue to fight a civil war or make peace among themselves.

This resolution does not limit any future course of action that Congress may decide to take. What it would do is send a powerful message to the President and the Iraqis that Congress does not support an escalation of our military presence in Iraq.

SENATE CONCURRENT RESOLUTION 3—EXPRESSING THE SENSE OF CONGRESS THAT IT IS THE GOAL OF THE UNITED STATES THAT, NOT LATER THAN JANUARY 1, 2025, THE AGRICULTURAL, FORESTRY, AND WORKING LAND OF THE UNITED STATES SHOULD PROVIDE FROM RENEWABLE RESOURCES NOT LESS THAN 25 PERCENT OF THE TOTAL ENERGY CONSUMED IN THE UNITED STATES AND CONTINUE TO PRODUCE SAFE, ABUNDANT, AND AFFORDABLE FOOD, FEED, AND FIBER

Mr. SALAZAR (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. LUGAR, Mr. OBAMA, Mr. HAGEL, Mr. DORGAN, Mr. COLEMAN, Mr. KERRY, Mr. THUNE, Mr. NELSON of Nebraska, Mr. BROWNBACK, Ms. CANTWELL, Mr. ALLARD, Mr. KOHL, Mr. MENENDEZ, Mr. TESTER, Mrs. CLINTON, Mr. BROWN, Mr. BAUCUS, Mr. DURBIN, Mr. FEINGOLD, and Mr. COCHRAN) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 3

Whereas the United States has a quantity of renewable energy resources that is sufficient to supply a significant portion of the energy needs of the United States;

Whereas the agricultural, forestry, and working land of the United States can help ensure a sustainable domestic energy system;

Whereas accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable, and affordable energy for all citizens of the United States;

Whereas the production of transportation fuels from renewable energy would help the United States meet rapidly growing domestic and global energy demands, reduce the dependence of the United States on energy imported from volatile regions of the world that are politically unstable, stabilize the cost and availability of energy, and safeguard the economy and security of the United States;

Whereas increased energy production from domestic renewable resources would attract substantial new investments in energy infrastructure, create economic growth, develop new jobs for the citizens of the United States, and increase the income for farm, ranch, and forestry jobs in the rural regions of the United States;

Whereas increased use of renewable energy is practical and can be cost effective with the implementation of supportive policies and proper incentives to stimulate markets and infrastructure; and

Whereas public policies aimed at enhancing renewable energy production and accelerating technological improvements will further reduce energy costs over time and increase market demand: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

Mr. SALAZAR. Mr. President, today Senator GRASSLEY and I, along with our colleagues Senators HARKIN, LUGAR, OBAMA, HAGEL, and others, are submitting Senate Concurrent Resolution 3, the ''25x'25'' Resolution, as we did last year, 25x'25 is a critical vision for our energy future that will help reduce our dependence on foreign oil by building a new energy economy here at home. Our resolution establishes a national goal of producing 25 percent of America's energy from renewable sources—like solar, wind and biofuels—by 2025.

The ''25x'25'' vision is widely endorsed, bold, and fully attainable. If implemented, it would dramatically improve our energy security, our economy, and our ability to protect the environment.

I am pleased that more than 20 of my colleagues in the Senate, from both sides of the aisle, are cosponsoring this resolution. In addition, the ''25x'25'' vision has been endorsed by 22 current and former governors and several State legislatures across the country.

The Big Three automobile manufacturers—Ford, Chrysler, and General Motors—are all behind ''25x'25'' So are many agricultural organizations, environmental groups, scientists, and businesses, ranging from the Farm Bureau and Farmers' Union to the Natural Resources Defense Council and John Deere. The breadth of support for the ''25x'25'' vision speaks to the extraordinary economic, environmental, and national security benefits that its implementation will yield. In all, nearly 400 organizations have embraced this vision and are working together on a plan to implement it.

The resolution that Senator GRASSLEY and I are submitting makes the ''25x'25'' vision a policy goal for our Nation. It sets a challenging but realistic target for our legislative and budgetary work on energy. Our resolution says that the ingenuity and entrepreneurship of the American people should be the engine for a new, clean energy economy.

I urge every American to join with me and the roughly 400 partner organizations that are part of the 25x'25 Alliance to make this goal a reality. Results from a recent study conducted by the University of Tennessee shows that reaching the 25x'25 goal is achievable. The study also shows that 25x'25 would: increase net farm income by $180 billion and, including multiplier effects, could result in $700 billion in economic activity annually; create approximately 5 million new jobs here at home in 2025; save as much as $15 billion in government payments.

America's working people can and should be at the center of our energy revolution. Farmers and ranchers in my native San Luis Valley, in Sterling, CO, and elsewhere are already leading the way; they are building biodiesel plants and ethanol refineries that help power cars, tractors, and trucks. They are building wind turbines in Prowers County and biomass generators in Jackson County. And they are searching for new technologies that will allow them to make even greater contributions to our energy supply.

These Americans understand that we cannot continue to import 60 percent of our oil from foreign countries, many of which are hostile to the United States, if we aim to be strong and secure in the world. They know that we will have to build a clean energy economy if we are to reduce our dependence on foreign oil.

A clean energy economy will take root in our farms and fields. It will help revitalize a rural America that has been forgotten for too long. It will spur our engineers to new developments and designs, and it will help establish the U.S. as the world leader in clean energy technologies.

It is time for Congress to take a more active role in our clean energy future. Establishing a national goal—''25x'25'' is the first step.

Today, with this resolution, we articulate a common vision for our energy policy. It is a target we can hit. It is a target that Governors, Senators, Representatives, state legislators, farmers, ranchers, entrepreneurs, scientists, and automakers, all wish to achieve.

I am proud to be working with Senator GRASSLEY and others to establish ''25x'25'' as our Nation's shared goal for our energy security and I look forward to working on a legislative agenda in this Congress that will help us reach that target.

Mr. GRASSLEY. Mr. President, I rise today to join Senator SALAZAR in introducing a concurrent resolution which expresses the goal of the United States to provide 25 percent of the Nation's energy needs from renewable resources by 2025.

The goal of this 25 by 25 resolution is quite simple: to replace 25 percent of our total energy needs with renewable resources like wind, hydropower, solar, geothermal, biomass and biofuels by 2025. This is a bold goal, but given our current energy situation in the U.S., it is a necessary goal.

The impact of increased energy prices is being felt around the country by working families, farmers, businesses and industries. The increased cost for energy at the pump, in home heating and for industrial uses has the potential to jeopardize our economic security and vitality.

Our effort with this concurrent resolution is to signal to America's farmers, ranchers and forestry industry, that we believe they have the ability and resources to generate 25 percent of our energy needs. And, that it's in our economic and national security interest to do so.

There are many inherent virtues in producing our own domestic energy from renewable resources. It is good for our environment. It is good for our national and economic security. It will provide an economic boost for our rural economies. And perhaps most importantly, it will ensure a stable, secure, domestic supply of affordable energy.

Already, our farmers and ranchers are working hard to use their resources to produce electricity from wind, biomass and other agricultural wastes. In addition, corn, soybeans and other crops are being used to produce transportation fuels like ethanol and biodiesel. It is evident that rural America has the drive to achieve this goal.

While this concurrent resolution states our renewable energy goal, it does not prescribe a way to achieve the goal. Rather, it recognizes the benefit of implementing supportive policies and incentives to stimulate the development and use of renewable energy. It also identifies the benefits of technological improvements to the cost and market appeal of renewable energy.

The supporters of this goal commit to support sensible policies and proper incentives to work toward the goal. I am hopeful that my colleagues will recognize the importance of this effort, and will consider supporting us in this goal to produce 25 percent of our energy needs from renewable resources by 2025.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, January 18, 2007, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a business meeting to organize for the 110th Congress by electing the chairman and vice chairman of the committee and to adopt the rules of the committee and any other organizational business the committee needs to consider.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, January 25, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Building.

The purpose of this hearing is to receive testimony on oil and gas resources on the Outer Continental Shelf and areas available for leasing in the Gulf of Mexico.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Patty Beneke at (202) 224–5451 or David Marks at (202) 224–8046.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Wednesday, January 17, 2007 at 9:30 a.m. in 328A, Senate Russell Office Building. The purpose of this committee hearing will be to consider Working Land Conservation: Conservation Security Program and Environmental Quality Incentive Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, January 17, 2007, at 10 a.m. in room SR–253 of the Russell Senate Office Building.

The purpose of the hearing is to evaluate the status of implementation of the aviation security recommendations of the 9/11 Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet in Executive Session during the session of the Senate on Wednesday, January 17, 2007, at 9:45 a.m. in SD–406.

Agenda

Rules: Rules of the Committee on Environment and Public Works.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, January 17, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to organize for the 110th Congress. The Committee will also consider an Original Bill entitled, ''The Small Business and Work Opportunity Act of 2007.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, January 17, 2007, at 9:30 a.m. to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Paying Off Generics to Prevent Competition with Brand Name Drugs: Should it Be Prohibited?'' on Wednesday, January 17, 2007, at 10:00 a.m. in Dirksen Senate Office Building room 226.

Witness List

Panel I: Hon. Jon Leibowitz, Commissioner, Federal Trade Commission, Washington, DC.

Panel II: Billy Tauzin, CEO, PhRMA, Washington, DC; Merril Hirsh Partner, Ross, Dixon, and Bell LLP, Washington, DC; Bruce Downey, Chairman and CEO, Barr Pharmaceuticals, Inc., Washington, DC; Michael Wroblewski, Consumers Union, Non-Profit Publisher of Consumer Reports, Yonkers, NY.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 17, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support be authorized to meet during the session of the Senate on Wednesday, January 17, 2007, at 2:30 p.m., to receive testimony on abusive practices in Department of Defense Contracting for services and interagency contracting.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEMOCRACY FOR SERBIA

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 31 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 31) expressing support for democratic forces in Serbia and encouraging the people of Serbia to remain committed to a democratic path.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 31) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 31

Whereas, in September 2000, the people of Serbia fought for democracy by going to the streets to hold protests and rallies until President Slobodan Milosevic was removed from power and the Government of Serbia was handed over to democratic forces;

Whereas, in the following years, the democratic leadership of Serbia worked to establish a democratic society, functional rule of law, a free market economy, and respect for human and minority rights;

Whereas the President of Serbia, Boris Tadic, has expressed publicly his commitment to the principles of democracy and the dream of leading Serbia forward on this path;

Whereas Serbia is a member of several international organizations and has voiced its desire to become a member of the European Union (EU);

Whereas Serbia has enacted several military and defense reforms to strengthen ties to its Western allies and the North Atlantic Treaty Organisation (NATO) Alliance;

Whereas, on September 7, 2006, Serbia signed a Status of Forces Agreement with the United States Government to facilitate Serbia's participation in joint military exercises and training;

Whereas, on September 8, 2006, President Tadic commemorated the beginning of Serbia's participation in the National Guard State Partnership Program with the Ohio National Guard;

Whereas, on December 14, 2006, Serbia was granted accession to the NATO Partnership for Peace (PfP) program, along with its neighbors, Bosnia and Herzegovina and Montenegro, initiating formal cooperation between NATO and Serbia;

Whereas Serbia has transferred 36 individuals indicted for war crimes to the International Criminal Tribunal for the former Yugoslavia (ICTY), including Milosevic and some of his top officials, and provided thousands of documents to the Office of the Prosecutor of the ICTY;

Whereas Serbia has taken some additional steps, under the supervision of the ICTY and the international community, to enact judicial reforms and establish special courts to try individuals indicted for war crimes in Kosovo, Bosnia, and Croatia;

Whereas Serbia has failed to arrest war criminal Ratko Mladic for the horrific crimes he committed at Srebrenica in Bosnia and Herzegovina, which prevented Serbia's earlier participation in the PfP program and its progression in EU accession talks;

Whereas, on January 21, 2007, Serbia will hold democratic parliamentary elections to determine Serbia's future leadership at this critical juncture in Serbia's history;

Whereas Albanian parties in southern Serbia will participate in the parliamentary elections for the first time in over 15 years; and

Whereas a strong, stable, and democratic Serbia is critical to the future of the region: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States should be committed to a strong relationship with a democratic Serbia as Serbia moves toward its goals of membership in the European Union (EU) and cooperation with the North Atlantic Treaty Organisation (NATO);

(2) the inclusion of Serbia in the NATO Partnership for Peace Program was a critical step in bringing Serbia closer to the Euro-Atlantic Alliance;

(3) Serbia will now have the opportunity to enact defense reforms and apply for a Membership Action Plan for NATO;

(4) Serbia should continue its progress on reform, including defense and judiciary reforms and reforms in the area of human and minority rights;

(5) Serbia should move quickly to fulfill its obligations to the International Criminal Tribunal for the former Yugoslavia, including by immediately arresting Ratko Mladic and transferring him to the Hague because this step is essential for Serbia to be admitted into the EU and NATO;

(6) as Serbia continues to work toward integration in Euro-Atlantic institutions, the United States should continue and increase its defense and security cooperation with the Government of Serbia, including through education, training, and technical cooperation, to assist Serbia in the reform process and in fulfilling the requirements for membership in NATO; and

(7) the United States should remain a friend to the people of Serbia as they continue on the path of democracy.

MEASURE READ THE FIRST TIME—H.R. 391

Mr. REID. Mr. President, there is at the desk H.R. 391 which has been received from the House, if I am not mistaken. I would ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 391) to authorize the Secretary of Housing and Urban Development to continue to insure, and to enter into commitments to insure, home equity conversion mortgages under section 255 of the National Housing Act.

Mr. REID. I would ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR THURSDAY, JANUARY 18, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m. on Thursday, January 18; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each, with the first hour under the control of the majority leader or his designee and the second hour under the control of the Republican leader or his designee.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, if I could say a brief word here, I hope the distinguished Republican leader has gotten the information—we tried to do it through staff—that sometime between 3 and 6 tomorrow, we will do a vote on the motion to reconsider that we had on the cloture vote. Then thereafter or sometime during the day tomorrow I will talk to the distinguished Republican leader and find out what happens next. There are a number of alternatives we have as to what we can do on Friday, but I will talk to my friend from Kentucky and try to work something out; otherwise, we will advise him what we are going to do.

COMPLETION OF ETHICS REFORM LEGISLATION

Mr. McCONNELL. Mr. President, let me say to my friend the majority leader, I still hope we can finish this bill. We are not that far away from completion, if we can work out an orderly way in which to deal with the amendments that need to be offered by this side. I hope we can reach agreement tomorrow and move toward completing the bill.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:52 p.m., adjourned until Thursday, January 18, 2007, at 9 a.m.

EXTENSIONS OF REMARKS

A TRIBUTE TO THE JESSIEVILLE LIONS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ROSS. Madam Speaker, it is with honor and great pride that I recognize and congratulate the Jessieville Lions of Jessieville, AR, whose outstanding teamwork and dedication on the football field earned them a Class 2A Arkansas State Title at War Memorial Stadium in Little Rock on December 8, 2006. The Jessieville Lions embody the spirit of teamwork, determination, and all that defines a champion.

As a parent, I value the important lessons that teamwork teaches our students in pursuit of a lifetime of success. I have long been an advocate of sports and extracurricular activities as they complement academic excellence, inspire leadership, and build character, which better prepare our State's students to face the challenges of the 21st century.

It is a tremendous honor to congratulate the Jessieville High School football program on winning the Class 2A Arkansas State Football Championship. I applaud the Jessieville Lions for their season. This victory is the result of hard work contributed by the players, students, coaching staff, faculty and the community. I salute all who remained focused on this goal and especially the players who rose to the occasion to become State champions. Congratulations Lions.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. NORWOOD. Madam Speaker, on rollcall No. 26; on the motion to suspend the rules and agree to H. Res. 43, had I been present, I would have voted "yes."

U.S. GOVERNMENT SHOULD PRESS INTERIM GOVERNMENT OF TURKMENISTAN TO HOLD FREE AND FAIR PRESIDENTIAL ELECTIONS ON FEBRUARY 11, 2006

HON. TOM FEENEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. FEENEY. Madam Speaker, the world has recently witnessed the deaths of two bloody despots: one—Saddam Hussein—was executed for crimes against his own people; the other—President Saparmurat Niyazov of Turkmenistan—was able to escape justice by dying in his sleep.

Under President Niyazov, Turkmenistan became a secretive police state modeled after North Korea. Declaring himself President-for-life, Niyazov banned all political parties except his own; threw his opponents in jail or drove them into exile; and established a state monopoly on media, exercising control over the editorial content.

With the death of the dictator, one would hope that the people of Turkmenistan would finally wake up from their long nightmare and reclaim their rights, chief among them the right to elect their leaders in free and fair elections. However, the interim government has pledged to continue Niyazov's policies and has brought into question their ability to hold truly democratic elections

The interim government's most competent opponents—the exiled community of business leaders and intellectuals—have effectively been prevented from contesting the elections, even though their leader Khudaiberdy Orazov, whom the united opposition chose as its presidential candidate, would win the majority of the popular vote according to the most recent polls. As former chairman of the Central Bank and a renowned economist, Mr. Orazov is precisely the kind of leader whose insights are badly needed if Turkmenistan is to rebuild its crumbling infrastructure and revive its ailing education and healthcare systems.

I urge my colleagues in calling for free, fair, and democratic elections in Turkmenistan and for the interim government to allow its opponents the opportunity to contest the February 11 elections. In order to maintain our commitment to democracy, both at home and abroad, we can do no less.

I am including for the RECORD a copy of Jan. 3 Washington Post article, "New Future for Turkmenistan," which was written by a well-respected pro-democracy opposition leader in exile, Nurmukhammet Hanamov, whose two sons were assassinated in retaliation for his outspoken opposition to Niyazov's regime. The U.S. government would do well to hear the heartfelt plea this courageous man makes in his article.

[From The Washington Post]

A NEW BEGINNING FOR TURKMENISTAN

(By Nurmuhammet Hanamov)

Last week Turkmenistan buried its brutal dictator, Saparmurad Niyazov. His ruthless reign spanned two decades, during which time his policies became increasingly irrational and unpredictable. The long list of Niyazov's crimes against our people includes: banning all political parties except his own and jailing his opponents; preventing thousands of disloyal citizens from traveling abroad; persecuting religious and ethnic minorities; outlawing opera; and shutting down regional hospitals, firing thousands of doctors and nurses. Under Niyazov, Turkmenistan became a corridor for heroin trafficking from Afghanistan to the West and gained for itself one of the highest heroin addiction rates in the world.

Above all, Niyazov was a selfish and kleptocratic despot, stashing billions in proceeds from the sale of the country's enormous natural gas resources in personal accounts in Western banks. He used this money to fuel his outlandish personality cult, building opulent palaces and golden statues of himself even as his people were deprived of basic necessities and suffer one of the world's lowest life expectancy rates. The West's indifference was striking compared with the relentless criticism by the United States and the European Union against the more benign regime of Alexander Lukashenko, president of gas-poor Belarus.

With Niyazov gone, the West has a historic second chance to help our country make a peaceful transition to democracy. Turkmenistan's interim rulers have unfortunately pledged to continue Niyazov's policies, even ordering new statues of him, and their efforts to grab power amount to a coup d'état. The former health minister—under the de facto control of Niyazov's Presidential Guard—has arrested the speaker of Parliament, who constitutionally is next in the line of succession. He has sealed the country's borders and, using other unconstitutional measures, has set the stage for his own unchallenged victory in presidential elections scheduled for Feb. 11.

The United States must send a clear message to Niyazov's holdouts in the interim government in Ashgabat: that they will not have its support unless they agree to hold free and fair elections—ones that allow all citizens of Turkmenistan, including exiled opposition leaders and political prisoners, to take part.

We know that the United States has tried to help the people of Turkmenistan in recent years, and thanks to American educational exchange programs, there is a thriving community of bright Turkmen students and intellectuals who are living in Western countries and are ready to return and help rebuild their country. This community is largely held together by the efforts of Khudaiberdy-Orazov, a former chairman of the National Bank and an accomplished and energetic leader who was forced into exile several years ago. He was unanimously nominated to be a candidate in the February presidential elections by a broad coalition of opposition groups inside and outside of Turkmenistan. According to a recent poll, Orazov's candidacy would have the support of a majority of Turkmen voters. Until Orazov and other opposition candidates are allowed to contest the February elections, the United States and the European Union must refrain from recognizing the junta in Ashgabat and freeze all personal accounts of Niyazov and his cronies abroad. We hope that members of Congress and other government officials will visit Turkmenistan soon to personally deliver that message.

We must rebuild our country, and with the help of our friends and neighbors we can do it in an open and transparent way. Priorities for a democratically elected government during the initial post-Niyazov reconstruction must be to release all political prisoners, conduct open tenders and allow Western companies to bid for a stake in developing Turkmenistan's oil and gas fields; to consider new ways of getting our gas and oil to Western markets; to restore private property that Niyazov confiscated from Turkmen citizens; and to create a reconstruction fund using Niyazov's personal bank accounts and proceeds from the sale of oil and gas to revive the health-care and education systems.

The United States is spending billions of dollars trying to turn Afghanistan and Iraq—both deep in the throes of civil war—into democratic nations while all but abandoning their peaceful post-Soviet neighbors to the north. Turkmenistan is ready for a new beginning, and the West must finally step up to the plate. To do otherwise would waste a historic opportunity and allow yet another case of popular discontent with an illegitimate government to become an anti-Western lost cause.

A TRIBUTE TO THE NASHVILLE SCRAPPERS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ROSS. Madam Speaker, it is with honor and great pride that I recognize and congratulate the Nashville Scrappers of Nashville, AR, whose outstanding teamwork and dedication on the football field earned them a Class 4A Arkansas State Title at War Memorial Stadium in Little Rock on December 9, 2006. The Nashville Scrappers embody the spirit of teamwork, determination, and all that defines a champion.

As a parent, I value the important lessons that teamwork teaches our students in pursuit of a lifetime of success. I have long been an advocate of sports and extracurricular activities as they complement academic excellence, inspire leadership, and build character, which better prepare our State's students to face the challenges of the 21st century.

It is a tremendous honor to congratulate the Nashville High School football program on winning the Class 4A Arkansas State Football Championship. I applaud the Nashville Scrappers for their season. This victory is the result of hard work contributed by the players, students, coaching staff, faculty and the community. I salute all who remained focused on this goal and especially the players who rose to the occasion to become State champions. Congratulations Scrappers.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. NORWOOD. Madam Speaker, on rollcall No. 24, on the motion to suspend the rules and agree to H. Res. 61, had I been present, I would have voted "yes."

TRIBUTE TO THE UNIVERSITY OF TENNESSEE DANCE TEAM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. DUNCAN. Madam Speaker, I rise today to congratulate the University of Tennessee Dance Team, located in my District, for winning their first ever Division IA National title.

On January 15th, 2007, the team competed against 17 other Division IA dance teams at the Universal Dance Associations College Nationals held at the Walt Disney World Resort in Orlando, FL.

The team was awarded an all expenses paid trip to the national competition after placing third in the qualifying round, based on a two minute video they submitted in October, 2006.

Although they placed 1st in semi-finals, the team knew their competitors would step up their performances in the next round. In the final round, Tennessee gave its strongest performance yet, leaving the crowd in awe and leaving no doubt in the minds of the judges who should receive the National title.

The team defeated the four time National Champions, the Minnesota Golden Gopher Dance Team, by a margin of more than 20 points.

The Tennessee dancers worked intensely to reach this never before attained goal, practicing up to three times a day over their holiday break.

The Tennessee Spirit program is the only program in the country to place in the top five in the Cheerleading, Mascot and Dance divisions.

I would also like to congratulate coaches Kelley Eidenmuller, Valerie Baxter and Spirit Coordinator Joy Postell on their exceptional work with this group of dancers.

Madam Speaker, in closing, I would like to call to the attention of my colleagues and other readers of the CONGRESSIONAL RECORD a recent article from utsports.com regarding the University of Tennessee Dance Team's outstanding achievement.

TENNESSEE DANCE TEAM CAPTURES FIRST NATIONAL CROWN

ORLANDO, Jan. 14, 2007.—Tennessee's long elusive national crown finally found its resting place in Knoxville as Tennessee's Dance team captured its first national crown in commanding fashion in the land of dreams and wishes.

At the Milk House in Orlando, Florida, Tennessee put on a dominating performance before a packed house at the Wide World of Sports Complex. Performing to "Your House" by Alisa Morissette, the dance team performed to an Acapella version of the song and simply rocked the house.

Co-Head Coach Kellie Edenmueller said this team knew this was the material it would take to bring home the national championship.

"We knew from the moment we put this together it had the potential to bring us a national championship. Our girls worked tirelessly and put together a great performance."

Tennessee was not without their fans as more than 150 made their way to the Milk House and turned the old can into a home away from home. It was something this program has sought for almost a decade.

"It is finally a breath of fresh air to win this national title, both from a coaching standpoint and a coordinator of trying to raise the bar," said UT Spirit Coordinator Joy Postell. "Repeatedly these squads have come here and have left disappointed because they did not achieve their goal. To finally achieve the goal, to represent your university and to win the title is breathtaking and ecstatic.

"The feeling I have and pride I have that UT has allowed me to have a phenomenal program to reach out to so many spirit athletes. Not just athletics but in every aspect and to bring notoriety to this university. At Tennessee we work together as a team and cheer, dance, and mascot are all emphasized as being winners and achievers. Everyone of these teams is very supportive of the other. I am very fortunate to have the tools the university provides me to succeed. For us to reach the top five in every category is both not just a personal goal but a goal of every athlete in this program."

Tennessee was the only program in the nation to place in the top five in the country in Mascot (5th place), Cheer (4th place) and dance again in the Hip-Hop division with a 5th place finish.

Tonight was truly magical and the young women made it happen.

A TRIBUTE TO THE ARKANSAS HIGH RAZORBACKS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ROSS. Madam Speaker, it is with honor and great pride that I recognize and congratulate the Arkansas High School Razorbacks of Texarkana, AR, whose outstanding teamwork and dedication on the football field earned them a Class 6A Arkansas State Title at War Memorial Stadium in Little Rock on November 25, 2006. The Arkansas High Razorbacks embody the spirit of teamwork, determination, and all that defines a champion.

As a parent, I value the important lessons that teamwork teaches our students in pursuit of a lifetime of success. I have long been an advocate of sports and extracurricular activities as they complement academic excellence, inspire leadership, and build character, which better prepare our state's students to face the challenges of the 21st century.

It is a tremendous honor to congratulate the Arkansas High School football program on winning the Class 6A Arkansas State Football Championship. I applaud the Arkansas High School Razorbacks for their season. This victory is the result of hard work contributed by the players, students, coaching staff, faculty and the community. I salute all who remained focused on this goal and especially the players who rose to the occasion to become State champions. Congratulations Razorbacks!

TRIBUTE TO AMERICAN CANCER FUND FOR CHILDREN AND KIDS CANCER CONNECTION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. WAXMAN. Madam Speaker, I rise today to recognize and congratulate the American Cancer Fund for Children and Kids Cancer Connection, located in the 30th Congressional District, which I represent.

Los Angeles mayor Antonio Villaraigosa proclaimed the week of December 11, 2006, as "Childhood Cancer Awareness Week" in the city of Los Angeles. I am pleased to join Mayor Villaraigosa in thanking Steven Firestein, the founder of American Cancer Fund for Children and its sister organization, Kids Cancer Connection, for his wonderful work in assisting children with cancer.

More than 12 years ago, Steven began the American Cancer Fund for Children to provide

vital patient psychosocial services to children undergoing cancer treatment at the Skull Base Institute at the Cedars-Sinai Medical Office Towers in Los Angeles, Mattel Children's Hospital at UCLA Medical Center in Los Angeles, and participating hospitals throughout the country.

One of the wonderful services provided through American Cancer Fund for Children is the Magical Caps for Kids program. Handmade caps and decorated baseball caps are given to children who want to protect their heads following the trauma of chemotherapy, surgery, and radiation. The American Cancer Fund for Children also sponsors Courageous Kid award ceremonies and hospital celebrations in recognition of children's bravery and determination in their struggle against cancer.

As we know, cancer is the leading cause of death by disease among children in the United States. This tragic disease is detected in nearly 11,000 of our Nation's children each year. Steven Firestein and the American Cancer Fund for Children and Kids Cancer Connection are providing critical services and comfort to young patients and their families. I ask my colleagues to join me in recognizing Steven Firestein for his tremendous efforts.

CHOOSE GENEROSITY, NOT EXCLUSION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ELLISON. Madam Speaker, somewhere In Minneapolis or Jackson or Baltimore, somewhere In America today, there is a young couple that is feeling vulnerable. Maybe one has been laid off due to outsourcing, and maybe, the other is working for something close to a minimum wage. They probably have no medical benefits. Today real income is lower for the typical family than in 2000, while the incomes of the wealthiest families have grown significantly. Things are tough for working people, but in America, we often turn to our faith in tough times.

When our couple shows up for worship service, probably on a Sunday, there is no doubt that the preacher will tell them of God's unyielding love. ''God loves you.'' But the next thing the preacher tells them is crucial—not only to the young couple, but to us all. The next message from the preacher may help to shape, not only the next election results, but the political landscape of the Nation.

Will the preacher tell our young couple, ''God loves you—but only you and people like you?'' Or will the preacher say ''God loves you and you must love your neighbors of all colors, cultures, or faiths as yourselves''? One message will lead to be a stinginess of spirit, an exclusion of the ''undeserving,'' and the other will lead to a generosity of spirit and inclusion of all.

In America today, we are encouraged to believe in the myth of scarcity—that there just isn't enough—of anything. But in the story of the miracle of the loaves and fishes, Jesus, who the Muslims called Isa, found himself preaching to 5,000—not including the women by the way—at dinner time, and there didn't appear to be enough food. The disciples said that there were only five barley loaves and two fish. We just have to send them away hungry. We simply don't have enough. But Jesus took the loaves and the fish and started sharing food. There was enough for everyone. There was more than enough. What was perceived as scarcity was illusory as long as there was sharing, and not hoarding.

The idea here is not that there is a boundless supply of everything. Such an idea leads to waste and dispensability of everything. But the idea is that there is enough.

If scarcity is a myth, then poverty is not necessary. America need not have 37 million Americans living below the poverty line. It is a choice. Hunger is a choice. Exclusion of the stranger, the immigrant, or the darker other is a choice.

We can choose generosity. In America today, we spend more on health care than any other industrialized Nation, yet 46 million people have none. Canada spends half of what we spend and covers everyone. Perfectly? Of, course not. But adequately. That's more than what a lot of people have right now.

We live in a society which says that there is enough for a tax break for the wealthy but not enough for an increase in the minimum wage for national health care. There is enough for subsidies to oil and coal companies but not for families who are struggling to afford child care or a college education. But it doesn't have to be this way.

We need a politics of generosity based on the reality of abundance as opposed to a politics of not enough. The richest 1 percent of the Nation, on average, owns 190 times as much as a typical household. The child poverty rate in the United States is the highest of 16 other industrialized nations. Employers are shifting health insurance costs onto workers. Not only are fewer employees receiving health insurance through their employers, but those who still do are paying more for it.

Recently, I have become the focus of some criticism for my use of the Qu'ran for my ceremonial swearing in. Let me be clear: I am going to be sworn into office like all Members of Congress. I am going to swear to uphold the United States Constitution. We seem to have lost the political vision of our founding document—a vision of inclusion, tolerance and generosity.

I do not blame my critics for subscribing to a politics of scarcity and intolerance. However, I believe we all must project a new politics of generosity and inclusion. This is the vision of the diverse coalition in my congressional district. My constituents in Minnesota elected me to fight for a new politics in which a loving Nation guarantees health care for all of its people; a new politics in which executive pay may not skyrocket while workers do not have enough to care for their families. I was elected to articulate a new politics in which no one is cut out of the American dream, not immigrants, not gays, not poor people, not even a Muslim committed to serve his Nation.

TRIBUTE TO CATHOLIC SCHOOLS WEEK

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. AKIN. Madam Speaker, I rise today in recognition of Catholic Schools Week.

The Nation's nearly 8,000 Catholic schools will celebrate Catholic Schools Week January 28 through February 3. Catholic schools have made many significant contributions to the education of our Nation's children.

Catholic schools have a longstanding and proud tradition in the Archdiocese of St. Louis. The percentage of Catholic families who choose Catholic schools for their children here is among the highest in the country. There are about 51,000 students enrolled in our Catholic elementary and high schools. Catholic schools foster an atmosphere of mutual respect. Students learn to value God, themselves, and others.

Today I would also like to recognize and commend our Catholic educators who are committed to a living faith community founded on the Catholic tradition of academic excellence and enriching the lives of the children they teach spiritually, academically and socially.

I strongly support the goals of Catholic Schools Week 2007 and laud their efforts to produce students dedicated to their faith, families, and values.

CELEBRATING BETTY NIXON'S PIONEERING CAREER OF SERVICE TO HER COMMUNITY

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. COOPER. Madam Speaker, today I rise on behalf of the Tennessee delegation, in particular Mr. COHEN, Mr. DAVIS, Mr. GORDON, and Mr. TANNER, to pay tribute to a lifelong activist and community servant, Betty C. Nixon, upon the occasion of her retirement from Vanderbilt University. Betty's last 17 years have been spent building bridges between Vanderbilt and the Nashville community, firmly connecting this institution to the city she loves, and yet this work represents only a small sliver of her service to her fellow citizens.

Betty's ties to Nashville run deep. She grew up there, graduating from Hillsboro High School in 1954 and heading to Texas, where she would graduate from Southern Methodist University in 1958. Most people would rest or retire after teaching high school in Alabama for the decade of the 1960s, but not Betty. By 1975, she had been elected to her first of three terms in the Metropolitan Council of Nashville and Davidson County and was serving as deputy press secretary for Tennessee Governor Ray Blanton. It was only the beginning of her public service.

In 1982, the same year she graduated from the Vanderbilt Owen Graduate School of Management, Betty became the first woman to chair the Metro Council Budget Committee. Two years later, she managed the statewide political campaign for Walter Mondale and Geraldine Ferraro, and four years after that, she managed James R. Sasser's successful bid for the U.S. Senate. Along the way, Betty ran for mayor in 1987 and 1991, and once again she blazed a trail: Betty was the first woman to run for mayor in Nashville's history.

Like many civic-minded individuals, Betty moved to Washington, but after a year of professional service to the U.S. Senate Subcommittee on Intergovernmental Relations,

she returned to the community that she loved. From 1990 until 2007, Vanderbilt has benefited from her steady service, and the University knows it. In many ways, Betty defined both her role at the school and the school's role in the community; she retires as Assistant Vice Chancellor for Community, Neighborhood and Government Relations and leaves as her legacy an institution that fully and conscientiously participates in its community. And Vanderbilt has immortalized her by dedicating the Betty C. Nixon Center for Community Connections in her honor.

Betty's ceaseless service to Nashville government and nonprofit organizations belies the limited number of hours in a day. Oasis Center, Nashville Electric Service, Tennessee State University Business Incubation Center, Bill Wilkerson Hearing and Speech Center, Davidson County Election Commission, Nashville Women's Breakfast Club, United Way, Project PENCIL, West End United Methodist Church, Citizen's Bank, Youth Encouragement Services, Tennessee Women's Political Caucus, YMCA Black Achievers, Rochelle Center, League for the Hard of Hearing, Alcohol and Drug Council of Middle Tennessee, WIN—these groups and many others have all benefited from Betty's skill, charm, and grace. She has been honored as a YWCA Woman of Achievement and has received the prestigious Athena Award.

Madam Speaker, Nashville is a stronger, more vibrant community because of Betty Nixon's commitment to improving the lives of those around her. Today I rise to pay tribute to her legacy, express our Nation's gratitude for her service, and wish her many more years of contented engagement with a city that has been forever changed by her efforts.

NOTHING IS IMPOSSIBLE: CELEBRATING JOE HARDY ON HIS 84TH BIRTHDAY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. SHUSTER. Madam Speaker, I rise today to highlight an American success story, an inspirational Pennsylvanian and a great American, Joe Hardy, III. Joe Hardy is the embodiment of the idea that, as Winston Churchill said, "We make a living by what we get and we make a life by what we give." This month marks Joe Hardy's 84th birthday and it is only right that his achievements in business and his contributions to society be celebrated in this, the people's House.

Joe Hardy is perhaps best known as the founder of 84 Lumber, the largest privately owned building materials supplier to professional contractors in America. But he is much more than this. He is a self-made man, a civic leader and a great philanthropist. He is the embodiment of the American Dream and his story continues to encourage those around him.

With 84 Lumber, Joe Hardy reached a level in business that thousands of smaller entrepreneurs aspire to reach for themselves. And like many Americans just starting out in the world of business, Joe Hardy did not inherit his success; he built it from the ground up. His is a true American success story, a story that is alive and well today.

When Joe Hardy graduated from the University of Pittsburgh with a degree in engineering he joined his family's jewelry company. He demonstrated his business acumen early, and quickly became the company's best salesman. But Joe Hardy wanted to make his own name in the business world, so in 1952, with his own savings and the help of some friends, he opened a cash-and-carry lumber yard for contractors in the town of Eighty-Four, Pennsylvania. In 1956 he changed his company's name from Green Hills Lumber to 84 Lumber and the rest, as they say, is history.

84 Lumber grew quickly, reaching $84 million in sales in 1971 and $1 billion in sales in 1996. As his company and his fortune grew, Joe Hardy began to give back to the communities that had given him the chance to succeed. In 1987, he bought the Nemacolin Resort in a bankruptcy sale and turned it into a major economic draw and tourist destination for Western Pennsylvania.

He brought a PGA tournament to the world class Nemacolin Resort that not only drew attention to the area, but raised money for worthy causes. The list of philanthropic achievements in this area is long, but a few examples stand out.

Over the past 15 years, Joe Hardy's 84 Lumber Golf Tournaments have raised over $1 million for the Westmoreland-Fayette Boy Scout Council. He organized a PGA Tour event from 2003 to 2006 that raised more than $6 million for local charities and $1.3 million for Hurricane Katrina relief. Additionally, through his long collaboration with Habitat for Humanity, Joe Hardy enabled the funding and construction of 50 homes along the hurricane ravaged Gulf Coast.

But his philanthropy does not end there. In 1990, Joe Hardy gave a grant to Washington and Jefferson College to start an Entrepreneurial Spirit Studies Program as well as a scholarship fund its participation. This celebrated program continues to train tomorrow's business leaders today.

In addition to philanthropy, Joe Hardy is also civically engaged. He continues to serve as a County Commissioner for Fayette County Pennsylvania and personally invested his own money into the revitalization of Uniontown, the hometown of General George C. Marshall.

The list of Joe Hardy's accomplishments is simply too long to cover here. However, to the people of Fayette County, the contributions he has made to their lives are evident everyday. Whether you walk down the streets of a revitalized Uniontown, enjoy a jump in business due to the Nemacolin Woodlands Resort, or build your new house with 84 Lumber products, Joe Hardy's impact is there.

I want to wish Joe Hardy a happy 84th birthday and thank him for all he has done throughout his life. With his achievements and outlook on life, I am sure we will see many more successes in the years ahead.

HONORING THE CAREER OF BILL SMITH

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor the banking career of Bill Smith, who, as he puts it, started out as an errand runner and left as chairman of the board.

Bill began working for the Bank of Commerce in Woodbury, Tennessee, in 1950. At the time, there were five other employees working at the bank on the west side of the Cannon County Square. He began as a runner and went on to fill many other positions at the bank, including using a pen and ledger to keep the balance of the entire bank.

In 1954, the bank moved to its current location on the north side of the square, and Bill continued moving up. In 1964, an addition was added to the bank, and Bill earned the title of vice president.

In 1967, the Bank of Commerce was sold to Third National Bank, and Bill became president. Another addition to the Woodbury branch was added in 1982. Under Bill's leadership, the Bank of Commerce sponsored the Cannon County Good Ole Days for 25 years and started the annual Red Apple Days in Auburntown. Bank branches were built and obtained in the Edgefield community and in Auburntown.

When the bank sold in the early 1980s, it had grown to about 50 full-time and 20 part-time employees. The bank sold again in 1991 to Regions, and Bill's son, Steve, who had begun working for the bank while attending Middle Tennessee State University, became president. Bill became chairman of the board until he retired from the banking industry on August 31, 2005.

In his so-called retirement, Bill has been helping his son, Mike, with their family business, Smith Funeral Home, and managing his family farm. He is an active member of the Church of Christ.

Christine Dillon, who has worked with Bill since 1951, both at the bank and the funeral home, says Bill is described by friends as kind, friendly, a good Christian and a great marketing person. He is much loved by his friends and former banking colleagues. I congratulate Bill on his retirement, and I wish him many years of happiness.

INTRODUCTION OF THE HAITIAN PROTECTION ACT OF 2007

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the Haitian Protection Act of 2007.

This important piece of legislation would designate Haitian nationals as eligible for Temporary Protected Status (TPS),

The creation of TPS was intended to serve as the statutory embodiment of safe haven for those who are fleeing—or reluctant to return to—a potentially dangerous situation in their country of origin.

According to section 244A of the Immigration and Nationality Act of 1990, TPS may be granted when: there is ongoing armed conflict posing a serious threat to personal safety; it is requested by a foreign state that temporarily cannot handle the return of nationals due to environmental disaster; or extraordinary and temporary conditions in a foreign state exist which prevent aliens from returning.

Haiti meets all three of these requirements for designation; and yet, not once have Haitian nationals qualified for TPS.

Madam Speaker, there are currently nine countries that are protected under the TPS provision: Nicaragua, Honduras, El Salvador, Burundi, Somalia, Sudan, and Liberia. Within the past year, all nine countries have obtained status renewal for an additional twelve months because it has been determined by the Department of Homeland Security that the country in question is unable to handle the return of its nationals due to varying circumstances.

Last year, during the 109th Congress, I wrote to the Department of Homeland Security (DHS) regarding the unfair treatment of Haitian nationals by current U.S. Immigration policies.

In response to my letter, DHS stated that before they could make a decision to grant TPS to Haiti, they had to determine whether there was "(1) an ongoing armed conflict within the foreign state posing a serious threat to the personal safety of the country's nationals if returned there; (2) an environmental disaster, such as an earthquake, flood, drought, or epidemic in the state; or (3) extraordinary and temporary conditions in the foreign state that prevent nationals from returning safely."

After assessing the aforementioned factors as they apply to Haiti, DHS has taken the following stance: "Decisions on these requests will be made on a case-by-case basis based on the specific circumstances involved when requested."

Madam Speaker, Haiti's recent political, civil, and governmental crises, as well as the extraordinary and temporary conditions caused by several natural disasters, easily make Haitian nationals currently in the United States eligible for TPS.

Any major storm that hits Florida almost always crashes through Haiti first, taking lives and leaving cities already impoverished from the previous year's storms, further devastated.

Throughout Haiti, vast deforestation leaves the country extremely vulnerable to mudslides from heavy rains. It is now 2007 and Haiti still remains severely devastated by the aftermath of Tropical Storm Jeanne, Hurricane Ivan, and serious floods throughout the region that occurred in 2004. The loss of life in Haiti is all but too common, and unfortunately overlooked, when natural disasters whip through the region.

The death toll that resulted from the combination of these natural disasters reached over 7,500. In addition, an estimated 250,000 people were left homeless across the country and at least 4,000 homes were destroyed, with thousands more damaged as a result of the storm.

The Haitian government's ability to provide basic governmental services—clean water, education, passable roads and basic healthcare—is still severely compromised by these natural disasters. Repatriating Haitians at this time imposes an additional burden on government resources that are already stretched too thin.

Concerning stability and overall safety, Haiti is still in dire need of an adequate policing force to maintain order and halt the escalation in kidnappings that are plaguing the nation.

As of January 2007, the Department of State continues to advise Americans that current conditions in Haiti make it unsafe to travel due to the potential for looting, the possibility of random violent crime, and the serious threat of kidnapping for ransom. The warning goes on to state that more than 50 American citizens, including children, have been kidnapped over the past year.

Madam Speaker, if it is unsafe for our citizens to travel to Haiti, then those same conditions should make it much too dangerous and inappropriate to forcibly repatriate Haitians at this time. It is unfortunate and appalling that our current immigration policies hold such harmful double standards.

I want to make it very clear that I acknowledge and heartily congratulate Haiti's shift toward recovery, as seen by the successful democratic elections held throughout 2006.

However, President Préval's nascent democratic government still faces immense challenges in regards to rebuilding Haiti's police and judicial institutions to achieve the fair and prompt tackling of the ongoing political and criminal violence.

Most recently there has been a sharp increase in common crime, especially kidnappings which continue to plague the capital and other cities and regions.

The absence of security and failure of police and the judicial system to function effectively only makes matters worse.

In addition to safety and human rights considerations, halting the deportation of Haitians is also an economic matter.

Under the law, TPS beneficiaries are eligible to obtain work authorization permits. The ability for Haitian Nationals to legally work in the United States put them in a position to contribute to their country's reform and development until such time it is safe for their return to Haiti.

Madam Speaker, the Haitian Diaspora has always played a pivotal role in assisting Haiti. It is widely known that Haitians residing in the United States often work three jobs to send money back to Haiti each month. Many Haitians in the United States often send remittances to support family members, and others travel home to lend their expertise toward rebuilding and humanitarian efforts.

Designating Haiti under TPS status would preserve and increase remittances—over a billion dollars a year—from the Haitian Diaspora to relatives and communities in Haiti that are key for welfare, survival, and recovery.

Haiti is more dependent than any other country on remittances—nearly a billion dollars a year—sent home by Haitians in the United States. Remittances to Haiti far exceed foreign aid.

Many Haitian Nationals in the United States who previously sustained relatives in Haiti through remittances, are being deported, further depriving Haiti of an important source of financial aid that is well-positioned to assist when based here in the United States.

Madam Speaker, by refusing to give Haiti the TPS designation, our inequitable immigration policies continue to send a clear message:

The safety of Haitian lives is not a priority compared to a Honduran, Liberian or Sudanese life.

We must act to change this perception. Our immigration policies have to change; they must reflect fairness and treat Haitians equally to Nicaraguans, Hondurans, and Salvadorans whose deportations are suspended and who are allowed to work and support their families back home.

Madam Speaker, Haiti is making great strides to recover and rebuild. We cannot reward their efforts by kicking this country, and its people, down when they are doing everything possible to bring their country out of chaos and destruction.

The election of President Préval in February 2006, and the election shortly thereafter of a national legislature which promptly confirmed his cabinet nominees, along with the broad internal and international support which this new democratic government enjoys, makes it imperative that the United States seize every current opportunity to assist that government to succeed.

Many in Haiti, as well as the Haitian Diaspora worldwide, need us to reach beyond what has been done before and demand for more.

The Haitian Protection Act of 2007 is necessary to achieve fundamental fairness in our treatment of Haitian immigrants and remedy the accurate and widespread perception that U.S. policy has discriminated against them.

Madam Speaker, we cannot miss this opportunity to help Haiti stabilize its economy, rebuild its political and economic institutions, and provide a future of hope for Haiti's people.

I ask my colleagues to support this legislation and urge the House Leadership to bring it swiftly to the House floor for consideration.

THE CURRENT HUMAN RIGHTS SITUATION IN CHINA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. WOLF. Madam Speaker, I would like to call to the attention of the House the following assessment of the current human rights situation in China. Harry Wu, a renowned human rights activists who survived 19 years in China's notorious laogai labor camps, has detailed in this assessment the current level of human rights abuses by China's brutal dictatorship.

As we approach the 2008 Olympics in Beijing, and China continues to grow as an economic and political powerhouse, we must remind ourselves of China's abusive and oppressive treatment of innocent civilians, and fight against the tyranny of the communist regime in Beijing.

THE CURRENT HUMAN RIGHTS SITUATION IN CHINA, JANUARY 2007

(By Harry Wu)

The People's Republic of China (PRC) continues to awe the world with its rapid economic development attracting foreign investment from all over the world. Recently, China's power and influence in international politics has also grown. China has been extolled for taking the lead in negotiations with North Korea, and the world looks forward to the 2008 Olympic Games in Beijing. However the international community has overlooked the most important fact—the Chinese government is still a ruthless dictatorship.

China may be involved in the Six-Party talks with North Korea but it is still the nation's closest ally and biggest supplier. China is embracing capitalism but that does not equal freedom and democracy. This memo provides a brief description of human rights violations in China that are occurring

on a large scale. China's brutal system of forced labor camps is thriving and remains a tool for repression and economic profit. Religious freedom is nonexistent without government approval, and independent trade unions are forbidden. The government refuses to reveal how many prisoners are executed each year, and organs are harvested from prisoners for money. Women and their families are being persecuted for violating the national one-child policy, and are subject to forced abortions and sterilization, detention and other punishments. Internet access is censored and cyber-dissidents are frequently monitored and arrested with the help of American companies. The number of political prisoners is on the rise as the Chinese people speak out against freedom of speech, press, and religion, the one-child policy, labor conditions, and property rights.

The truth is that a more democratic and free China that respects human rights and the rule of law would lead to a more stable region, and ultimately would be better for US interests and national security.

THE LAOGAI SYSTEM

The Laogai is a vast system of prison camps in the PRC consisting of a network of more than 1,045 prisons, labor camps, and mental institutions. The fundamental role of the Laogai is the same as it was during Chairman Mao Zedong's reign—reform through labor. Labor camps are used as a mechanism to suppress political dissent, human rights activists, religious and spiritual believers, ethnic minorities, and common law offenders. The UN Special Rapporteur on Torture has confirmed that prisoners are frequently tortured to extract false confessions to be used to convict in court.

Although some judicial reforms have been made, China's legal system is still rule by law not rule of law. The administrative detention system that the rest of the world has deemed a violation of international law, is still used. Laojiao (re-education through labor) allows individuals to be held for up to 3 years without legal proceedings. Anyone who speaks out against the Chinese Communist Party is falsely arrested and charged with the vague crimes of ''endangering state security'' or 'revealing state secrets', and 99 percent of those who are charged with these crimes are convicted.

The Laogai is an integral sector of the PRC's export economy and its forced labor products are frequently sold in U.S., European and world markets. Despite the 1992 Memorandum of Understanding (MOU) safeguarding against the export of prison labor goods between the U.S. and China, little has been done to enforce this policy. U.S. customs stated that it could not conduct independent investigations in China because the Chinese government refuses to comply. Yet the U.S. has done nothing to encourage compliance. American businesses often claim to be unaware that their subcontractors are using prison labor, but this should no longer be an excuse.

RELIGION

The PRC does not permit religious freedom. Roman Catholicism is still outlawed and the Chinese government continues to defy the Vatican by ordaining church officials without its permission. In late November 2006 the Chinese Patriotic Catholic Association ordained Bishop Wang in Jiangsu province, the third incident of this kind in a year. The government controls all religious activities and any new groups must apply for permission to practice and to publish literature. The spiritual practice of Falun gong is banned as a cult. Falun Gong followers and underground ''house church'' Christians are persecuted daily. They are put under house arrest, detained without public trial, and imprisoned and tortured for their beliefs under the auspices of various government campaigns. The Uyghur Muslim minority in Xinjiang province has been targeted and arrested according to an ''anti-terrorism'' campaign, while Tibetans monks and nuns have been forced to sign declarations denouncing the Dalai Lama as a dangerous separatist or face arrest according to a ''patriotic education'' campaign.

TRADE UNIONS

The PRC outlaws all independent trade unions, forcing its workers to join the statesponsored All China Federation Trade Union (ACFTU), which by international standards is useless and only serves the Communist Party's needs. Most recently Walmart, a company that has opened 62 stores in China, capitulated to ACFTU demands and agreed to let the union set up branches in its stores. This fact is alarming because Walmart does not allow its employees to unionize in any other country. This is a vivid example that disproves the common theory that economic development is a catalyst for democratization in China. In contrast, the more companies that cooperate with the Communist Party's demands, such as Walmart, Cisco. Google. and Yahoo, the more the totalitarian regime is strengthened.

DEATH PENALTY AND ORGAN HARVESTING

China executes anywhere from 3,500–10,000 people per year, more than the combined total of all the countries in the entire world. The true number is impossible to ascertain because this information is not made public, making it difficult for NGOs such as Amnesty International to keep records.

After decades of organ harvesting, the PRC's Vice Minister of Health, Mr. Huang Jiefu, in November 2005 officially admitted that organs are taken from executed prisoners, but still insists that the prisoner or his family always gives informed consent. However, this usually never occurs. Families are often not notified when their relative will be executed and afterwards they are given the cremated remains to cover up any signs of organ removal, or are not given the body at all Whether or not consent is actually given by the prisoner is irrelevant because even if death row prisoners give permission they are coerced and threatened by prison officials to comply. Although government legislation to regulate organ trade went into force in July 2006 prisoners' organs are still sold to wealthy Chinese nationals and foreigners with the profits going directly to the Chinese government. Multi-lingual websites boast about the ease of receiving an organ transplant in China.

POPULATION CONTROL

The PRC government continues to implement the inhumane one-child policy that began in 1976. No other country has such a draconian family planning policy that is offensive to all religions and all cultural backgrounds, and affects all of China's 1.3 billion members. Despite other social reforms, China's population policy still does not conform to international human rights standards. With few exceptions, only married couples that obtain pre-approval, i.e. a birth permit, may legally have a child even if it is their first child. A majority of Chinese women are required to use intrauterine devices (IUDs), and in villages women's menstrual cycles are monitored. Violators, if discovered to be pregnant, are coerced into having an abortion and to undergo sterilization. Occasionally the men are sterilized as well. Doctors who do not perform IUD insertion or sterilization. or who fake these operations, are jailed. Family members of violators are often imprisoned if they do not reveal their relative's whereabouts. Despite relaxation of certain aspects of China's family planning regulations, enforcement of the one-child policy continues to be coercive.

INTERNET CENSORSHIP

The crackdown of Internet dissidents remains widespread. American software companies such as Cisco, Microsoft, Google, and Yahoo continue to cooperate with the Chinese government to censor Internet use. These companies have agreed to restrict access to certain websites and terms, and to reveal the identities of users. As a result of these policies, according to Amnesty International at least 57 people have been arrested for discussing democracy on the Internet. Journalist Shi Tao was sentenced to 10 years in prison for writing an e-mail on Yahoo to a China pro-democracy group in the U.S. Cisco in particular has funded over us $700 million telecom ventures in China including selling software to the Chinese police who use it to arrest dissenters.

Directly after the Tiananmen Square massacre in 1989, the US government banned the export of crime control and detection products to China, such as guns and handcuffs. However these sanctions are out of date. Today these restrictions must be expanded to include software and technology products that are used to censor the Internet.

DISSIDENTS AND POLITICAL PRISONERS

Human rights activists in China are frequently imprisoned for various reasons. Some recent examples include Sun Xiaodi, who has petitioned authorities to stop radioactive contamination in Gansu province Three Gorges activist Fu Xiancai who was assaulted and paralyzed after being questioned at a police station, numerous journalists such as New York Times researcher Zhao Yan, and religious practitioners and ethnic minorities. Not only are dissidents imprisoned for criticizing China's totalitarian regime, but the lawyers who defend them are being persecuted as well. For instance blind lawyer Chen Guangcheng is imprisoned for defending victims of forced abortions and sterilizations, as is Gao Zhisheng for sending a letter to the government condemning its practices. Moreover, these cases are only the ones of which the international community is aware; the reality is that unknown numbers are currently being harassed, arrested, tortured and imprisoned. The Chinese government will continue to quell political and civil unrest to maintain power and control.

CONCLUSION

The U.S. Congress should send a strong signal to the Chinese government that the world will not accept the human rights violations that are occurring in China. The Chinese people deserve the fundamental rights to a just legal system, to practice religion, to unionize, to plan their families, and to freely express themselves. While economic improvements have been made, China continues to deny its people dignity and basic rights. The U.S. must not remain silent any longer.

HONORING DR. MARGARET ANN HARRISON HILL FOR 40 YEARS OF ACHIEVEMENTS IN EDUCATION

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. LEWIS of California. Madam Speaker, I rise today in order to recognize Dr. Margaret

Ann Harrison Hill, an esteemed educator and public servant who is retiring after 40 years of top level service. I am honored to pay tribute to this outstanding community leader, and hope that my colleagues will join me in recognizing her achievements.

As many of my colleagues know, resources are essential tools for properly educating students. Dr. Hill understands this necessity, and throughout her career has served to increase the amount of materials available to teachers nationwide. As project director of the SCORE online program, Dr. Hill has overseen the creation of a database of educational resources that serves a wide range of teachers across the country. For 5 years Dr. Hill codirected Footsteps to Freedom, a project which aids educators in developing materials that inculcate study of the Underground Railroad into classroom curriculum. She has served as the curriculum coordinator for the San Bernardino County Superintendent of Schools, developing and implementing training programs that expand the leadership and instruction capacity of San Bernardino educators.

The "We the People Program" has been a tremendous success in my district under the leadership of Dr. Hill. Under the program, Dr. Hill has coordinated civic education training programs, and has expanded student knowledge of the political process by facilitating mock congressional hearings on constitutional issues. Dr. Hill has contributed her writing to several prominent publications, and has developed and written grant proposals that have helped to secure funding for important educational programs. She has served on countless educational advisory and planning boards and has remained a sought-after presenter at educational conferences in California and throughout the Nation.

Dr. Hill's commitment to social studies education has not gone unnoticed. Throughout her years in teaching, she has been the recipient of several awards. In 2001, Dr. Hill was chosen to receive the Hilda Taba Award for Outstanding History-Social Science Leadership in California, the highest honor presented by the California Council for the Social Studies. Dr. Hill has also been presented with awards from her own community, being named Outstanding Educator in Social Studies by the Inland Empire Council, and receiving the Service Award from the Inland Empire Consortium for International Studies.

Madam Speaker, Dr. Hill's retirement will undoubtedly leave San Bernardino County with a difficult void to fill. Her exemplary commitment to her students and peers is seldom seen, and I take great pleasure in knowing that many of the children residing in my district have been fortunate enough to learn from Dr. Hill. It is with honor that I congratulate Dr. Hill on her achievements, and wish her well in her future endeavors.

MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT OF 2007

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 12, 2007

Mr. DINGELL. Mr. Speaker, I submit the following for the RECORD for H.R. 4.

AMERICAN DIABETES ASSOCIATION,
Alexandria, VA, Jan 12, 2007.

Hon. SHELLEY MOORE CAPITO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CAPITO: On behalf of the 20.8 million adults and children living with diabetes in the United States, we write to let you know that the American Diabetes Association remains neutral on the issue of requiring the Department of Health and Human Services to negotiate for lower drug prices.

We understand that leading up to the debate on the Medicare Prescription Drug Price Negotiation Act of 2007 (H.R. 4) your office received a letter from one of the Association's local offices asking that you vote against H.R. 4. While we respect your right to have read the letter you received on the floor of the U.S. House of Representatives on January 12, 2007, we must retract the opposition offered in that letter. The structure of our Association is one in which all policy positions come out of the National Office and the letter you received was crafted in error. With regard to H.R. 4, the Association took no formal position.

Please know that the availability and cost of medications is of great importance to the Association. However, we have historically not been involved to the level of supporting or opposing specific strategies through which to lower prices or make medications available. When Part D was proposed and debated, for example, we remained neutral on the actual market-based construct of the program.

Thank you for your understanding of this situation. And, again please accept our apologies for the confusion. If you have any questions or would like to further discuss our position, please have your staff contact Andrea LaVeccia, Associate Manager of Government Affairs and Advocacy at (703) 253–2323.

Sincerely,

JAMES SCHLICHT,
Executive Vice President,
Government Affairs & Advocacy.

FAIR MINIMUM WAGE ACT OF 2007

SPEECH OF

HON. BETTY SUTTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 10, 2007

Ms. SUTTON. Mr. Speaker, one of the greatest measures of our success as elected representatives will be the impact our actions have on the silent majority of working class poor in America.

This Congress, to its shame, has ignored these Americans for over a decade now in favor of an embarrassing collection of legislative excess that favored the connected few.

Today, we put an end to it.

During the course of the campaign that ended just a few months ago, I met a woman whose story I have carried with me all the way to Congress.

She was working at the snack bar at the local bowling alley and she was working her heart out.

As she shared her story with me, it became terribly apparent that despite valiant efforts, she was struggling mightily to make ends meet for her family.

This fine woman you see was a single mother who had a teenage daughter at home, a daughter she worried about because she just had too little time to spend with her because she worked so much.

And this fine woman also had a son who had recently graduated from high school, a son who intended to join the military to serve his country and hopefully find a way to a higher education and a brighter future.

The problem was her son had a medical condition which precluded him from military service. And by the way, as hard as she worked, this fine woman did not have any health insurance.

As this proud woman and mother told me of her struggles to build a future for her family, her exhaustion grew and her strength diminished as she tried to think of a phone number where she could be reached.

You see, this fine woman not only worked at the local bowling alley, she also worked two other jobs where she earned minimum wage.

As she talked, her dilemma was apparent—she worried that her jobs were robbing her of the time her kids needed to spend with her but she knew that she needed to work all three minimum wage jobs just to provide for them.

This is not a choice that any woman or man should have to make and our Congress over the last decade should be ashamed for not helping this fine woman and tens of millions more hard working Americans.

As you can see from this very real and personal story, raising the minimum wage is not about politics, it's about traditional American values, it's about fairness and opportunity, it's about changing the way we treat our working men and women.

It's about paying rent, putting food on the table and paying for our children to go to college.

That is why today's vote to increase the minimum wage is so important, not just for our Nation's working families, not just for that proud woman and mother working at the bowling alley, but for her children, for our future.

Today with Americans supporting us, we start fighting for those who have been for far too long neglected.

IN MEMORY OF KATHERYN REEVES JEAN

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ROSS. Madam Speaker, I rise today to honor the memory of Katheryn Reeves Jean, who passed away January 14, 2007, in Magnolia, Arkansas.

Katheryn Reeves Jean was a pillar of the community of Magnolia and of greater Columbia County for decades. Mrs. Jean was a homemaker and president of Reeves Land and Timber Company. She also served the community in numerous ways, including Chairman of the Columbia County Election Commission, Justice of the Peace for Columbia County and Director of Farmer's Real Estate.

Mrs. Jean was a member of the Jackson Street Church of Christ, Quota Club International and the local and state Republican Party. Mrs. Jean was a former Girl Scout troop leader and a den mother for the Boy Scouts of America. Her dedication to making Magnolia and South Arkansas a better place to live could not have been greater.

My deepest condolences go to her two sons, Hal Jean and Mayor Lane Jean of Magnolia; her sister, Ann Reeves Eddy; and to her 4 grandchildren. Katheryn Reeves Jean will be greatly missed in Magnolia and throughout the state of Arkansas.

INTRODUCTION OF THE TAX CODE TERMINATION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. GOODLATTE. Madam Speaker, I rise today to re-introduce the ''Tax Code Termination Act''.

This bi-partisan legislation, which I introduced with my colleague COLLIN PETERSON of Minnesota, and 65 bi-partisan cosponsors, will accomplish two goals. It will abolish the Internal Revenue Code by December 31, 2010, and call on Congress to approve a new Federal tax system by July of the same year.

The fact is our current tax system has spiraled out of control. At a time when Americans devote a total of 7 billion hours each year to comply with the tax code, we need tax simplification. Today's tax code is unfair, discourages savings and investment, and is impossibly complex. The problem is Congress won't act on fundamental tax reform unless it is forced to do so. The Tax Code Termination Act will force Congress to finally debate and address fundamental tax reform.

Once the Tax Code Termination Act becomes law, today's oppressive tax code would survive for only 4 more years, at which time it would expire and be replaced with a new tax code that will be determined by Congress, the President, and the American people. The Tax Code Termination Act will allow us, as a nation, to collectively decide what the new tax system should look like. Having a date-certain to end the current tax code will force the issue to the top of the national agenda, where it will remain until Congress and the President finish writing the new tax law.

The tax code is hopelessly broken and abolishing it is the necessary first step to debating, designing, and adopting a new tax system. Although many questions remain about the best way to reform our tax system, I am certain that if Congress is forced to address the issue we can create a tax code that is simpler, fairer, and better for our economy than the one we are forced to comply with today.

Whichever tax system is adopted, the key ingredients should be: a low rate for all Americans; tax relief for working people; protection of the rights of taxpayers and reduction in tax collection abuses; promotion of savings and investment; and encouragement of economic growth and job creation. Taxes may be unavoidable but they don't have to be unfair and overcomplicated.

Just like other programs that require reauthorization, the tax code must be reviewed to examine whether it is fulfilling its intended purpose and then Congress must make what changes are necessary.

America's future depends on overcoming the handicap of the current tax code. There is a widespread consensus that the current system is broken, and keeping it is not in America's best interest. I urge each of my colleagues to support this important legislation.

MR. BUSH, MEET WALTER JONES

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. PAUL. Madam Speaker, I would like to place the following article written by eminent conservative commentator Patrick Buchanan into the CONGRESSIONAL RECORD. In this fine op-ed, Mr. Buchanan makes reference to the recent efforts by my colleague and good friend, Rep. WALTER JONES, JR, to derail the march to war with Iran. I am very pleased to have been an original co-sponsor of the legislation referenced by Mr. Buchanan, H.J. Res. 14, which puts forth the very simple idea that if we are going to have a war with Iran we must follow the Constitution. The resolution clarifies the fact that the President shall consult with Congress, and receive specific authorization pursuant to law from Congress, prior to initiating any use of military force against Iran. I hope my colleagues will read this article closely and consider what Mr. Buchanan has written—and what Rep. JONES is trying to do.

JANUARY 16, 2007.

MR. BUSH, MEET WALTER JONES

(By Patrick J. Buchanan)

America is four years into a bloody debacle in Iraq not merely because Bush and Cheney marched us in, or simply because neocon propagandists lied about Saddam's nuclear program and WMD, and Iraqi ties to al-Qaeda, anthrax attacks, and 9/11.

We are there because a Democratic Senate voted to give Bush a blank check for war. Democrats in October 2002 wanted the war vote behind them so they could go home and campaign as pro-war patriots.

And because they did, 3,000 Americans are dead, 25,000 are wounded, perhaps 100,000 Iraqis have lost their lives, 1.6 million have fled, $400 billion has been lost, and America stands on the precipice of the worst strategic defeat in her history.

Yet, Sens. Clinton, Biden, Kerry, and Edwards—all of whom voted to give Bush his blank check—are now competing to succeed him. And how do they justify what they did?

''If only we had known then what we know now,'' they plead, ''we would never have voted for the war.'' They are thus confessing to dereliction in the highest duty the Founding Fathers gave Congress. They voted to cede to a president their power to take us to war.

Now they wash their hands of it all and say, ''It's Bush's war!''

And now George Bush has another war in mind.

In his Jan. 11 address, Bush said that to defend the ''territorial integrity'' of Iraq, the United States must address ''Iran and Syria.''

''These two regimes are allowing terrorists and insurgents to use their territory to move in and out of Iraq. Iran is providing material support for attacks on American troops. We will disrupt the attacks on our forces. We will interrupt the flow of support from Iran and Syria. And we will seek out and destroy the networks providing advanced weaponry and training to our enemies in Iraq.''

The city sat bolt upright. If Bush was talking about Iranian agents inside Iraq, he has no need of a second aircraft carrier in the Gulf, nor for those Patriot missiles he is sending to our allies.

But does Bush have the authority to take us to war against Iran?

On ABC last Sunday, National Security Adviser Stephen Hadley, while denying Bush intends to attack Iran, nonetheless did not deny Bush had the authority to escalate the war—right into Iran.

George Stephanopoulos: ''So you don't believe you have the authority to go into Iran?''

Stephen Hadley: ''I didn't say that. That is another issue. Any time you have questions about crossing international borders, there are legal questions.''

Any doubt how Attorney General Gonzales would come down on those ''legal questions''? Any doubt how the Supreme Court would rule?

Biden sputters that should Bush attack Iran, a constitutional crisis would ensue.

I don't believe it. If tomorrow Bush took out Iran's nuclear facilities, would a Senate that lacks the courage to cut funds for an unpopular war really impeach him for denying a nuclear capability to Mahmoud Ahmadinejad? Bush's lawyers would make the same case Nixon made for the 1970 ''incursion'' into Cambodia—and even a Nixon-hating Democratic House did not dare to impeach him for that.

Bush's contempt for Congress is manifest and, frankly, justified.

Asked if Congress could stop him from surging 21,500 troops into Iraq, Bush on 60 Minutes brushed aside Congress as irrelevant.

''I fully understand [the Congress] could try to stop me from doing it. But I've made my decision. And we're going forward.'' Asked if he had sole authority ''to put the troops in there no matter what the Congress wants to do,'' Bush replied, ''In this situation I do, yeah.''

Is Congress then impotent, if it does not want war on Iran?

Enter Rep. Walter Jones, Republican of North Carolina.

The day after Bush's threat to Iran, Jones introduced a Joint Resolution, ''Concerning the Use of Military Force by the United States Against Iran.'' Under HJR 14, ''Absent a national emergency created by attack by Iran, or a demonstrably imminent attack by Iran, upon the United States, its territories, possessions, or its armed forces, the President shall consult with Congress, and receive specific authorization pursuant to law from Congress, prior to initiating any use of force on Iran.''

Jones' resolution further declares, ''No provision of law enacted before the date of the enactment of this joint resolution shall be construed to authorize the use of military force by the United States against Iran.''

If we are going to war on Iran, Jones is saying, we must follow the Constitution and Congress must authorize it.

If Biden, Kerry, Clinton, and Obama refuse to sign on to the Jones resolution, they will be silently conceding that Bush indeed does have the power to start a war on Iran. And America should pay no further attention to the Democrats' wailing about being misled on the Iraq war.

A TRIBUTE TO REPRESENTATIVE LOUISE WILLIAMS BISHOP

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor one of my city's great leaders, Representative Louise Williams Bishop. Representative Bishop, who I am

proud to say represents me in the Pennsylvania General Assembly, is an accomplished legislator who was first elected in 1989. She has demonstrated leadership throughout her entire career. And her activism in cultural, ecclesiastical, civil rights, and political organizations has enriched the lives of every Philadelphian.

Madam Speaker, Louise Williams Bishop is much more than just a legislator. A true servant of God, she has evangelized in the pulpit, in the capitol, and over the airwaves. For four decades, her radio program, ''The Louise Williams Show,'' has been the hallmark of gospel radio. Her excellence in broadcasting has earned her many accolades, including the title ''The Queen of Gospel Radio.'' For so many Philadelphians, Reverend Bishop has been a blessing in their cars and in their living rooms. She has been a lifeline for thousands of shut ins who would otherwise miss their worship experience. Each of them feels that she is his or her personal friend and minister. And, in many ways she is.

Madam Speaker, today, Representative Bishop will host her 20th annual birthday celebration tribute to the late Reverend Dr. Martin Luther King, Jr. For all the time she has hosted this celebration, I have been proud to call her my representative, my advisor, and my friend. I know that all of my colleagues in the Congress join me in honoring her.

MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

SPEECH OF

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to the passing of a great President and American, President Gerald R. Ford.

As I reflect upon the distinguished life and legacy of President Ford, the first things that come to mind are his honesty, integrity, and ability to make the tough decisions for a nation that was fiercely divided by war and recovering from a scandal at the highest level of government. He served with the best interest of America in mind, never losing sight of his faith, family, and his beloved roots in southwest Michigan.

President Ford was truly a Michigan original, and folks throughout our State saw an ordinary man become extraordinary; yet, he always remained our native son. His upbringing in Michigan molded the man that Gerry Ford became—growing up in an environment that encouraged him to pursue his vision of what America should and could be.

I have the great honor and privilege of representing some of the very same folks in southwest Michigan that President Ford did during his time in Congress.

All our hearts go out to Betty and the Ford children: Mike, Jack, Steve, and Susan during this difficult time.

His legacy continues to grow particularly as we see first hand the partisan divisions which divide our country and this Congress. President Ford was one that always put his country first and his party second.

President Ford was a remarkable man and an outstanding representative of the Wolverine State. Our Nation was blessed to have such a compassionate and steadfast leader and he will forever remain in our memory.

Farewell to our President. Go Blue.

INTRODUCTION OF THE NATIVE AMERICAN METHAMPHETAMINE ENFORCEMENT AND TREATMENT ACT OF 2007

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. UDALL of New Mexico. Madam Speaker, I rise today to introduce the Native American Methamphetamine Enforcement and Treatment Act of 2007.

Last year, Congress passed the Combat Methamphetamine Epidemic Act of 2005 as part of the reauthorization of the USA PATRIOT Act. Included in the bill were provisions that authorized funding for three important grant programs—the COPS Hot Spots Program, the Drug-Endangered Children Program, and the Pregnant and Parenting Women Offenders Program.

The Hot Spots Program specifically provides funding for a broad range of initiatives designed to assist State and local law enforcement in undertaking antimethamphetamine initiatives. The Drug-Endangered Children Grant Program provides comprehensive services to assist children who live in a home where meth has been used, manufactured, and sold. The Pregnant and Parenting Women Offenders Grant Program is designed to facilitate cooperation between the criminal justice, child welfare, and substance abuse systems in order to reduce the use of drugs by pregnant women and those with dependant children.

Unfortunately, tribal governments were unintentionally left out as possible applicants for the Hot Spots and Drug-Endangered Children Programs. The legislation I am introducing today seeks to rectify this by ensuring that, consistent with tribal sovereignty, tribes can apply for these grants, just as States can. Additionally, while tribes were included as eligible applicants for the Pregnant and Parenting Women Offenders Grant Program, clarifying language is needed to ensure there is ample coordination with tribal service providers. This legislation works to achieve this coordination.

In 2005, the Drug Enforcement Administration and State and local law enforcement officials counted 12,484 Clandestine Laboratory Incidents in 48 States. In New Mexico alone, the State Department of Public Safety Narcotics Section handled over 400 cases involving meth in 2004. While this is disturbing enough, the situation can be worse in Native American communities. In studies of ''past year methamphetamine use,'' Native communities have the highest use rates—more than double the use rate of other ethnicities. Additionally, when the Bureau of Indian Affairs surveyed tribes about law enforcement, more than 70 percent said that meth is the drug that poses the greatest threat to their reservation. It is evident that more needs to be done to stop the manufacturing and use of meth.

As a co-vice chair of the Congressional Native American Caucus and a member of the Congressional Caucus to Fight and Control Methamphetamine, I am uniquely aware of the substantial obstacles our criminal justice, child welfare, and substance abuse systems face in the fight against meth. As such, I am pleased to introduce this legislation today and wish to thank original cosponsor Representative DALE KILDEE for his support. Mr. KILDEE has worked diligently on this matter and continues to be a strong advocate for all Native American issues. I urge my colleagues to join us in helping to give Native American communities the resources they need to combat this epidemic, by cosponsoring this bill.

TRIBUTE TO JOHNSON COUNTY LIBRARIAN MONA CARMACK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. MOORE of Kansas. Madam Speaker, I rise today to salute Johnson County Librarian Mona Carmack, who is retiring later this month, and will be honored on January 25, at the Overland Park Sheraton Hotel. Because of scheduled votes in Congress that evening, I will be unable to attend, but want to recognize her today. It is only fitting that the Library of Congress will contain a tribute to an outstanding librarian of our era.

Johnson County is the fastest growing county in Kansas. During her 18 years of exemplary professional service to our citizens, Mona oversaw the expansion of the library system with six new branches, and significant improvements at three others. The library system's holdings increased from nearly 565,000 to 1.5 million during her tenure, and the operating budget increased from $5 million to $21.6 million.

Most amazing of all, during that time, the circulation per capita increased from 6.1 to 16.4, and the percentage of the county's population registered as library users increased from 72 percent to 84 percent. Our county libraries are beautiful, airy, modern facilities, packed with excellent resources, and significantly contribute to the outstanding quality of life that Johnson Countians enjoy.

Mona and her staff have received numerous national library awards, including being named a Finalist in the Innovations in American Government competition in 1998, and culminating in a National Award from the Institute of Museum and Library Services in 2005. Mona was honored by her peers with 2002 awards from the Kansas Library Association and the Mountain Plains Library Association.

Like any good librarian, the issue dearest to Mona's heart is literacy. Literacy is emphasized in children's programming, and the Library, in cooperation with the Johnson County Community College, operates an adult literacy program. Mona also serves on metropolitan literacy organizations, such as the Literacy Kansas City Board and the Metropolitan Alliance for Adult Learning.

After I took office in 1999, Mona was kind enough to give me a tour and briefing of the library. My office has often used the outstanding facilities of the Johnson County libraries to host community office hours with my constituents.

Madam Speaker, we all wish Mona the very best for the next chapter of her life, and hope that she will continue to contribute her leadership and knowledge to our area.

HONORING FIRE CHIEF HOWARD D. ''JACK'' FRASER, NORWICH, VERMONT

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. WELCH of Vermont. Madam Speaker, it is with great pride that I stand here before you today to celebrate the birthday of a great Vermonter, public servant, and friend.

For more than 50 years Jack Fraser has made public service his way of life. Jack first joined the Norwich Fire Department in 1955. At the time, Jack was simultaneously enrolled at the University of Vermont and participating in the ROTC program. When he graduated in 1960, Jack was commissioned as an officer in the United States Army.

Always one to take on the toughest challenges, Jack became an Army Ranger and served two tours of duty in Vietnam. He continued in the military after he returned home, teaching as an ROTC instructor at the University of Vermont. He retired from the US Army Reserve in 1990 with the rank of Colonel, having served his country for 35 years.

Meanwhile, Jack had continued his public service in the Norwich, Vermont Fire Department, becoming Fire Chief in 1995. Under the leadership of Chief Fraser, the Department modernized and improved its fire apparatus, its training equipment, its rural fire protection, and its rescue operations. Jack developed particular expertise in the field of hazardous materials, developing Norwich's first hazardous materials response plan. Largely as a result of his work, the town of Norwich earned one of the highest public protection classification rates in Vermont.

Jack officially retired from his civic duties on December 31, 2006. Please join me today in thanking Jack Fraser for all he has done for his town, his country, and the state of Vermont.

MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT OF 2007

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 12, 2007

Mr. UDALL of New Mexico. Madam Speaker, I rise today in strong support of H.R. 4 and urge my colleagues to support the passage of this legislation that will, I believe, provide lower drug prices for millions of Medicare beneficiaries.

We all know that the costs of prescriptions are a huge burden on Americans throughout the country. That is why during past sessions of Congress I have cosponsored legislation to grant the HHS Secretary the authority to negotiate prescription drug prices. Never before, however, have we been this close to making the negotiating authority a reality. No one could be happier about this than the American people. In a recent poll 92 percent stated that they support the proposal to grant HHS negotiating authority.

Madam Speaker, there is good reason for this overwhelming support of negotiating authority. Pharmaceutical companies continue to rake in millions while consumers are forced to face the high prices of their product. I urge my colleagues to join me in supporting this important legislation and take an important step towards providing price relief for millions of Medicare beneficiaries.

GENERAL MOTORS' AURA NAMED ''CAR OF THE YEAR''

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. MOORE of Kansas. Madam Speaker, I join with the staff of General Motors' Fairfax plant in Kansas City, Kansas, in celebrating the recent designation of GM's Aura model car as "North American Car of the Year" at the recent North American International Auto Show. The Aura is manufactured exclusively at the Fairfax plant, which is located in Kansas's Third Congressional District. The Aura's win was the first time GM had won car of the year since the Corvette won in 1998. And to win the award, it had to beat out the redesigned Toyota Camry, the nation's best-selling car model, which had just won the car of the year honors from Motor Trend, as well as the Honda Fit, the subcompact car recently introduced to the U.S. market. As Karl Brauer, editor-in-chief of Edmunds.com and one of 49 jurors voting for the award, was quoted as saying by CNN, "It's an undeniable statement about where Saturn has gotten," he said. "You could say it's long overdue, but they are now producing a competitive vehicle in a very competitive class."

Madam Speaker, in recognition of this outstanding achievement, I am placing in the Congressional Record recent Kansas City Star coverage of this well-deserved designation, and I know that you and the entire House of Representatives join with me in recognizing the designation of the Aura as "Car of the Year".

[From the Kansas City Star, Jan. 9, 2007]

GM AURA IS ''CAR OF THE YEAR''

(By Randolph Heaster)

A group of automotive journalists named the Saturn Aura ''North American Car of the Year'' at the North American International Auto Show in Detroit.

The news that the Saturn Aura won a car of the year award was a boost for the General Motors Corp.'s Fairfax plant, the exclusive maker of the new model.

The Aura was named ''North American Car of the Year'' by a group of 49 automotive journalists from the U.S. and Canada at the North American International Auto Show in Detroit.

The car was launched last August at the Fairfax plant, which employs nearly 3,000.

''Our employees are known for their commitment to quality and teamwork,'' said Paul Marr, manager of the Fairfax plant. ''This recognition is a win for Fairfax Assembly and our community as we strive to keep jobs in Kansas City.''

Union officials at the Fairfax plant could not be reached Monday. However, Jeff Manning, president of United Auto Workers Local 31, stated frequently during Aura's launch that the employees' goal was for it to receive car-of-the-year honors.

The Aura is the second locally made vehicle to receive such a recognition this decade. The F–150 pickup, made at Ford Motor Co.'s Claycomo plant, was named ''Truck of the Year'' by Motor Trend magazine for 2004.

The recognition is a shot in the arm for GM, which has been struggling since higher fuel prices slowed sales of pickup trucks and sport utility vehicles. Industry analysts have stated that GM and the other domestic automakers must better compete against Japanese auto companies in the midsize passenger-car market.

GM hopes that this week's auto show will create some buzz for the new Chevrolet Malibu, which will be unveiled for the first time. The Fairfax plant, which builds the current Malibu, will begin producing the redesigned 2008 Malibu in October.

The Fairfax plant produced 39,699 Auras in 2006. More than 5,800 were sold last month.

The auto show also gave GM's new Chevrolet Silverado the award for truck of the year.

TRIBUTE TO THE LIFE OF JOSEPH MACKEY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. CAPUANO. Madam Speaker, I rise to honor and reflect on the life of Mr. Joseph Mackey, a dedicated public servant who was committed to improving the world around him in large and small ways. Joe was born in Somerville, Massachusetts, and attended Somerville High School. He went on to graduate cum laude from Harvard University and later earned his J.D. from the University of Virginia. In 1979, Joe returned to his roots and was elected an alderman for the city of Somerville.

In 1984, Joe began representing his hometown in the State legislature and served with distinction through 1990. He championed victims' rights, environmental initiatives, and led the fight to implement Massachusetts' first gay rights legislation.

Although Joe left the legislature in 1990, he never stopped advocating for his community. Joe was the founding member of Dreams for Youth, a nonprofit organization that provides financial support for a number of worthwhile groups, including Somerville's youth programs, the Somerville Scholarship Foundation and the Girls' Pride Basketball Foundation.

During his lifetime, Joe received many well-deserved honors. He was named Legislator of the Year by the Massachusetts Bar Association and the Massachusetts Victim and Witness Assistance Board for his work on behalf of crime victims. The Victim Advocacy Network also honored Joe as an Outstanding Legislator.

Throughout Joe's life, he worked to improve his community. Whether it was through the legislative process or as a private citizen devoting time to a worthy cause, Joe exemplified the value of giving something back.

LEGISLATION TO DESIGNATE THE FEDERAL COURTHOUSE IN SANTA FE, NM, AFTER JUDGE SANTIAGO CAMPOS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. UDALL of New Mexico. Madam Speaker, I rise today to honor Judge Santiago Campos by reintroducing legislation to name the Federal courthouse in Santa Fe, New Mexico, after him. We are approaching the sixth anniversary of his passing, which occurred on January 20, 2001, and naming this courthouse after the first Hispanic appointed to the Federal bench in New Mexico is a long overdue tribute. I am again pleased to be joined in introducing this legislation by Representatives GONZALEZ, GRIJALVA, MCDERMOTT, GREEN, and PASTOR. They have all cosponsored in the past and I thank them for cosponsoring again.

Judge Santiago Campos was the first Hispanic appointed to the Federal bench in New Mexico, serving from 1978 until his death in 2001, including as chief judge from 1987 through 1989. Judge Campos' career of public service only culminated with his service as a United States District Court Judge, as he also served in the United States Navy as a seaman first class from 1944 to 1946, as the Assistant and First Assistant Attorney General of New Mexico from 1954 to 1957, and as a District Court Judge from 1971 to 1978 in the First Judicial District in the State of New Mexico. Judge Campos served with distinction on the bench and displayed both firmness and compassion with those who entered his courtroom. He was a life long resident of New Mexico and graduated first in his law school class at the University of New Mexico.

Judge Campos was very active in his courtroom, often exercising his right to question witnesses in the middle of cross-examinations. Many agree that he became more involved in a case than other judges, but still let a lawyer try his own case. One of his most memorable cases ordered the Gannett Co. to return the New Mexican, Santa Fe's daily newspaper, to its former owner, Robert McKinney, due to a breach of contract.

During his career, Campos was an honorary member of the Order of the Coif. He also received the Distinguished Achievement Award of the State Bar of New Mexico in 1993, and in the same year the University of New Mexico honored him with a Distinguished Achievement Award.

Madam Speaker, following his passing, the New Mexico State legislature passed a joint memorial requesting Congress to name the Federal courthouse in Santa Fe, New Mexico, after Judge Campos. Judge Campos had his chambers in this courthouse for over 22 years. In addition, the judges of the Tenth Circuit Court of Appeals who reside in New Mexico and the district judges of the District of New Mexico unanimously requested and support congressional action to name the Federal courthouse after Judge Campos. I am pleased to once again take up this effort.

I am hopeful this will be the year to get this legislation passed and signed into law to honor this great man with a small token of appreciation for the remarkable life that he lived.

IMPLEMENTING THE 9/11 COMMISSION RECOMMENDATIONS ACT OF 2007

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. ISRAEL. Mr. Speaker, on September 11th, 2001, my congressional district lost well over one hundred people; and tens of thousands of lives were shattered.

So it is on their behalf that I rise today and support passage of this bill, to implement the recommendations of the bipartisan 9–11 Commission.

I am grateful that the first bill to be passed in the first hours of a new majority is this one. Because America can't afford to wait another minute. We've had 5½ years of excuses, delays, postponements and lobbying. That's 5½ years too long.

Even today, Mr. Speaker, there are some who doubt we can meet the deadlines to screen air cargo in 3 years and shipping cargo in 5 years.

Mr. Speaker, America's greatest triumphs were not achieved by saying "it's too hard." They were secured by refusing to take no for an answer.

In 1962, 5 years after Sputnik was launched, John F. Kennedy said, "By the end of the decade we will land on the moon."

In 2007, over 5 years after 9–11, we are saying, "by the end of the decade we will screen all air cargo on our planes."

If we could research, develop, engineer and build the systems that lifted people into space, out of orbit, propel them to the moon, land them on the moon, bring them back to their capsule, return to earth, survive a fiery reentry and deposit them safely in the ocean—then we should be able to figure out how to screen air cargo in a way that minimizes risk and inconvenience to people who get on planes.

Mr. Speaker, when it came to securing America's place in the world, President Kennedy didn't say "I wish we could land a man on the moon but it's not easy enough, so instead we'll send a bus to Des Moines."

Mr. Speaker, when it came to preserving our national survival, President Roosevelt didn't say, "Yesterday was a day of infamy, so let's spend 5½ years figuring out how to respond with the least inconvenience to the American people."

Mr. Speaker, when it comes to the safety and security of my constituents, there can be no more excuses, no further delay, no higher priority.

And to those who disagree with me, who earnestly and honorably believe we must continue to study feasibility and practicalities, I will share other words of President Kennedy, from that same speech when he told America we would go to the moon:

> We choose to go the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win, and the others, too.

THE INTRODUCTION OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2007

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. ABERCROMBIE. Madam Speaker, I rise today to introduce a bill which is a companion measure to legislation introduced by Senator DANIEL AKAKA in the Senate this morning. This measure is called the Native Hawaiian Government Reorganization Act of 2007. The purpose of the bill is to provide a process for the reorganization of the Native Hawaiian governing entity for the purposes of a federally recognized government-to-government relationship.

On this day 114 years ago, the monarchy of the Kingdom of Hawaii was overthrown by agents of the United States. This injustice created wounds and issues that have never been healed or resolved. Fourteen years ago, the United States government took a step toward reconciling this part of history by passing a resolution which acknowledged the overthrow of the Kingdom of Hawaii and offered an apology to Native Hawaiians.

The Native Hawaiian Government Reorganization Act would take another step in the reconciliation process by providing Native Hawaiians the same right of self-governance and self-determination that are afforded to other indigenous peoples. Since Hawaii was annexed as a territory, the United States has treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives. This bill would formalize that relationship and establish parity in federal policies towards all of our indigenous peoples.

This bill will also provide a structured process to address the longstanding issues resulting from the overthrow of the Kingdom of Hawaii. This discussion has been avoided for far too long because no one has known how to address or deal with the emotions that arise when these matters are discussed. There has been no structured process. Instead, there has been fear as to what the discussion would entail, causing people to avoid the issues. Such behavior has led to high levels of anger and frustration, as well as misunderstandings between Native Hawaiians and non-Native Hawaiians.

The bill provides a structured process to negotiate and resolve these issues with the federal and state governments and will alleviate the growing mistrust, misunderstanding, anger, and frustration about these matters.

This measure is supported by Hawaii's Governor, Linda Lingle, Hawaii's Congressional delegation, and the Hawaii State Legislature. The bill is also supported by a number of organizations in Hawaii who have passed resolutions in support of enacting this bill.

I ask my colleagues to support this measure and advance the reconciliation process for our people.

A TRIBUTE TO DEACON JOHN HENRY WOOTEN, SR.

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. BUTTERFIELD. Madam Speaker, it is with great sadness that I rise today to pay tribute to Deacon John Henry Wooten, Sr. of Goldsboro, North Carolina. Deacon Wooten, an icon in education and service for Eastern North Carolina and a man whom I greatly admired, passed away this week.

Madam Speaker, Deacon Wooten's lifelong commitment to education left an indelible mark on the people he served. He received both his Bachelor of Science and Master of Science degrees from North Carolina A&T State University, and went on to serve on their Board of Trustees from 1993–2001. His work as a science teacher and principal of Dillard High School in Goldsboro, and also as an administrator of Goldsboro City Schools, enriched the lives of countless young people from the County of Wayne. His commitment to service began much earlier, as he served bravely in the United States Army during World War II and as a reservist until 1949.

Deacon Wooten's dedication to community service extended well beyond education and the military. He served for 12 years on the Wayne County Board of Commissioners and was the first African-American chairman of that Board. He also served on the Goldsboro Redevelopment Commission, the Board of Directors for Wayne Memorial Hospital, the Wayne Health Corporation and on the Salvation Army Advisory Board. All of that aside, one of his greatest contributions was to the First African Missionary Baptist Church of Goldsboro, where he served as a Deacon, Sunday School teacher, President of the Laymen's League and as a member of the chorus. Deacon Wooten's faithfulness to the church and his tireless work for our community spoke volumes of his unselfish character.

Madam Speaker, Deacon Wooten has often been recognized for the many accomplishments he achieved over his lifetime. The North Carolina A&T State University National Alumni Association recognized him for Outstanding Leadership as President in 1988. The Neuse River Council of Governments named him Outstanding Commissioner of the Year in 1993. A member of the Omega Psi Phi fraternity, he was twice named their Man of the Year and won many other honors throughout his life.

Madam Speaker, in honor and recognition of Deacon John Henry Wooten's diligent service as an educator, legislator and leader, I ask my Colleagues to join me in paying a final tribute to this great man.

STEM CELL RESEARCH ENHANCEMENT ACT OF 2007

SPEECH OF

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. FORTENBERRY. Mr. Speaker, please find attached references which conclusively demonstrate the therapeutic benefits experienced by human patients who have undergone a variety of adult stem cell treatments. These references are available at www.stemcellresearch.org. Also, please find attached the text of a Wall Street Journal article on November 16, 2006, citing progress on amniotic stem cell research as referenced in my floor statement during the January 11 debate on H.R. 3.

PEER-REVIEWED REFERENCES SHOWING APPLICATIONS OF ADULT STEM CELLS THAT PRODUCE THERAPEUTIC BENEFIT FOR HUMAN PATIENTS

ADULT STEM CELLS—HEMATOPOIETIC REPLACEMENT

CANCERS

Brain Tumors—medulloblastoma and glioma. Dunkel, IJ; ''High-dose chemotherapy with autologous stem cell rescue for malignant brain tumors''; Cancer Invest. 18,492–493; 2000.

Ovarian Cancer—Stiff PJ et al.; ''High-dose chemotherapy and autologous stem-cell transplantation for ovarian cancer: An autologous blood and marrow transplant registry report''; Ann. Intern. Med. 133, 504–515; Oct. 3, 2000. Schilder, RJ and Shea, TC; ''Multiple cycles of high-dose chemotherapy for ovarian cancer''; Semin. Oncol. 25, 349–355; June 1998.

Testicular Cancer—Bhatia S et al.; ''High-dose chemotherapy as initial salvage chemotherapy in patients with relapsed testicular cancer''; J. Clin. Oncol. 18, 3346–3351; Oct. 19, 2000.

Lymphoma—Josting, A; ''Treatment of Primary Progressive Hodgkin's and Aggressive Non-Hodgkin's Lymphoma: Is There a Chance for Cure?''; J Clin Oncol 18, 332–339; 2000. Koizumi M et al.; ''Successful treatment of intravascular malignant lymphomatosis with high-dose chemotherapy and autologous peripheral blood stem cell transplantation''; Bone Marrow Transplant 27, 1101–1103; May 2001.

Acute Lymphoblastic Leukemia—Laughlin MJ et al.; ''Hematopoietic engraftment and survival in adult recipients of umbilical-cord blood from unrelated donors'', New England Journal of Medicine 344, 1815–1822; June 14, 2001.

Breast Cancer—Damon LE et al.; ''High-dose chemotherapy and hematopoietic stem cell rescue for breast cancer: experience in California''; Biol. Blood Marrow Transplant 6, 496–505; 2000.

ADULT STEM CELLS—IMMUNE SYSTEM REPLACEMENT AUTOIMMUNE DISEASES

Systemic Lupus—Burt RK et al., Nonmyeloablative hematopoietic stem cell transplantation for systemic lupus erythematosus, Journal of the American Medical Association 295, 527–535, February 1, 2006.

Crohn's Disease—Burt RK et al., ''High-dose immune suppression and autologous hematopoietic stem cell transplantation in refractory Crohn disease,'' Blood 101, 2064–2066, March 2003.

Juvenile Arthritis—IM de Kleer et al., Autologous stem cell transplantation for refractory juvenile idiopathic arthritis: analysis of clinical effects, mortality, and transplant related morbidity, Ann Rheum Dis 63, 1318–1326, 2004.

Multiple Sclerosis—Saccardi R et al., Autologous HSCT for severe progressive multiple sclerosis in a multicenter trial: impact on disease activity and quality of life, Blood 105, 2601–2607, 15 March 2005.

ANEMIAS AND OTHER BLOOD CONDITIONS

Sickle Cell Anemia—Klein A et al., Hematopoietic stem cell transplantation for severe sickle cell disease, Rev Med Brux. 2005; 26 Spec no: Sp23–5.

Chronic Epstein-Barr Infection—Fujii N et al.; ''Allogeneic peripheral blood stem cell transplantation for the treatment of chronic active epstein-barr virus infection''; Bone Marrow Transplant 26, 805–808; Oct. 2000.

ADULT STEM CELLS—REPAIR/REPLACEMENT OF SOLID TISSUES METABOLIC DISORDERS

Osteopetrosis—Tsuji Y et al., Successful nonmyeloablative cord blood transplantation for an infant with malignant infantile osteopetrosis, J Pediatr Hematol Oncol. 27, 495–498, Sept 2005.

OCULAR

Corneal Regeneration—Inatomi T et al., Midterm results on ocular surface reconstruction using cultivated autologous oral mucosal epithelial transplantation, American Journal of Ophthalmology 141, 267–275, February 2006.

WOUNDS & INJURIES

Limb Gangrene—Tateishi-Yuyama E et al., ''Therapeutic angiogenesis for patients with limb ischaemia by autologous transplantation of bone-marrow cells: a pilot study and a randomized controlled trial''; Lancet 360, 427–435; 10 August 2002.

HEART DAMAGE

Acute Heart Damage—Joseph J et al., Safety and effectiveness of granulocyte-colony stimulating factor in mobilizing stem cells and improving cytokine profile in advanced chronic heart failure, American Journal of Cardiology 97, 681–684, 1 March 2006.

Chronic Coronary Artery Disease—Strauer BE et al., Regeneration of human infarcted heart muscle by intracoronary autologous bone marrow cell transplantation in chronic coronary artery disease, Journal of the American College of Cardiology 46, 1651–1658, 1 November 2005.

NEURAL DEGENERATIVE DISEASES & INJURIES

Stroke—Shyu W-C et al., Granulocyte colony-stimulating factor for acute ischemic stroke: a randomized controlled trial, Canadian Medical Association Journal 174, 927–933, 28 March 2006.

PARKINSON'S DISEASE

Using Direct Stimulation of Patients' Endogenous Adult Neural Stem Cells—Love S et al., Glial cell line-derived neurotrophic factor induces neuronal sprouting in human brain, Nature Medicine 11, 703–704, July 2005.

Slevin JT et al., Improvement of bilateral motor functions in patients with Parkinson disease through the unilateral intraputaminal infusion of glial cell line-derived neurotrophic factor, Journal of Neurosurgery 102, 216–222, February 2005.

Spinal Cord Injury—Lima C et al., Olfactory mucosa autografts in human spinal cord injury: A pilot clinical study, Journal of Spinal Cord Medicine 29, 191–203, July 2006.

LIVER DISEASE

Liver Cirrhosis—Terai S et al., Improved liver function in liver cirrhosis patients after autologous bone marrow cell fusion therapy, Stem Cells published online 15 June 2006; DOI: 10.1634/stemcells.2005–0542.

BLADDER DISEASE

End-Stage Bladder Disease—Atala A et al., Tissue-engineered autologous bladders for patients needing cytoplasty, The Lancet 367, 1241–1246, 15 April 2006.

SCIENTISTS GROW HEART VALVES EMPLOYING AMNIOTIC STEM CELLS

CHICAGO—Scientists for the first time have grown human heart valves using stem cells from the fluid that cushions babies in the womb—offering a revolutionary approach that may be used to repair defective hearts in the future.

The idea is to create new valves in the lab while the pregnancy progresses and have them ready to implant in a baby with heart defects after it is born.

The Swiss experiment follows recent success growing bladders and blood vessels and suggests people may one day be able to grow their own replacement heart parts—in some cases, before they're born.

It's one of several sci-fi tissue engineering advances that could lead to homegrown heart valves for infants and adults that are more durable and effective than artificial or cadaver valves.

''This may open a whole new therapy concept to the treatment of congenital heart defects,'' said Dr. Simon Hoerstrup, a University of Zurich scientist who led the work, which was presented yesterday at an American Heart Association conference.

Also at the meeting, Japanese researchers said they had grown new heart valves in rabbits using cells from the animals' own tissue. It is the first time replacement heart valves have been created in this manner, said lead author Dr. Kyoko Hayashida.

One percent of all newborns, or more than one million babies born world-wide each year, have heart problems. These kill more babies in the U.S. in the first year of life than any other birth defect, according to the National Institutes of Health.

Heart-valve defects can be detected with ultrasound tests at about 20 weeks of pregnancy. At least one-third of afflicted infants have problems that could be treated with replacement valves, Dr. Hoerstrup said.

Conventional procedures to fix faulty heart valves all have drawbacks. Artificial valves are prone to blood clots and patients must take anticlotting drugs for life. Valves from human cadavers or animals can deteriorate, requiring repeated open-heart surgeries to replace them, Dr. Hijazl said. That's especially true in children, because these valves don't grow along with the body. Valves made from the patient's own cells are living tissue and might be able to grow with the patient, said Dr. Hayashida, a scientist at the National Cardiovascular Center Research Institute in Osaka.

The Swiss procedure has another advantage: using cells the fetus sheds in amniotic fluid avoids controversy because it doesn't involve destroying embryos to get stem cells.

ON INTRODUCTION OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2007

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Ms. HIRONO. Madam Speaker, I rise today to express my strong support for the Native Hawaiian Government Reorganization Act of 2007, which is being introduced today by Senators AKAKA and INOUYE in the Senate and by Congressman ABERCROMBIE and me in the House.

The central purpose of the bill is to extend the federal policy of self-determination and self-governance provided to the other indigenous peoples of the United States—American Indians and Alaskan Natives—to Native Hawaiians. In addition, the bill establishes an office in the Department of the Interior to focus on Native Hawaiian issues and establishes a federal interagency working group.

The United States Congress has a long history of treating Native Hawaiians as an indigenous people. The special relationship Native Hawaiians have with the Federal Government is evidenced by the more than 160 statutes Congress has passed over the years to address the needs of the Native Hawaiian people. Nonetheless, the Rice v. Cayetano Supreme Court decision highlighted the need to clarify the authority of Congress to deal with Hawaii's indigenous people on a government-to-government basis under the U.S. Constitution's Indian Commerce Clause.

I attended the Rice v. Cayetano hearing at the Supreme Court while I was serving as Hawaii's lieutenant governor. I wanted to hear first hand where the Justices were on the question of whether Hawaiians are indigenous people. Clearly, there was a lack of understanding on this point, which resulted in an unfavorable decision in the case.

It is important to note that the Native Hawaiian Government Reorganization Act, also known as the Akaka bill, enjoys wide support in the State of Hawaii. As demonstrated by the introduction of these bills, the entire Congressional delegation supports the bill. Hawaii's Republican governor also supports the bill, as do the majority of elected officials in the State.

Today is the 114th anniversary of the illegal overthrow of the Kingdom of Hawaii. It is fitting that we come together on this day to pledge to restore to the Native Hawaiian people the inherent right of self-determination our Nation has granted to the other indigenous peoples of our Nation.

RECOGNIZING JOHN VANDERBURGH FOR HIS SERVICE TO THE COMMUNITY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Ms. BORDALLO. Madam Speaker, it is commonly said that public service is not the path to financial wealth. Perhaps that is true, but, as we know, it is an enriching experience in more valuable ways. The rewards for helping people can be found in successfully meeting challenges and in the gratitude of the people helped. Staying true to the demands of public service and remaining committed to the tasks at hand require a strong sense of duty and responsibility.

On January 19, 2007, a faithful public servant with such virtues will leave his post after 35 years. Mr. John Vanderburgh, the Social Security Administration's Disability Programs coordinator for the Guam Federal Disability Office, will retire. The decision to do so was not easy to make. ''My job is wonderful,'' he says. ''I get to work directly with the public in a most personal and meaningful way. I also have the privilege of working and negotiating with professional and high-level private and public agencies, and the medical community in general, to try to provide a level of service comparable to that found anywhere stateside.''

After serving his country in the U.S. Army, Mr. Vanderburgh launched his public service career with the Social Security Administration in 1974, starting as a claims representative in San Francisco and rising through the ranks to operations supervisor and district manager, with a stint in between as staff assistant for the Civic Center. In 1988, John moved to the San Francisco Regional Office's Disability Quality Branch, to focus on the disability program. In 1995, John came to Guam to head the Federal Disability Office.

The Guam Federal Disability Office, FDO, serves the Pacific territories—from Guam and the Commonwealth of the Northern Marianas to American Samoa, an expansive and culturally and linguistically diversified area. Yet, during his tenure, John has maintained the FDO as a full-service Federal disability determination center, processing some 1,000 disability claims annually.

Although John will be missed, we join his staff in wishing him well. And on behalf of the people of Guam, we commend him for his service to our community, we congratulate him on his retirement, and we thank him for a job well done.

PERSONAL EXPLANATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. CALVERT. Madam Speaker, pursuant to my leave of absence, I am submitting for the RECORD how I would have voted if I had been present earlier today, in addition to comments that I request also be entered into the record.

I would have voted as follows on today's recorded votes: rollcall No. 27—Yea—H. Con. Res. 31—Honoring the Mare Island Original 21ers for their efforts to increase equal employment opportunities in the military, rollcall No. 28—Yea—H.R. 434—Short Term Extension of the Small Business Administration, rollcall No. 29—Nay—Ordering the Previous Question on the Rule for H.R. 5, rollcall No. 30—Nay—Adoption of the Rule for H.R. 5, rollcall No. 31—Yea—Republican Motion to Recommit for H.R. 5, and rollcall No. 32—Nay—Final Passage of H.R. 5.

H.R. 5 which is being considered without regular order or Republican input, falls far short of their original proposal to cut all student loan interest rates in half, increase Pell grants and increase tax deductions for parents of college students. This legislation is not part of a comprehensive approach which provides accountability and transparency for escalating tuition costs. A temporary interest rate decrease for college graduates is only part of the solution. The reduced interest rate does not apply to PLUS loans, consolidation loans, or unsubsidized Stafford loans.

Rollcall No. 33—Yea—H. Res. 58—To Honor Muhammad Ali, global humanitarian, on the occasion of his 65th birthday.

HONORING THE MARE ISLAND ORIGINAL 21ERS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 16, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Con. Res. 31, which honors the 21 African-American workers at Mare Island Naval Shipyard

who filed a complaint of racial discrimination in 1961. This courageous decision to speak out led then Defense Secretary Robert McNamara to acknowledge the presence of military employment discrimination based on race in 1963. These 21 workers went on to establish the "Original 21ers Club" for the purpose of elevating qualified minorities in every phase of Mare Island employment. Their efforts have led to increased equal opportunity employment in the region and in military facilities throughout the rest of the Nation, and it is for this great impact on our society that we honor them today.

I thank my friend, the distinguished gentleman from California, Chairman GEORGE MILLER, for introducing this bill acknowledging the efforts of these hardworking men. It is especially fitting that we pass this legislation today, the first legislative day after the observance of the national holiday honoring the Rev. Dr. Martin Luther King, Jr.

Madam Speaker, this legislation highlights President John F. Kennedy's establishment of the Committee of Equal Employment Opportunity in 1961, which allowed the 21 workers proper recognition of their complaint. This committee was an essential forerunner to the Equal Employment Opportunity Commission in existence today.

I urge my colleagues to vote in favor of this bill to honor these young men and their efforts toward equal opportunity employment for all Americans.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 18, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 19

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies
Subcommittee Health, Education, Labor, and Pensions
To hold joint hearings to examine stem cell research.
SD–192

JANUARY 23

9:30 a.m.
Armed Services
To hold hearings to examine the nomination of Lieutenant General David H. Petraeus, USA, to be General and Commander, Multi-National Forces-Iraq.
SR–325

Judiciary
To hold hearings to examine challenges and strategies for securing the U.S. border.
SD–226

10 a.m.
Budget
To hold hearings to examine the growing tax gap and strategies for reducing it.
SD–608

JANUARY 24

9 a.m.
Foreign Relations
Business meeting to consider S. Con. Res. 2, a resolution expressing the bipartisan resolution on Iraq.
SH–216

9:45 a.m.
Energy and Natural Resources
To hold hearings to examine analysis completed by the Energy Information Administration, "Energy Market and Economic Impacts of a Proposal to Reduce Greenhouse Gas Intensity with a Cap and Trade System".
SD–366

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the state of the airline industry, focusing on the potential impact of airline mergers and industry consolidation.
SR–253

Finance
To hold hearings to examine the nomination of Michael J. Astrue, of Massachusetts, to be Commissioner of Social Security.
SD–215

Health, Education, Labor, and Pensions
Organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments; committee will also consider the Genetic Information Nondiscrimination Act.
SD–430

JANUARY 25

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine oil and gas resources on the Outer Continental Shelf and areas available for leasing in the Gulf of Mexico.
SD–366

JANUARY 30

10 a.m.
Energy and Natural Resources
To hold hearings to examine the status of Federal land management agencies' efforts to contain the costs of their wildlife suppression activities and to consider recent independent reviews of and recommendations for those efforts.
SD–366

2 p.m.
Foreign Relations
To hold hearings to examine the remaining options, alternative plans and the Iraq Study Group relating to securing America's interests in Iraq.
SH–216

FEBRUARY 1

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the communications marketplace relating to the FCC.
SR–253

FEBRUARY 8

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine issues relating to labor, immigration, law enforcement, and economic conditions in the Commonwealth of the Northern Mariana Islands.
SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S631–S708

Measures Introduced: Nineteen bills and four resolutions were introduced, as follows: S. 310–328, S. Res. 31–32, and S. Con. Res. 2–3. **Pages S670–71**

Measures Passed:

Democracy in Serbia: Senate agreed to S. Res. 31, expressing support for democratic forces in Serbia and encouraging the people of Serbia to remain committed to a democratic path. **Pages S707–08**

Ethics Reform: Senate continued consideration of S. 1, to provide greater transparency in the legislative process, taking action on the following amendments proposed thereto: **Pages S636–41, S647–67**

Adopted:

By 89 yeas to 5 nays (Vote No. 13), Feingold Amendment No. 65 (to Amendment No. 4), to prohibit lobbyists and entities that retain or employ lobbyists from throwing lavish parties honoring Members at party conventions. **Page S665**

By 51 yeas to 46 nays (Vote No. 14), Bennett Modified Amendment No. 81 (to Amendment No. 4), to permit travel hosted by preapproved 501(c)(3) organizations. **Pages S664–65, S665**

By 88 yeas to 9 nays (Vote No. 15), Reid Modified Amendment No. 4 (to Amendment No. 3), to strengthen the gift and travel bans. (As modified, the amendment incorporates the provisions of Bennett (for McCain) Amendment No. 19.) **Pages S665–66**

Withdrawn:

Bennett (for Lott) Amendment No. 78 (to Amendment No. 4), to only allow official and officially related travel to be paid for by appropriated funds. **Pages S663–64**

Bennett (for Lott) Amendment No. 79 (to Amendment No. 4), to only allow official and officially related travel to be paid for by appropriated funds. **Pages S663–64**

Pending:

Reid Amendment No. 3, in the nature of a substitute. **Page S636**

DeMint Amendment No. 12 (to Amendment No. 3), to clarify that earmarks added to a conference report that are not considered by the Senate or the House of Representatives are out of scope. **Page S636**

DeMint Amendment No. 14 (to Amendment No. 3), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization. **Page S636**

Vitter/Inhofe Further Modified Amendment No. 9 (to Amendment No. 3), to prohibit Members from having official contact with any spouse of a Member who is a registered lobbyist. **Pages S636, S638–640**

Leahy/Pryor Amendment No. 2 (to Amendment No. 3), to give investigators and prosecutors the tools they need to combat public corruption. **Page S636**

Gregg Amendment No. 17 (to Amendment No. 3), to establish a legislative line item veto. **Page S636**

Ensign Amendment No. 24 (to Amendment No. 3), to provide for better transparency and enhanced congressional oversight of spending by clarifying the treatment of matter not committed to the conferees by either House. **Page S636**

Ensign Modified Amendment No. 25 (to Amendment No. 3), to ensure full funding for the Department of Defense within the regular appropriations process, to limit the reliance of the Department of Defense on supplemental appropriations bills, and to improve the integrity of the congressional budget process. **Page S636**

Cornyn Amendment No. 26 (to Amendment No. 3), to require full separate disclosure of any earmarks in any bill, joint resolution, report, conference report or statement of managers. **Page S636**

Cornyn Amendment No. 27 (to Amendment No. 3), to require 3 calendar days notice in the Senate before proceeding to any matter. **Page S636**

Bennett (for McCain) Amendment No. 28 (to Amendment No. 3), to provide congressional transparency. **Page S636**

Bennett (for McCain) Amendment No. 29 (to Amendment No. 3), to provide congressional transparency. **Page S636**

Lieberman Amendment No. 30 (to Amendment No. 3), to establish a Senate Office of Public Integrity. **Page S636**

Bennett/McConnell Amendment No. 20 (to Amendment No. 3), to strike a provision relating to paid efforts to stimulate grassroots lobbying. **Pages S636, S647–52**

Thune Amendment No. 37 (to Amendment No. 3), to require any recipient of a Federal award to disclose all lobbying and political advocacy. **Page S636**

Feinstein/Rockefeller Amendment No. 42 (to Amendment No. 3), to prohibit an earmark from being included in the classified portion of a report accompanying a measure unless the measure includes a general program description, funding level, and the name of the sponsor of that earmark. **Page S636**

Feingold Amendment No. 31 (to Amendment No. 3), to prohibit former Members of Congress from engaging in lobbying activities in addition to lobbying contacts during their cooling off period. **Page S636**

Feingold Amendment No. 33 (to Amendment No. 3), to prohibit former Members who are lobbyists from using gym and parking privileges made available to Members and former Members. **Page S636**

Feingold Amendment No. 34 (to Amendment No. 3), to require Senate campaigns to file their FEC reports electronically. **Page S636**

Durbin Amendment No. 36 (to Amendment No. 3), to require that amendments and motions to recommit with instructions be copied and provided by the clerk to the desks of the Majority Leader and the Minority Leader before being debated. **Page S636**

Cornyn Amendment No. 45 (to Amendment No. 3), to require 72 hour public availability of legislative matters before consideration. **Page S636**

Cornyn Amendment No. 46 (to Amendment No. 2), to deter public corruption. **Page S636**

Bond (for Coburn) Amendment No. 48 (to Amendment No. 3), to require all recipients of Federal earmarks, grants, subgrants, and contracts to disclose amounts spent on lobbying and a description of all lobbying activities. **Pages S636–37**

Bond (for Coburn) Amendment No. 49 (to Amendment No. 3), to require all congressional earmark requests to be submitted to the appropriate Senate committee on a standardized form. **Page S637**

Bond (for Coburn) Amendment No. 50 (to Amendment No. 3), to provide disclosure of lobbyist gifts and travel instead of banning them as proposed. **Page S637**

Bond (for Coburn) Amendment No. 51 (to Amendment No. 3), to prohibit Members from requesting earmarks that may financially benefit that Member or immediate family member of that Member. **Page S637**

Nelson (NE) Amendment No. 47 (to Amendment No. 3), to help encourage fiscal responsibility in the earmarking process. **Page S637**

Reid (for Lieberman) Amendment No. 43 (to Amendment No. 3), to require disclosure of earmark lobbying by lobbyists. **Page S637**

Reid (for Casey) Amendment No. 56 (to Amendment No. 3), to eliminate the K Street Project by prohibiting the wrongful influencing of a private entity's employment decisions or practices in exchange for political access or favors. **Page S637**

Sanders Amendment No. 57 (to Amendment No. 3), to require a report by the Commission to Strengthen Confidence in Congress regarding political contributions before and after the enactment of certain laws. **Page S637**

Bennett (for Coburn) Amendment No. 59 (to Amendment No. 3), to provide disclosure of lobbyist gifts and travel instead of banning them as proposed. **Page S637**

Bennett (for Coleman) Amendment No. 39 (to Amendment No. 3), to require that a publicly available website be established in Congress to allow the public access to records of reported congressional official travel. **Page S637**

Feingold Amendment No. 63 (to Amendment No. 3), to increase the cooling off period for senior staff to 2 years and to prohibit former Members of Congress from engaging in lobbying activities in addition to lobbying contacts during their cooling off period. **Page S637**

Feingold Amendment No. 64 (to Amendment No. 3), to prohibit lobbyists and entities that retain or employ lobbyists from throwing lavish parties honoring Members at party conventions. **Page S637**

Feingold/Obama Amendment No. 76 (to Amendment No. 3), to clarify certain aspects of the lobbyist contribution reporting provision. **Page S637**

Obama/Feingold Amendment No. 41 (to Amendment No. 3), to require lobbyists to disclose the candidates, leadership PACs, or political parties for whom they collect or arrange contributions, and the aggregate amount of the contributions collected or arranged. **Page S637**

Nelson (NE)/Salazar Amendment No. 71 (to Amendment No. 3), to extend the laws and rules passed in this bill to the executive and judicial branches of government. **Pages S637, S640–41**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 46 nays (Vote No. 16), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to invoke cloture on Reid Amendment No. 3 (listed above). **Page S666**

Senator Reid entered a motion to reconsider the vote by which the motion to invoke cloture failed on Reid Amendment No. 3 (listed above). **Pages S666–67**

A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on the bill be delayed to occur only if cloture is invoked on Reid Amendment No. 3 (listed above). **Page S708**

Senate expects to continue consideration of the bill at approximately 11 a.m., on Thursday, January 18, 2007.

Messages From the House: **Page S669**

Messages Referred: **Page S669**

Measures Read the First Time: **Page S669**

Executive Communications: **Pages S669–70**

Additional Cosponsors: **Pages S671–72**

Statements on Introduced Bills/Resolutions: **Pages S672–S706**

Additional Statements: **Page S669**

Notices of Hearings/Meetings: **Page S706**

Authorities for Committees to Meet: **Page S707**

Record Votes: Four record votes were taken today. (Total—16) **Pages S665, S666**

Adjournment: Senate convened at 10 a.m., and adjourned at 10:52 p.m., until 9 a.m., on Thursday, January 18, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S708.)

Committee Meetings

(Committees not listed did not meet)

LAND CONSERVATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine Conservation Security Program and Environmental Quality Incentives Program relating to working land conservation, focusing on the Natural Resources Conservation Service's (NRCS) process for allocating Environmental Quality Incentives Program (EQIP) funds to the states to optimize environmental benefits, NRCS's measures to monitor EQIP's performance, and the legislative and regulatory measures available to prevent duplication between CSP and other conservation programs, such as EQIP, after receiving testimony from Arlen Lancaster, Chief, Natural Resources Conservation Service, Department of Agriculture; Lisa Shames, Acting Director, Natural Resources and Environment, Government Accountability Office; Craig Cox, Soil and Water Conservation Society, Ankeny, Iowa; Kathleen A. Merrigan, Tufts University Friedman School of Nutrition Science and Policy, Winchester, Massachusetts; Duane Hovorka, National Wildlife Federation, Elmwood, Nebraska, on behalf of the Sustainable Agriculture Coalition and the Izaak Walton League of America; and James Ham, Monroe County Commission, Smarr, Georgia, on behalf of the National Association of Conservation Districts and Georgia Association of Conservation District Supervisors.

DOD CONTRACTING

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine practices in Department of Defense contracting for services and inter-agency contracting, focusing on increasing reliance on contractors, failure to follow business practices when acquiring services, and opportunities for DOD to improve its management of services, after receiving testimony from Thomas F. Gimble, Acting Inspector General, Department of Defense; and Katherine V. Schinasi, Managing Director, Acquisition and Sourcing Management, Government Accountability Office.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the progress of the Department of Homeland Security regarding the recommendations of the 9/11 Commission related to aviation security, after receiving testimony from Kip Hawley, Assistant Secretary of Homeland Security, Transportation Security Administration.

BUSINESS MEETING

Committee on Environment and Public Works: Committee adopted its rules of procedure for the 110th Congress.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original bill entitled ''Small Business and Work Opportunity Act''.

Also, committee adopted its rules of procedure for the 110th Congress.

Also, Committee appointed the following Members to the Joint Committee on Taxation, the Congressional Trade Advisors on Trade Policy and Negotiations, and the Congressional Oversight Group: Senators Baucus, Rockefeller, Conrad, Grassley, and Hatch.

IRAQ

Committee on Foreign Relations: Committee concluded a hearing to examine the remaining options and regional diplomatic strategy relating to securing

America's interests in Iraq, focusing on sectarian violence, its expansion within the region, and the challenges facing U.S. policy in the Middle East, after receiving testimony from Vali R. Nasr, Professor Naval Postgraduate School, and Richard N. Haass, New York, New York, both of the Council on Foreign Relations; and Dennis Ross, Washington Institute for Near East Policy, Washington, DC.

PRESCRIPTION DRUGS

Committee on the Judiciary: Committee concluded a hearing to examine paying off generics to prevent competition with brand name drugs, including S. 316, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, after receiving testimony from former Representative Billy Tauzin, on behalf of the Pharmaceutical Research and Manufacturers of America, Merril Hirsh, Ross, Dixon and Bell, LLP, and Bruce L. Downey, Barr Pharmaceuticals, Inc., all of Washington, DC.; Jon Leibowitz, Commissioner, Federal Trade Commission; and Michael Wroblewski, Consumers Union, Yonkers, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 44 public bills, H.R. 502–545; 1 private bill, H.R. 546; and 7 resolutions, H.J. Res. 16–18; and H. Res. 69–72 were introduced. **Pages H670–72**

Additional Cosponsors: **Page H672**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative John B. Larson to act as Speaker Pro Tempore for today. **Page H575**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958: H.R. 434, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 31, 2007, by a ⅔ yea-and-nay vote of 413 yeas to 2 nays, Roll No. 28; **Pages H582–84, H595–96**

Honoring Muhammad Ali, global humanitarian, on the occasion of his 65th birthday and extending best wishes to him and his family: H. Res. 58, to honor Muhammad Ali, global humanitarian, on the occasion of his 65th birthday and to extend best wishes to him and his family, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay," Roll No. 33; and **Pages H584–87, H631–32**

Repealing certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands: H.R. 57, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands. **Pages H587–88**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Tuesday, January 16:

Honoring the Mare Island Original 21ers for their efforts to remedy racial discrimination in employment at Mare Island Naval Shipyard: H. Con. Res. 31, to honor the Mare Island Original 21ers for their efforts to remedy racial discrimination in employment at Mare Island Naval Shipyard, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay," Roll No. 27. **Page H595**

College Student Relief Act of 2007: The House passed H.R. 5, to amend the Higher Education Act of 1965 to reduce interest rates for student borrowers, by a yea-and-nay vote of 356 yeas to 71 nays, Roll No. 32. **Pages H597–H628, H630–31**

Rejected the McKeon motion to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 186 yeas to 241 nays, Roll No. 31. **Pages H628–30**

H. Res. 65, the rule providing for consideration of the bill, was agreed to by a Recorded vote of 223 ayes to 190 noes, Roll No. 30, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 191 nays, Roll No. 29.

Pages H588–94, H596–97

Suspension—Proceedings Postponed: The House completed debate on the following measure under

suspension of the rules. Further proceedings were postponed until tomorrow, Thursday, January 18.

Congratulating the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship: H. Res. 62, to congratulate the Grand Valley State University Lakers for winning the 2006 NCAA Division II Football National Championship. **Pages H580–82**

Quorum Calls—Votes: Six yea-and-nay votes and one Recorded vote developed during the proceedings of today and appear on pages H595, H595–96, H596, H630, H630–31, and H631–32. There were no quorum calls.

Senate Message: Message received from the Senate today appears on page H575.

Adjournment: The House met at 10 a.m. and adjourned at 10:48 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session on Army and Marine Corps Readiness. Testimony was heard from the following officials of the Department of Defense: GEN Peter J. Schoomaker, USA, Chief of Staff; and GEN James T. Conway, USMC, Commandant of the Marine Corps.

The Subcommittee also met in executive session on Army and Marine Operations and Equipment Reconstitution. Testimony was heard from GEN Benjamin Griffin, USA, Commander, Army Materiel Command; LTG Jim Lovelace, U.S. Army, G3; and LTG Steve Speakes, USA, G8; LTG Emerson N. Gardner, Jr., USMC, Deputy Commandant, Programs and Resources; LTG Richard F. Natonski, USMC, Deputy Commandant, Plans, Policies and Operations; and BG Michael M. Brogan, USMC, Commander, Marine Corps Systems Command.

ALTERNATIVE IRAQ STRATEGIES

Committee on Armed Services: Held a hearing on alternative perspectives on the President's strategy for Iraq. Testimony was heard from William J. Perry, former Secretary of Defense; and public witnesses.

IRAQ OVERSIGHT

Committee on Foreign Affairs: Held a briefing on Iraq. The Committee was briefed by Madeleine Albright, former Secretary of State.

COMMITTEE ORGANIZATION

Committee on Transportation and Infrastructure: Met for organizational purposes.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Ways and Means: Met for organizational purposes.

The Committee approved an Oversight Plan for organizational purposes.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D48)*

H.R. 6164, to amend title IV of the Public Health Service Act to revise and extend the authorities of the National Institutes of Health. Signed on January 15, 2007 (Public Law 109–482)

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 18, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to receive a closed briefing on intelligence assessments on the situation in Iraq, 2:30 p.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: organizational business meeting to consider subcommittee assignments; to be followed by a hearing to examine the state of transit security, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine long-term economic and budget challenges, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold oversight hearings to examine Federal efforts for rail and surface transportation security, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine issues relating to oil and gas royalty management at the Department of the Interior, 9:30 a.m., SD–G50.

Committee on Foreign Relations: to hold hearings to examine the military and security strategy relating to securing America's interests in Iraq, 9:30 a.m., SH–216.

Committee on Indian Affairs: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments, 10 a.m., SR–485.

Committee on the Judiciary: to hold an oversight hearing to examine the Department of Justice, 9:30 a.m., SD–106.

Committee on Small Business and Entrepreneurship: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 110th Congress, and subcommittee assignments, 9 a.m., SR–428A.

Select Committee on Intelligence: to hold closed hearings to examine intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, executive, on Navy and Air Force Readiness, 10 a.m., and, executive, on Guard and Reserve Readiness, 1:30 p.m., H–140 Capitol.

Committee on Armed Services, hearing on approaches to audit of reconstruction and support activities in Iraq, 10 a.m., 2118 Rayburn.

Subcommittee on Air and Land Forces, hearing on Army force protection equipment for Operation Iraqi Freedom and Operation Enduring Freedom, 2 p.m., 2118 Rayburn.

Committee on Foreign Affairs, briefing on North Korea, 1:30 p.m., 2172 Rayburn.

Committee on Oversight and Reform, to meet for organizational purposes, 10 a.m., 2154 Rayburn.

Committee on Rules, to consider a resolution providing for consideration of motions to suspend the rules, 3 p.m., H–313 Capitol.

Permanent Select Committee on Intelligence, hearing on Current and Projected Threats to U.S. National Security, 9:30 a.m., 2212 Rayburn, and, executive, at 12 p.m., H–405 Capitol.

Next Meeting of the SENATE

9 a.m., Thursday, January 18

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 2 hours), Senate expects to continue consideration of S. 1, Ethics Reform.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, January 18

House Chamber

Program for Thursday: Consideration of H.R. 6—Creating Long-Term Energy Alternatives for the Nation (CLEAN) Act of 2007.

Extensions of Remarks, as inserted in this issue

HOUSE

Abercrombie, Neil, Hawaii, E133
Akin, W. Todd, Mo., E125
Brady, Robert A., Pa., E130
Capuano, Michael E., Mass., E132
Cooper, Jim, Tenn., E125
Dingell, John D., Mich., E129
Duncan, John J., Jr., Tenn., E124
Ellison, Kieth, Minn., E125
Feeney, Tom, Fla., E123
Goodlatte, Bob, Va., E130
Gordon, Bart, Tenn., E126
Hastings, Alcee L., Fla., E126
Israel, Steve, N.Y., E133
Lewis, Jerry, Calif., E128
Moore, Dennis, Kans., E131, E132
Norwood, Charlie, Ga., E123, E124
Paul, Ron, Tex., E130
Ross, Mike, Ark., E123, E124, E124, E129
Shuster, Bill, Pa., E126
Sutton, Betty, Ohio, E129
Udall, Tom, N.M., E131, E132, E133
Upton, Fred, Mich., E131
Waxman, Henry A., Calif., E124
Welch, Peter, Vt., E132
Wolf, Frank R., Va., E127

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